

system that can shoot down long-range multi-raid aircraft and missiles as well as engage enemy fighters in close-in combat. Weight-reducing microminiaturization of avionics, balanced with airframe and engine design, has eliminated performance penalties formerly associated with multi-mission fighters. In the F-14 one percent of the aircraft weight makes it possible to use Phoenix, Sparrow, Sidewinder, Agile, a gun and air-to-surface weapons. A large part of that weight is in removable pallets not used for the Dogfight configuration.

Navy performance estimates of the F-14A and F-14B have been substantiated by an independent National Aeronautics and Space Agency assessment made at the request of Dr. John S. Foster, Jr., Director of Defense Research and Engineering. It was further concluded the multi-mission performance estimates were attainable without degrading the pure fighter capability.

An important item in the initial Navy specification for the Phoenix Missile was the requirement to operate in the severest Electronic Countermeasures (ECM) environment.

Contractor and Navy tests have been made on the entire Phoenix Missile and elements within the missile, using projected 1980 ECM

threats and experimental ECM devices specifically conceived to defeat the missile's circuits. The weapon successfully copes with all these ECM techniques.

PRESS RELEASE EXCERPT

In fact, its main dogfight weapon will be a new \$100,000 per copy version of the Sparrow missile, earlier versions of which in Vietnam have proven one-quarter as effective against enemy aircraft as our fighter planes' cannons and guns, while costing 200 times as much per firing or 800 times as much per kill.

The facts

The new SPARROW costs \$60,000 per copy under the present Navy program. Also the F-14 with its mixed weapon load (SPARROW, SIDEWINDER, and Guns) and superior fire control system allow the Pilot and Missile Control Officer to select the proper and most effective weapon for each particular situation thus increasing the overall kill probabilities.

PRESS RELEASE EXCERPT

The Senate should follow the lead of the House and deny further funding for the F-14.

And the Navy should follow the lead of the Air Force and develop a new light weight fighter which could put the F-14 to shame.

As the Air Force program demonstrates, a new light weight fighter could have 80-100

per cent better acceleration and turn capabilities than the F-14A.

And even if it came in at double the \$2.5 million per copy now estimated for such a plane, we could still afford to buy it in the numbers which combat might realistically require.

The facts

The Navy has studied lighter and simpler fighter designs, but has yet to find one which shows any potential of being superior in the total combat arena.

While many individual, special purpose aircraft could be designed to cope with each threat, at each altitude, at each speed while using an optimum weapon for each engagement, it is obvious that an aggregate of such types would be far more costly than the F-14. If a better solution exists, it has yet to be proposed to the U.S. Navy.

Data on the light weight Air Force fighter mentioned by Senator Proxmire has not been made available to the Navy. However, if that airplane out turns and out accelerates the F-14 by 80-100% it must be a highly specialized type optimized for fighting other "dog fighters" and cannot be a balanced weapons system designed to meet the agreed threat most likely to be encountered in performing Navy missions in all parts of the world.

SENATE—Wednesday, October 13, 1971

The Senate met at 12 o'clock noon and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

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

O God of Creation and of providence, watch over this good land won through peril, toil, and pain. Spare us the things which destroy—the hostile thought, the violent act, the unbrotherly attitude. Nourish us in the things which enrich—the kindly deed, the generous act, the disciplined conduct, the industrious habit. Help us to bring an anodyne to the world's ills—to be our brother's brother before we become our brother's keeper.

Grant us so to live that we may hear the Lord of Life say, "Come and receive the kingdom which has been prepared for you ever since the creation of the world. I was hungry and you fed me, thirsty and you gave me drink; I was a stranger and you received me in your homes, naked and you clothed me; I was sick and you took care of me, in prison and you visited me—whenever you did this for one of the least important of these brothers of mine, you did it for me."

In the Master's name we pray. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on October 8, 1971, the President had approved and signed the act (S. 2260) to amend further the Peace Corps Act (75 Stat. 612), as amended.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, informed the Senate that Mr. BELL has resigned as a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (S. 2007) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes.

The message announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 456. An act to exempt from taxation certain property in the District of Columbia owned by the Reserve Officers Association of the United States;

H.R. 10383. An act to enable professional individuals and firms in the District of Columbia to obtain the benefits of corporate organization, and to make corresponding changes in the District of Columbia Income and Franchise Tax Act;

H.R. 10738. An act to provide for the regulation of the practice of dentistry, including the examination, licensure, registration, and regulation of dentists and dental hygienists, in the District of Columbia, and for other purposes; and

H.J. Res. 208. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 916) making further continuing appropriations for the fiscal year 1972, and for other purposes.

The enrolled joint resolution was subsequently signed by the President pro tempore.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 456. An act to exempt from taxation certain property in the District of Columbia owned by the Reserve Officers Association of the United States;

H.R. 10383. An act to enable professional individuals and firms in the District of Columbia to obtain the benefits of corporate organization, and to make corresponding changes in the District of Columbia Income and Franchise Tax Act; and

H.R. 10738. An act to provide for the regulation of the practice of dentistry, including the examination, licensure, registration, and regulation of dentists and dental hygienists, in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.J. Res. 208. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 12, 1971, be dispensed with.

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

ORDER FOR RECOGNITION OF SENATOR EAGLETON AT NEXT MEETING OF SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the next meeting of the Senate, the distinguished Senator from Missouri (Mr. EAGLETON) be recognized, after the recognition of the two leaders under the standing order, for a period not to exceed 15 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

PAYMENT OF JUDGMENT TO THE SHOSHONE TRIBE OF INDIANS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration at this time of Calendar No. 392, S. 2042.

The PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read the bill as follows:

A bill (S. 2042) to provide for the apportionment of funds in payment of a judgment in favor of the Shoshone Tribe in consolidated dockets numbered 326-D, 326-E, 326-F, 326-G, 326-H, 366, and 367 before the Indian Claims Commission, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

S. 2042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Shoshone Nation or Tribe of Indians and the Shoshone-Bannock Tribes that were appropriated by the Act of June 19, 1968 (82 Stat. 239), to pay a judgment in the sum of \$15,700,000 entered by the Indian Claims Commission in consolidated dockets numbered 326-D, 326-E, 326-F, 326-G, 326-H, 366, and 367, and the interest thereon, after deducting attorneys' fees, litigation expenses, and other appropriate deductions, shall be apportioned by the Secretary of the Interior to the Shoshone Tribe of the Wind River Reservation, Wyoming, the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho, and the Northwest Band of Shoshone Indians (hereinafter the "three groups"), as set forth in this Act.

Sec. 2. The sum of \$500,000, and the interest thereon, less attorneys' fees and other appropriate deductions all in the proportion that the \$500,000 bears to the \$15,700,000, shall be credited to the Shoshone-Bannock Tribes of the Fort Hall Reservation for claims of the tribes enumerated in dockets numbered 326-D, 326-E, 326-F, 326-G, and 366.

Sec. 3. The sum of \$1,375,000 plus the earned interest thereon less \$181,732 shall be credited to the Northwestern Bands of Sho-

shone Indians for claims of the bands enumerated in dockets numbered 326-H and 367.

Sec. 4. The remainder of the award shall be apportioned between the Shoshone-Bannock Tribes of the Fort Hall Reservation and the Shoshone Tribe of the Wind River Reservation in accordance with an agreement entered into between the Shoshone-Bannock Tribes and the Shoshone Tribe of the Wind River Reservation in May 1965, approved by the Associate Commissioner of Indian Affairs in December 1965.

Sec. 5. For the purpose of apportioning the award in accordance with this Act, membership rolls, duly approved by the Secretary of the Interior, shall be prepared for each of the three groups, as follows:

(a) The governing body of the Shoshone Tribe of the Wind River Reservation and the Governing body of the Shoshone-Bannock Tribes, each shall, with the assistance of the Secretary, bring current the membership rolls of their respective tribes, to include all persons born prior to and live on the date of this Act, who are enrolled or eligible to be enrolled in accordance with the membership requirements of their respective tribes.

(b) The proposed roll of the Northwestern Bands of Shoshone Indians entitled to participate in the distribution of the judgment funds shall be prepared by the governing officers of said Northwestern Bands, with the assistance of the Secretary of the Interior, within six months after the date of the enactment of this Act authorizing distribution of said funds. The roll shall include all persons who meet all of the following requirements of eligibility:

(1) They were born prior to and alive on the date of the enactment of this Act;

(2) Either their names appear on one of the following Indian Census rolls of the Washaki Sub-Agency of the Fort Hall jurisdiction:

(a) Roll dated January 1, 1937, by F. A. Gross, Superintendent of the Fort Hall Reservation.

(b) Roll dated January 1, 1940, by F. A. Gross, Superintendent of the Fort Hall Reservation.

(c) Roll dated March 10, 1954.

(d) Roll dated April 21, 1964.

or they possess one-quarter Shoshone Indian blood and they are descendants of those appearing on at least one of said rolls;

(3) They are not recognized as members of the Shoshone-Bannock Tribes of the Fort Hall Reservation, the Shoshone Tribe of the Wind River Reservation, or any other Indian Tribe; and

(4) They shall elect not to participate in any settlement of claims pending before the Indian Claims Commission in docket 326-J, Shoshone-Goshute, and docket 326-K, Western Shoshone.

The proposed roll shall be published in the Federal Register, and in a newspaper of general circulation in the State of Utah. Any person claiming membership rights in the Northwestern Bands of Shoshone Indians, or any interest in said judgment funds, or a representative of the Secretary on behalf of any such person, within sixty days from the date of publication in the Federal Register, or in the newspaper of general circulation, as hereinbefore provided, whichever publication date is last, may file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such proposed roll. The Secretary shall review such appeals, and his decision thereon shall be final and conclusive. After disposition of all such appeals to the Secretary, the roll of the Northwestern Bands of Shoshone Indians shall be published in the Federal Register and such roll shall be final.

Sec. 6. The funds apportioned to the Northwestern Band of Shoshone Indians, less attorneys' fees, and expenses due the attorneys representing the Northwestern Band

under an approved contract, effective March 1, 1968, shall be placed to its credit in the United States Treasury and shall be distributed equally to the members whose names appear on the final roll and in accordance with the provisions of this Act.

(a) The per capita shares shall be determined on the basis of the number of persons listed on the proposed roll published as hereinbefore provided and the number of persons on whose behalf an appeal has been taken to the Secretary contesting omission from such proposed roll. The share of those persons excluded from the final roll by reason of the decision of the Secretary on appeal shall be distributed equally to the persons included on the final roll.

(b) The Secretary shall distribute a share payable to a living enrollee directly to such enrollee. The per capita share of a deceased enrollee shall be paid to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive. A share or interest therein payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines appropriate to protect the best interest of such persons.

Sec. 7. (a) The funds apportioned to the Shoshone-Bannock Tribes of the Fort Hall Reservation shall be placed to their credit in the United States Treasury. Seventy-five percent of such funds shall be distributed per capita to all persons born on or before and living on the date of this Act who are duly enrolled on the roll prepared in accordance with section 5(a) of this Act.

(b) The per capita shares shall be determined on the basis of the number of persons eligible for per capita and the number of persons rejected for per capita who have taken a timely appeal. The shares of those persons whose appeals are denied shall revert to the Shoshone-Bannock Tribes to be expended for any purpose designated by the tribal governing body and approved by the Secretary.

(c) Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary of the Interior determines appropriate to protect the best interests of such persons.

(d) The funds remaining after provision is made for the per capita distribution may be used, advanced, expended, invested, or reinvested for any purpose authorized by the tribal governing body and approved by the Secretary of the Interior.

Sec. 8. The funds apportioned to the Shoshone Tribe of the Wind River Reservation shall be placed to its credit in the United States Treasury and shall be distributed in accordance with the provisions of the Act of May 19, 1947, as amended (61 Stat. 102; 25 U.S.C. 611-613).

Sec. 9. Any funds distributed per capita under provisions of this Act shall not be subject to Federal or State income tax, and shall not be considered income, revenue, or expendable funds under the provisions of the Social Security Act.

Sec. 10. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Mr. McGEE. Mr. President, I urge passage of S. 2042, to provide for the apportionment of funds in payment of an Indian Claims Commission judgment in favor of the Shoshone Tribe.

The Shoshone Tribe is composed of three separate groups of Indians: The Shoshone of the Wind River Reservation, Wyo.; the Shoshone-Bannocks

of the Fort Hall Reservation, Idaho; and the Northwestern Bands of Shoshones, who are living in Utah, Nevada, and on the Fort Hall Reservation. The total number of people involved is 5,300. The Fort Hall group consists of 2,800; the Wind River group consists of 2,200; and the Northwestern Bands has a population of 300.

Unfortunately, the Indian Claims Commission judgment did not apportion the total award among the respective groups. The award was made by the Commission on February 13, 1968, and since that time the three separate groups, after extensive negotiations, had been unable to arrive at a mutually satisfactory agreement for dividing the money judgment.

The Committee on Interior and Insular Affairs has held two hearings on the matter—the last one on September 15, 1971. At this hearing, two separate bills, S. 1120, introduced by my colleague from Wyoming (Mr. HANSEN) and me, and S. 2042, introduced by our colleague (Mr. Moss) from Utah, were pending before the committee. These bills represented the differing views of the three bands of Indians. On September 14, representatives of the three bands reached a compromise agreement for the settlement of the dispute. S. 2042, as amended, contains this compromise agreement, and I joined with my colleagues from the States of Idaho, Utah, and Wyoming in sponsoring this new proposal. The general counsels of all three bands have approved the provisions of S. 2042.

Mr. President, this judgment which, including interest, now amounts to \$15,800,000 has been held in abeyance since February of 1968. I believe the compromise contained in S. 2042 is reasonable and serves to expedite the distribution of this money judgment to its rightful owners. I, therefore, urge the Senate to pass this bill today. Hopefully, our colleagues in the House will take early action so that we can obtain final congressional approval and distribution of the money as soon as possible.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 393), explaining the purposes of the measure.

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

PURPOSE

The purpose of S. 2042, sponsored by Senator Frank E. Moss of Utah, and a similar bill, S. 1120, which was also considered by the Committee, introduced by Senator Clifford P. Hansen for himself and Senator Gale McGee, is to provide for the distribution of a \$15,200,000 judgment of the Indian Claims Commission to three successor entities of the Shoshone Indians: (1) the Shoshone-Bannock Tribes of the Fort Hall Reservation, (2) the Shoshone Tribe of the Wind River Reservation, and (3) the Northwestern Band of Shoshone Indians.

A sum of \$50,000 is specifically earmarked in the judgment for the Fort Hall group. Legislation (S. 101) covering this portion of the award was approved by the Senate on June 9, 1971. The remaining \$15,200,000 rep-

resents additional compensation for 38 million acres of land to the Shoshone Tribe or Nation, taken by the United States in 1868 and 1869. The \$15,200,000 has been appropriated and has been deposited in interest-bearing accounts.

NEED

The judgment, although appropriated, may not be used until the purpose has been authorized by Congress.

The beneficiaries of the \$15,200,000 portion of the award are three successor entities to the Shoshone Tribe or Nation—the Shoshone-Bannock Tribes of the Fort Hall Reservation, the Shoshone Tribe of the Wind River Reservation, and the Northwestern Band of the Shoshone Indians. The Shoshone-Bannock Tribes are organized under the 1934 Indian Reorganization Act. Their membership is estimated to be 2,300. The Wind River Shoshones are governed pursuant to resolutions and ordinances approved by the Commissioner of Indian Affairs. As of June 1968, their membership was 2,038. The descendants of the Northwestern Band of Shoshones are unorganized and unrecognized as a viable tribal entity, although a small group at Washakie, Utah, is informally organized and has limited its estimated membership of 205 to persons of one-half or greater degree Northwestern Band of Shoshone Indian blood.

In disposing of the \$15,200,000 award, S. 2042 fixes the share of the Northwestern Band at \$1,375,000. S. 2042 also restricts shares in the Northwestern Band's ultimate portion of the award to persons named on a single census roll and to their descendants.

The groups involved in the joint award, and their attorneys, have negotiated since 1965 in efforts to reach an agreement on a division of this fund. At least nine separate proposals have been suggested, none of which has been acceptable to all parties concerned. On September 14, 1971, tribal officials, representing the three Shoshone groups, and their attorneys met in Washington, D.C. and reached an agreement on the manner in which the funds are to be allocated among the three.

Under the terms of the agreement, the Northwestern Band of Shoshone Indians will receive as their portion of the settlement \$1,375,000 plus the earned interest thereon, less \$81,732 offsets and less an additional \$100,000; and the balance of the award is to be divided equally between the Shoshone-Bannock Tribes of the Fort Hall Reservation and the Shoshone Tribe of the Wind River Reservation on the basis of the May 1965 agreement between the two groups approved by the Bureau of Indian Affairs. The offsets incurred by each of the groups are to be deducted from its respective share. The manner in which each group proposed to dispose of its share was left to their own discretion.

The major provision of the September 14 agreement regarding the division of the judgment award among the three claimant groups were incorporated in a draft bill which the Indians and their attorneys endorsed at the hearing before the Subcommittee on Indian Affairs on September 15, 1971, on the two other pending bills relating to this subject. In addition the proposed measure provides for the method to be followed by each group in the distribution of its apportioned share of the funds.

In the case of the Northwestern Band of Shoshone Indians, they do not live on a reservation nor have they had a prolonged relationship with the Federal Government, and will therefore distribute the funds equally to the members whose names appear on the final roll.

The Shoshone-Bannock Tribe of the Fort Hall Reservation desires to distribute 75% of its funds per capita to duly enrolled members and to withhold 25% for reservation development programs. The Shoshone Tribe of the Wind River Reservation will distribute its share of the funds in accordance with

the provisions of the Act of May 19, 1947, as amended (61 Stat. 102; 25 U.S.C. 611-613), which authorizes 85 percent of the funds to be distributed per capita and the balance to be used for programs authorized by the Secretary of the Interior.

COST

Enactment of this legislation will not result in the expenditure of any additional funds by the Federal government.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs unanimously recommends enactment of S. 2042.

DRUGS AND THE MISSILE CREWS

Mr. MANSFIELD. Mr. President, published in the London Sunday Times on September 5, 1971, is an article entitled "Drugs and the Missile Crews," which I believe deserves the most serious attention of the Senate and, for that matter, the administration and the country as well.

This article was written by Miss Flora Lewis, who has done an outstanding job in this particular area, especially as it affects American servicemen, not only on the Poseidon and Polaris submarines, and in the Strategic Air Command, but in Southeast Asia and Germany as well.

Because of the impact this problem is having on the country in so many aspects, and because of my great admiration for Miss Lewis and the fine work she is doing in this field, I ask unanimous consent to have this article printed in the RECORD.

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

DRUGS AND THE MISSILE CREWS

(By Flora Lewis)

The drug epidemic not only permeates the US Army, it has spread to the men who handle America's nuclear weapons. Official service investigations have confirmed cases of drug taking by men in the Navy's Polaris submarine crews, in the Air Force's strategic Air Command, and in the Army's Nike-Hercules missile battalions.

Only the President has the authority to "push the button" that would launch a nuclear bomb or missile. But in each service, two key men of the crew on duty could trigger an atomic explosion. Each service has set up elaborate screening procedures to make sure these crews are composed only of reliable, sane and sober men. Each service has found some crew members taking drugs.

No comprehensive report on the potentially catastrophic mixture of drugs and atoms is available, and none may have been made. But in one way or another, a number of incidents have come to light despite the reluctance of the Defense Department to bring the problem to public attention.

As the Pentagon keeps saying, drugs are a problem of society and the military can't be expected to be immune. But the combination of drugs and nuclear arms is more than a bad trip. It could be a mushroom cloud, engulfing the world.

Carl Perian, a veteran narcotics expert and aide to a US Congressman, John Murphy, says that the "admirals are holding their breath" at the possibility of a large-scale drug scandal among crew members of the Navy's 41 Polaris submarines.

Murphy and Perian dug out one of the confirmed cases, which involved the USS Canopus, a submarine tender assigned to the Polaris base at Holy Loch in Scotland. They visited Holy Loch and found so much marijuana in use among sailors and marines that they called the ship UUS Cannabis.

The Navy told them that the commander of the tender asked for a drug investigation after Lance-Corporal Wayne Allen Walter requested a change of duty. Walter was one of the marines assigned to guard duty on the ship, which supplies and services Polaris subs between their 60 to 70 day underwater cruises. He complained that other marines in his watch section were getting high on drugs and he didn't want to work with them any more.

The investigation was begun on April 21, 1971. The investigators officially reported that one crew member cleared for handling top secret information, identified only as Sinck, admitted using marijuana on board as well as ashore. Of five others investigated who also had top secret clearances, one, Lance-Corporal Brown, admitted using marijuana ashore, one named Ford denied using drugs, and three named Miller, Reed and Slatcavage refused to answer. Five more crew members, another Brown, Evans, Kestel, O'Neal and Tolliver, also admitted using marijuana but said it was only ashore.

But a Navy memorandum of April 29, 1971, said that LSD was used on the Canopus as well as marijuana and that 10 crew members were charged. Furthermore, it said there had been seven earlier investigations of drug abuse on the Canopus since it had arrived at Holy Loch in May, 1970. "This known narcotics usage aboard the Canopus is not unusual when related to the incidence in other commands . . ." the memo said.

Chatting with crew members, Perlan was told that drug taking was common on the tender and drugs were passed to men serving on Polaris crews. The Navy has not disclosed precisely what jobs the men held, but those with top security clearance have access to nuclear missiles or to the vital communications equipment which controls them. A nuclear tender can't fire missiles, but it stores them, helps load them on the subs, and serves as home base while the subs prowl the oceans awaiting the signal to fire.

Each sub carries 16 missiles, some the original A-1 Polaris with a single nuclear warhead, some the later A-3 missile which can fire three atomic blasts at three separate targets, and a few have the new Poseidon which carries 10 separate warheads on each missile.

Since the public became aware of the high amount of heroin addiction in the Army, little attention has been paid to marijuana, LSD, and other synthetic drugs. They have come to be considered trivial. Nonetheless, reports from Vietnam show these "soft drugs" can cause fatal accidents to men under stress.

An official report of the Americal Division, obtained by Congressional investigators touring Vietnam in January 1971, gave three examples of how men in that unit had killed themselves while high on marijuana. The report didn't even try to say how many stoned GIs had caused the death of others, but it pointed out that this was an obvious result of drug use in combat.

In one of the three suicide cases, PFC Ralph W. Hunt was noticed to be high on drugs during a combat mission. The chaplain put him into a helicopter to take him back to base. At 17.15 hours on August 1, 1970, the Army report said, Hunt jumped from the helicopter telling the chaplain he could float to earth. They were 1,500 feet in the air. The chaplain told the division surgeon that "pieces of his body were collected and put in a bag and sent back to the States."

Another case cited by the American report, intended to help educate soldiers on the dangers of drugs, said a trooper on marijuana pulled the pin of an M-26 grenade and put it under his chin. In another case, four men held a pot party in a bunker. One pulled a grenade and three died.

Polaris submarine duty is composed of long stretches of intense boredom punctuated with regular periods of stress. About once a week, though never on a precise schedule,

the subs go on alert and must be able to launch their weapons within 15 seconds. The crews never know until afterwards whether the alert is a practice drill or the real thing.

RED TRIGGER IN A COMPUTER ROOM

In October, 1969, the Navy investigated 38 men of the USS Nathan Hale's 140-man crew on charges of drug abuse. The investigation came after one seaman had a nervous breakdown, and told his psychiatrist there was widespread use of narcotics on the Nathan Hale, a Polaris sub.

Eighteen men were cleared of the charges, eight were warned and transferred to other duty, and 12 were discharged. The Navy did not disclose their names or their jobs, but said that six had jobs for which special "reliability screening" was required. All but one of the men were found to have been using marijuana, and one had also admitted taking LSD and hashish.

According to the Navy's report, all the drug-taking took place on shore while the men were off duty and the Nathan Hale was undergoing a long overhaul at Groton in Connecticut, presumably to convert its missile tubes to accommodate the three-headed A-3 Polaris.

One of the seamen involved was transferred to shore duty in Vietnam. There he told friends that drugs were often used while the Nathan Hale was submerged on mission, although "at sea hashish was preferred because the odor is not so noticeable as marijuana."

"We would work six hours and then have 12 hours off," he said. "To smoke hashish, I would go up to the galley and get a piece of aluminium foil, go to the upstairs toilet and smoke. The smoke would go through the foil directly into the exhaust fan, be absorbed in the ventilation system and disappear."

The seaman did not say what were his exact duties on the sub, but he had access to the missile control room, where the button would be pressed if ever the missiles were launched, and he was able to describe it.

"It's a small room with almost nothing in it but computers," he said. "The door is bullet-proof and weighs 150 pounds. The launcher looks like an ordinary telephone, except where the dial ought to be there's a red trigger."

"Sometimes we would fantasize about taking over the sub and letting go the missiles. We knew how to do it."

The USS Holland, a sister ship of the Canopus, is now on station at Rota, Spain. It, too, has had one case of drug taking revealed. A 30-year-old seaman, Robert Sims of Dallas, Texas, was arrested by Spanish police for smuggling hashish from Morocco when he was returning to his post on the Holland after leave.

A Navy spokesman said later that Sims' job on the Holland was a minor one, not involving access to the nuclear weapons, but there was no effort to deny that the Holland, too, had its drug problem.

Civilian police were also responsible for bringing to light drug cases in the Air Force and the Army.

On November 24, 1969, California narcotics agents arrested six men assigned to the Strategic Air Command's Castle base. The California Attorney-General's office said base officials informed them that four of the men, lieutenants, were bomber pilots and the other two were mechanics.

Later, the Air Force said three of the lieutenants were in training as co-pilots on the KC-135, the giant tanker that refuels the H-bomb laden B-52s in flight. The other, Lt. Thomas McDonagh, who admitted selling marijuana and LSD, was on ground duty with the 93rd Headquarters Squadron. They lived together off base in what the California police called "a hippie-type pad with a picture of Ho Chi Minh on the wall." The drugs were found in their apartment.

The three lieutenants in training were released for lack of evidence. Charges against two sergeants who worked as mechanics were also dismissed, but one left the Air Force as a result of the incident.

The case was brought before a Congressional subcommittee, which had been trying with little success to call the military's attention to the dangerous drug spread of drug-taking among its men. Senator Thomas Dodd, the chairman, pointed out how many times he had called witnesses to show how bad the problem was, and how regularly Pentagon officers would blandly reply that it was "minor."

Nonetheless, just after public disclosure of the massacre at My Lai and the revelation that half the men in Lt. Calley's company used marijuana and half of Sgt. Charles West's squad had been high on marijuana six hours before that operation, the Secretary of Defense set up a secret task force to look into the drug problem.

Admiral William Mack was in charge. He later testified about the Castle Air Force base incident, saying that "as of today we do not know of any case in the service where the national security has been jeopardized"—that is, where a nuclear bomb or missile was nearly fired without authorization. However, he pointed out that all Pentagon reports on drugs were "misleading."

A SURPRISE VISIT BY AN ARMED MIG

"The Defense Department never really knew and does not know now what the amount of drug use is in the armed services because this kind of data is hard to come by," Mack said. "Therefore, they stuck to what they did know which was the number of cases they had investigated. This is very misleading . . . the only thing you can deduce from this is the number of cases investigated."

Mack was also quizzed about the "Cuban MIG" case. On November 2, 1969, a fully armed MIG-17 slipped into Homestead Air Force base in Florida, landing not far from President Nixon's plane, Air Force One. The President was on holiday nearby.

The MIG turned out to be piloted by a Cuban defector who only wanted asylum, but the incident set off a national uproar because it showed that the elaborate radar warning system to protect the US against surprise attack could be penetrated with ease.

About that time, Florida police had arrested on drug charges some GIs assigned to Homestead, so investigation of the grave gap in the air defenses turned to the question of whether the radar operators had failed to spot the intruding plane because they were high on drugs.

That was not the case. The MIG sneaked in because the air and ground warning systems just weren't switched on. But the inquiry did discover 35 drug users and sellers among the men assigned to the Nike-Hercules missile battalion guarding the base. Nike-Hercules is a ground-to-air nuclear missile which can shoot down planes or cruise-missiles launched from submarines.

The 35 were all enlisted men, most of them between 19 and 22 years old. Nine of them were found to be selling as well as using drugs. One had been cleared for top secret work, 31 for secret work.

No names were disclosed. But under intense and eventually angry questioning from Congress, the Army revealed in a secret hearing that 15 of the men were on Nike-Hercules crews and two others were "fire distribution crewmen," people who worked the missile firing control system.

Later, Admiral Mack explained that this had not risked unauthorized firing of a nuclear missile because "only 10 [of the convicted men] had positions of responsibility, and there was only one per battery. In other words, no battery had more than one case in it." And, as he went on to say, "The precautions we have for manning the sensitive areas, which are very vital to us, include

the provision that no one man can initiate or carry on the firing sequence of a battery." It takes two to set off an atom bomb or missile.

So far as is known, there has never been an accidental or unauthorized explosion of a nuclear weapon anywhere in the world. There have been H-bombs lost and never recovered, and H-bombs dropped by accident, spraying deadly plutonium powder over areas in Morocco, Spain, and Greenland. But atomic explosions are not easily triggered and the machinery has proven reliable.

The experts, both military and civilian, have always known that the real danger is the human factor, which can never be so reliable. That is why it is arranged that two men must work together.

But it takes only two. And that is why all the nuclear services have screening programmes which are supposed to keep out unstable men and to detect those who are psychologically weak, such as drug takers. Yet, in each of these recorded and confirmed incidents, the investigations were begun as the result of an accident or a complaint outside the responsible chain of command, not because the screening programme worked.

"What can you do?" Pentagon spokesmen say. "Drugs infect the society. They're bound to get into the military." Sadly true. And they are bound to get into units trained to fire nuclear weapons. Terrifyingly true.

ILLNESS OF MARVELLA BAYH, WIFE OF SENATOR BAYH, OF INDIANA

Mr. SCOTT. Mr. President, the deep sympathy of the whole Senate goes out to our distinguished Senator from Indiana (Mr. BAYH) on the illness of his wife. Special sympathy goes out to Marvella herself, whom we all know as one of the most lovable of the ladies of the Senate.

Our hearts grieve for all in the Bayh family over this unfortunate situation.

PRESIDENT NIXON'S FORTHCOMING VISIT TO MOSCOW

Mr. SCOTT. Mr. President, President Nixon has announced that he will be going to visit Moscow in May for a meeting with the leaders of the Soviet Union.

This step, while independent of the journey to Peking, is another bold decision so typical of a President who has not hesitated to act in controversial matters and to act strongly and move the Nation and the world, so far as within him lies, in the direction of at least a generation of peace.

We do not know what will come out of these two fateful meetings, but we do know that it is far better to continue negotiations and to avoid confrontation, and particularly to negotiate with the other great superpower and with the only potential superpower in the coming two decades.

With regard to the visit to Moscow, it is our turn to return the state visit paid us by Chairman Khrushchev. The invitation comes from the Soviet Union. It is difficult to predict what can happen. Not everything we expect will result.

However, the actions of Soviet leaders lately in visiting so many parts of the world, in their obvious attempts to lessen certain tensions, as exhibited by the Sea-bed treaty, the bacteriological warfare treaty, and the treaty to take steps

against accidental nuclear explosions, all indicate that the Soviet Union is desirous of cooling the temperature of the world—I think even in the Middle East, where we do not approve of what they are doing by any means in furnishing arms to some of the nations there, but at least there has been no shooting for 15 months. That in itself is progress of a sort. We hope for eventual peace in that area.

The SALT talks are moving. Progress has been noted there.

Thus, I commend wholeheartedly the President of the United States, and I know that that sentiment is shared by the bipartisan leadership in both Houses of Congress.

Mr. MANSFIELD. Mr. President, I join the distinguished Republican leader in what he has just said about the President's proposed journey to Peking, which is to be followed sometime thereafter by a journey to Moscow.

It should be stated for the RECORD that there was bipartisan and unanimous approval at the White House yesterday when the President briefed us on some of the details of his latest acceptance, the invitation to go to Moscow.

As the distinguished Republican leader has pointed out, the last time a high Soviet dignitary visited us was when Chairman Khrushchev came to this country. Thus, in the course of events, the way protocol works, if there were to be a high level conference of this kind, it would be held in Moscow this time.

It should also be stated, and on a bipartisan basis, that President Nixon has made tremendous strides, I think, in the field of foreign policy. Not only have we two agreements on the SALT talks, but two more are in the offing, although they may take longer. Not only do we have a degree of stability—at least in view of what existed in the Middle East until the Nixon-Rogers formula, which I approve completely—but we also have the signing of the Berlin accords by the representatives of the four powers, in which the President played a very important personal part. Those accords are now being considered by the two Germans. If agreement can be reached, it will be stamped finally as an agreement by the plenipotentiaries of the four powers. Then it is hoped it will be possible for Willy Brandt, the Chancellor of Germany, to continue the Ostpolitik policy by the signing of an agreement with Poland and the Soviet Union, this to be followed by an all-European conference, to be attended by the United States and Canada.

These are actions in the right direction. They are moves of great importance.

While I wish we could accelerate our withdrawal from all of South Vietnam, one has to give due recognition to the fact that the policy, while not speedy enough in my judgment, is nevertheless moving in the right direction.

Perhaps when the President addresses the Nation next month, he will have news which will accelerate the withdrawal. However, that is for the President to decide.

I join the distinguished Republican leader by saying what I can in view of the shifts of policies which are occurring

throughout the world and the travels which are now underway and will be underway shortly. I hope that out of this new mixture accruing in this new age will come new policies which will satisfy the needs of the times. I look for changes in old policies which have outlived their usefulness and should be consigned to the distant past.

Mr. SCOTT. Mr. President, I thank the majority leader for his usual and expected patriotic response and bipartisanism which illuminates our foreign policy.

PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period of 30 minutes for the transaction of routine morning business with each Senator being limited to 3 minutes.

Is there any morning business?

QUORUM CALL

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

THE C-5A SCANDAL

Mr. PROXMIRE. Mr. President, the grounding by the Air Force of the entire fleet of C-5A's, the Air Force cargo plane, should outrage every American taxpayer. The Air Force should require the Lockheed Corp. to recall immediately all C-5A aircraft and should itself stop the pernicious practice of accepting delivery of deficient planes.

The C-5A, with its cracked wings, its engines and wheels that fall off, its missing parts, landing gears that do not work, and numerous other deficiencies, is one of the greatest "rip-offs" of the public treasury in defense contract history. This is a plane that cost \$2 billion more than it was supposed to cost.

What is worse, Mr. President, is that under the present contract, the public must pay the cost of correcting every one of Lockheed's bonehead fumbles.

Unless the Air Force acts now to force the contractor to make the necessary corrections at its own expense or without increasing the cost of this program, I intend to do everything in my power to place a ceiling on this endless outpouring of billions of taxpayers' dollars for such pitiful waste.

I do not know what else we can do. We have tried everything else. The situation involving this plane gets worse and worse. It is a nightmare. However, I do think that the Senate should consider very thoughtfully and carefully, when the appropriation bill involving this matter comes before the Senate, putting a ceiling on the amount that can be spent for that program.

CAMBODIA: THE HANDWRITING ON THE WALL

Mr. MANSFIELD. Mr. President, a year and a half has elapsed since the military overthrow of Prince Sihanouk and the subsequent U.S. incursion into Cambodia. At the time, these events were hailed as quickening the end of the war in Vietnam. A year and a half later, the war still goes on and this obscure episode of the long tragedy of Indochina is all but forgotten.

It is not forgotten, however, by the families of more than 350 Americans who died in the Cambodian invasion. Nor is it forgotten by the hundreds of other Americans who were wounded in that brief campaign. Nor is it forgotten, I should think, in Cambodian villages which have since been bombed or burned, undoubtedly, in order "to save them."

In retrospect, what was really achieved by the Cambodian gambit? Enemy Vietnamese forces—even the "high command"—were supposed to have been killed or captured in their "sanctuary" along the Vietnamese-Cambodian border by this essay. Well, to the extent that enemy forces were there in the first place, they withdrew from the border and since then, about all of Cambodia has become the enemy "sanctuary." Cambodia has also emerged as another battlefield of the Indochina war over which Americans are flying and dying. The indications are, moreover, that Cambodians are forming into an expanding guerrilla force under the banner of Prince Sihanouk and, together with their Vietnamese allies, have already taken control of most of the countryside.

It should be noted, in this connection, that before the government of Sihanouk was overthrown, nothing—zero—in the way of U.S. aid was going from this Nation to Cambodia. Nevertheless, Cambodians were managing to live in a self-supporting and moderately progressive fashion. Their country was an oasis of order in war-torn Indochina. In one and a half years of coup government in Phnom Penh, the picture has been completely reversed. Cambodia is being reduced to chaos and devastation, even as the present Cambodian Government is now well on its way to receiving its first billion dollars in direct or indirect support from the United States. The aid is going forth, moreover, notwithstanding our own financial difficulties.

In support of the Cambodian coup government, this Nation has become deeply involved in the internal affairs of still another people of Southeast Asia. The present Cambodian rulers are, for all practical purposes, dependents of this Nation and the indications are that U.S. support—direct and indirect—is the sole significant prop which keeps the political-military structure in Phnom Penh from falling apart. To administer this support, the executive branch is rapidly expanding a U.S. official mission in Cambodia which already numbers well over a hundred Americans—civilian and military. The increase, I believe, comes to more than tenfold in U.S. personnel in Cambodia in the year and a half since the overthrow of Sihanouk. At the same time, aid is also being provided indirectly by U.S. bombing here and there and

everywhere in Cambodia in support of Phnom Penh's so-called national forces.

I sometimes wonder how we let ourselves get involved in these travesties of foreign policy which, rather than serve the interests of this Nation give every appearance of being at complete odds with those interests. Cambodia is not the first case of this kind, of course, but it is certainly one of the most blatant.

The irony of this situation is that the trend of present Cambodian policy, insofar as I can see, runs strongly counter not only to the expressed inclinations of the Congress but also to the Nixon doctrine which was supposed to provide the guidelines of that policy. Clearly, what is being done in Cambodia in the name of the United States is a complete distortion of the initiatives with regard to Cambodia which were taken by the President shortly after he assumed office. At that time, the President's aim was to restore friendly relations with the kind of inner-based Cambodian Government which Prince Sihanouk was attempting to maintain in circumstances of tight-rope difficulty. These were initiatives, may I say, which by request as well as inclination, I sought, personally, to support at the time both here and in Southeast Asia.

A series of three articles on Cambodia by T. D. Allman which appear in recent issues of the *Manchester Guardian* shed a good deal of light on the factors which lead to the making of "Cambodias" in U.S. foreign policy. The articles make clear that much of what has happened there has been guided not so much by the President's initiatives or the intent of Congress but by the availability of copious funds which permit agencies of this Government an easy indulgence in these questionable enterprises. In that sense, the source of the difficulty is to be sought, not in Cambodia, but in certain Southeast Asian obsessions in the executive branch and a somewhat indiscriminate readiness in the Congress, in the past, to finance them.

What has happened in Cambodia highlights a problem that seems to me to confront the Senate on an urgent basis. The Cambodian experience is an admonition to curb the easy outflow of the financial resources of the people of this Nation which, for years, has been legislated in the name of national defense and foreign aid. In the case of Cambodia, the hundreds of millions of dollars already spent in a year and a half have done hardly anything for the defense of this Nation except, perhaps, to weaken it by wastage. Nor have these expenditures helped the Cambodian people who have now been reduced to the common denominator of the irrelevant devastation which has been suffered in Laos and Vietnam.

The articles previously mentioned are not unrelated to the legislation which has just been before us and to the foreign aid bill which will be coming before us in the not too distant future. One might well ask how much of the funds authorized in this bill will go for procurement of military materiel to be exploded in or over Cambodia in the name of the defense of the United States. How much, too, of the foreign aid bill that is coming to us shortly will go to support

Cambodian military-political groups whose claim to authority in their country rests largely on the support of this Nation? And to what end, the loss of American lives in Cambodia, Mr. President, to what end?

Mr. President, I ask unanimous consent to have printed in the *RECORD* the three articles referred to which were published in the *Manchester Guardian* under dates of August 14, August 28, and September 18, 1971, relating to Cambodia.

I also ask unanimous consent to have printed in the *RECORD* an article relating to the war in Indochina printed in this week's *Newsweek*, which bears the date October 18, 1971, an article published in the *New York Times* of October 13, 1971, which indicates the tremendous expansion in Cambodia, and an article which was published in the *Manchester Guardian* entitled, "Pyrrhic Victory in the Boliviens." The Boliviens is the plateau in Southern Laos along which the new Ho Chi Minh Trail is being developed to go into Cambodia.

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

[From the *Guardian*, Aug. 14, 1971]

U.S. INFIGHTING

While the armies of Phnom Penh and Saigon fight the forces of Hanoi for control of Cambodia, another war is being fought for the same territory by another set of allies against another infiltrator from the north. The other co-belligerents are the American Departments of State and Defense—like Cambodia and South Vietnam, hardly natural allies. The invader that has brought them together, to use President Nixon's phrase, is the Central Intelligence Agency.

The CIA, like the North Vietnamese, were supposed to have been deprived of their Cambodian enclaves last year, about the time of the US-South Vietnamese invasion, when the White House ordered that the post-invasion US role in Cambodia be as above-board as possible. Both criteria seemed to rule out the CIA, but both the North Vietnamese and the CIA keep trying to encroach on Cambodia from their secret outposts in southern Laos.

Whereas Hanoi's South Laotian base is known as the Ho Chi Minh Trail, the CIA's is called the "Annex." It is a white, multi-storied building in the Laotian Mekong river town of Pakse. The building looks like every other building in Pakse—except that it has no windows, is covered with antennae instead of tropical vines, and can be entered only by playing the right combination on an electronic keyboard lock.

The CIA's latest Cambodian incursion recently was limited by an enterprising, Phnom Penh-based American correspondent named Boris Baczyński, who discovered synthesizer Prince Norodom Sihanouk's inimitably squeaky voice, and broadcast it over the border into Cambodia. The venture was not only an attempt to discredit the Prince by putting embarrassing words into his mouth, but also an effort to win away a few Cambodian hearts and minds from the State and Defense departments.

Unfortunately for the CIA, Baczyński, a Khmer-speaking ex-Peace Corps Volunteer, noticed a considerable difference in the words of Sihanouk as beamed over Radio Peking, and the statements attributed to him by the Phnom Penh Government. After months of checking, he verified the existence of the clandestine Pakse Radio, and established the identity of its operators.

Baczyński's discovery, however, was more than a journalistic coup. It revealed the latest in a series of failed CIA attempts to

maintain cover for its Cambodian operations, which are bitterly resented by the foreign service and military officers who predominate here. The agency, in fact, has been trying rather unsuccessfully to regain a piece of the Cambodian action ever since 1963, when Prince Sihanouk sent the US aid mission packing, which had served as the agency's main Cambodian cover.

The Green Beret scandal in Vietnam, for example, grew out of a CIA order to eliminate with extreme prejudice one of its Cambodian operatives. The agency also supported anti-Sihanouk insurgents, even when the State Department was trying for a Cambodian reapproachment in the late 1960s.

Several times burned, the State Department, when it resumed diplomatic relations with Cambodia in 1969, tried to make sure there would be no CIA agents in the embassy woodpile. Even now, ostensibly, there is no CIA component at all in the 100-man US mission in Phnom Penh.

Never daunted, the CIA has kept up its efforts to develop its own Cambodian infiltration routes. Early last year, while the US was trying to stay out of the Cambodian political crisis, the Agency unbeknown to the diplomats, relayed promises of support to the anti-Sihanouk faction. And as soon as the Cambodian war broke out, Agency-run teams of Laotian mercenaries began ranging down into Cambodia on "intelligence patrols," which the Pakse station hoped would be the landing parties for a whole CIA-run Clandestine Army in Cambodia.

The American sibling rivalry, which might otherwise be as amusing as a nineteenth-century brouhaha between Whitehall and Simla over jurisdiction of some Indian Ocean atoll, already is producing some unedifying complications.

The CIA's Pakse operations—which for all their ingenuity so far have failed to keep the Communists from taking over most of South Laos—are flagrant violations of Laotian neutrality. And neither Laos's premier, Prince Souvanna Phouma, who is a northerner, nor the US Embassy in faraway Vientiane seems able to curb the Pakse operation.

Here in Cambodia, where the US embassy has become the nexus of Cambodian political power, the American infighting has already produced some domestic political complications—notably affecting the much publicized rivalry between Premier-delegate Sisowath Sirik Matak and Marshal Lon Nol's young and ambitious brother, Lon Non. The embassy likes Sirik Matak, and hardly bothers to veil its distaste for Lon Non.

With Sirik Matak, who has shunned CIA contacts, emerging as the embassy's man, and Lon Non emerging as the CIA protegee, the American squabble seems to contain seeds potentially as disastrous as those that disrupted Laos a decade ago. At that time, the CIA so disliked the State Department's candidate for premier of Laos that it sent its own Laotian army marching north to drive him out of Vientiane.

Several times routed in its efforts to infiltrate Cambodia, the CIA, like Hanoi, may decide on a strategy of letting dissension spring up among its adversaries. The State Department wants to keep the Cambodian operation lean, clean, and honest. The Defense Department keeps pushing for a big in-country US military establishment.

"You might say we're caught in the middle," said one foreign service officer recently, emphasizing with the Cambodians who are similarly caught between North and South Vietnam.

[From the Guardian, Sept. 18, 1971]

WHO TRIPPED SIHANOUK?

Every political regime, using tactics ranging from the benign fiction of Plato's golden myths to the national brainwashing of Himmler's big lie, to some extent justifies its existence—and conceals its mistakes—through recourse to deception.

Somewhere in between, repeated again and again to the Cambodian population, as well as to foreign visitors, lie the claims of the Phnom Penh Government that last year's ousting of Prince Sihanouk, and the war that followed, were the result of spontaneous popular demonstrations.

The complete details of the moves leading to Sihanouk's going have long been closely guarded State secrets here. In a recent series of interviews, however, a number of high-ranking Cambodian officials for the first time consented on the condition that their names be not revealed for the present, to discuss candidly the events leading up to the change in Government and the beginning of the war.

The train of events re-created in the interviews, granted to me over the last month, is completely at variance with the official version of the events disseminated through the various propaganda organs of the Cambodian Government. The interviews, nearly 18 months after the events, seem important not only in an historical perspective, but in the light of the Government's pretensions that the Cambodian war was unavoidable, that Sihanouk had lost the confidence of his people—and that as a result the present regime is entitled to world-wide support.

According to these people, all of whom still hold high posts in Phnom Penh, Marshal Lon Nol, his deputy, Sirik Matak, and important members of the Cambodian high command and Parliament conspired to overthrow Norodom Sihanouk by force of arms and to assassinate him, if necessary, as early as six months before the coup actually occurred and the war started.

The same figures, according to these high-placed sources, organized the "spontaneous" anti-Vietnamese demonstrations and the sackings of the North Vietnamese and Vietcong embassies in Phnom Penh.

They also organized subsequent anti-Sihanouk demonstrations, which failed to attract popular support and thus delayed the anti-Sihanouk group's timetable for ousting the Prince by 48 hours. On the eve of Sihanouk's eventual overthrow, on March 18, 1970, the Lon Nol-Sirik Matak forces arrested scores of pro-Sihanouk officials and surrounded the National Assembly with tanks. Only then did the Cambodian Parliament proceed to oust the Prince.

The crucial March demonstration, and the final step in Sihanouk's removal from power, were planned in a series of high-level clandestine meetings held in Phnom Penh in the early months of 1970. Several of them were held in the homes of Lon Nol and Sirik Matak; others occurred in moving cars to avoid detection by Sihanouk's secret police. Sihanouk himself was absent from the country at the time.

The result of the meetings, I was told, were personal orders issued by Lon Nol and Sirik Matak instructing the Minister of Education, at that time Chamm Sokhum, to arrange anti-Vietcong demonstrations in the Communist-infiltrated province of Svay Rieng, and later in Phnom Penh itself. Svay Rieng officials apparently feared the consequences of the demonstrations, but went ahead with them when they were assured that they "would help Sihanouk in his efforts to put pressure on the Communists to withdraw," as one of my informants put it.

After the small demonstration on March 8 for students and teachers in Svay Rieng, larger demonstrations were ordered for Phnom Penh. Government sound trucks urged the students to demonstrate, and officers of the Government-sponsored Assembly of Youth arranged for students and teachers to assemble at the two Communist embassies.

However the actual sackings of the two embassies, which, together with Sihanouk's fall and a Cambodian ultimatum to the Communists, provided a *casus belli*, was arranged through the Cambodian high command and actually carried out by squads of military po-

lice in plain clothes under the command of Lon Nol, Lon Nol's young brother.

The demonstration in Phnom Penh on March 11 was just one part of a planned two-part effort to oust the Prince. "We planned two demonstrations," one of my sources said, "one for the eleventh to create the crisis, the other on March 16 (1970) to provide the pretext of ousting Sihanouk."

Anti-Sihanouk tracts and anti-Vietnamese posters were prepared in advance at the Ministries of Information and Education. However the anti-Sihanouk demonstration on March 16 failed when pro-Sihanouk students surrounded the National Assembly. The Phnom Penh police, also pro-Sihanouk, that day arrested 20 hand-picked demonstrators carrying anti-Sihanouk tracts as they moved toward the Assembly. As a result, I was told, "it appeared for the moment we were fooled."

Inside the National Assembly that day anti-Sihanouk deputies, including the acting president of the Assembly. In Tham (now Minister of Interior), were waiting for the demonstration to materialise in the hope that it would stampede the Parliament into ousting Sihanouk. Instead, "we began to be attacked for our anti-Sihanouk statements. The Assembly adjourned in confusion."

That night, as Phnom Penh newspapers carried headlines saying "Coup d'etat aborted," another high-ranking meeting was held at the home of Sisowath Sirik Matak. He summed up the situation when he said: "We have gone too far now to turn back."

The next day, with the approval of Lon Nol, the arrests began. Tables arrested or forced from office included 20 high ranking army officers, the governors of Phnom Penh and the surrounding Kandal province, and two members of the Cabinet. Only after Lon Nol's troops had taken over the civilian Government of Phnom Penh, and tanks had surrounded the Assembly building, did the actual vote ousting Sihanouk take place.

The events of March 18 are alleged to be but the final stage of more than six months' efforts to depose Sihanouk (which began shortly after the former chief of state, in an effort to put pressure on the Communists, named Lon Nol premier and commander-in-chief of the Cambodian armed forces in mid-1969).

According to the sources, the anti-Sihanouk faction was ready to oust Sihanouk in December 1969, during a national congress held in Phnom Penh. The sources said that 4,000 military police and soldiers, again under the command of Lon Nol, were ordered to pack the meeting which Sihanouk used as a sounding board for his programme. Seeing he was outgunned, Sihanouk let the Congress vote for Sirik Matak's policies rather than dissolve the Government and call for new elections, as planned. Shortly afterwards Sihanouk left Phnom Penh for France, telling a confidant: "They are trying to make a Sukarno out of me."

New light is also shed on the role played by Lon Nol in the events leading up to Sihanouk's ousting. The Premier absented himself from Phnom Penh during much of the crisis, and some observers have suspected that he, unlike Sirik Matak, was not wholeheartedly behind the moves to remove the Chief of State. However, my sources agreed that Lon Nol all along had manipulated events from afar. "We always acted with his approval, on his instructions. He ran the Government—and our plans—by telephone from Paris."

Interestingly enough, my informants, in the course of half a dozen interviews, never named Sihanouk's foreign policy of maintaining good relations with the Vietnamese Communists as a reason for ousting him.

"Frankly," said one of them, "Sihanouk was as anti-Communist as we were." Another said: "He had power too long. We wanted it. The only way to get at him was by attacking the Vietcong." Military orders, signed by Lon Nol, directed Government troops to as-

sassinate the Chief of State if he returned to Cambodia. The main fear of the moment was that Sihanouk would return, rally the country to him, and hold elections, which he would win "because he was so popular with the peasants."

Perhaps the most striking elements of the anti-Sihanouk conspiracy—for such it seems to have been—were its total lack of spontaneity, and the plotters' easy sacrifice of good relations with the all-powerful Vietnamese Communists in the interests of domestic and political expediency.

[From the Guardian, Aug. 28, 1971]

AMERICA'S EXPENSIVE SHORTCUT

Last year an American commentator, well known for his pro-Administration views, flew in for a short look at the Cambodian situation. Before his departure he was asked by a confident American official what he thought of the American invasion, which President Nixon had just described as "a surgical operation, limited in time and space."

"Hell," the visitor said to the startled official, "we'll be paying for this one for 25 years."

From 1963, when Prince Sihanouk ended the United States aid programme here, until 1970 when it was re-established, Cambodia cost the United States nothing, except a lot of irritation from time to time.

During the 1970 financial year Cambodia cost the US a visible \$8.9 millions. During the 1971 period, which ended last month, the visible US appropriations for Cambodia rose to \$235 millions. For 1972 the Administration has asked for \$310 millions in visible appropriations to prop up the Lon Nol regime—and has begun spending it as it did in the previous years, before Congress has had the chance to decide.

The visible expenditures, however, are only part, probably less than half, of the total US annual investment in this country. The visible appropriations which Congress is given the opportunity to approve have not included the cost of the initial US invasion, the continuing cost of US subsidised South Vietnamese military operations in Cambodia nor the salaries and operating expenses of the more than 100 American officials stationed here, nor of those—more numerous in total—who support America's Cambodian operations from Saigon, Honolulu, and Washington.

Nor do the official appropriations include the entire cost of training Cambodian troops abroad, nor the gifts of captured Communist weapons given to the Cambodian Government, nor the cost of the clandestine US operations in Cambodia.

Most importantly, the official appropriations do not include the most expensive single US activity in Cambodia, the bombing of Communist troops, both in tactical support of the Cambodian army and in efforts to block the Communist supply routes.

The total US spending on Cambodia, therefore, is much higher than the official figures indicate. As one US official recently said, "It is probably unknowable, if not incalculable."

Conservative estimates, including the costs of the bombing indicate that Cambodia over the next 11 months will account for about \$1 billion (\$416 millions) of American tax money. This is a figure significantly higher than the prewar per capita income for the entire Cambodian nation; and it is about the same as the US has been spending annually in the neighbouring kingdom of Laos for most of the past decade.

The emergence of an American financial commitment to the survival of yet another shaky Southeast Asian regime, at a time when the US is ostensibly withdrawing from the region, is an example of the built-in American tendency towards imperialism, and of the Presidential power to finance such expansions without congressional approval.

The US military effort to support the Lon Nol regime is a case in point. It began in June last year, with one retired army officer,

two subordinates, and "presidential determinations" totalling \$8.9 millions. The White House determinations needed no congressional approval, because the funds were diverted from military assistance programmes in other countries. In this case, the countries were Turkey and South Korea, which are often overappropriated to leave the Pentagon contingency funds for emergencies—especially those unpopular with Congress.

President Nixon made other, unapproved, commitments to the Cambodian aid programme in the following months: first, one of \$40 millions and then another of \$50 millions. By September the US—still without congressional approval—was providing Cambodia with more sophisticated equipment and critical air support. A "Special Supplementary Group" was also established in Saigon to provide Cambodia with military aid.

By the time the American Congress began debating aid for Cambodia in November and December, it was faced with what one US senator at the time described to me as "a fait accompli."

The US was paying for continuing South Vietnamese ground operations in Cambodia and training thousands of Cambodian soldiers in Vietnam: it had begun to supply the Khmer army with 30,000 captured AK-47 rifles and 20,000 M-16s—six Huey helicopters, 23 armoured personnel carriers, 11 river patrol boats, 25 artillery pieces, six transport aircraft, 600 trucks. It had guaranteed air cover for Phnom Penh and the provincial capitals. By that time, the US was also providing all the Cambodian army's ammunition. A factory was eventually established in Arlington, Virginia, to manufacture ammunition for the Cambodians' Communist-made AK-47 rifles.

Six months after a Cambodian invasion which it had not approved, Congress was left little choice but to agree to a residual financial commitment to Cambodia and attempt to hold it within reasonable bounds.

Nine months later the effects of US military aid are obvious. The Cambodian army is much better equipped, somewhat better trained, slightly larger, and, as one American official put it, "a little less amateurish," than it was.

One battalion of trained Khmer troops returns, fully armed and equipped, from South Vietnam each week. Weekly convoys of US arms go up the Mekong to replenish the munitions the army has expended. The US has paid for a Cambodian army that now has about eight to ten times the number of fighting men the Communists have, many times the fire power, and backed it up with the full support of the US air arsenal.

The result is a mass of men and arms whose sheer volume makes any spectacular Communist offensive in Cambodia—and the embarrassment it would cause the Nixon Administration—rather unlikely for the time being.

The cost to the US, however, has been the creation of a foreign army totally dependent on American supplies, and largely dependent on US advice, administration, and air power. US officials here have been trying to keep the outward signs of this dependence as small as possible—and more importantly, to limit the dependency to areas where it is unavoidable.

"We want to have the amount of money and men we need to keep the Khmer going," one US official said, "but we are refusing everything else."

The problem is that such a degree of dependence, in itself, is already total. Even the most sanguine American and British observers say the Cambodian military effort would collapse without the continuing US support.

Almost without trying the US has made an open-ended commitment here which is different in style but similar in substance to its commitments in Laos and South Vietnam. The Americans who have fought to avoid the grandiose excesses that have charac-

terised US involvements elsewhere, nevertheless, are proud of their "low profile" achievement—and feel even prouder they say, when the Cambodians complain that they are expected to do too much with too little aid.

But the same officials concede that it is hard to fit what they are doing into any convincing scheme of US withdrawal from Indochina, and a commitment to a client State by any other name seems just as binding.

Both American and Cambodian officials concerned in the Cambodian aid programmes see "no major increases in spending," as one of them put it, the unintended implication being that the \$75 millions increase in visible expenditure planned for this year alone is negligible.

A diminution of the US investment in Cambodia is not even suggested in the rosier communiqués—and there seems no evidence to suggest that the US has anything but another 23 years to go in mortgage payments on last year's decision to try to use Cambodia as a shortcut out of Vietnam.

[From Newsweek, Oct. 18, 1971]

INSTANT REPLAY

In one official pronouncement after another, the Nixon Administration has earnestly proclaimed its determination to avoid any major commitment in Cambodia. But for all that, the American presence in the once-sleepy capital of Phnom Penh has grown dramatically. Since late last year, the U.S. Embassy staff in Phnom Penh has jumped from fewer than 60 officials to more than 150. And despite a Congressional resolution specifically forbidding the use of American military advisers in Cambodia, many more U.S. officers appear to be on their way there. As a result, a bitter dispute has broken out in the U.S. Embassy—a clash between U.S. civilians and military men that could well determine the shape of American involvement in Cambodia for years to come.

At the root of the debate is the question of America's military role in that beleaguered country. Arguing for a minimal military-aid program, the civilians, led by chief political counselor Jonathan F. Ladd (himself a former Special Forces commander in South Vietnam), contend that the U.S. should train an elite force of Cambodian guerrillas to harass the Communists, but should not get bogged down in support of large unit operations. By contrast, Brig. Gen. Theodore C. Matusis, who heads the Military Equipment Delivery Team (MEDT) in Phnom Penh, has fought for a more activist U.S. policy. Among other things, Matusis favors expansion of last year's \$180 million aid package and full U.S. backing for Cambodian assaults on Communist sanctuaries and supply lines.

IGNORED

As of now, Matusis & Co. seem to be in the lead. When Ladd balked at giving the relatively unsophisticated Cambodian forces expensive M-16 rifles, Matusis pushed the M-16 order through, contending that the Cambodians should be as well armed as possible. And civilian complaints about the growing U.S. military establishment in Phnom Penh have been pointedly ignored. Just two months ago, Matusis—who used to spend most of his time in Saigon—moved to the Cambodian capital, bringing with him his aide de camp and personal staff. At the same time, the number of MEDT personnel whose job is to see that U.S. aid is being "properly used," has more than doubled. Many observers, in fact, believe that, despite the Congressional ban, some MEDT members are fulfilling advisory roles with the Cambodian Army.

To some experts, the growing influence of the military is an inevitable outgrowth of the slackening war in Vietnam. "The pressure to increase the military presence here is really strong," said one American diplomat in Phnom Penh. "There are simply too many officers losing their jobs in Saigon.

These men are worried about their careers, and you don't become a general sitting behind a desk in Washington." Others place the blame directly on U.S. Ambassador to Cambodia Emory C. Swank. For although Swank, a 49-year-old career diplomat, is said to favor what he jokingly refers to as a "medium profile," critics have charged that he has knuckled under to the generals. "Swank claims he's not competent to assess the needs of the military," said one embassy official. "But in Fred Ladd, he's got the best adviser in Southeast Asia. By throwing up his hands, Swank is just trying to keep himself off the hook in case everything goes wrong."

Whatever the reason for the growing primacy of the military, the betting is that it will increase. For despite a pending amendment to the foreign-aid bill calling for a 150-man ceiling on U.S. personnel in Cambodia, the Defense Department is reportedly going ahead with plans to expand MEDT forces to an estimated 500 by the end of next year. And there are signs that the military men already in Cambodia are getting more directly involved in the fighting there. American helicopters have reportedly begun transporting Cambodian troops into battle areas and supplying them with ammunition. And at Pochentong Airport in Phnom Penh, U.S. forces recently opened a radio center (officially called a "navigation aid") to coordinate air support for Cambodian troops.

Though no one seriously suggests that the U.S. is about to slip into another Vietnam-scale involvement in Cambodia, the momentum of the buildup appears strikingly familiar. "The military are already falling all over themselves at the embassy," said one U.S. official. "Within a year, the Pentagon will have taken over our operations in Cambodia—and Swank and all the other civilians will be sitting on the sidelines just like the civilians in Saigon."

JOINT CHIEFS SAID TO DEVISE COSTLY CAMBODIA WAR PLAN

WASHINGTON.—The Joint Chiefs of Staff are said to have designed a costly program of "pacification" and other unconventional warfare for Cambodia to protect South Vietnam's western flank as Americans continue their withdrawal from Indochina.

They have also proposed a series of budget devices to augment the funds that Congress will be asked to provide for expanding the Cambodian Army over the next five years.

The Chiefs submitted their program last month to Secretary of Defense Melvin R. Laird, according to Congressional sources. Mr. Laird, who has been bargaining with the Chiefs since June about the cost of the effort, is described as still reluctant about the latest version, which would double spending to about \$500-million a year by 1977.

The final decision, however, will rest with a senior policy review group run by Henry A. Kissinger, the President's adviser on national security affairs.

How to protect Cambodia from the North Vietnamese forces and deny them the use of Cambodian territory for attacks against South Vietnam's population centers has become a major problem for Pentagon planners. As the American forces in Vietnam are reduced to 50,000 men, at the most, and come to rely on air power for operations in the rest of Indochina, the planners are looking to indigenous forces to carry the burden in ground combat.

With a first-year grant of \$185-million in military aid and \$70-million in economic aid, the Cambodian Army has already been expanded from 30,000 men in April, 1970—when American forces invaded the North Vietnamese "sanctuaries" in Cambodia—to a current strength of about 180,000. The Cambodians are said to have fought well, but most of them are no match yet for the 60,000

North Vietnamese in their country, mostly east of the Mekong River.

SAIGON'S TROOPS UNPOPULAR

South Vietnamese troops have periodically moved into Cambodia to help out, but they are no more popular among Cambodians than the Communists forces from the north and will in any case be needed for the defense of their own territory.

When the Joint Chiefs of Staff first considered the problem last June, they proposed a 1971-72 military aid program of \$350-million, Congressional informants report. Secretary Laird said that he could not afford that much and that Congress would not support such an increase.

The chiefs said that with \$200-million in military aid they could not increase the size of the Cambodian Army, but for \$275-million they could expand it to 225,000 men. Mr. Laird's budget pruners said that such an increase in strength could probably be achieved with \$252-million.

But as finally submitted to Congress, the Cambodian aid program called for \$200-million in military aid, \$110-million in economic assistance and \$15-million worth of agricultural commodities, for a total of \$325-million. This was a net increase of \$61-million over last year's allocations.

ALTERNATE PLANS OFFERED

Nonetheless, in explaining their elaborate military plans to Mr. Laird, in a memorandum dated Aug. 30, the Joint Chiefs indicated that they could get around the limit on military spending and proceed with the build-up.

According to informants, the Chiefs offered four different ways of generating an additional \$52-million so as to add 40,000 troops to the Cambodian Army and also raise the "paramilitary" force of armed civilians to 143,000.

The first way would be simply to transfer \$52-million from the economic aid program to military spending, which can be done later in the fiscal year simply by the Administration's notifying Congress. The second way would be to use the economic aid fund for the purchase of all "common use" items such as trucks and jeeps, which have military as well as civilian value, thus freeing other military funds.

A third way would be to increase procurement for the United States Army by \$52 million and give the material to the Cambodians, for "repayment" later. The fourth way would be to make some exceptions in Defense Department supply regulations, declaring additional equipment to be "excess" and delivering it to the Cambodians.

The Pentagon planners said they were looking ahead to further increases in the Cambodian Army, so that it would number 256,000 men by mid-1973 and more than 300,000 men by 1977. The paramilitary units, they believe, must be augmented to nearly 200,000 by mid-1973 and more than 500,000 in 1977. This would mean arming about 10 per cent of Cambodia's population of 7 million, or nearly half the adult male population.

The Joint Chiefs would provide for a mechanized brigade, an artillery brigade and coastal patrol units, as well as ground troops and extensive logistic support. They would look to the Agency for International Development to help finance the paramilitary defense forces, including the police. The Central Intelligence Agency would be asked to mount additional programs and to provide airlift support.

The program of activity drawn up by the Joint Chiefs is divided into four headings, labeled "Pacification," "Unconventional Warfare," "Psychological Operations" and "Civil Affairs." The country would be divided into eight pacification areas and this program would be supervised by a new United States Deputy Ambassador—as in South Vietnam—in a new embassy structure.

The Pentagon would also establish a three-nation military committee with the Cambodians and South Vietnamese, in which the Defense Department would be represented through Gen. Frederick C. Weyland, the deputy commander of American forces in Vietnam.

PYRRHIC VICTORY ON THE BOLIVENS

(By T. D. Allman)

The key to the endless Laotian war is the American-South Vietnamese struggle for control of the access routes to South Vietnam. It is a struggle which North Vietnam—in spite of this year's invasion of Laos, and continuing massive United States bombing here—is gradually winning. As the struggle expands, however, more and more of the hapless, impotent kingdom of Laos is reduced to an American fire zone, or a proving ground for Communist troops.

The latest part of Laos to be sacrificed to the test of wills between Hanoi and Washington is the Bolivens plateau, a 5,000-foot highland which rises like a landbased island above some of the most important infiltration routes of Indo-China. To the west of the plateau lies the Mekong River valley, an area important to both the Thai and American Governments. To the east of the plateau lie the Ho Chi Minh trail and the Sekong River valley, down which the North Vietnamese are expanding a major infiltration route into Cambodia.

The situation in southern Laos and on the Bolivens has been deteriorating seriously ever since the outbreak of the Cambodian war, when North Vietnam decided to reinforce the trail and—largely out of fear of US attempts to cut it—to protect its crucial supply route by securing the Bolivens. However, the unnoticed, costly war on the lush, cloud-covered plateau recently gained notoriety when the United States, in an extraordinary display of the totality of its involvement here, in effect stage-managed the government reoccupation of the plateau's only town Paksong.

The victory was contrived, Pyrrhic, and almost certainly temporary. But it served, if nothing else, as yet another example that the situation in Laos admits only a political settlement, not a military one—a verity that the United States, to Laos's continuing misfortune, still seems unwilling to accept.

The Communists seized the plateau—which long had served as a base for CIA clandestine raids on the Ho Chi Minh trail—this spring. Over the past five months American-backed efforts to retake the plateau and restore Laotian morale and the CIA bases, however, have turned the Bolivens into the most costly battle in the Laotian war since the disastrous government defeat at Nam Bac in Northern Laos in early 1968. The government side has suffered about 2,500 casualties, an enormous number for a country with a population of only about two million.

So far, the efforts to re-establish a Laotian-American presence on the much-bombed plateau have failed. Last month, however, yet another offensive began, this time with great political significance attached to it. As Thai, American, and Laotian forces massed for the move to retake Paksong, the Laotian Defence Minister-designate, Sisouk Na Champassak, vowed he would not leave Laos for a scheduled trip to Washington—where he is being carefully built up as the US Embassy's favorite candidate to eventually succeed Prince Souvanna Phouma as Laotian Prime Minister—until Paksong was captured. The offensive was also planned as the first major victory for Colonel Soutchal Vongsavanh, a CIA protege, recently named military commander of South Laos.

In the end, the latest Paksong operation bogged down—like the previous ones—in spite of round-the-clock intervention by US bombers and gunships and the numerical superiority the Thai and Laotian troops en-

joyed over their well-entrenched Communist opponents. With the main government column held up 11 kilometres west of Paksong, by now deserted and of little value, it appeared that the Defence Minister would not keep his appointments in America.

Then, *deus ex machina*, the United States intervened. US Air Force helicopters in effect airlifted three battalions of Laotians into Paksong, and declared it a famous victory—while US aircraft filled the air, US military men directed artillery fire, and CIA agents commanded their irregular units by radio. In the end, the units entering Paksong found only a few dozen North Vietnamese troops, who withdrew to surrounding hills to join other Communist units harassing the occupying forces from distances as close as 1,000 yards.

Hardly had Paksong's landing strip been secured, however, when Defence Minister Sisouk flew in and planned general's stars on Colonel Soutchai. The Minister flew off to Washington the next day; the general said "the victory surpasses all our hopes," but the cheering ebbed as the casualty count, already unacceptable, mounted, Communist mortar fire increased, and the main Lao-Thai force faltered once again to open the road to Paksong.

In Laos, anti-Communist forces, so long as they have full American air support, can occupy practically any enclave momentarily, but it is another thing to hold it. And most military observers here expect Paksong once again to fall under Communist control during the approaching dry season.

Far more crucial for the fate of Southern Laos than US helicopter rides into deserted towns, however, is Hanoi's evident resolve to hold the Bolivens, which overlooks Pakse, Laos's second city.

Observers here agree that Hanoi's interest in the plateau and the rest of South Laos can only grow stronger so long as the basis of the Nixon Administration's strategy in Indo-China remains one of intensive efforts to impede Hanoi's supply lines in Laos and Cambodia while slowly diminishing the US ground role in South Vietnam.

A diplomat here has called the US strategy in Laos "escalating upstream while you deescalate downstream." But as the fate of the Bolivens has demonstrated, it is a game that Hanoi can play just as well as Washington, and probably with more staying power.

The pattern of increasing involvement of peripheral areas of Laos in the Vietnam war, as things stand now, seems likely to continue so long as Washington keeps looking for "short cuts" to military success in Indo-China. The Communists, both North Vietnam and the Pathet Lao, repeatedly have offered a general ceasefire in Laos, but the Americans are unwilling to accept a stand-down that involves a bombing halt along the Ho Chi Minh trail.

For Laos, the most significant fact is that a ceasefire last year would have left the Bolivens, like so many other areas of Laos, completely in government hands. Now, the only question is if there will be any non-Communist presence there at all if and when peace comes. On the Bolivens, as in much of the rest of Laos, the Laotians seem in fact doomed, whatever the success of the moment, to pay the price for Washington's unwillingness to negotiate, rather than bomb its way out of Indo-China.

PRESIDENT NIXON'S EFFORTS FOR PEACE

Mr. DOLE. Mr. President, I was pleased to hear the comments of the distinguished Republican leader and the distinguished majority leader in reference to President Nixon's efforts for peace.

President Nixon now stands out in the world as the leader for peace. I believe the President has been consistent and effective and has tried in every conceivable way to bring about peace in the world. I believe the world is a more peaceful place today than it was 2½ short years ago. And the record will show that everything President Nixon has done in initiating and pursuing his foreign policy has been consistent with the intentions he expressed in his inaugural address and prior thereto.

The President has sought negotiations. He has reduced confrontations, and as a result we have an orderly policy. Numerous examples could be mentioned, and some have been mentioned by the distinguished majority leader and some have been mentioned by the distinguished minority leader, with reference to the Berlin agreement, the SALT talks, the new hot line to Russia, efforts to bring peace in the Middle East, agreements on germ warfare, the initiative toward mutual force reductions in Europe, and last, and I think most important, the success this President has had in winding down the war in Southeast Asia.

I have said many, many times on the floor of the Senate that the greatest single achievement of President Nixon has been to wind down the war in Southeast Asia. The facts are there. We now have approximately 200,000 men in South Vietnam instead of 542,000. Instead of 200 or 300 casualties a week, casualties are now 20 a week, which is 20 too many. But this is progress; this is a new direction, and while the President hopes and we all hope we can end the war quickly through negotiations, it would appear the plan of the Vietnamization is working.

I say President Nixon has become the leader for peace in the world, and I wish the President every success as he journeys to Moscow and Peking. The President said he would travel anywhere in the world for peace. I think he is keeping that promise. I believe the strong bipartisan support he enjoys today in Congress will make his mission not only more effective but also more easily accomplished.

QUORUM CALL

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT TO OCTOBER 15, 1971

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

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

(Subsequently, this order was changed to provide for the Senate to convene at 11 a.m. on Friday.)

ORDER FOR ADJOURNMENT FROM FRIDAY, OCTOBER 15, 1971, TO TUESDAY, OCTOBER 19, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Friday next it stand in adjournment until noon on Tuesday next.

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

ORDER TO PERMIT FILING OF REPORTS AND MESSAGES DURING ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the period just referred to reports of all kinds—supplemental, minority, majority, and committee reports—may be received, and that messages and requests from the President as well as messages from the House may be included in the same category during the entire period.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The President pro tempore laid before the Senate the following letters, which were referred as indicated:

LIST OF REPORTS OF GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a list of reports of the General Accounting Office, for the month of September 1971 (with an accompanying report); to the Committee on Government Operations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Slow Progress in Eliminating Substandard Indian Housing," Department of the Interior, Department of Housing and Urban Development, dated October 12, 1971 (with an accompanying report); to the Committee on Government Operations.

PROPOSED REMOVAL OF CEILING ON FUNDS FOR DEVELOPMENT OF WOLF TRAP FARM PARK, VA.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to remove the statutory ceiling on funds for the development of Wolf Trap Farm Park, Va., and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

IMPROPER USE OF SUPREME COURT SEAL

A letter from the Clerk of the Court, Supreme Court of the United States, requesting that legislation be introduced to prohibit the use of the Supreme Court seal for any purpose unless the consent of the Chief Justice is first obtained (with an accompanying paper); to the Committee on the Judiciary.

FIVE-YEAR PLAN FOR EXTENSION OF FAMILY PLANNING SERVICES

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a 5-year plan for extension of family planning services to all persons desiring such services (with an accompanying document); to the Committee on Labor and Public Welfare.

PROPOSED CONVERSION OR EXCHANGE OF NATIONAL SERVICE LIFE INSURANCE POLICIES

A letter from the Administrator of Veterans Affairs, Veterans Administration, transmitting a draft of proposed legislation to amend section 704 of title 38, United States Code, to permit the conversion or exchange of National Service Life Insurance policies to insurance on a modified life plan with reduction at age 70 (with an accompanying paper); to the Committee on Veterans' Affairs.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Military Order of the World Wars, Washington, D.C., praying for the immediate development of safely adequate military preparedness; to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session.

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking, Housing and Urban Affairs:

Samuel C. Jackson, of Kansas, to be a member of the board of directors of the Community Development Corporation; and Walter James Hodges, of Virginia, to be a member of the board of directors of the National Corporation for Housing Partnerships.

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. MOSS:

S. 2691. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar content, and for other purposes. Referred to the Committee on Finance.

By Mr. SPARKMAN (for himself, Mr. MONDALE, and Mr. PACKWOOD):

S.J. Res. 167. Joint resolution to extend the authority conferred by the Export Administration Act of 1969. Referred to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SPARKMAN (for himself, Mr. TOWER and Mr. BENNETT):

S.J. Res. 168. Joint resolution to extend until January 1, 1974, the dates applicable to certain provisions of law relating to the taxation of national banks by the States. Referred to the Committee on Banking, Housing and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MOSS:

S. 2691. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar content, and for other purposes. Referred to the Committee on Finance.

Mr. MOSS. Mr. President, I am today introducing the Cigarette Tar Tax Act, a bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar content, and for other purposes.

Four years ago, the late Senator from New York, Mr. Kennedy, and the senior

Senator from West Virginia (Mr. RANDOLPH) offered in the Senate legislation setting the tax rate of cigarettes on the basis of tar and nicotine.

The Public Health Service has just issued its authoritative report on tar and nicotine, and although the report did not specify the exact role which each of the many constituents of tar plays in the disease process, the report did conclude that the lower the tar and nicotine, the less the risk of disease caused by cigarette smoking. The Federal Trade Commission subsequently recommended that tar and nicotine content be displayed in cigarette advertising and the cigarette industry has agreed to this proposal.

Nevertheless, a high number of cigarette brands remain in the middle and upper end of the tar and nicotine spectrum. Consumption figures indicate that the market for significantly low tar and nicotine cigarettes tends to flatten out, making these cigarettes relatively unprofitable to market. Surely at this time, when we talk of imposing differential taxes on leaded and unleaded gasolines, and harnessing the tax schedules to the national fight against pollution, we should be prepared to move in a similar manner on this problem of personal health.

Recently, the city of New York instituted an incentive tax on tar and nicotine. This tax charges more for cigarettes which bring increased needs of health care. The heavy cigarette smoker of high tar and nicotine cigarettes is the one who demands hospitalization. A higher premium is thus established for financing needed municipal services. A proposal of this sort in a limited area, however, cannot completely succeed unless a uniformity exists, as would be the case if the tax were applied nationally.

As we increase the taxes on those cigarettes which provide the greatest hazard to health, we must also decrease the financial incentives to those who grow tobacco and manufacture cigarettes. For this reason I have included in the Cigarette Tar Tax Act several sections which come to grips directly with the problem. As I said at the World Conference on Smoking and Health in London, England, last month—

The Government must change the economic and social benefits accruing to the tobacco economy. We must support every conceivable method to deter the growing, processing and consumption of the product by education, economic incentives and appeals to common sense. Even though the tobacco history in the United States almost parallels the development of the Nation itself, this emotional and historical consideration must be overlooked.

The other sections of the Cigarette Tar Tax Act provides for the establishment of a Commission on Tobacco Adjustment Assistance to prepare, within 18 months, a comprehensive analysis and recommendations for appropriate action necessary to provide assistance to those who will be adversely affected by the elimination of tobacco subsidies and the decrease in tobacco consumption. I hope my colleagues from tobacco States will join with me in this constructive plan to assist the tobacco farmer, the exporter, and

the State and local governments faced with decreasing revenues in the face of decreasing consumption of tobacco. I would also imagine Senators with significant agricultural constituencies would be particularly supportive of this effort to prepare the agricultural economy for the eventual elimination of support coincident with the reduction in use of the product.

Perhaps medical concern about cholesterol and fatty acids may lead to similar problems of decreasing use and reductions in subsidies in the dairy industry. I hope we can learn from our past experiences with the SST, with tobacco and with other pending issues, that long range planning is far more satisfactory than are last minute contingency plans.

Members of the Commission on Tobacco Adjustment Assistance would be tobacco growers, manufacturers of tobacco products, other segments of the economy seriously affected by the reduction in the use of tobacco, and State and local governments. The Commission would report to the Congress and the President within 18 months of enactment, making recommendations for legislation and administrative action necessary to eliminate or substantially to reduce the hardships to persons affected by decreasing tobacco consumption and elimination of subsidies.

This act would also establish a special tobacco tax fund to administer the programs established by law upon recommendation of the Commission on tobacco adjustment assistance. This fund would provide adjustment assistance for growers of tobacco, manufacturers of tobacco products, State and local governments, and other persons incurring serious economic hardship resulting from the elimination or substantial reduction in the use of tobacco.

Finally, the Cigarette Tar Tax Act would remove that great inconsistency of American life—tax support for tobacco crops, inspection, and overseas sales. How can we as a Nation continue to put tax money in this lethal commodity? These are questions which I have posed before and I will continue to pose in hearings before the appropriate legislative committee. The letters of outrage will continue to pour in, as long as we continue our policy of pouring tax dollars into tobacco, while we warn our citizens of the dangers of disease from its use.

Mr. President, I ask unanimous consent that the text of the Cigarette Tar Tax Act be printed in the RECORD following my statement.

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

S. 2691

A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar content and for other purposes
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 "Cigarette Tar Tax Act".

SEC. 2. (a) Section 5701(b) of the Internal Revenue Code of 1954 (relating to tax on cigarettes) is amended to read as follows:

"(b) Cigarette.—On cigarettes, manufactured in or imported into the United States, there shall be imposed the following taxes:

"(1) Small cigarettes.—On cigarettes, weighing not more than 3 pounds per thousand, the tax shall be determined under the following table:

"If the tar content thereof is—	
The tax per thousand cigarettes shall be—	
10 mg. or less-----	\$4
More than 10 mg. but not more than 15 mg.-----	7
More than 15 mg. but not more than 20 mg.-----	10
More than 20 mg-----	15

"(2) Large cigarettes.—

"(A) In General.—On cigarettes weighing more than 3 pounds per thousand, the tax per thousand shall be 2.1 times the tax prescribed by paragraph (1).

"(B) Special rule for long cigarettes.—On large cigarettes (as described in subparagraph (A)) which are more than 6½ inches long, the tax per thousand shall be determined under paragraph (1), counting each 2¾ inches, or fraction thereof, of the length of each as one cigarette.

"(3) Determination of tar content.—

"(A) Testing by Federal Trade Commission.—The Federal Trade Commission shall from time to time (but not less often than once each calendar year) test each brand of cigarettes manufactured in or imported into the United States for the tar content of cigarettes of such brand. The conditions, methods, and procedures for conducting such tests shall be prescribed by (and may be changed by) the Commission by regulations issued by it for purposes of this paragraph. Until such time as such regulations are first issued, the conditions, methods, and procedures for conducting such tests shall be those approved by the Commission for formal testing which are in effect on the date of the enactment of the Cigarette Tar Tax Act.

"(B) Certification to Secretary.—At least once each calendar year, the Chairman of the Federal Trade Commission shall certify to the Secretary or his delegate, on the basis of the tests conducted pursuant to subparagraph (A), the tar content of each brand of cigarettes manufactured in or imported into the United States. The tar content of a brand of cigarettes as contained in such certification shall, for purposes of applying paragraphs (1) and (2), be the tar content of cigarettes of such brand for the period beginning with the day after such certification is made with respect to such brand and ending with the day on which the next certification is made with respect to such brand."

(b) The amendment made by subsection (a) shall take effect on the first day of the first calendar quarter which begins more than 30 days after the date of the enactment of this Act, except that, with respect to the authority of the Federal Trade Commission to issue regulations for purposes of sections 5701 (b) (3) of the Internal Revenue Code of 1954 (as added by subsection (a)), such amendment shall take effect on the date of the enactment of this Act.

SEC. 3. (a) There is hereby established in the Treasury of the United States a special fund to be known as the Tobacco Tax Fund. The Tobacco Tax Fund shall consist of amounts transferred to it pursuant to subsection (b) and shall be available only, as provided by appropriation Acts, to carry out programs hereafter established by law to provide adjustment assistance for growers of tobacco, manufacturers of cigarettes, cigars, and other tobacco products, State and local governments, and other persons incurring serious economic hardship resulting from the elimination or substantial reduction of the use of cigarettes, cigars and other tobacco products.

(b) The Secretary of the Treasury shall during each fiscal year, beginning with the fiscal year commencing July 1, 1971, transfer

from the general fund of the Treasury to the Tobacco Tax Fund an amount equal to the amount by which taxes imposed under section 5701 of the Internal Revenue Code of 1954 which are received in the Treasury during such fiscal year exceed the amount of the taxes imposed under such section which were received in the Treasury during the fiscal year ending June 30, 1971. Such transfers shall be made not less often than quarterly and shall, to the extent necessary, be made on the basis of estimates by the Secretary of the amounts of taxes imposed under section 5701 of the Internal Revenue Code of 1954 received in the Treasury during any quarter. Proper adjustments shall be made in amounts subsequently transferred to the extent that prior estimates were more or less than the amounts required to be transferred.

Sec. 4. (a) There is established a commission to be known as the Commission on Tobacco Adjustment Assistance (hereafter in this section referred to as the "Commission").

(b) The Commission shall consist of 15 members to be appointed by the President. The members of the Commission shall include representatives—

- (1) growers of tobacco,
- (2) manufacturers of cigarettes, cigars, and other tobacco products,
- (3) other segments of the economy seriously affected by the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products, and
- (4) State and local governments.

Not more than 3 members of the Commission may be officers or employees of the Federal Government.

(c) The President shall appoint one of the members of the Commission to serve as chairman and one to serve as vice chairman.

(d) Seven members of the Commission shall constitute a quorum and a vacancy in the Commission shall not affect its powers.

(e) It shall be the purpose and duty of the Commission to make a full and complete study of—

(1) the probable effect of the increases in the taxes imposed under section 5701 of the Internal Revenue Code of 1954 and of the termination of price supports for tobacco in achieving the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products;

(2) the economic hardships which will result from the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products—

- (A) growers of tobacco,
- (B) manufacturers of cigarettes, cigars, and tobacco products,
- (C) other segments of the economy directly affected; and

(3) the economic hardship to State and local governments caused by the reduction in revenues resulting from the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products.

The Commission may include in such study such other matters as it deems advisable which relate to the effect on the economy of the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products.

(f) The Commission shall, within 18 months after the date of the enactment of this Act, report to the President and to the Congress—

(1) the results of the study conducted by it pursuant to subsection (e), and

(2) its recommendations for legislation and administrative action necessary to eliminate or substantially reduce the use of cigarettes, cigars, and other tobacco products, and to provide assistance to persons described in subsection (e) (2) and to State and local governments in adjusting to such elimination or substantial reduction.

(g) Members of the Commission shall serve without compensation but shall be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the government service employed intermittently.

(h) The Commission is authorized—

(1) to appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; and

(2) to 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 \$100 per day.

(i) The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance it deems necessary to carry out its purpose under this section; and each such department, agency, and instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman or any other member when acting as Chairman.

(j) The Commission shall cease to exist 60 days after the date of the submission of its report under subsection (f).

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

SEC. 5. (a) Section 106 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof a new clause as follows: "(d) (1) The level at which price support may be made available for the 1972, 1973, and 1974 crops of tobacco shall be subject to the following limitations:

"(A) The 1972 crop of any kind of tobacco may not be supported at any level greater than 75 per centum of the level at which the 1970 crop of such tobacco was supported.

"(B) The 1973 crop of any kind of tobacco may not be supported at any level greater than 50 per centum of the level at which the 1970 crop of such tobacco was supported.

"(C) The 1974 crop of any kind of tobacco may not be supported at any level greater than 25 per centum of the level at which the 1970 crop of such tobacco was supported.

"(2) Price support shall not be made available for the 1975 and subsequent crops of tobacco."

(b) Notwithstanding any other provisions of law, marketing quotas, marketing penalties, acreage-poundage quotas, and acreage allotments for tobacco shall be ineffective with respect to the 1975 and subsequent crops of tobacco.

SEC. 6. (a) Section 4 of the Tobacco Inspection Act (7 U.S.C. 511c) is amended by striking out the following: "Provided, That in no event shall charges be in excess of the cost of said samples, illustrations, and service so rendered."

(b) Section 5 of such Act (7 U.S.C. 511d) is amended by striking out the seventh sentence thereof.

(c) The last paragraph of section 6 of such Act (7 U.S.C. 511e) is amended by striking out the period at the end of such paragraph and inserting in lieu thereof a semicolon and the following: "but all of the cost of providing services under this section shall be borne by the persons requesting such services."

SEC. 7. Title I of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof a new section as follows:

"Sec. 111. Notwithstanding any other provision of law (1) no subsidy or other incentive payment shall be made, directly or indirectly, under the provisions of this Act to any person for the export or sale of tobacco or any tobacco product, and (2) no funds may be expended for the purpose of advertising or otherwise promoting the sale of tobacco in any foreign country."

SEC. 8. Section 5(f) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(f)) is amended by striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "except that nothing herein shall be construed to authorize the payment of any subsidy for the export of tobacco from the United States."

POLICE OFFICERS BENEFITS ACT OF 1971—AMENDMENTS

AMENDMENTS NOS. 467 AND 468

(Ordered to be printed and referred to the Committee on the Judiciary.)

Mr. THURMOND. Mr. President, today I am submitting two amendments to S. 2087, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 as amended, which provides \$50,000 in benefits to survivors of police officers killed in the line of duty to include all law enforcement personnel including sheriffs, deputy sheriffs, highway patrolmen, and investigatory and correctional personnel.

I believe these amendments are necessary to insure the tax free status of the \$50,000 gratuity and to insure that all law enforcement personnel including sheriffs, deputies, highway patrolmen, and State investigatory and correctional personnel will be included.

The office of sheriff is one of the oldest in the United States and traces its ancestry back to the earliest days of Anglo-Saxon jurisprudence. Today's sheriffs have staffs ranging from a single deputy in some sparsely populated, largely rural, counties to more than 8,000 deputies in the Nation's most heavily populated county. The jurisdiction of the sheriff and highway patrolman ranges from the rural countryside to the major metropolitan areas and encompasses the entire spectrum of law enforcement and the criminal justice process.

While in recent months and years, more police officers of major cities have met felonious deaths than have sheriffs' deputies, it is increasingly apparent that violent crime is spreading. It knows no jurisdiction boundary, nor respects the color of a law enforcement officer's uniform. Each officer, whether sheriff's deputy, highway patrolman, or policeman, must be fully cognizant that death may come to him in the performance of his sworn duties.

Hundreds of highway patrolmen throughout the United States are continually involved in law enforcement. They are a necessary element in the overall crime prevention system and contribute significantly to the total law enforcement effort. Therefore, any bill which would provide security to the families of policemen killed in the line of duty should include highway patrolmen.

The State investigatory and correctional personnel would include individuals who carry a firearm or are empowered to make arrests in enforcing crimi-

nal laws. In addition to his regular duties covering the apprehension, arrest, and detention of known or suspected criminals, he frequently works in concert with and accompanies other State police officers in the performance of their duties.

A law enforcement officer, dedicated to his career, is not usually nearly so concerned with his low salary as he is in maintaining and preserving the security of his family. In order to afford this protection to the officer's family, I believe it is imperative that this bill be amended to make the \$50,000 gratuity tax-free and available to the survivors of all law enforcement officers including sheriffs, deputies, highway patrolmen, and investigatory and correctional personnel.

Mr. President, I ask unanimous consent that these amendments be appropriately referred and printed in the RECORD at the conclusion of my remarks.

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

AMENDMENT No. 467

On page 3, after line 18, insert the following new section:

SEC. 5. Section 101(b)(2)(A) of the Internal Revenue Code of 1954 (relating to death benefits excluded from gross income) is amended to read as follows:

"(A) \$5,000 limitation.—The aggregate amounts excludable under paragraph (1) with respect to the death of any employee shall not exceed \$5,000, except that not to exceed \$50,000 shall be excludable under such paragraph if such sum is paid under the provisions of part J of the Omnibus Crime Control and Safe Streets Act of 1968."

AMENDMENT No. 468

On page 3, between lines 5 and 6, insert the following new subsection:

"(d) As used in this section, 'police officer' means all law enforcement personnel including sheriffs, deputy sheriffs, highway patrolmen, and investigatory and correctional personnel."

CONVERSION RESEARCH, EDUCATION, AND ASSISTANCE ACT OF 1971—AMENDMENT

AMENDMENT No. 469

(Ordered to be printed and referred to the Committee on Labor and Public Welfare.)

NEW CITIES RESEARCH AND EXPERIMENTATION ACT

Mr. KENNEDY. Mr. President, I introduce the New Cities Research and Experimentation Act of 1971, as an amendment to the Conversion Research, Education, and Assistance Act of 1971 (S. 32), and I ask unanimous consent that the text of the amendment may be printed in the RECORD at the conclusion of my remarks. This amendment establishes the New Cities Research and Experimentation Administration and authorizes \$1 billion over a 3-year period for programs of research and experimentation leading to the design and development of new cities.

Over the next 30 to 40 years—as America moves into the 21st century—the Nation's population will increase by nearly 100 million people. This 50-percent increase is the equivalent of building 100 new cities with populations of 1 million or 200 new cities with populations of half

a million. It is doubtful that the Nation will build so many new cities during this period; much of this growth will have to be incorporated within existing metropolitan regions. But regardless of how much of the increase occurs in new or existing cities, it is clear that this population expansion must be absorbed primarily in urban areas.

This expansion is bound to magnify and multiply the problems of the cities—in transportation, housing, waste disposal, power and water supply, health care, public safety, education, pollution, and a host of other urban services. These problems will not resolve themselves; nor will they quietly go away if we merely ignore them and hope for the best. Persistent population pressures will intensify and exacerbate their effects until the cities and their surrounding suburbs may become a chaotic caricature of the civilized life they were meant to provide.

Lately it has become fashionable—both among urban experts and the public at large—to view this situation as hopeless and to consider the cities ungovernable and their problems insoluble. But I cannot accept this pessimistic point of view.

The scientific skills and organizational abilities which carried us to the surface of the moon can surely move us expeditiously over the face of the earth. The Nation which produced the most powerful industrial system in history can certainly learn to adapt that system to meet environmental conditions as well as economic constraints. And the people who tamed a wilderness to create a new civilization can unquestionably unshackle its urban complexes to make them livable, once again, for man.

Attaining these goals is no simple matter; it will require a commitment of national purpose and a concentration of effort and resources which have previously been achieved only in the defense and space programs. It is particularly important that we focus on these unprecedented problems the full measure of scientific, technical, and professional talent which the Nation can muster. Yet at this time of maximum need, much of the Nation's pool of technical talent is being wasted or underemployed, because of widespread cutbacks in aerospace programs and the overall economic decline.

According to the President's economic report, "employment attributed to Department of Defense expenditures will have decreased nearly 1.8 million workers from its highest recent level in fiscal year 1968 to fiscal year 1971." The overall problem is intensified by the fact that scientists, engineers, and technicians are extremely dependent on federally financed programs for employment. Of the more than 2 million technical personnel employed at the beginning of 1970, one in four was engaged in work generated by the Department of Defense, the National Aeronautics and Space Administration, or the Atomic Energy Commission. Half of those employed directly by the Federal Government worked in DOD, NASA, or AEC. Sixty-two percent of all physicists and 88 percent of all scientists in the atmospheric and space sciences have depended on Federal programs for employment.

Fifty-nine percent of all jobs for aeronautical engineers were generated by defense spending in fiscal year 1968, and 54 percent of skilled airplane mechanics similarly depended on defense spending.

Consequently, cutbacks in Federal programs have a much greater impact on this highly skilled technical workforce than they do on other categories of workers. By early 1971, aerospace and related employment levels had declined an estimated 450,000 employees from the previous year, and an additional 400,000 were projected to be out of work by the end of fiscal year 1971. The unemployment rate for engineers increased from 0.5 percent in the third quarter of 1968, to 2.4 percent in the third quarter of 1970, to an estimated 3.4 percent by the third quarter of 1971. This represents the highest unemployment level for professional personnel since the Government began keeping such statistics in 1958.

The impact of this unemployment is intensified by the pattern of concentration which has prevailed in defense and space, with respect to specific industries, and geographic locations. Thus over four-fifths of 1969 industrial research and development was spent by firms in five industries: Aircraft and missiles; electrical equipment and communications; machinery; chemicals; and transportation equipment. And over one-half of the scientists and engineers engaged in R. & D. worked in the two industries of electrical equipment and aircraft and missiles.

The geographical concentration of defense and space spending is particularly striking. Ten States received 71 percent of total Federal obligations for R. & D.: California, New York, Maryland, Florida, Massachusetts, New Jersey, Texas, Pennsylvania, District of Columbia, and Ohio. Of all scientists and engineers in the aerospace industry, 44 percent are located on the Pacific coast, and 25 percent are located in the New England and Middle Atlantic States. The remainder are highly concentrated in a few other States such as Florida and Texas. Within the various States, R. & D. activities are usually further concentrated within particular communities. Those with an engineering unemployment rate above the national average of 3.4 percent are: Seattle, 9 percent; Orange County, Calif., 7.4 percent; Wichita, 7.1 percent; Los Angeles-Long Beach, 6.6 percent; Cape Kennedy, 6.6 percent; San Diego, 5.8 percent; Boston, 4.5 percent; Philadelphia, 3.8 percent; New York City, 3.7 percent; and San Jose, Calif., 3.5 percent. The impact on such communities is extensive. Not only do the individual technical personnel and their families suffer as a result of their unemployment, but their reduction in purchasing power has an adverse multiplier effect on the economic well-being of the community.

The Nation cannot afford this massive misuse of talent. Quite apart from the human hardships involved, these jobless technical personnel represent a vast waste of one of the Nation's most precious assets—its skilled scientific manpower. An enormous national investment went into the formal education and on-the-

job training of this technical workforce. As long as they are unemployed or underemployed, that investment is being wasted, and the Nation is the loser.

The problem is compounded by the rapidity with which new scientific knowledge and techniques are being generated. As a result, many of their professional skills may well be obsolete before they find new jobs.

The Nation is entitled to receive a continuing economic and social return on the investment it has made in its scientific manpower, and I am confident that this result can be accomplished. Through economic conversion, we can redirect the economy, we can cope with the problems of the cities, and at the same time, we can generate meaningful jobs for our scientists, engineers, and technicians.

But economic conversion will not be easy to accomplish. It will not occur by itself, and it will not occur without strong Federal leadership. We need a broad national program which meets the following objectives:

First, it must provide immediate, interim financial assistance to unemployed technical personnel, to tide them over this hardship period and buy time for other programs to become operational.

Second, it must provide financial, technical, and educational assistance to companies, communities, and individuals to aid them in making the difficult transition from defense to civilian programs.

And third, it must generate large-scale civilian markets for research and engineering capable of absorbing the more than 100,000 unemployed technical personnel, and of providing continuing employment opportunities over the decades ahead. Moreover, these markets must be developed in such a way as to focus on the resolution of the Nation's social problems.

Over the past year in Congress, I have endeavored to develop a broad program to meet these goals through national economic conversion. I have already introduced two bills aimed at meeting the first two objectives. Today I introduce a third measure designed to meet the final objective and to complete my basic legislative program on economic conversion. The two earlier conversion bills may be summarized as follows:

The Economic Conversion Loan Authorization Act, S. 1261, which I introduced on March 16, 1971, would provide immediate emergency financial assistance to the thousands of scientists, engineers, and technicians throughout the Nation who have already lost their jobs. The bill would enable banks to make low-interest, long-term conversion loans to unemployed technical personnel in amounts up to 60 percent of their former salary, or \$12,000 a year, whichever is lower. With these funds added to their unemployment compensation and other sources of income, unemployed scientists and other technical personnel will be able to maintain their family responsibilities, while seeking new employment and making the difficult transition from defense to civilian work.

The bill authorizes \$200 million over a 3-year period for the purposes of the loan

program, which will be administered by the National Science Foundation. The bulk of these funds will be used to provide interest subsidies and repayments of loans in default to banks and other lending institutions. In turn, these institutions will be able to make conversion loans of hundreds of millions of dollars to individual scientists and engineers. At a relatively small cost to the Federal Government, therefore, the impact of the program can be enormous.

Because the potential earning power of engineers is high, once their skills are successfully converted to civilian activities, the loan program is financially sound. More important, because their efforts can pay rich dividends in terms of progress against our urgent social problems, the Nation's scientists and engineers constitute a unique group among the unemployed. At a time when, even now, we are not producing enough scientists and engineers to meet the basic needs of our society, it would be tragic to maintain a climate that drives today's engineers from the profession, and discourages the current student generation from embarking on such careers.

Facilitating the transition to civilian work is the objective of the Conversion Research, Education, and Assistance Act which I first introduced in August 1970, and which I reintroduced in revised form this past January. The bill authorizes the appropriation of \$500 million over a 3-year period to facilitate the shift of scientific and technical manpower from defense to social programs. The bulk of the legislation would be administered by the National Science Foundation, with the Small Business Administration administering programs to help small firms convert to civilian tasks.

In essence the bill asks Congress to establish three national policies in the area of economic conversion:

First, scientists should have continuing opportunities for employment, in positions commensurate with their professional and technical skill.

Second, Federal spending for civilian research and engineering should be raised to parity with defense-related research and engineering, and kept at or above that level in the future.

Third, the total Federal investment in science and technology must continue to grow annually in proportion to increases in the gross national product.

The specific programs authorized by the bill will enable scientists and engineers to redirect their talents from defense-related activities to civilian-related activities, especially in areas like pollution, transportation, crime control, housing, education, and health care. The programs are designed so that thousands of unemployed scientists and engineers can participate directly, with the expectation that the resulting research and engineering activity will have a multiplier effect throughout the scientific and technical community and the economy at large.

Of the funds to be made available under the legislation, almost half would be distributed directly in conversion fellowships to individual scientists, engineers, and technicians, to enable them to participate in specific conversion projects.

The measure I am introducing today, the New Cities Research and Experimentation Act, is aimed at meeting the third major goal of a national program of economic conversion. This measure is designed to create a substantial, sustained market for research and engineering in the civilian sector of our economy.

The new measure is being offered as an amendment to the Conversion Research, Education and Assistance Act of 1971 (S. 32). This amendment establishes a New Cities Research and Experimentation Administration within the National Science Foundation, and authorizes \$1 billion over a 3-year period for programs of research and experimentation which are aimed at bringing the Nation's scientific and technical talent to bear on the problems of the cities. The New Cities Research and Experimentation Administration would undertake programs of planning, applied research, testing and evaluation, information dissemination, and systems demonstration. These programs would involve the design of, and experimentation with, technological systems in areas such as housing, transportation, communications, water supply, gas and electric utilities, public safety, firefighting, public sanitation, health care, education, recreation, and pollution control. The resulting technological systems would be publicly demonstrated and would be available for use in the development of new cities, as well as in the improvement of existing cities.

The specific provisions of this measure are as follows: It amends the National Science Foundation Act to authorize the Foundation to undertake a program of applied research and experimentation leading to the design of new cities.

The measure establishes as national policy: First, the use of science, technology, and systems analysis in the experimental design of technological systems, which are aimed at the provision of more effective urban services, and the innovative resolution of the Nation's urban problems; and second, the assurance that such programs will make maximum use of the Nation's pool of scientific and technical manpower, including those who are unemployed.

The amendment establishes a New Cities Research and Experimentation Administration within the National Science Foundation and a New Cities Research Advisory Council to advise the Foundation with respect to its new programs under this measure. The amendment authorizes the Foundation to: First, support applied research and experimentation in order to design and demonstrate the applicability of advanced technology in the development of new cities; second, make maximum use of the Nation's technical manpower; third, test and evaluate resulting technological systems in terms of applicable technical, economic, social, environmental, and esthetic factors; and fourth, disseminate and demonstrate the results so that such systems may be effectively utilized in the development of new cities, as well as in the improvement of living conditions in existing cities. The amendment includes provision for maintaining nec-

essary coordination between the New Cities Research and Experimentation Administration and other concerned Government agencies such as the Departments of Housing and Urban Development, Health, Education, and Welfare, Commerce, Labor, and Transportation.

The amendment authorizes a total of \$1 billion over a 3-year period: \$100 million for the remainder of fiscal year 1972; \$300 million for fiscal year 1973; and \$600 million for fiscal year 1974.

In short, what is proposed is a major new civilian program which can absorb the Nation's technical talent, respond to our unmet social needs, and enlist widespread public enthusiasm and support.

The program is designed to meet the dramatic challenge of creating dozens of new American cities to absorb our population increase over the coming decades. It is charged with establishing a standard of high quality metropolitan services which existing cities can imitate. Thus, for example, the transportation system contracts could specify the development of reliable, clean, comfortable, economical rapid transit for every citizen, without exceeding minimum levels of pollution. Similar contracts could be awarded for solid waste disposal systems, power systems, communications networks, and health care programs.

The challenge of succeeding at these tasks on earth rivals the challenge of the moon voyage. The new program could serve as the dramatic focal point for civilian research and engineering in the 1970's in much the same way as the space program did in the 1960's. Enactment of this measure would enable America to reemploy its 200,000 unemployed or underemployed technical personnel, and to apply its full range of technical talent to its most pressing problems.

As chairman of the Special Subcommittee on the National Science Foundation of the Committee on Labor and Public Welfare, I plan to hold hearings on these economic conversion bills on October 26 and 27. The hearings will consider the Economic Conversion Loan Authorization Act of 1971 (S. 1261), the Conversion Research, Education, and Assistance Act of 1971 (S. 32), and the amendment to S. 32 which I am introducing today, the New Cities Research and Experimentation Act of 1971. Based on these hearings and other relevant information which is available to the committee, I intend to make any revisions in these measures which may prove necessary and to press for prompt legislative action on economic conversion in this session of Congress.

We know that the problems of our cities are tremendous and growing worse every day. We know that the continuing expansion in national population will serve to intensify these problems over the coming decades. And we know that our scientific unemployment represents an enormous economic waste, a failure of priorities and policies, and real human hardship to the individuals and families concerned.

But in the perspective of history, I believe our current crisis can be turned to good advantage. For suddenly—for the

first time in our history—the Nation has been provided with a vast reservoir of available technical talent, which can and must be put to work. If we see our economic adversity and the problems of our cities as a social opportunity and technical challenge—and if we seize that opportunity and meet that challenge—we can overcome the present difficulties and turn our extraordinary scientific talents and imagination to the true tasks confronting our Nation. Through a national program of economic conversion, the current generation of scientists and engineers can redirect their talents to solving the problems of our cities, restoring the integrity of our environment, and enhancing the quality of our lives.

I believe the New Cities Research and Experimentation Act and its companion bills comprise an effective national conversion program. I urge every Member of the Senate to give these measures his serious consideration.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

AMENDMENT NO. 469

At the end of the bill, and the following new title:

"TITLE V—NEW CITIES RESEARCH AND EXPERIMENTATION

"SEC. 501. The National Science Foundation Act of 1950 is amended by inserting:

"TITLE I—RESEARCH AND EDUCATION IN SCIENCE AND ENGINEERING

immediately above the heading of section 2, by striking out "this Act" wherever it appears in sections 2 through 16 inclusive (other than where it appears in subsection (a) and subsection (b) of section 4 and section 11), and inserting in lieu thereof "this title", and by adding immediately after section 16 the following new title:

"TITLE II—NEW CITIES RESEARCH AND EXPERIMENTATION

"SHORT TITLE

"SEC. 201. This title may be cited as the "New Cities Research and Experimentation Act of 1971".

"DECLARATION OF POLICY

"SEC. 202. (a) The Congress hereby finds that—

"(1) projected population increases before the year 2000 will lead to a substantial expansion in the nation's urban areas, further compounding the compelling problems of our cities with respect to housing, transportation, communications, health care, waste disposal, education, pollution, crime, poverty, and other social problems;

"(2) society can cope with problems of such unprecedented magnitude only through the resolute application of the nation's best scientific, technical, and professional skills and imagination; and

"(3) at this time of maximum need, much of the nation's pool of scientific, technical, and professional talent is being wasted or misapplied because of widespread cutbacks in the nation's research and engineering programs.

"(b) The Congress declares that it is the policy of the United States to—

"(1) support the use of science, technology and advanced analytical techniques, such as systems analysis, in the experimental design of technological systems, which are aimed at the provision of more effective urban services and the innovative resolution of the nation's urban problems; and

"(2) assure that such programs make maximum effective use of the nation's pool of scientific and technical manpower, including those who are unemployed.

"ESTABLISHMENT OF THE NEW CITIES RESEARCH AND EXPERIMENTATION ADMINISTRATION"

"Sec. 203. There is hereby established within the National Science Foundation, the New Cities Research and Experimentation Administration.

"ADMINISTRATION OFFICERS"

"Sec. 204. (a) The Administration shall be headed by an Administrator who shall be appointed, by and with the advice and consent of the Senate.

"(b) The functions of the Director under this title and any other functions of the New Cities Research and Experimentation Administration shall be carried out by the Administrator through the Administration.

"(c) There shall be a Deputy Administrator of the Administration who shall be appointed by the President, and with the advice and consent of the Senate, and shall perform such duties and exercise such powers as the Administrator may prescribe. The Deputy Administrator shall act for, and exercise the powers of, the Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

"(d) There shall be two Associate Administrators of the Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such duties and exercise such powers as the Administrator shall prescribe; with the stipulation that one associate Administrator shall be responsible for advising and assisting the Administrator with respect to the engineering and natural science aspects of the Administration's program, and the other Associate Administrator shall be responsible for advising and assisting the Administrator with respect to the behavioral and social science aspects of the Administration's programs.

"(e) (1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(58) The Administrator of The New Cities Research and Experimentation Administration."

"(2) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(95) The Deputy Administrator of the New Cities Research and Experimentation Administration."

"(3) Section 5316 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(131) Associate Administrators of the New Cities Research and Experimentation Administration."

"NEW CITIES RESEARCH COUNCIL"

"Sec. 205. (a) There is here established a New Cities Research Advisory Council to be composed of fifteen members appointed by the Director for terms of three years, and of six ex officio members as designated in section 205(c). Appointed members shall be chosen from among persons who have, by reason of experience or professional accomplishments, demonstrated their special qualifications to serve on the Council, in equal numbers from among the following—

- "1. Business leaders;
- "2. Labor leaders;
- "3. Engineers, design professionals, and natural scientists;
- "4. Social and behavioral scientists; and
- "5. Community leaders.

"(b) (1) Of the members first appointed, five shall be appointed for a term of one year, five shall be appointed for a term of two years, and five shall be appointed for a term of three years, as designated by the Director at the time of appointment.

"(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was ap-

pointed shall be appointed only for the remainder of such term. Members shall be eligible for reappointment and may serve after the expiration of their terms until their successors have taken office.

"(3) Any vacancy on the Council shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

"(4) Appointed members of the Council shall, while serving on business of the Council, be entitled to receive compensation at rates not to exceed \$125 per diem, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

"(c) The Council shall annually elect one of its members to serve as chairman until the next election. The Council shall meet at the call of the chairman, but not less often than four times a year. The Administrator, the Assistant Secretary of Commerce for Science and Technology; the Assistant Secretary of Health, Education and Welfare for Health and Scientific Affairs; the Assistant Secretary of Housing and Urban Development for Research and Technology; the Assistant Secretary of Labor for Manpower; and the Assistant Secretary of Transportation for Systems Development and Technology shall be ex officio members of the Commission. Eight members of the Council shall constitute a quorum necessary for the transaction of official business.

"(d) The Council shall—

"(1) advise the Director with respect to his responsibilities under this title;

"(2) review and evaluate the effectiveness of Federal programs under this title;

"(3) prepare and submit to the Director such interim reports as it deems advisable, and an annual report of its findings and recommendations, together with any recommendations for changes in the provisions of this title; and

"(4) publicize its findings and recommendations to such extent and in such manner as it deems effective and advisable.

"(e) The Director shall make available to the Commission such staff, information, and other assistance as it may require to carry out its activities.

"PROGRAMS AUTHORIZED"

"Sec. 206. In order to carry out the purposes of this title, the Foundation is authorized and directed to—

"(1) initiate and support programs of applied research and experimentation, in order to design and demonstrate the applicability of advanced technology in the development of new cities;

"(2) make maximum effective use of the nation's pool of scientific and technical manpower, including those who are unemployed;

"(3) test the technological systems which are developed under this title, and evaluate the results of such tests in terms of applicable technical, economic, social, environmental, and aesthetic factors.

"(4) disseminate and demonstrate the results of programs conducted or assisted under this title so that such systems may be effectively utilized in the development of new cities, as well as in the improvement of living conditions in existing cities.

"PLANNING FOR NEW CITIES"

SEC. 207. From funds available pursuant to section 18a, the Director is authorized and directed to conduct planning studies and to make grants to, or to enter into contracts with, academic institutions, not-for-profit institutes and organizations, public agencies, and private business firms, for the conduct of planning studies for research and experimentation programs leading to the design

and development of new cities. Such projects will—

"(1) be directed toward the objective of designing, testing, evaluating, and demonstrating advanced technological systems for subsequent incorporation in new cities, and for subsequent use, with appropriate adaptations, in existing cities.

"(2) include long-range planning studies as well as intermediate and short-run studies;

"(3) make maximum use of the scientific and technical information provided under section 211;

"(4) encompass studies of all service areas, including but not limited to housing, transportation, communications, water supply, gas and electric utilities, public safety, fire fighting, public sanitation, health care, education, recreation, and pollution control;

"(5) include specific studies of the economic, sociological, psychological, legal, and political factors which impinge on the design, development, and implementation of technological systems to provide urban services;

"(6) include total urban systems studies which integrate the specific studies carried out under sections 7(4) and 7(5).

"APPLIED TECHNICAL RESEARCH AND EXPERIMENTATION"

"Sec. 208. (a) From funds available pursuant to section 18(a) the Director is authorized and directed to make grants to, and to enter into contracts with, academic institutions, not-for-profit institutes and organizations, public agencies, and private business firms, for the conduct of applied research and experimentation regarding the technological aspects of urban services, including but not limited to the areas of housing, transportation, communications, water supply, gas and electric utilities, public safety, fire fighting, public sanitation, health care, education, recreation, and pollution control.

"(b) No project shall be assisted under this section unless such project involves applied research aimed at, or experimentation with, innovative applications of advanced technology in the context of new cities.

"(c) In making grants or entering into contracts under this section, the Director shall take full account of the results of the planning studies conducted or assisted under section 207.

"(d) Each contract awarded under this section shall contain provisions which assure that specific performance objectives, and applicable physical, environmental, economic and social constraints are specified with particularity for each project conducted under said contract.

"(e) To assure that experimental systems designed under this section are responsive to public needs and desires, the Director shall obtain community and public views in his determination of the performance objectives and priorities to be met by such systems.

"APPLIED SOCIAL RESEARCH"

"Sec. 209. (a) From funds available pursuant to section 18(a), the Director is authorized and directed to make grants to, and to enter into contracts with academic institutions, not-for-profit institutes and organizations, public agencies, and private business firms, for the conduct of applied social research into the economic, sociological, political, legal, administrative, and psychological aspects of the design, development and implementation of technological systems to provide urban services.

"(b) The scientific information currently available in these areas and that which is generated as a result of the research undertaken under this section shall be fully taken into account by the Foundation in the development of programs and the design and evaluation of technological systems under this title.

"(c) In making grants or entering into con-

tracts under this section, the Director shall take full account of the results of the planning studies conducted or assisted under section 207.

"TESTING AND EVALUATION"

"Sec. 210. (a) (1) From funds available pursuant to section 18(a), the Director is authorized and directed to make grants to, and to enter into contracts with, academic institutions, not-for-profit institutes and organizations, public agencies, and private business firms for testing the systems resulting from the research and experimentation conducted or assisted under this title.

"(2) Such testing shall utilize all available, applicable analytical techniques, such as computer simulation, systems analysis, and technology assessment, to appraise and evaluate said systems in terms of: conformance to their performance objectives; their costs and ancillary consequences; their impact on the environment; their impact on aesthetic values; their responsiveness to public needs and desire; and their comparative analysis with other alternative urban systems.

"(b) From funds available pursuant to section 18(a), the Director is authorized and directed to carry out final evaluations of the systems resulting from the research and experimentation conducted or assisted under this title, making appropriate use of the results of the tests conducted or assisted under section 10(a) (1).

"(c) In making grants or entering into contracts under this section, the Director shall take full account of the results of the planning studies conducted or assisted under section 207.

"INFORMATION DISSEMINATION"

"Sec. 211. From funds available pursuant to section 18(a), the Director is authorized and directed to establish a computerized New Cities Research Information Service, which shall collect and integrate the scientific, technical, and social information pertaining to urban services and systems resulting from programs under this title, and shall provide such information to interested organizations in Federal, State, and local government, industry, academic institutions, and the not-for-profit sector, upon request from such organization, in accordance with such administrative procedures as are established by the Director.

"SYSTEMS DEMONSTRATION"

"Sec. 212. (a) From funds available pursuant to section 18(a), the Director is authorized and directed to make grants to, and to enter into contracts with, academic institutions, not-for-profit institutes and organizations, public agencies, and private business firms, for the construction and public exhibition of systems demonstration projects, which illustrate the operation and associated benefits of the effective technological systems resulting from research and experimentation programs conducted or assisted under this title.

"(b) Such grants or contracts shall contain provisions which assure that such demonstration projects provide—

"(1) Accurate and complete representations of the services and systems involved in the demonstrations; and

"(2) public exhibitions which are announced in advance and are open for inspection by any interested organization in accordance with such administrative procedures as are prescribed by the Foundation.

"COORDINATION WITH DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT"

"Sec. 213. (a) The Director is directed to maintain continuing consultation and coordination with the Department of Housing and Urban Development with respect to the plans and programs undertaken under this title.

"DEFINITIONS"

"Sec. 214. As used in this title—

"(a) The term 'Administration' means the New Cities Research and Experimentation Administration.

"(b) The term 'Administrator' means the Administrator of the New Cities Research and Experimentation Administration.

"(c) The 'Council' means the New Cities Research Advisory Council.

"(d) The term 'urban service' means any set of interrelated organizations and activities which collectively perform certain related functions associated with urban living, including but not limited to: transportation, communications, water supply, electric and gas utilities, housing, health care, education, public safety, fire fighting, public sanitation, recreation, and pollution control.

"(e) The term 'technological system' means any set of interrelated technological applications which are designed to perform certain urban services.

"ADMINISTRATIVE PROVISIONS"

"Sec. 215. (a) Except as otherwise provided in this Act, the Foundation shall, in carrying out its functions under this title, have the same powers and authority it has under Public Law 81-507, as amended, to carry out its functions under that law.

"(b) In addition to any other authority vested in the Director by this Act, he is authorized, in order to carry out his functions under this title, to—

"(1) promulgate such rules and regulations as may be necessary;

"(2) appoint such advisory committees as may be advisable;

"(3) procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code; and

"(4) use the services, personnel, facilities and information of any other Federal department or agency, or any agency of any State, or political subdivision thereof, or any private research agency with the consent of such agencies, with or without reimbursement therefor.

"(c) Upon request by the Director, each Federal department and agency is authorized and directed to make its services, personnel, facilities, and information, including suggestions, estimates, and statistics, available to the greatest practicable extent, to the appropriate officer in the performance of his functions under this title.

"(d) The Director shall establish such divisions or offices within the Administration as he deems necessary to carry out his functions under this title.

"AUDIT"

"Sec. 216. The Director and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to any grantee or contractor under this title.

"PAYMENTS AND WITHHOLDING"

"Sec. 217. (a) Payments under this title may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of underpayment or overpayment.

"(b) Wherever the Director, after giving reasonable notice and opportunity for hearing to a grantee or contractor under this title finds—

"(1) that the program or project for which such grant or contract was made has been so changed that it no longer complies with the provisions of this title; or

"(2) that in the operation of the program or project there is failure to comply substantially with any such provision; the appropriate officer shall notify such grantee or contractor of his findings, and no further payments may be made to such grantee or contractor by him until he is satisfied that

such noncompliance has been or will promptly be, corrected. The appropriate officer may authorize the continuance of payments with respect to any projects pursuant to this title which are being carried out by such grantee or contractor and which are not involved in the noncompliance.

"AUTHORIZATION OF APPROPRIATIONS"

"Sec. 218. (a) To carry out the provisions of this title, there are authorized to be appropriated \$100,000,000 for the fiscal year ending June 30, 1972, of which \$13,000,000 shall be available to carry out the provisions of section 207, \$50,000,000 shall be available to carry out the provisions of section 208, \$20,000,000 shall be available to carry out the provisions of section 209, \$10,000,000 shall be available to carry out the provisions of section 210, \$2,000,000 shall be available to carry out the provisions of section 211, and \$5,000,000 shall be available to carry out the provisions of section 212; \$300,000,000 for the fiscal year ending June 30, 1973, of which \$25,000,000 shall be available to carry out the provisions of section 207, \$150,000,000 shall be available to carry out the provisions of section 208, \$40,000,000 shall be available to carry out the provisions of section 209, \$50,000,000 shall be available to carry out the provisions of section 210, \$5,000,000 shall be available to carry out the provisions of section 211, and \$30,000,000 shall be available to carry out the provisions of section 212; and \$600,000,000 for the fiscal year ending June 30, 1974, of which \$20,000,000 shall be available to carry out the provisions of section 207, \$375,000,000 shall be available to carry out the provisions of section 208, \$60,000,000 shall be available to carry out the provisions of section 209, \$75,000,000 shall be available to carry out the provisions of section 210, \$10,000,000 shall be available to carry out the provisions of section 211, and \$60,000,000 shall be available to carry out the provisions of section 212.

"(b) Funds appropriated pursuant to this section shall remain available until expended."

Sec. 502. Section 5(e) of the National Science Foundation Act of 1950 is amended by adding at the end thereof the following new sentence: "The provisions of this subsection shall not apply to the authority granted to the Director under title II of this Act."

ANNOUNCEMENT OF HEARINGS ON THE UTILITY CONSUMERS' INFORMATION AND COUNSEL ACT OF 1971

Mr. METCALF. Mr. President, the chairman of the Senate Subcommittee on Intergovernmental Relations, the distinguished Senator from Maine (Mr. MUSKIE) has asked me to announce that the subcommittee will hold hearings on S. 607, the Utility Consumers' Information and Counsel Act of 1971.

Senator MUSKIE has requested that I preside at the hearings which are scheduled for October 28 and 29, beginning at 10 a.m., in room 3302 of the New Senate Office Building.

Any Member of Congress or other person wishing to testify with respect to this legislation should notify Mrs. Lucinda Dennis, chief clerk of the subcommittee. She can be reached by calling 225-4718.

ADDITIONAL STATEMENTS

DEAN ACHESON

Mr. JACKSON. Mr. President, the death of Dean Acheson is a grave loss to the Nation, but his family and friends

around the world have one great comfort: his place in history is assured. As prime mover in the reconstruction of Europe and architect of the North Atlantic Alliance, and over the years the wisest of counselors to Presidents and free world leaders, he ranks as one of the greatest statesmen of the Nation.

A nation must always live with the problems of its present. Yet we can always draw strength from the men who link us with a great past. Dean Acheson was one of those precious links. His broad perspective on America's place in today's world grew out of a life which had encompassed truly dramatic events in American history. He personified the strength of a unique and privileged generation of American leaders—the determined architects of the triumph of the great democracies who then became brave prophets, equally determined to see that the democracies would not, in Churchill's phrase, "resume the follies which had so nearly cost them their life."

It is a measure of the greatness of Dean Acheson that what he did is recorded not only in some book of memorable phrases but in the hearts of all men who value freedom. When the Western World seemed irrevocably shattered by two world wars in less than a generation, Dean Acheson had the vision to strengthen the bonds which still held our civilization together. When less courageous men counseled retreat from a confused and angry world, Dean Acheson understood that the future of freedom lay in a strong alliance and a confident America.

Today, we take these principles for granted. When Dean Acheson became Secretary of State, they were bitterly controversial questions. The course of international responsibility is self-evident today, but then it was a cause which needed its champions. It is to our great fortune that Dean Acheson was among them.

Dean Acheson possessed a remarkable intelligence and a sharp wit which he enjoyed exercising—sometimes to the dismay of his opponents. Tough-minded, he was at his very best as Secretary of State in the give-and-take of difficult negotiations.

I admired Dean Acheson most profoundly for his deep convictions and his personal loyalties. He was always a steady man under the most impossible forms of pressure.

I especially treasure the words of encouragement from Mr. Acheson in our efforts to maintain steady Senate support of the Atlantic Alliance and to prevent the substantial unilateral cutting back of American forces in Europe. "A good job," he would say, and a "dose of commonsense," all of which strengthened our spirit and our resolve.

So the loss of Dean Acheson is, for me, a deeply personal one. As a nation, we have all lost the benefit of his wit and wisdom. And we have lost a leader who actually lived one of the most creative periods of our history. This is the greater sadness, for such a man shall not pass this way again.

Mr. MATHIAS. Mr. President, Maryland has lost a distinguished citizen and the Nation has lost a wise counselor in

the death of the former Secretary of State, Dean Acheson.

It was never difficult to agree or disagree with Dean Acheson, because in a world where the footing was always uncertain he let all men know exactly where he stood. He was willing to stand alone, if that was necessary, and when he did he towered above the crowd. Such candor and clarity are almost extinct in public life today.

He was an idealist of the real world—a man who understood that only in that world can we attain our ideals.

Perhaps the most controversial thing he ever said was the best evidence of his character. When he refused to turn his back on Alger Hiss he put the world on notice that he had the courage of his convictions and convictions to test the courage of a very brave man.

Mr. MONDALE. Mr. President, there will be many tributes to Dean Acheson.

There are so many in his debt—the nations of Western Europe, whose vitality and freedom are so largely the legacy of his devotion to the Atlantic Alliance, and of course the people of the United States, to whom he gave gifts of public service unmatched in our memory.

But the greatness of Dean Acheson was more than his historic defense of the Western community, and more than the gift of his enormous talent to the governing of his country.

His greatness ran to those rare depths of the man himself. He also showed us grace and total self-respect and a brave, unyielding loyalty to friends and ideals under fire. How we will miss his brilliance and dedication, but I wonder if we will not miss even more these personal strengths of character which made him an extraordinary human being as well as a singular public servant.

And if we lose—as I fear we are losing now—this inner integrity in public life, neither ability nor passion will be enough to rescue us.

Perhaps that is the ultimate counsel from a man who so often steered us safe from the base and the dangerous.

He said it with characteristic eloquence to a Senate Committee in 1951.

One must be true to the things by which one lives. The counsels of discretion and cowardice are appealing. The safe course is to avoid situations which are disagreeable and dangerous. Such a course might get one by the issue of the moment, but it has bitter and evil consequences. In the long days and years which stretch beyond that moment of decision, one must live with one's self; and the consequences of living with a decision which one knows has sprung from timidity and cowardice go to the roots of one's life. It is not merely a question of peace of mind, although that is vital; it is a matter of integrity of character.

BICENTENNIAL COMMEMORATIVE MEDALS

Mr. SCOTT. Mr. President, the most significant and far-reaching act of support and commitment to the bicentennial by private enterprise has been made by the Franklin Mint in Franklin Center, Pa. They are the sole sponsors of a design competition with a combined prize total of \$500,000. The purpose of the competition is to design bicentennial commemorative medals concurrently in

all 50 States. This is a unique program which was developed to stimulate interest in the bicentennial throughout the Nation.

Mr. President, I ask unanimous consent that the explanatory article on this \$500,000 competition be printed in the RECORD.

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

\$500,000 BICENTENNIAL MEDAL COMPETITION SET

A competition for the designing of Bicentennial commemorative medals in all 50 states, with prizes totalling \$500,000, was announced August 11th by the Franklin Mint, world's largest private mint. The announcement was made by the president of the company, Joseph M. Segel, at the New York City premiere of the new documentary film, "Of Art and Minting."

Artists in each state will be invited to design a Bicentennial medal commemorating their state's contributions to the heritage of the nation. There will be \$10,000 in prize money for each state competition: first prize—\$5,000, second prize—\$2,500, third prize—\$1,500, fourth prize—\$1,000. The total prize fund of \$500,000 is the largest amount ever offered in an art competition in the United States.

Actually, the investment in the program by the Franklin Mint will be at least one million dollars. In a telephone interview with USA-200, Segel said the company has budgeted an additional \$500,000 for nationwide promotion and advertising in support of the 50 contests.

State Bicentennial Commissions have been invited to co-sponsor the competition in each state, and judging of the design entries will be done by state panels in cooperation with a national advisory panel of distinguished artists and art experts. In states which elect to co-sponsor the program, the Franklin Mint will defer to the Governor or State Bicentennial Commission in appointing a panel of judges.

Under varying plans of endorsement or co-sponsorship, Segel told USA-200, it will be possible for the individual state to receive royalties of 10 to 50 per cent generated by the public sale of the medals, for use in supporting other state Bicentennial programs. A conservative estimate of the royalties likely to be generated for distribution among participating State Bicentennial Commissions, Segel said, would be one million dollars, with the potential being considerably higher.

The fifty state competitions, to run concurrently, are scheduled to open in January 1972 and close on March 31, 1972. Segel said he anticipated that first edition proofs of the complete 50-medal set would be available by the end of September 1972. There would be later mint editions and possibly other editions sponsored by various states.

The elements of the program—the million dollar investment, the unique opportunity afforded artists, the commemorative value of the completed medals, and the prospect of substantial royalties for use in other Bicentennial activities—makes it the most significant and far-reaching act of support and commitment to the Bicentennial made by private enterprise to date.

AN ELECTED MAYOR AND CITY COUNCIL FOR THE DISTRICT OF COLUMBIA

Mr. KENNEDY. Mr. President, I am pleased to note the passage yesterday by the Senate of S. 2652 which is designed to provide an elected mayor and city council for the District of Columbia.

The right of the people to elect those who will govern them was guaranteed in the struggle for independence and affirmed in the basic tenets of the Constitution. To deny that right to any citizen in this country is, therefore, a contradiction and a violation of all that our country stands for.

I believe that the chairman of the Committee on the District of Columbia and each one of the committee members deserve praise for their efforts to once again demonstrate the Senate's insistence that Washingtonians should elect the officials who will govern them. Time and time again, the Senate has approved legislation to grant home rule for the citizens of our Federal city. And, on six separate occasions, since the 81st Congress, the House of Representatives has failed to concur with the will of the Senate.

I strongly support the principle of home rule for the District of Columbia. And I dismiss the arguments against home rule as a cover for partisan politics or worse, as a cover for racism. Opponents of home rule have claimed that Washingtonians are not ready to govern themselves—that the electorate lacks the political sophistication to choose those who can manage good government. Others insist there are no capable citizens available to govern the operations of this great city.

Yet, one need only look back upon the special congressional election in Washington last March. One of the most telling and impressive lessons of that campaign was the emergence of so many able and attractive candidates. There is no reasonable basis to continue to exclude the citizens of the District from the right to elect their own officials from among the available talented and skilled personalities like the contenders in that campaign.

The residents of Washington, D.C., are as deeply concerned about their city's condition and future as are the residents of Boston, New York, Topeka, and Louisville, or any other American metropolis. The problems of transportation, housing, education, crime, and poverty affect our Capital City with the same strangling grip that these problems have on other cities. But, Washingtonians do not share equally with other Americans in the opportunity to select those officials who will make the vital decisions that affect their lives. Only an act of Congress, approved by both Houses, will enable citizens of the District to enjoy the right of self-government as embodied in our Constitution.

I am especially familiar with the exasperation felt by the people of the Nation's Capital, who have struggled and pleaded for the opportunity to exercise their right to the franchise. It was only 13 months ago that I introduced in the Senate a constitutional amendment that would provide full voting representation in the Congress for the District of Columbia. Regretfully, the Senate did not adopt that amendment. Although the issue of congressional representation for the District is completely separate from the matter of home rule, the principle is

the same in both instances. Thus, since the residents of Washington must assume all the burdens of citizenship, it is only fitting that the residents are also afforded the opportunity to exercise the full rights of citizenship.

Ironically, in times past, the District has had home rule. For almost a century, citizens of the District of Columbia had at least some form of elected self-government. Local control did not occur by accident. But rather, as a brief review of the origin of the city shows, the Founding Fathers never intended to deny full citizenship to the residents of this city.

The District of Columbia was formed as a result of revolutionary social change. In 1783, when Congress was assembled in Philadelphia, a group of mutinous soldiers from the Continental Army, in an effort to obtain congressional action on delayed wages, stationed themselves outside the Halls of Congress with fixed bayonets. Congress requested protection from the State. But, it was refused on the grounds that no incident had yet taken place. Congress decided it needed a site to meet, independent of any State control. In 1788, it incorporated the "District clause" into the Constitution, giving itself exclusive jurisdiction over such District. Maryland and Virginia both ceded areas, and in 1800 Congress took up residence in, and assumed exclusive jurisdiction over, the District of Columbia.

Historians and other students of the times believe that the clear objective of the Founding Fathers was to create a Federal District free from any State control, but that they did not intend to exclude the residents from asserting their rights as citizens.

In effect the relationship that was expected to be developed between the Congress and the District of Columbia was essentially the same as that between a State and any one of its cities. Surely each of us in this body can readily appreciate the value and the importance of the right to elect one's local and national government officials. Washingtonians have been unfairly denied this right for too many years.

In conclusion, I support home rule for the District of Columbia because:

First. The responsibility for making decisions affecting the daily lives of any citizens in a democracy should be made by officials chosen by those who are governed. Even though this legislation leaves ultimate jurisdiction over the District to the Congress, at least the daily activities of the city will be in the hands of those selected from the citizens' own choice. In his home rule message to the Congress in 1961, President Kennedy said that:

The United States must reaffirm our belief in the principle that government should be responsible to the governed.

Second. City Government in America needs a reassessment with a view toward solving the problem of how best to govern a great American city at a time when change and unrest are dominant forces in urban life. For Washington, this is a unique opportunity. At the same time that we introduce to this city an elected

local government, we should be prepared to introduce sufficient control to the people in the city's many dynamic neighborhoods so that the people of Washington will truly play an active role in "their" government.

It was nearly 5 years ago that Ruben Clark wrote in the Washington Post:

What city encrusted with an inflexible charter or burdened by an ancient state constitution has the capacity to change its own political structure? Washington could become not what it has always been—just a city trying to catch up—but a city with a capacity to govern itself to which other cities would aspire.

I would hope that with the passage of this legislative proposal, the citizens of our Federal city can begin the journey along the road mapped out by Mr. Clark.

I am delighted to emphasize my support to the bill which has been passed by the Senate, and I look forward to its favorable passage by this Congress.

SUPPORT FOR CURRENT WAGE AND PRICE CONTROLS

Mr. SPONG. Mr. President, a nationwide survey undertaken by Professors Vittorio Bonomo and Stanley Boyle, of the Department of Economics of Virginia Polytechnic Institute and State University in Blacksburg, Va., indicates broad support of the current wage and price controls among professional economists. I ask unanimous consent that the preliminary finding of this most useful study be printed in the RECORD.

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

PRELIMINARY RESULTS

Economists' Opinions on President's Wage and Price Control Freeze Prior to Announcement of Stage II Program

The preliminary and partial results of the returns obtained to the first stage of a multi-stage nationwide opinion survey of economists on the President's current wage-price control program were completed today by Professors Vittorio Bonomo and Stanley E. Boyle of the Department of Economics of Virginia Polytechnic Institute and State University in Blacksburg, Virginia.

Professors Bonomo and Boyle conducted their mail survey over the period September 14-29, receiving responses from 605 economists throughout the nation out of 1000 economists selected at random from among the 12,000 members of the American Economic Association.

Some of the major findings of the survey were:

61 percent of all U.S. economists are basically in favor of the President's current wage-price control program.

Although 66 percent agree that the President's wage-price control program will reduce inflation, only 27 percent believe that it will reduce unemployment. Moreover, 59 percent of all economists think that the controls program will increase business profits.

64 percent of all economists are of the opinion that some form of wage and price controls will be extended for an additional one year or longer beyond the current 90-day freeze period.

The President's wage-price control program has majority support in all sections of the country. The highest favorable rating was recorded for the Southeast where 72 percent were in favor. The lowest favorable rating occurred for the Midwest, with 53 percent in favor.

A majority of economists in all major employment categories support the President's program, ranging from 71 percent of economists employed by business in favor to 57 percent of academic economists in favor.

General support for the President's wage-price control program among economists is reflected in the tabulations of the survey results presented by Bonomo and Boyle. The economists were asked to respond to the following statement.

"On Balance, I (am in favor/am not in favor/have no opinion as to the desirability) of the President's current wage-price control program."

[In percent]

	In favor	Not in favor	No opinion
All economists.....	61	37	2
Employment:			
Academic.....	57	40	3
Business.....	71	29	0
Government.....	68	28	4
Other.....	68	28	4
Region:			
Northeast.....	63	34	3
District of Columbia metropolitan area.....	71	22	7
Southeast.....	72	28	0
Midwest.....	53	46	1
West.....	61	36	3

The economists' opinions on certain specific effects of the President's wage-price control program were obtained by asking them to respond with a yes, no, or no opinion to the statement:

"I believe that the current wage-price control program will (a) reduce inflation, (b) reduce unemployment, (c) increase business profits."

[In percent]

	Yes	No	No opinion
Reduce inflation.....	66	31	3
Reduce unemployment.....	27	62	11
Increase business profits.....	59	31	10

In addition, the opinion among economists as to the probable duration of the wage and price controls on the U.S. economy was determined by asking them to select the appropriate response to the statement:

"I believe that the present wage-price control program will be extended in a modified form for an additional (a) 3 months, (b) 6 months, (c) 9 months, (d) year or longer."

Extension:	Response
3 months.....	3
6 months.....	14
9 months.....	12
Year or longer.....	64
No opinion.....	7

The most politically-significant findings of the survey were the apparent prevailing views among economists that the unemployment situation will not be improved by the President's wage-price control program but that business profits will increase during the control period. The strong objections raised by key labor union leaders to the exemption of business profits from price and wage controls are likely to be vigorously continued if business profits do in fact increase as predicted, especially if accompanied by the predicted lack of improvement in the overall unemployment situation.

THE DIFFERENCE BETWEEN GENOCIDE AND MURDER

Mr. PROXMIRE. Mr. President, many fears have been voiced about the possible consequences of our ratifying the Genocide Convention. One fear is that every

murder of a member of a minority group will be treated as genocide. For example, should a black be killed by a white, that latter could be accused of genocide, for article 2 of the Convention defines genocide as killing all or part of a group.

But this thinking misinterprets article 2. The framers of the Convention, in their debates, realized that an entire group might not be destroyed, but a large part of a group might. So they were careful to say that genocide was also the killing of members of that group. And as the Foreign Relations Committee reported, part means a substantial part. But more is needed to be convicted of genocide: There must also be the intent to destroy the entire group.

Murder is to kill a human being. Genocide is to kill a substantial part of a racial, national, or religious group with the intent of killing the entire group. Thus the killing alone of a black by a white cannot be considered genocide.

Mr. President, I call upon the Senate to ratify the Genocide Convention with all deliberate speed.

THE WASHINGTON CATHEDRAL

Mr. MATHIAS. Mr. President, the Washington Cathedral was conceived as a "house of prayer for all people, forever free and open, welcoming all who enter its doors." Those who know the cathedral know that it has fulfilled this commitment to the people of Washington, to the Nation and to visitors from all parts of the world. More than that, it has become an inspiring feature of the Washington skyline, both physically and culturally. It is a monument not only to the dedication and good will of Americans of many faiths and beliefs, but also to the spiritual life which has always been an integral part of the American ideal.

The completion of the cathedral is, therefore, more than a matter of local interest and more than a matter of sectarian pride. The fact that the cathedral can be completed as we celebrate the bicentennial of the founding of the Republic has a special significance for all who remember that the right to worship was one of the strong motivations for the planting of the Nation.

I take special pleasure in calling attention to the announcement made by the Very Reverend Francis B. Sayre, Jr., announcing the plans for the completion of the cathedral, together with Dean Sayre's prayer for the cathedral and ask unanimous consent that they be printed in the RECORD.

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

DEAN SAYRE'S REMARKS TO THE SPECIAL MEETING OF THE WASHINGTON CATHEDRAL CHAPTER, OCTOBER 4, 1971

Over at NCS Ed Curran showed me the place mat by your plate. It is a simple mat. He told me he couldn't find a completed picture of the cathedral for the place mats, only an architect's drawing that ended it right there. So he gave that sketch to an architect who sketched in the remainder.

That's what this meeting is all about—to sketch in the remainder, to draw in the finale of the great work given us when the bylaws

were written in 1894. I'll begin my address this evening by reading the preamble to the bylaws as our predecessors wrote it:

"To be a House of Prayer for all people, forever free and open, welcoming all who enter its doors to hear the glad tidings of the Kingdom of Heaven and to worship God in Spirit and in truth; to stand in the Capital of our country as a witness for Jesus Christ, the same yesterday, today and forever; for the Faith once for all delivered to the saints; and for the ministration of Christ's Holy Word and Sacraments, which according to His own divine ordinance, is to continue always even unto the end of the world.

"The Bishop, the Dean and the members of the Chapter are charged with the responsibility of maintaining for all time to come, in the spirit of the Anglican Basis for Church Unity, this ideal of the Cathedral of Washington."

We are tonight within sight of fulfilling the ideal which they expressed so nobly so many years ago. They kept repeating the phrases, "for all time to come" and, "to continue forever." If that's true then this could be the most historic Chapter meeting ever held. For I am going to ask you this evening to finance the finish of the cathedral.

Of course, the question immediately rises, "Why now—why is this meeting called just now?" I think there are three main reasons why it's got to be now. The first is because our nation will soon celebrate the bicentennial of its freedom, and it approaches this anniversary at a moment which I can only describe as a moment of uncertainty. Unlike those days in 1776 when we were sure of our mission in the world, we now seem to be wavering. So many of the landmarks which guided us in the past are blurred today. Forces of leadership in the world are unsteady. There is a dearth of moral leadership to lift up our nation at the very moment when the cathedral is becoming more visible on our capital's horizons . . . the growing power of its presence brooding over the city, the nation, over all mankind.

Already there is a plan for the cathedral in 1976. As you know, the interior of the nave will be complete by then. You ordered that it be so, and it will be so. In that year the wall of partition, as I call it, will be moved. The church will be filled with a year-long celebration of faith—faith through music, through preaching, through meeting and talking with people, through love, through all the ways the cathedral has to do its special and peculiar thing.

As we build for this great anniversary, we must lay the ground work to go beyond it . . . to complete the eloquent plow for God's hands which was entrusted to ours to build for all time to come. That's really the first reason why we ask.

The second reason why it should be now involves people. Here, with your backing and your help, have been assembled lives which have been invested in this work. The competence to do the job is here, poised and ready. The great architect still lives; a versatile and able clerk of the works; carvers and masons unlikely to be available in years to come; the enthusiasm of our friends in the NCA, and out of it; the instrument of communication, THE CATHEDRAL AGE; the incomparable stewards of music who proclaim God's love and truth; and that most marvelous of preceptors, who came to the job because he was the best impresario the cathedral ever had . . . such a staff as ours won't come together more than once. The professionals in the area of finding resources have done their homework and we have a team that is ready to roll. And we will roll together. Together we will be able to forge a new and potent witness to God upon this sacred hill. That's the second reason—the people who are here, what they have put into this place and what they are ready yet to do.

The third reason is because we have a good start. There is already a tremendous momentum rolling. That momentum will carry beyond the point of finishing the nave to the place where both towers will follow and the whole job will be done. And even beyond that, for I expect that the momentum engendered will succeed in partly endowing the work we have done, so that it may be maintained through the years. You, as trustees of our cathedral, know how important that part of the cathedral is—the future part—how important that it be insured by endowment.

As I said, we have a good start and we do. At this moment we have the first great pledge, four and a half million dollars. I am grateful to the single individual who made that pledge. A trust that was made in 1935 has just come due. It will bring one million two hundred thousand dollars to the building of this cathedral. Speak about momentum! From 1935 until now—what seeds shall we be planting in the days at hand?

Yesterday the Dean of St. Paul's, London, preached and then had lunch with me. He told me of his valiant efforts to find funds for the job he must do, that of shoring up the two great towers of the Wren dome. The same thing confronts Westminster Abbey whose dean is projecting a similar investment. I wish them well.

But that is not the task we have to do. It falls to us not to shore up the ancient towers of the past, but to build the new, to be agents of insight for our people, to be bearers of hope and courage for the new world that is now looking for fresh bearings and meanings in this life. When one stops to think, it is true that all religions of the world have not succeeded in offering to man's spirit a place and a power big enough to unite mankind. The job has to be done, else the world cannot survive. And I wonder on my knees whether Washington Cathedral may not be the agent of that wider unity which God alone can give and may give through such a project as we have here. How much more exciting our job than that of my colleagues in London! We think we can do it. But if that is true, it is no accident because the plans for doing it have been preparing for the best part of two years.

FOR WASHINGTON CATHEDRAL
(Francis B. Sayre, Jr.)

OCTOBER 4, 1971.

Grant, O wondrous God, that in Thy Cathedral, men shall behold Thy face and know the mystery of Thy love.

In the silence of night let her vaulted shadows tell of Thy grace sustaining; and morning gold upon her tower reflect Thy people's crown, which is their hope in Thee.

Let her be alive, Lord, with praise of Thee, with bells and prayer, song and pageantry, that gladness may warm her walls and freedom be born anew.

So may Thy Cathedral grow, O Father, until at last the instrument is finished, to shine upon her Mount and to mark Thy children's destiny; through Jesus Christ our Lord. Amen.

THE ANTI-INFLATION CAMPAIGN

Mr. ELLENDER. Mr. President, now that the administration has outlined its plans for the post-freeze period, the Senate should give him its full support in his anti-inflation campaign.

There are, naturally, aspects of the President's plan which do not please us all 100 percent. No program ever will. But I am confident that Senator Long's committee will come up with the necessary changes to make this program acceptable to all of us.

We agree that the Nation has a severe inflationary problem. Congress urged President Johnson to do something about it several years ago. We urged President Nixon to take positive action early in his administration. Most of us think he waited too long to impose wage and price controls. But now that he has done it, now that he has been bold enough to change his own program to accept ours, it is imperative that we give him our wholehearted backing.

Some people, especially those in the labor movement, think the President is going too far with wage controls. Some think he is giving business too big an incentive. Personally, I would prefer to see him make more significant cuts in foreign aid and in overseas defense spending. I believe these cuts are necessary to bring our balance of payments into better condition.

However, the President is on the right track. He is speaking softly, by urging the American people to work together on this severe problem. But he is also keeping a ready grip on the big stick that we gave him to handle this problem. He is backing up his requests for cooperation with a proper display of authority.

Mr. President, let us settle our differences in this program quickly and then unite with Mr. Nixon in this attack on inflation. We should avoid fights over petty issues. This is not a time for party opportunism or parliamentary delays. This problem needs urgent attention. Let us get solidly behind the President so that the American people will know where they are going when the freeze ends November 13. They need to know. We must give them the confidence necessary to make this program work.

PHYSICIAN, HEAL THYSELF

Mr. KENNEDY. Mr. President, two articles written by Mr. Anthony Lewis, and published in the New York Times, provide a dramatic comparison of health care in America and Great Britain. The articles, entitled "Physician, Heal Thyself," begin with a comment made by Dr. Wesley Hall, president of the AMA, on a recent trip to Great Britain, in which Dr. Hall criticized the quality of health care available in Britain.

In his articles, Mr. Lewis then proceeds to cite a number of different and accepted indicators of health care, and demonstrates that, in each of these areas, the performance of the British health system surpasses that of the United States. Thus, in areas like infant and maternal mortality, and the death rate from a wide variety of diseases, they have a better record in Britain than we have in the United States.

Mr. Lewis also makes the points that the financial burden of serious illness is far less heavy in Britain than it is in America, and that nearly everyone in Britain has a family doctor. No one in Britain is forced to suffer financial ruin because of illness, and the British have been much more successful than we have in making decent health care available to all.

Of course as Mr. Lewis points out, the British National Health Service has its flaws, especially in areas like obsolete facilities, and the shortage of doctors in remote and poor areas. But overall, the British health system has worked well for its people, and has many lessons that we in America ought to learn.

Last month, I had the opportunity to visit Britain as chairman of the Senate Health Subcommittee, as part of our subcommittee's investigation of European health care systems. In Britain, we saw firsthand many of the benefits of the national health service described by Mr. Lewis. Our subcommittee is now preparing a full report on the investigation as part of our continuing efforts to improve the quality of health care in America.

Mr. President, because I believe that Mr. Lewis' articles will be of interest to all Senators, 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:

PHYSICIAN, HEAL THYSELF: I
(By Anthony Lewis)

LONDON, Oct. 1.—Wesley Hall, M.D., the president of the American Medical Association, visited Britain last summer and went away distressed. He observed the National Health Service in a small mining town in Scotland and found it so bad that Americans would never tolerate it.

"The people over there don't know any better," Dr. Hall told the National Press Club in Washington on his return. "It is tragic."

Before Americans shed too many tears for the health of their British friends, it seemed wise to look at a statistic or two. The result of this check shows that Dr. Hall is faithfully maintaining the A.M.A.'s well-known reputation for accuracy and fair-mindedness.

Infant mortality is one widely accepted test of a society's standard of health. In 1969 the rate in Britain per 1,000 live births was 18 infant deaths; in the United States, 20.7.

Then there is the maternal death rate. In Britain the 1969 figure per 100,000 births was 19, the American 27.4.

Not only are those British figures significantly better today. They were achieved, over one generation, from a starting point much worse than America's. In 1945 the infant mortality rate was 46 in Britain, 38 in the U.S. The maternal death rate was an appalling 1,260 in Britain, 207 in the U.S.

That generation is the one during which the British National Health Service, the system of tax-supported medicine for all, was created and grew up. Of course that is not the only reason for the spectacular changes in the figures. But it is certainly not irrelevant that the British standard of infant and maternal survival caught up with America's, and passed it, precisely during the years of the Health Service's development.

Outside the maternal-infant area, Britain publishes death rates for men and women from a number of diseases. A table published in Social Trends, a statistical annual, uses the 1950-52 average as a base of 100. If the rate is up by 10 per cent in a later year, for example, the table would show 110.

Seven leading causes of death were chosen completely at random for comparison with American trends: respiratory tuberculosis, diabetes, arteriosclerotic heart disease including coronary, hypertensive heart disease, influenza, pneumonia and bronchitis. With the same 1950-52 base as 100, these were the U.S. and British death rates for men in 1967, the last year available:

	United States	Britain
Tuberculosis.....	25	15
Diabetes.....	150	112
Arteriosclerosis.....	160	158
Hypertension.....	55	49
Influenza.....	20	9
Pneumonia.....	135	118
Bronchitis.....	253	91

In every one of those randomly selected categories, then, the British figure is lower; the death rate has risen less since 1950-52 than the American, or fallen farther. A similar table for women shows exactly the same phenomenon, except that the British figures are comparatively even better.

Now there naturally may be many causes for the comparative death rate trends. American pollution could be growing worse faster, or family tensions increasing. But not even the sophists of the A.M.A. could read those figures to prove that Britons get inferior medical care.

Dr. Hall should stop shedding tears for the British and start worrying about the real problem. That is the inadequate medical care provided in the richest nation on earth.

At its best American medicine is superb, as British doctors often admiringly remark. But too few Americans get the best. That is why the United States is down farther than might be expected in world health tables, not only in comparison with Britain. In infant mortality, for example, a 1969 United Nations report showed 22 countries with a lower rate than ours.

The characteristic, generous answer to such evident national failings is to spend more money. But we know by now that in the medical field that alone is no solution. The United States spends about 6.9 per cent of its gross national product on health and medical care, Britain only 4.9.

What needs to be changed is the system of delivering medical care to the individual American. It is, as a British medical writer put it, "a desperately inefficient as well as a heartless way of bringing the benefits of modern medicine to the population: despite its wealth the health of America is poor."

PHYSICIAN, HEAL THYSELF: II

(By Anthony Lewis)

LONDON, Oct. 3.—Robert Deindorfer, a New York writer, was here with his family last summer in Lower Slaughter, a Cotswold village. His four-year-old son, Scott, became seriously ill and spent three nights in a hospital, having numerous tests and intravenous feeding. Scott was in private room, and Mr. and Mrs. Deindorfer were given a room near him. The hospital's bill at the end was \$7.80—for the parents' meals.

That is not a unique experience for Americans in Britain. A fair number have discovered, to their amazement, that in emergencies they can receive free hospital care under the National Health Service.

The experience of Britons taken ill while visiting the United States is not exactly the same. A year ago Reginald Forrester, a businessman, was rushed to a hospital in New York in desperate condition. The hospital would not admit him until it obtained a financial guarantee. He died sixteen days later, and Mrs. Forrester was given a bill for \$12,000.

Many horror stories of that kind have been told here—of humiliating terms for admission to American hospitals, of bills beyond British imagination. The general advice is that given in the title of a B.B.C. television program: "Don't get sick in America."

The president of the American Medical Association, Dr. Wesley Hall, recently renewed the A.M.A.'s warning against adoption by the United States of anything like the British Health Service. Americans, he said, must have the freedom to choose their own doctor. But

that argument gets the realities in the two countries backward.

Many Americans have no family doctor. The poor rely mainly on charity treatment in clinics or hospital out-patient facilities. And there is a geographical factor as well: Five thousand small towns are said to be without any doctor. It is estimated that 40 per cent of Americans have no regular access to medical care. Dr. Hall's freedom is a middle-class myth.

In Britain, by contrast, nearly everyone does have a family doctor. Senator Edward Kennedy remarked on it when he was here last month to look into the Health Service. He asked factory workers and all sorts of people questions about their medical care; among other things, he asked each person the name of his doctor. To his astonishment, everyone came up with a name.

The reason is that everyone in Britain is entitled to be on the panel of a general practitioner in his area. Once he is on that list, he may go to the doctor's office or receive a house call—yes, a house call—without fee and without the slightest red tape, not even a signature. Relations between patient and doctor can in fact be quite personal and old-fashioned in this country.

Money is the more likely reason for A.M.A. opposition to anything like the National Health Service. A British G.P. is not paid fees per visit. He gets a flat Government salary plus additional amounts for special reasons, such as a large list of patients. He has a professional standard of living, but unlike his American counterpart he has no chance of becoming a millionaire.

The Health Service has faults, as British medical people are the first to say. It is underfinanced in many ways: its facilities are often outmoded; remote and poor areas inevitably tend to be short of doctors.

But there are qualities in the British system that ought to commend themselves to Americans. One is universality. Everyone knows that he is entitled to medical and hospital care, without favor or explanation. Since that is the rule, forms and other red tape are seldom necessary.

Of course the middle-class or the well-to-do still have advantages: They subscribe to private health insurance to assure earlier hospital admission in non-urgent cases or to get private rooms. But almost any G.P.'s office will demonstrate that access to medicine is now as close to a classless affair in Britain as in any Western society.

Another vital quality is the subordination of money as a value in the medical profession. Many American doctors are motivated by traditional idealism, but the system of private practice seems to have turned too many others into grasping businessmen. The American public senses that, and so do many young doctors repelled by the image of their profession. It is a sick society that has doctors as its highest-paid workers.

The National Health Service has had practical results that are readily measurable. There have been dramatic improvements in British health standards in the generation since the service began.

But the psychological benefits may be as great as the medical. In matters of life and death, any civilized society should strive for equal treatment. That is an advantage to the privileged as well as the deprived. It is really a moral advantage.

The Roman Catholic Primate of England, Cardinal Heenan, was speaking last year about contemporary morals. He worried about challenges to decency, but then he said:

"We have made great moral progress. Anyone who sneers at our welfare state needs to live in such a highly sophisticated country as the United States, where a family can be reduced to misery by the cost of medical treatment."

SURVEY OF ECONOMISTS DOUBTS PRESIDENT'S PROGRAM WILL REDUCE UNEMPLOYMENT

Mr. PROXMIRE, Mr. President, recently Profs. Vittorio Bonomo and Stanley E. Boyle of the Department of Economics of the Virginia Polytechnic Institute and State University in Blacksburg, Va., surveyed 1,000 members selected at random of the American Economic Association on their views of the President's current wage-price control program. There were some interesting results from the 605 economists who replied.

Sixty-one percent were in favor of the program.

Sixty-six percent believed that program will reduce inflation. This is not surprising as most of the demand inflation has gone out of the economy; unemployment is at the 6 percent level; and industry is only operating at 73 percent of capacity. There is no danger of renewed demand inflation in these circumstances. Putting idle men to work on idle machines is not inflationary.

Only 27 percent—a very low number—believed that the President's program will reduce unemployment.

Finally, some 59 percent of the economists who replied think that the program will bring increased profits.

Mr. President, I ask unanimous consent that the statement describing the poll and its results be printed in full at this point in the RECORD.

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

ECONOMISTS' OPINIONS ON PRESIDENT'S WAGE AND PRICE CONTROL FREEZE PRIOR TO ANNOUNCEMENT OF STAGE II PROGRAM

The preliminary and partial results of the returns obtained to the first stage of a multi-stage nationwide opinion survey of economists on the President's current wage-price control program were completed today by Professors Vittorio Bonomo and Stanley E. Boyle of the Department of Economics of Virginia Polytechnic Institute and State University in Blacksburg, Virginia.

Professors Bonomo and Boyle conducted their mail survey over the period September 14-29, receiving responses from 605 economists throughout the nation out of 1000 economists selected at random from among the 12,000 members of the American Economic Association.

Some of the major findings of the survey were:

61 percent of all U.S. economists are basically in favor of the President's current wage-price control program.

Although 66 percent agree that the President's wage-price control program will reduce inflation, only 27 percent believe that it will reduce unemployment. Moreover, 59 percent of all economists think that the controls program will increase business profits.

64 percent of all economists are of the opinion that some form of wage and price controls will be extended for an additional one year or longer beyond the current 90-day freeze period.

The President's wage-price control program has majority support in all sections of the country. The highest favorable rating was recorded for the Southeast where 72 percent were in favor. The lowest favorable rating occurred for the Midwest, with 53 percent in favor.

A majority of economists in all major employment categories support the President's program, ranging from 71 percent of econo-

mists employed by business in favor to 57 percent of academic economists in favor.

General support for the President's wage-price control program among economists is reflected in the tabulations of the survey results presented by Bonomo and Boyle. The economists were asked to respond to the following statement.

"On Balance, I (am in favor/am not in favor/have no opinion as to the desirability) of the President's current wage-price control program."

	In favor	Not in favor	No opinion
All economists.....	61	37	2
Employment:			
Academic.....	57	40	3
Business.....	71	29	0
Government.....	68	28	4
Other.....	68	28	4
Region:			
Northeast.....	63	34	3
District of Columbia metropolitan area.....	71	22	7
Southeast.....	72	28	0
Midwest.....	53	46	1
West.....	61	36	3

The economists' opinions on certain specific effects of the President's wage-price control program were obtained by asking them to respond with Yes, No, or No Opinion to the Statement

"I believe that the current wage-price control program will (a) reduce inflation, (b) reduce unemployment, (c) increase business profits."

	[In percent]		
	Yes	No	No opinion
Reduce inflation.....	66	31	3
Reduce unemployment.....	27	62	11
Increase business profits.....	59	31	10

In addition, the opinion among economists as to the probable duration of the wage and price controls on the U.S. economy was determined by asking them to select the appropriate response to the statement

"I believe that the present wage-price control program will be extended in a modified form for an additional (a) 3 months, (b) 6 months, (c) 9 months, (d) year or longer."

Extension	Response (percent)
3 months.....	3
6 months.....	14
9 months.....	12
Year or longer.....	64
No opinion.....	7

The most politically-significant findings of the survey were the apparent prevailing views among economists that the unemployment situation will not be improved by the President's wage-price control program but that business profits will increase during the control period. The strong objections raised by key labor union leaders to the exemption of business profits from price and wage controls are likely to be vigorously continued if business profits do in fact increase as predicted, especially if accompanied by the predicted lack of improvement in the overall unemployment situation.

REFLECTIONS OF RABBI LOUIS FINKELSTEIN

Mr. SCOTT. Mr. President, the Tuesday, October 12, Los Angeles Times contains a most interesting feature article entitled "This Is a Good Time for Jews." Robert J. Donovan, associate editor of the Times, has written this penetrating report on the reflections of Rabbi Louis Finkelstein, the retiring chancellor of

the Jewish Theological Seminary of America. The views of Rabbi Finkelstein are worthy of the attention of the Senate. I ask unanimous consent that they be printed in the RECORD.

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

"THIS IS A GOOD TIME FOR JEWS . . ."

(By Robert J. Donovan)

NEW YORK.—"This is a good time for Jews" Rabbi Louis Finkelstein, the retiring chancellor of the Jewish Theological Seminary of America, observed.

"Two miracles have happened to us in this one generation, either one of which would have been amazing. One was the establishment of the state of Israel after 2,000 years. I was a Zionist, but I never expected to see this in my lifetime. The other is the emergence of American Jewry in its present vigor."

Out of these twin developments is there for American Jews a danger of conflicting loyalties as between the United States and Israel?

"The Jewish law is clear," Dr. Finkelstein said in an interview. "If you live in the country and are a citizen, you have to be loyal to that country. With the country providing everything you have, you can't act against its interests or speak against its interests."

"Jews naturally will be concerned about their fellow Jews, and especially in this particular age when every Jew who is alive has a sense of guilt over those 6 million who are not alive (because of Hitlerism). If there is any danger to the 2½ million Jews in Israel of destruction, I would do anything I could to help them, short of injuring the interest of this country, unless I packed up and moved to Israel, which is my privilege."

"I think that is about how Catholics feel about the Vatican. I have children and grandchildren in Israel and have a great stake in the safety of Israel."

"But I think if I were an official of the State Department, which is improbable, I could carry out my oath of allegiance without any qualms about Israel."

"A conflict of interest has not yet arrived. I can imagine a situation when it might arise, and every one of us would have to choose whether he wanted to live in America or Israel, but he couldn't live here and be a traitor."

Looking back over a long life as a distinguished scholar Rabbi Finkelstein focused upon the 1920s as a time of emergence of the Jews in America.

"The poor immigrants had found their place, their children were getting an education (and we were educating girls and women teachers, which had not been common among Jews). It was clear that sooner or later these children would have a great deal of influence in the community and also that they would retain their spiritual heritage."

As the generations pass and the world around them becomes increasingly secular, is there a danger that Jewish identity will tend to disappear?

"Of course we are accustomed to that. If all Jews who existed in the first century and their descendants adhered to the Jewish religion, there would probably be a half a billion of us now. There has always been a wearing away of the weaker brothers."

"Whatever else there is to say about being a Jew, it doesn't happen to be convenient, so always the people who are willing to give up some convenience because they think it is worthwhile will remain in the fold. I think this is true of the overwhelming majority of American Jews, including the youth."

Dr. Finkelstein, who is 76, was at one time president of the Jewish Theological Seminary. In recent years he has held the title of chancellor, a post from which he will retire next June. His output of scholarly work has been

immense, and he has lectured at Harvard, Princeton, Oberlin and other colleges. In 1969 he became the first rabbi to preach a sermon at the White House in one of the East Room services conducted at President Nixon's request.

"The world is getting very complex and, what's more, very crowded," he remarked. "It is much more difficult to be a gentleman in a crowded subway train than it is in a taxicab. We are breathing polluted air, drinking polluted water. All this seems to be affecting us somehow."

"The worst thing in the world is to have anxieties. Fears of hobgoblins bring out the worst in us. Since the invention of the atomic bomb the whole world has seen terror, spoken or unspoken. This is a really tragic development. People who are fearful and anxious say things and do things that they themselves regret afterward. The Talmud has an expression for that: A person must not be held responsible for what he says when he is in pain."

Naturally he has been concerned by the tensions between blacks and Jews in recent years.

"I feel the race problem will solve itself. There was a time when the Irish and Jews didn't get along too well. Nevertheless Kennedy was elected with important help from the Jewish vote."

"I was sent by President Kennedy to the Vatican when this Pope was inaugurated, and the Pope knew I was a rabbi, a Jew. I was treated with the utmost kindness and hospitality. We have Jesuits lecturing here, and I have lectured at Jesuit seminaries."

"I expect to see great changes happen in this country. We have Negro mayors now, and I imagine that sooner or later the black population will have a controlling influence in states like New York and Illinois and some of the Southern states."

"All the blacks need now is education and housing. And jobs of course. A Negro who can earn \$10,000 a year will be offered 20 jobs. It is the poor Negro who can only earn \$4,000 a year who has difficulty."

"Since the 1960's," he noted, "the young peoples' minds have been to a great extent influenced by their peers—overwhelmingly so. The young people of this generation have lost faith in the moral stature and leadership of their parents' generation."

"Now that cannot but affect the attitude of Jewish young people too, and we have to work harder now than we ever did before to get the Jewish tradition understood by our young people. Most Jewish parents that I know are keenly aware of that. They turn to this seminary now in numbers beyond what we ever had before."

"Many students coming here wanting to be rabbis and teachers already had prepared themselves for other callings. They suddenly discovered that there is need for them in this area of saving the contribution the Jewish religion makes to civilization."

TRIBUTE TO SENATOR ELLENDER

Mr. FULBRIGHT. Mr. President, it is with great pleasure that I join his many other friends in wishing Senator ELLENDER a happy 81st birthday.

ALLEN ELLENDER is one of the most remarkable Members of this body. As chairman of the Senate Committee on Appropriations, he has diligently protected the American taxpayer against wasteful Government spending. By his own account, he can spot a misplaced decimal point from across a room. As the former chairman of the Committee on Agriculture and Forestry, and now its ranking Democrat, Senator ELLENDER has exercised a very considerable influence

on the basic economy of my State and of all other agricultural States. His contribution to farm legislation is immeasurable.

Senator ELLENDER has established an outstanding record in other areas as well. As chairman of the Public Works Subcommittee of the Committee on Appropriations, he was one of the most active and effective advocates of all programs seeking to conserve our natural resources.

He devoted himself tirelessly to the task of allocating available public works funds according to the needs of each section of this Nation. His aid and support were essential and decisive in the development of the Arkansas River navigation project, which is one of the most significant public works programs ever undertaken.

ALLEN ELLENDER was in the Senate when I came in 1945. Since that time I have come to rely heavily on his great knowledge and wisdom. One aspect of Senator ELLENDER's career that is generally overlooked is his contribution to our knowledge and understanding of our relations with other countries, especially the Soviet Union. Senator ELLENDER has traveled more extensively than any Member of the Senate and has reported to the Senate with pictures and verbal descriptions of his trips on numerous occasions. He has shown a deep and sympathetic understanding of the world's people. As I look back upon the last 25 years, there is no man in public life whose judgment about the Soviet Union has been more accurate than Senator ELLENDER's. Personally, on many of the most difficult issues in this area of our relations, I have found Senator ELLENDER's attitude to be of great importance in the deliberations which take place in this Chamber.

I congratulate ALLEN ELLENDER on his first 81 years and wish him happy, healthful years to come.

A YEAR OF INSULATION FOR FEDERAL REGULATORS

Mr. KENNEDY. Mr. President, a recurring problem with Federal regulatory agencies is the status of retired or reappointed regulators. Many of them take positions with the industries they have just been regulating, creating problems of maintaining at least the appearance of disinterestedness on the part of the agencies. Another aspect of the problem is the dilemma faced by the commissioner approaching the end of a term without any knowledge whether he or she will be reappointed. A desire for reappointment may exercise insidious pressure on decisionmaking, and the regulator who expects to have to find other work faces the tension between the strict scruple of doing nothing which might even appear to affect voting and the pressing necessity to be sure of an income when the agency job ends abruptly.

Lee White, until 1969 Chairman of the Federal Power Commission, recently discussed this problem in a thoughtful paper delivered at a seminar on the administrative process during the dedication of the Georgetown University Law

Center in this city. Mr. White suggests that private or public resources might provide an optional period of up to 12 or 18 months after retirement, during which time the ex-commissioner or board member would be assured of income and could engage in scholarship, teaching, writing, or similar activity related to his former position. From his experience, Mr. White concludes that such an assurance would alleviate the irrelevant but very real pressures facing regulators nearing the end of their terms, and I should like to share his thoughts with Senators.

I ask unanimous consent that Mr. White's paper be printed in the RECORD. There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

PROPOSAL FOR DEPARTING REGULATORS (Remarks of Lee C. White)

Seminars assembled in connection with the dedication of a new law school building, even for an old law school, should perhaps focus on legal issues, theories, analyses, etc. I have, nevertheless, chosen to talk not about what members of regulatory agencies decide, or even how they decide issues before them, but rather about what happens to regulators—or more accurately what should happen to them—as they leave the scenes of their carnage and mischief.

There are some recurring aspects of life that take on a comforting character: the first warm days of spring, the beginning of school, Thanksgiving, Christmas, and so forth. Although not quite so regularly, and maybe not so comforting, as those mentioned, examination and critiques of regulatory agencies also come along rather frequently. The immutable rules of this particular game call for such assessments to have a section devoted to the topic "We must improve the quality of appointees to our regulatory bodies."

As a refugee from the alphabet world of Federal regulatory agencies—3½ years at the FPC—I can attest that the quality of Federal regulator is uneven and that the question warrants attention. The major responsibility and opportunity for improvement at the Federal level obviously rests with the President—translated loosely, and there really is no other way, this means the President and his staff. Inducing able people to accept these assignments is an aspect of Presidential leadership, style and appeal. But there are a few mechanics that ought to be ticked off that can perhaps enable any President to do a better job in meeting this particular responsibility.

A President who plays a major role in fixing the criteria to be used by his staff in preparing a slate of candidates and in going over the choices—even on occasion rejecting the whole package—is likely to produce better results than the President who virtually delegates the responsibility to others. On occasion, the President may even have to do a little personal persuading to get the person he wants. Presidents are busy, but Presidential appointments are important, particularly those with a fixed term of years involved. Mistakes are tougher to rectify in this arena.

That each potential appointee should be measured against a checklist is hardly revolutionary and the factors examined are the basic ageless ones. Not wanting to leave anything to chance and indulging a penchant for stating the obvious, I will itemize those that readily come to mind: (1) demonstrated breadth of view, (2) whether the individual's past activities pose problems of real or apparent conflicts of interest, (3) an assessment by former superiors and colleagues of the individual's capacity to function in a collegial forum, (4) political strengths or

weaknesses, (5) his reputation in his own community, (6) his reputation for probity and integrity, and (7) indications of his intellectual capacity to grasp complex and difficult substantive issues.

The Senate committees which must pass upon the nominees also have a special burden in their examination of Presidential nominees for regulatory bodies. If they were to make it known, formally or informally, that they intend to inquire very fully into the background and qualification of nominees for independent regulatory agencies, this would have a salutary effect. I do not advocate wholesale rejection of Presidential nominees, even by committees with majorities different from the political party of the President; rather, I would expect them to focus on the factors mentioned earlier, and if a candidate is found wanting, his name should be withdrawn or voted down by the Senate. By making this point, I do not intend to imply that it has not been done in the past in some instances; what I do suggest is that it be done in each instance.

I would urge professional societies and academic organizations to submit names of individuals for consideration by the President for each vacancy, although I do not believe that a resident should limit himself to names submitted by any group, even one that he might set up. Similarly, I would urge them to comment on these individuals whose terms are expiring and who may be candidates for reappointment. For completeness, I would suggest that all regulated industry groups suggest names for residential consideration, a suggestion that is probably the least necessary that I have made or will make.

But enough about how to get the best people. I would like to focus attention on a rather troublesome and, so far as I am aware, little discussed facet of life on a regulatory body. The generic topic might be labeled "Do old regulators really fade away?"

There have been occasions when Congressional anger has been aroused, when newspaper commentary has appeared and when the regulators themselves engage in introspection about the more glaring and discomforting instances in which regulators and representatives of the regulated industries practically trade places. Periodically, the Interstate and Foreign Commerce Committee of the House of Representatives expresses annoyance when members of the ICC leave to take positions at or near the top of trade associations whose members are regulated by the ICC or in the companies themselves. Similarly, a minor ripple occurred no more than a month ago when the retiring General Counsel of the Food and Drug Administration assumed the presidency of the Institute of Shortening and Edible Oils to be succeeded by an individual who had prior to his designation as General Counsel been a lawyer for the very same Institute for Shortening and Edible Oils.

It is not my thesis that one who spends a considerable amount of time in a particular administrative law specialty should be barred permanently from participating in that field in which presumably he has developed some expertise. There are statutes and agency rules governing representation by former Commissioners and staff in matters that they had participated in actively while serving in a governmental capacity. The larger question of how an individual will choose to occupy himself during the time following his departure from a Commission is determined by a whole host of highly subjective determinations. I would not wish to impose my personal preferences on others or to suggest that they be embodied in requirements.

But this leads to what I regard as a very disagreeable little problem. I am referring to the subtle and immeasurable pressures that begin to mount as the individual regulator's term begins to come to a close—in most in-

stances, about a year before the actual terminal date. For those who are independently wealthy, for those who will return to their fathers-in-law's business, for those who are being promoted to a different appointive job (and know about it) and for those who are otherwise absolutely certain about what they will be doing when their term expires, (unless it is an industry post in the fields they regulated) there is very little difficulty.

The serious problem rests with those who are not in such a position. Having observed both ends of the Federal appointive process—from the position of the White House staff and from a position as a member of a regulatory body, I can assure you we can take for granted that Presidents are most unlikely to reach an early decision as to whether Commissioner "X" will be reappointed or disappointed. Thus, poor old "X" is required to face up to that deadline when he may find himself without a job, a staff and, more importantly, a monthly check.

My own observations suggest very strongly that there is a subliminal change that takes place as the hero of our operetta tends to take positions on issues before him that will secure expressions of support—from industry or consumer groups depending upon who the President is and what the member's past record has been—for his retention and ultimate reappointment. Even if he has decided not to accept another term or has been told that he will not be redesignated by the President, he then faces the problem of how to go about setting up his After-Government life. Aside from being improper, it may be awkward and demeaning for him to be job seeking, particularly if he is looking in the area where his agency experience might normally, logically and naturally point him.

Quite clearly, Federal judges do not have a comparable problem simply because their tenure is for life. I do not advocate lifetime appointments to regulatory bodies even though that might solve this particular problem for regulators. My preference is to devise an arrangement which removes the pressure and the awkwardness from our departing regulators.

In brief, the idea is to establish a program whereby all who are leaving Federal regulatory positions can be secure in the knowledge that at least for a fixed period of time, perhaps a year and a half, they will be able to continue at their salary level and in an environment in which they can leisurely and without embarrassment contemplate the next portion of their career. Quickly, a whole host of questions about the details of such a proposal come to mind. I will suggest an arrangement that in my view would meet the needs, as I see them. But let me emphasize that implementing specifics are relatively unimportant. My principal concern is that some satisfactory plan be devised and put into effect.

Who should undertake such a plan?—One of the reasons for discussing this proposal in connection with the dedication of a law school is my belief that the academic community is a highly appropriate one for undertaking such a mission. For example, it seems to me that a consortium of law schools or of universities could enter an arrangement whereby each of the participating institutions would agree to make a suitable and hospitable place for a departing regulator. The American Bar Association, simply because of the preponderance of lawyers among those serving on regulatory bodies, might well undertake to adopt such a program. Research institutions, such as the Brookings Institution, could band together in such an effort. And finally, I would suggest that in my view it would be a useful and worthwhile expenditure of public funds to finance such a proposal so that the final period of service by Federal regulators could

be free of these very real, but irrelevant and distracting pressures. It may well be, therefore, that Congress itself should consider what might be regarded as a highly sophisticated type of optional severance allowance.

Who should be eligible?—As a minimum, I believe that departing members of the major Federal regulatory agencies should have such an option available to them. If, however, the concept is worthy, eligibility should not be restrictive but should be as broadly-based as possible. It is easily predictable that a relatively small percentage of outgoing regulators is likely to take advantage of such an arrangement—the significant aspect of it, in my judgment, would be its availability.

What should be the period of time?—As indicated, I have thrown out the suggestion of 18 months, although certainly if it were limited to a year that, too, would be helpful. I do not believe any participant in such a program should be obligated to stay the entire time, since conceptually the arrangement is intended to afford him adequate time to make his transition.

What should the regulator do with his time?—On this point, I would permit the retiring regulator to be free to engage in any reasonable activity related to his former position. Illustrations are the writing of his own experiences or memoirs, teaching or lecturing in his fields of special competence and the writing of serious and learned articles on issues that may have attracted his interest while serving in his governmental position. Quite obviously, one of the important uses of his time would be to decompress and to consider job opportunities.

CONCLUSION

Those who are selected to serve on administrative agencies in a role as regulator, by the nature of their assignment, face a whole barrage of difficult and frequently complex issues. They are not necessarily seeking sympathy since, for the most part, they come voluntarily to the assignment—rarely are any of them shanghaied into a commissioner's chair. Nevertheless, from the public's point of view, every proper effort should be made to ensure that we secure not only the ablest people to serve in those positions, but every reasonable effort should be made to enable each of them to do the best possible job.

I have focused on that relatively short period at the end of a regulator's term where pressures and personal concerns begin to assume an importance that can subconsciously and imperceptibly distort the regulator's balance. Despite the fact that there may be some whose actions lead me to believe that a little distortion might be a good thing, we have to keep our eye on the system and strive, where possible, to offset improper influences.

The proposal outlined in this presentation is offered, not as a finished blueprint, but as a concept which I hope will receive attention from those who have the capacity to develop an idea into a program.

THE NEW GREEK TRAGEDY

Mr. HARTKE, Mr. President, contrary to the pronouncements of the present Greek regime and the rosy estimates of administration spokesmen, constitutional government has not been returned to Greece. Although 4 years have passed since the overthrow of its lawful government, the current government has taken no concrete steps to restore basic constitutional rights.

In a column published in today's Washington Post, Mr. Marquis Childs cites this lack of progress and criticizes the decision of Vice President Agnew to visit Greece and thereby lend the prestige of

his office to a government which continues to torture and imprison those who would speak out against it.

Mr. President, I endorse this criticism. The Vice President's visit comes at a time when the Foreign Relations Committee is considering the cutoff of all aid to Greece as a clear statement of the Congress' opposition to its present policies. His visit is, therefore, at best inauspicious and at worst an intended endorsement of "friendly" dictatorships.

I ask unanimous consent that Mr. Childs' telling column be printed in the RECORD.

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

AGNEW RISKS ROW ON GREECE

The rule for Vice Presidents is to keep moving, and Spiro Agnew is no exception. He is off on another tour, with a last stop certain to have loud political repercussions.

After Turkey and Iran he will visit Greece, which has long been tops on his priority list. After two days in an official visit with the colonels who have held authoritarian power since they overthrew the elected government of Greece in 1967, the Vice President makes a sentimental pilgrimage to the birthplace of his father at Gargalianoi.

If recent precedent for high-ranking American visitors to Greece holds good, Agnew will have at his elbow, Thomas A. Pappas. A Greek-American with residence in Boston, Pappas has large holdings in Greece, including oil refineries—distribution through Esso-Pappas—steel, petro-chemicals and Coca Cola. Because of his in with the colonels and his closeness to the Nixon administration, Pappas has become a controversial figure in the conflict centering on continuing military aid to the dictatorial regime in Athens.

He was with Secretary of Commerce Maurice Stans when Stans, preceding the reading of his prepared speech which he had submitted to American Embassy officials, led off with rosy extemporaneous remarks about the junta. Pappas is credited with being host for the dinner of Greek Deputy Prime Minister Stylianos Pattakos and President Nixon's brother, Donald, when the latter came to Athens to arrange a catering contract between the Marriott corporation and Olympic Airlines, which is owned by Aristotle Onassis.

For 20 years a member of the executive committee of the Republican National Finance Committee, Pappas is said to have been as influential as any single individual in putting Agnew on the ticket in 1968. He raised large sums for the Republicans along with his own generous contributions. A reported contribution by Onassis of \$100,000 first appeared in the Jack Anderson column. This was subsequently checked out with a telephone call to the Greek ship owner, who told the inquirer that he had given to both parties in '68.

Against this background the President is put on an embarrassing spot by an amendment to the foreign aid bill denying help to Greece unless the President specifically holds that it is in the national interest to do so. On the recommendation of Rep. Benjamin Rosenthal's Foreign Affairs subcommittee the normally conservative House adopted this amendment by a vote of 122 to 57.

The Senate Foreign Relations Committee has tentatively approved an amendment with identical language. If anything, when the measure goes to the Senate floor this is likely to be strengthened. Sen. Vance Hartke (D-Ind.) is proposing that aid to Greece be cut off without any presidential waiver. Senators on Foreign Relations are incensed over the Agnew visit, feeling that the Vice President

in his exuberant fashion will bestow his blessing on the colonels.

Rosenthal is considering holding hearings into Pappas' relationship with the regime in Athens and whether he has overstepped laws covering the dealings of a private citizen with a foreign government. This could produce some extremely interesting testimony on the Boston-Washington-Athens axis and Pappas' role as a power broker.

The Vice President on his current tour goes first to Turkey, then to Iran where he will represent President Nixon at the ceremonies marking the 2,500th anniversary of the Iranian Empire.

The end of the tour in Greece is a test both for American policy and for Agnew. The tragedy of Greece today, as underground reports tell of torture and imprisonment with no likelihood of restoration of constitutional government, could have come out of Euripides so dark is the fate of a hapless people.

As for the Vice President, like two of his immediate predecessors, Richard Nixon and Lyndon Johnson, he is keeping the show on the road. You can make a case either way as to whether this helps or hurts his chances at a second term as second man.

THE PENTAGON BLITZKRIEG—HOW THE DEFENSE DEPARTMENT GETS ITS MONEY

Mr. PROXMIRE. Mr. President, in Tuesday's Washington Post there was a balanced and responsibly critical editorial on the Senate debate and passage of the military procurement bill. The editorial rightly states that a number of Senators gave little more than lip service to the question of reordering priorities, and properly points out the speciousness of some of the arguments and justifications for specific weapons systems. It also is highly complimentary of the amendment my colleague from Wisconsin, Senator NELSON, proposed to the bill which would require 5-year projections of military budgets.

There are some things the editorial left unsaid about the reasons why the bill had such an easy passage this year. In addition to the "jobs" argument—which the editorial rightly points out was an underlying consideration—the fact is that the committee itself cut \$1.2 billion from the original request and in many ways performed its functions better than before.

OTHER FACTORS

But there are other factors as well—not so complimentary—as to why the military authorization passed with such ease.

First of all, almost all the testimony is self serving and ex parte. No one with the comparable resources and information is called upon to rebut the Pentagon's detailed and massive testimony. What little opportunity is afforded to the critics is like a gnat biting an elephant.

Second, the Pentagon uses its massive information services and lobbying services in support of their requests. Day by day we were met with new Pentagon leaks about how the Russian missile strength or navy strength or bomber strength had suddenly increased many fold.

Third, Congress lacks a body of independent experts with access to detailed information on specific weapons systems so that we can make intelligence judgments based on facts. Instead, we are

largely at the mercy of what the Pentagon wants to tell us.

Fourth, on the whole the Armed Services Committees in both Houses are composed of Members who are more sympathetic to the military than the average Member of the House or Senate. This comes both from conviction and from State or district interest, but it is a major factor. On the whole, the Pentagon is preaching to the converted when they make their requests. Finally, I want to mention the whole question of secrecy.

Much of the testimony is held behind closed doors. The Pentagon selectively releases the information which they believe is most helpful to them. Certainly, they do not publicize the weak points in their case. At the end, several expurgated volumes of testimony are released. This is far too much for any ordinary Member of the Senate or House to digest in a few days.

All of these factors, plus several I have left unmentioned, are the root causes of the bill's easy sailing.

SOME MODEST SUCCESSES

Nevertheless, one should not shirk from the effort of attempting to subject the military budget to constructive criticism. I say this especially because we have had some success in the past. Our fight postponed the building of an additional carrier. It resulted in cutting back the number of C-5A planes from 120 to 81. The ABM, while not defeated, has been limited through congressional criticism. Furthermore, the Appropriations Committees in both House and Senate have made massive cuts in military appropriations over the last few years—cuts which total as much as \$15 billion.

Mr. President, I ask unanimous consent that the Washington Post editorial be printed in full at this point in the RECORD.

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

[From the Washington Post, Oct. 12, 1971]

MILITARY FLYPAST IN THE SENATE

Debate ended and the Senate passed the \$21 billion military procurement bill more or less intact last week. In truth, the whole affair was rather like a flypast of Pentagon authorizations, with a handful of senators occasionally shaking their fist at the various weapons systems roaring by. The new B-1 manned strategic bomber, the F-14 Navy fighter plane, the ABM, the main battle tank or XM803—these were among the controversial items that easily survived attempts at elimination or modification by amendment.

It is not necessary to have endorsed all of these efforts—or any of them, for that matter—to perceive that what was only recently billed as the issue for the seventies, a great debate over priorities and defense spending, has pretty much gone the way of the hula hoop. On the part of a number of senators who just a few years back had made a loud and dramatic commitment to the issue, interest was low, absenteeism high, and preparation for debate pitiful. Sen. Proxmire and those others who carried the main burden deserved much better from their colleagues.

Why didn't they get it? Apart from political fickleness—a kind of issue-of-the-month club approach to things—a number of reasons have been put forth. One is that at a time of painful unemployment, the legislators had little appetite for casting votes to terminate defense industry contracts. Another, which is a little too delicately flowerish

for our taste, holds that after their initial defeats two years running on the Safeguard authorization, the bloc of interested and critical legislators simply did not have the heart to go on with other challenges to the military. There is, in addition, the fact that fulltime work on headbreaking detail is required if anyone is to make a sensible challenge to various parts of the Pentagon budget, just as it is required (and undertaken) by those defending that budget. In our view all this may explain the lassitude and indifference in the Senate this year, but it does little to justify either.

There are, however, some built-in impediments to making prudent decisions on this subject in the Senate and to translating such decisions into a majority vote. These have to do with the budgetary process itself, and if one looks at the principal arguments in support of some of the most questionable projects that were funded in this year, one begins to see how that process tends to control the Congress—instead of the other way around.

As it seems, it is always either too soon (the B-1) or too late (the F-14) for Congress to exercise a restraining influence on any given weapons system. Cautious and relatively cheap research and development on some project that could be critical to our defense can hardly be opposed at the beginning. Then, in all but imperceptible yearly stages, the project develops into a major investment and one that is passionately defended by the service involved. To abandon it outright would be a shameful waste, it is argued. Merely to delay it (the argument goes on) would be to kill it, since the technological "team" would be dispersed; besides, it would cost more, not less, if procurement occurred at a later date. Recent studies (generally made by the service itself) demonstrate good new results. It is—owing to commitments and investments long since made—the only weapons system available to counter a particular threat that will soon be upon us. And so on. Senators and representatives, even those who do their committee homework and who are disposed to err on the side of caution, do not have access to sufficient independent information to oppose these urgings with much confidence. The point about the "choices" made by Congress in proceedings such as those just completed in the Senate, is that Congress isn't really choosing at all: more often than not it has no choice.

Consider Sen. McIntyre's defense of the B-1. While conceding that he had himself, in committee hearings, been partial to the idea of a cheaper alternative (a refitted B-52), the Senator disclosed that he had not been able to wring any concession from the Air Force that the alternative would actually do the job. "I cannot take my intuition," he went on to explain, "and jump." Again, the tough-minded members of the Senate Armed Services Committee, which brought the bill to the floor, repeatedly issued stern warnings in their report that this or that recommendation for an expenditure of funds did not necessarily imply a commitment to a program, and they also lamented the *fait accompli*, "no choice but this" manner in which various proposals came before them. Surely the Armed Services Committee is entitled to more confidence that provisional funding will not automatically turn into "no alternative" program commitment. And surely Sen. McIntyre should not be obliged to choose between "intuition" and Air Force assertions in weighing the merits of a costly Air Force proposal.

In our estimation, the best recommendation for changing the odds in this annual encounter was one which most of these senators voted against when it was presented as an amendment by Sen. Gaylord Nelson. Sen. Nelson would have compelled Congress to view the military budget in more or less the same timeframe that the military does—

namely, on a five year basis. He observed that by the time the Senate gets around to voting on various programs, the Pentagon is already well into the next year's budget, that the military works on five year projections of its own, and that until the relevant committees of Congress organize themselves to think in terms of long range threats and possibilities and needs (as distinct from the bits and pieces approach to various weapons) they will never be able to assert an effective degree of control over the Pentagon budget they are meant to supervise. The opposition argued that the work involved would be monstrous and that it would require too much crystal ball predicting. We think the work would be manageable and worth it; so far as the predicting is concerned, we have never observed much shyness on either side of Pentagon budget disputes in the Congress in matters involving future threats, future costs, or future technological achievements. Why not try to make the estimates and prognostications on which Congress operates now a little less idiosyncratic and a little more systematic?

Sen. Nelson's idea should be reintroduced as separate legislation and given another try. We would recommend it especially to those legislators whose interest in the whole affair has been flagging. It would mean a lot more work, but it would provide the prospect of real results—for those who wish to do more than inveigh against our skewed priorities.

TWISTED NEWS TWISTERS

Mr. BROOKE. Mr. President, I have noted in recent days press discussion of "The News Twisters," a book written by Miss Edith Efron, a staff member of TV Guide. The book is purportedly a professional discussion of television news coverage of the 1968 presidential campaign. The author examined the contents of the evening news telecasts for each of the three major commercial networks in the 7 weeks immediately prior to election day, and has attempted to use charts and a coverage analysis to prove that the networks exhibited extreme bias in their coverage favoring the Democratic ticket and opposing the Republican and American Independent Party tickets.

Inasmuch as the Republican Party and these networks have for a long time been portrayed by some political pundits, as sympathetic to each other's interests, I find it ironic that the author's study has apparently served to reverse that political calculus.

I personally reject both of these theories, and believe it clear that the networks and their local affiliates have displayed continuing respect for the Federal Communications Act's mandate that broadcast licensees will not favor one political candidate over another in their news and public affairs coverage.

It seems to me that Miss Efron's analysis is neither "scientific" nor "non-partisan." Specifically, her book provides meager details of the author's standards for measuring the partiality of news comments. And only a small number of complete excerpts of the news broadcasts are reprinted in the book or its appendix. The reader is unable to make an independent evaluation of the empirical data and, therefore, must accept the author's characterization of a broadcast without knowing its contents.

CBS News has conducted a spot check

of Miss Efron's book, comparing her "analysis" with texts of the broadcasts cited. Although it still remains impossible to check many of her claims, CBS concludes that the lack of substantiation for her charges and characterizations is readily apparent upon reading what was actually said on the broadcasts.

It is my understanding that CBS News has commissioned two independent research organizations to evaluate the book's content and methodology. These analyses will be made public so that all citizens concerned about this vital matter will have a basis on which to judge the validity of her work. On the basis of my own experiences, I am confident that the results will uphold CBS News' fair and evenhanded news coverage and that similar surveys of ABC and NBC news reports would produce comparable results.

Because I believe that it is important for Senators to be familiar with the claims which have been made about the alleged partiality of television networks, I call their attention to the comments made by CBS News President Richard S. Salant as well as to the network's comparison of Miss Efron's charges with the actual texts of broadcasters. I ask unanimous consent that these documents be placed in the Record at the conclusion of my remarks.

Let me stress that I make no brief for the infallibility of network news coverage. Only 5 days ago, in a speech before the Massachusetts Broadcasters Association, I suggested that the networks take on each other as well as the other titans in American life.

I urged broadcasters to print and speak facts and opinions about the politics and policies of Government at every level. I pointed out that if we are to really have what Elmer Davis advocated so eloquently—a third dimension of news coverage—the why as well as the who, what, when—their critical rule must extend to their brethren in the fourth estate.

In short, no institution should be above constructive criticism. In fact, each should welcome it. But let us continually make every effort to insure that arguments are well-documented, logical, and accurate.

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

CBS NEWS COMMENTS ON "THE NEWS TWISTERS"

CBS News President Richard S. Salant has made the following comments on *The News Twisters*, by Edith Efron:

"CBS News has a continuing interest in any suggestions or studies which can lead toward more perfect achievement of the fairness and objectivity with which it presents the news. Regrettably, Miss Efron's book does not contribute to this goal.

"It purports to be a scholarly, objective analysis, supported by graphs and word-counts, of the fairness with which the television networks covered seven weeks of the 1968 Presidential campaign. In fact, it is nothing of the sort. It examines only a limited part of the network coverage. It does so with a distinct bias which produces gross distortions of fact. It uses statistical procedures which are seriously flawed. And it draws erroneous, prejudiced and unsupported conclusions.

"Miss Efron's 'scientific' method is simply described. She summarizes the meaning, as she sees it, of specific broadcast stories. She decides, with nothing to guide her but her personal opinion, which of the stories are pro and which are anti the candidates and the issues selected by her for study. And she then counts the words in each category. On the basis solely of this word count, she determines whether the networks were biased for or against a candidate or an issue.

"There are many serious flaws in this approach. But there is one basic flaw which permeates and completely discredits the book.

"Its drastic conclusion, with respect to CBS News, depend entirely on the accuracy and objectivity with which Miss Efron describes and characterizes the CBS News stories on which she relies. But, in story after story, there is just no resemblance between the story as broadcast and Miss Efron's description of that story. They simply do not state what Miss Efron claims they state. She sees sinister meanings where none were intended and none exist. Her conclusions are based, in large part, on nonexistent facts.

"Since Miss Efron, generally speaking, does not quote the full, as-broadcast text of the stories mentioned in the book, it is not possible for the reader to review the accuracy of her descriptions and word-counts or the validity of her pro and anticharacterizations. A few of the many examples of the startling distortions which become apparent when Miss Efron's descriptions are compared with the actual broadcast text are appended."

In line with its continuing encouragement of self-analysis in order to improve its performance, and with full recognition of its responsibility to be fair and objective, CBS News has retained two highly qualified, experienced, independent research organizations, one to study the methodology used by Miss Efron and the other to review the identical 1968 campaign coverage on which her book reports. They will advise us of their conclusions when these studies have been completed, and the findings will be made public.

APPENDIX I

CBS News has made a spot check, for the purposes of this appendix, of the transcripts of CBS News broadcasts listed by Miss Efron in support of her conclusions. The pertinent portion of each such broadcast has been identified—and the actual broadcast text of that portion, Miss Efron's description of that text, and her pro or anti classification are quoted. These few examples, among many which can be cited, are a measure of the accuracy and fairness of her facts and conclusions.

CBS News Transcript: (Concluding paragraph in a report on Mr. Nixon's campaign visit in the Seattle area): "This week's tour, all in friendly territory, is to reassure the faithful, and to boost local GOP candidates. Nixon says he is warning his staff against over confidence, but he himself hardly looks worried." 9/25/68

Miss Efron classifies this report as an "anti-Nixon editorial" by the reporter. Without setting out the actual words of the broadcast, Miss Efron writes that the CBS News reporter "says Nixon is over confident; suggests he is a Har." (emphasis added) Appendix D (page 281)

CBS News Transcript: Humphrey: "The Rap Browns, the Stokely Carmichaels, the extremists of the left and the right will not have their way, and we will not allow them to

terrorize or stampede America or cause us to lose our sense of perspective." 9/16/68

Miss Efron classifies Mr. Humphrey's reference to extremists of the right as an "anti-Conservative" attack. Her comment is: "Humphrey attacks extremists of the right for violence." (emphasis added) It is her judgment that an attack on "extremists of the right" is equivalent to an attack on "Conservatives". Appendix G (page 309)

CBS News Transcript: After broadcasting an excerpt from a Humphrey campaign speech, CBS News reported that Mr. Humphrey "has not, however, figured out how to handle the demonstrators. When the hecklers wish, they can dominate his campaign appearances, and that frustrates and angers Humphrey and his staff. To that extent, at least, the hecklers have the upper hand." 9/30/68

Miss Efron classifies this report a "pro-demonstrator editorial" by the reporter and comments: "Reporter supports demonstrators (demonstrators politically unidentified)." Appendix K (page 330)

CBS News Transcript: "In 1960, Richard Nixon tried to run his campaign top to bottom. This time he's found a group of smooth, intelligent, middle class loyalists, who, like Nixon, believe in heroes, the Puritan ethic, and the America pantheon. This time he lets them work and sometimes play. The songs aboard the press plane on the electric piano soothe, they do not protest. They are more vintage Bing Crosby than Pete Seeger, and the Nixon staff is the prototype of their candidate's forgotten American. . . ." 10/28/68

Miss Efron classifies this report as an "anti-Nixon editorial" by the reporter because "reporter describes Nixon and staff as squares who don't conform to liberal-left cultural standards; mocks their 'forgotten American' crusade". Appendix D (page 284)

CBS News Transcript: "From Pennsylvania, Muskie flew to Michigan and there in Taylor, a white, middle class suburb of Detroit, was heckled by supporters of George Wallace. Correspondent Herman reports that he handled them with as much aplomb as he handled college hecklers." 9/25/68

Miss Efron classifies this as an "anti-white middle class editorial" by the reporter and comments: "Reporter attacks white middle class as racist." Appendix H (page 312)

CBS News Transcript: John Mitchell, Mr. Nixon's campaign manager describes, in a broadcast interview, the "orderly" manner in which the Republican campaign has been conducted. He concludes with this statement: "I think our operation has been, if you put it, without passion, because we have planned it and programmed it and have had time to carry it out." (emphasis added) In his wrap-up, the reporter states: "They [the Nixon staff] understand success, and in their crusade for their oppressed majority they confidently await a programmed victory." 10/28/68.

Miss Efron classifies this as an "anti-Nixon editorial" by the reporter. Failing to note that it was Mr. Nixon's campaign manager who introduced the word "programmed", she comments that the reporter compares "Nixon and staff to inhuman computers". Appendix D (page 284)

CBS News Transcript: "Reason itself is bruised every day. Each of the three candidates implies that as President he would drastically reduce crime, even though crime is essentially a local problem. Governors having more authority in the matter than Presidents. And criminals are no respecters of political parties. The facts, which have no significance at all save to illustrate the point, are that the four states with more than 2,000 serious crimes per year per hundred thousand people, are all run by Republican governors, and in murder and manslaughter taken separately, Mr. Wallace's state of Alabama leads the nation. Humorless politics can be danger-

ous politics, if only because of the inevitable rude awakenings. Candidate Nixon tells us he will sweep the streets of Washington clean of prowlers and muggers. Candidate Humphrey tells us he would put an end to, he will put an end to poverty in America. He will do in four years to eight years, in other words, what centuries of human efforts could not do. It must have been in the middle of a political campaign that a British statesman of long ago remarked 'Between craft and credulity, the voice of reason is stifled.' 10/2/68

Miss Efron sees in this an "anti-Nixon editorial" by the reporter because "reporter links Nixon with Wallace as law-and-order racist candidate, in contrast to over-generous humanitarian Humphrey". The meaning of this report is clear. The reporter was citing one example for each of the three major candidates to illustrate how "reason itself is bruised" by the candidates during the campaign. Miss Efron ignores the point made by the report, i.e., that Mr. Humphrey's promise to end poverty was completely unrealistic and "bruised reason." There is no basis for the charge that Mr. Nixon and Mr. Wallace are described as "racist" candidates. Appendix D (page 282)

The reporter, who is analyzing the Wallace campaign, states:

"In a real sense the Wallace movement represents a class struggle, an uprising against what he calls the pseudo-intellectuals, professors, preachers, and everything that is big government, taxes, ownership, the big press, the big networks, the Negro movement, the left wing student movement. All this is summed up in the word 'they'. 'It is them against us, and', says Wallace, 'there are more of us than of them.'" 10/7/68

Miss Efron sees in this report a "pro-left editorial" by the reporter because he "describes left wing student movement as one of the biggest institutions in the country". Appendix J (page 326)

This report discussed an announcement by the Secretary of Defense that troop strength in Vietnam would not be reduced. It concluded with the following statement which is the only reference to a bombing halt: 9/25/68

"This interpretation of the enemy's predicament explains, at least in part, the still persisting belief that a break will come in the Paris talks. These battlefield conditions suggest that the next solid gesture toward peace may come from the enemy, but they also suggest that another solid gesture on our part may now be appropriate and fruitful, and it is on this point that the still very real argument about stopping the bombing of North Vietnam now seems to center, inside the highest councils of this government."

Miss Efron classifies this as an "anti-U.S. Policy on Bombing Halt editorial". She also cites it (page 117) as a "striking" example of a report which "claims to be presenting the arguments on both sides of a controversy—but in fact does not". Her conclusion (page 117) is that "the reporter is 'summing up' the argument within the administration over a bombing halt—and leaves out the arguments of Johnson-Rusk-Rostow and the generals".

Clearly, Miss Efron's assertion is unfounded. There is no "summing up" of the "argument within the administration". There is merely a reference to the existence of such an argument. No administration viewpoints, pro or con, are presented.

II

Miss Efron makes charges based on alleged but nonexistent statements in the CBS News broadcasts.

Example: Miss Efron writes (page 90): "CBS initially relates the tale of how Muskie invited one of a group of 'leftists' to the platform. (9/25/7, Anti-Humphrey.) About nine days later CBS forgets that they were leftists. The reporter recalls that when

'stop-the-war' students heckled Muskie, he was willing to listen—but that Muskie is far less courteous to Wallace hecklers. And the CBS reporter asks Muskie why he is more impatient with 'Wallace hecklers' than with 'young, reckless hecklers.' Thus the 'leftists' change into 'stop-the-war' students and then into a touching group known as 'young, restless hecklers.' (CBS, 10/4/12, Pro-Demonstrators.)"

Miss Efron's conclusion that the 10/4/12 report constituted a pro-demonstrators editorial is based on an alleged reference, in the October 4, 1968 broadcast, to "young, restless hecklers". (emphasis added) There was no such reference. The actual reference was "young, leftist hecklers". Her misunderstanding of this word has led her mistakenly to charge (pages 89, 92) that CBS News editorialized by "suppressing" the political or ideological identity of hecklers and demonstrators.

Example: Miss Efron charges (Appendix I, page 317) that the reporter "attacks those who would prevent Cleaver from teaching at Berkeley as 'censors.'" But the reporter makes no reference of any kind to "censors". Miss Efron confuses "censor" with "censure" in this statement by the reporter:

"His [Cleaver's] tough talk prompted the State Senate to censure the university . . ."

In either event, there is no basis, whatsoever, for her charge. The reporter does not "attack" the State Senate for this "censure". (See page 6 for transcript of story.)

III

Even if one accepts Miss Efron's statistics as accurate and her methodology as sound, many of her conclusions remain unsupported by her own statistics.

Example: Miss Efron states (page 47): "on the basis of these descriptive statistics, it is clear that network coverage tends to be strongly biased in favor of the Democratic-liberal-left axis of opinion . . ." Yet, according to her chart (page 40), CBS broadcast 120 words against liberals, and not one word for liberals. This illustrates strikingly the invalidity of her statistical approach.

Example: Miss Efron includes an extended discussion aimed at showing that the networks favored "demonstrators" (pages 76-83). Yet her word count (page 45) shows that CBS was against demonstrators, 1304 to 609.

Example: Miss Efron states at the conclusion of her discussion of news coverage of George Wallace (page 61): "The coverage of opinion on George Wallace is heavily weighted against Wallace". Yet her chart (page 36) shows that CBS broadcast 1079 words for Wallace and 1282 words against him.

Example: Miss Efron states (page 55) that the networks actively favored Hubert Humphrey and portrayed him as a "saint studded over with every virtue known to man". Yet her chart (page 33) shows that CBS broadcast 2338 words for Humphrey, only slightly more than the 2083 words spoken against Humphrey.

IV

Miss Efron's book contains many sweeping, highly accusatory pronouncements, supported by little or no evidence or only by tortured rationalization. These extreme statements, which hardly read like scholarly conclusions by an objective analyst, provide insight into Miss Efron's own biases. This is one example:

"On ABC, reporters sanctioned violence eleven times; on CBS, nine times; and on NBC, seventeen times. In Appendix N a complete list of all references to the stories containing this opinion will be found. This quiet, steady spewing-out of justifications for violence by allegedly responsible men, under the eyes and ears of allegedly responsible network management, is a pathological phenomenon." (page 95)

These are strong words. But an inspection

of the transcripts of the nine CBS News broadcasts cited by Miss Efron shows no justification whatsoever for such charges. These two broadcasts are representative:

Miss Efron: *CBS Evening News 10/22/68. Appendix E, "Anti-Wallace, 10/22/68." (page 26), "Hecklers' throw rocks and tomatoes at Wallace."*

KURALT. "At a rally in Oshkosh, Wisconsin, today, hecklers threw rocks, eggs and tomatoes at George Wallace. When an apple core struck him on the shoulder, Wallace dismissed it with the remark: 'That's all right, it'll wash off. That's just a bunch of anarchists.' Wallace's running mate, General Curtis LeMay, said today that integration is the answer to the nation's racial problems, and he added that he thinks George Wallace agrees with his views. At a news conference in Miami, LeMay said integration has worked in the armed forces, and it will also work in civilian life."

Miss Efron: *CBS Evening News 9/18/68. Appendix I, "Pro-Black Militants, 9/18/68." (page 317), "Clever advocates shooting of businessmen, politicians, career military, police, decisionmakers."*

"Reporter sanctions Cleaver's calls for mass murder as 'revolutionary' thought and attacks those who would prevent Cleaver from teaching at Berkeley as 'censors.'" (emphasis added)

CBS News correspondent Bill Stout reports from University of California, Berkeley.

STOUT. "The student protests of five years ago brought many changes to the university, including more voice for students and faculty in setting up new classes. Now sharp controversy over a course on the American social order, with the guest lecturer anti-establishment black revolutionary Eldridge Cleaver."

CLEAVER. "It's the big businessmen, the politicians and these career military and police agent type people that, this is the power structure we talk about, the people who have a vested interest in the status quo, who draw their living from exploiting people through this economic system, people who live by this profit, not the people who are just plugged into the system and who have a job and go to work every day and really never manage to get their head above water. But it's the power people, the people who make the decisions in this country and who control the decision-making process in this country. Those are the enemies of the people, and those are ones who are going to be exposed and treated in a manner that they're always treated in a revolutionary situation."

STOUT. "They ought to be shot." Cleaver has said that again and again. When whites ask what they can do for race relations, Cleaver has said, 'Give black men machine guns.' For ten lectures Cleaver is to get no state salary, but will be paid from student funds. His tough talk prompted the State Senate to censure the university, and brought criticism from two men who otherwise rarely agree."

Governor RONALD REAGAN. "I'm opposed from the simple standpoint that I think it is ridiculous to bring someone on as a supposed instructor or lecturer, which is the way he was to be brought on, who has absolutely no qualifications whatsoever for that position."

JESSE UNRUH. "I think clearly it's very, very difficult to defend the appointment of Mr. Cleaver as a lecturer. I think that it's an unfortunate choice and represents almost a death wish on the part of those people participating in it insofar as the university is concerned."

STOUT. "Clever is 33. He's done time on narcotics and assault convictions and was in court this week on fresh charges of assault and attempted murder. He faces trial for that later in the year."

But the university regents meet tomorrow to consider demands they overrule the selection of Cleaver as guest lecturer.

Bill Stout, CBS News, Los Angeles.

CBS Comment: By no stretch of the imagination did the reporter "sanction Cleaver's calls for mass murder". Nor does the transcript support Miss Efron's charge that the reporter "attacked" any persons as "censors". (See page 5 of this appendix. In any event, the word actually used was "censures" not "censors".)

This is another example of a sweeping, highly accusatory but unfounded charge. Miss Efron states (page 61) that network coverage of the George Wallace campaign "editorially sanctions the physical attacks upon him". In support of this serious accusation, she states (page 58) that "language customarily used to describe those who engage in verbal protest was used to describe those who engage in physical assault". This, she concludes, was "a tacit sanctioning of the assaultive conduct". And, finally, on page 59, she lists a total of three CBS News broadcasts which describe, as "hecklers" and "dissenters", people who throw "rocks", "an egg" and "objects" at Mr. Wallace.

CBS Comment: The word used by CBS News was "dissenters" and not "dissenters", as Miss Efron states. In any event, it is hardly realistic or accurate to conclude that use of the terms "hecklers" and "dissenters" constituted an "editorial sanction" of physical attacks upon Mr. Wallace—particularly since each of the broadcasts explicitly reported the physical acts involved.

v

These are two additional examples which illustrate how Miss Efron's statements can mislead:

Example: Miss Efron states (page 32) that, during the study period of seven weeks on which her conclusions are based, there were only 320 "words spoken for" Mr. Nixon on the CBS Evening News. A quick check of the broadcast transcripts shows that, during the period in question, the CBS Evening News carried a total of 4747 words spoken *only by Mr. Nixon* in the course of his campaign—and presumably spoken in his own behalf as a candidate. But this fact does not appear in the book. Certainly, it is pertinent to an evaluation of the coverage given to Mr. Nixon.

Example: Miss Efron states (page 76) that "CBS viewers are not informed of undercover testimony against the Yippies". She is referring to testimony before a Congressional committee about Yippie plans "to bomb buildings, kill policemen and assassinate candidates". The October 3, 1968 broadcast of the CBS Evening News included the following:

"CRONKITE. 'A witness told a congressional hearing today that Yippie leader Jerry Rubin talked of killing presidential candidates and overthrowing the government during the disorders accompanying the Democratic convention. Rubin was in the hearing room to testify later, and shouted out a protest about "this worm's lies" as Illinois undercover agent Robert Pierson testified. One leftist witness walked out of the hearing, another refused to testify about any Communist affiliation, and a third was arrested as he arrived wearing a shirt which appeared to have been made from an American flag. While the hearing continued, other Yippies milled around outside until police moved in.'"

TRIBUTE TO JUSTICE HUGO BLACK

Mr. KENNEDY. Mr. President, the October issue of the Harvard Law Record, the Harvard Law School newspaper, contains a moving and perceptive tribute to Hugo Black, one of the greatest Justices ever to sit on the Supreme Court of the United States. The author of the tribute is Arthur E. Sutherland, professor emer-

itus at Harvard Law School and a distinguished scholar of constitutional law in his own right.

In his eloquent tribute, Professor Sutherland recalls the formative influence of Justice Black's early career as a police court judge in Alabama, his frustration in the Senate as the Supreme Court struck down Acts of Congress in the early 1930's, and his brilliant judicial career on the Supreme Court, where he came to symbolize, more than any other justice, the fundamental concepts of freedom and equality that are the hallmark of the Constitution and the Bill of Rights.

As Professor Sutherland concludes, Justice Black was a man who knows how to find the spirit in the letter of the law. If we see farther in these areas of basic rights today, rights so vital to all our people, it is because we stand on the shoulders of giants like Justice Black.

Mr. President, I believe that Professor Sutherland's tribute will be of interest to all of us who loved and respected Justice Black. 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:

JUSTICE BLACK: DEDICATED TO PRINCIPLE, INDIVIDUAL FREEDOM IN LIFE ON COURT

(By Arthur E. Sutherland)

Hugo Lafayette Black: 1886-1971: The rule of law in America is the better because of the work of the late Justice Hugo Black. Wisdom, compassion, dedication to principle as he saw it, these were his talents and he spent them generously. Now that he is gone, life seems thinner and less interesting.

Black's early life tells of America as it once was, and as it will never be again. He was born on a farm in Clay County, Alabama. His father ran a country store to help keep the family fed and clad, and his mother was postmistress of the town of Harlan. Young Black went to a local seminary named Ashland College and studied medicine for a year at Birmingham Medical College. Turning instead to law at the University of Alabama, at the age of 20 he became a member of that state's bar.

Ashland, Alabama, was not a thriving community for anybody. Black spent a year trying to practice law there, but the building where he had his office burned down. In 1907 he wisely started over again in Birmingham. That city was a large industrial and railroading center, with the mixture of prosperity and misery that seems inevitable. Black made a living at the law, and four years later became Police Court judge. The sad procession of defendants that passed through the twenty-five year old magistrate's court made an impression on him that lasted the rest of his life.

MOVES UP TO COUNTY SOLICITOR

In 1914 he moved up to the post of county solicitor, the prosecutor for Jefferson County, and in that office he spent three highly educational years. Black noticed that a disproportionate number of confessions came from a Birmingham suburb called Bessemer and discovered that its police were operating the old-fashioned type of third-degree. He obtained a grand jury report criticizing that system, which drew down on him some unpleasant heckling.

Black was probably pleased to go off to a 1917 training camp and earn a field artillery commission. At the close of 1918 he returned to civilian life, took up the law again, and developed an active practice in negligence cases.

In 1926, the year he reached forty, Black

was elected to the Senate, in 1932, the year Roosevelt took the New Deal to Washington, he was reelected.

HEART AND SOUL FOR NEW DEAL

Senator Black was heart and soul for that program. Indeed, Black's advocacy of a thirty-hour week went beyond anything Roosevelt urged. Black sat in the Senate in 1935 and 1936 when the Supreme Court struck down a number of New Deal measures. All the rest of his life he felt that reckless use of due process clauses as general licenses for judicial nullification of novel economic regulation called for strict construction of those clauses.

However, Black was by instinct and by experience dedicated to freedom of speech and press, to fair trials, to scrupulous separation of Church and State, none of which the Fourteenth Amendment expressly protects against state transgression. He needed to evolve a philosophy which would construe that amendment so as to restrict any state which might transgress against these guarantees while permitting the state full power of economic regulation. He needed to find an unexpressed equal protection clause in the due process clause of the Fifth Amendment. But in 1936, all this lay far ahead as the Supreme Court divided four justices to four on New Deal legislation with Owen J. Roberts uneasily casting a deciding vote to erect a majority of five, one way or another.

SUPPORTS "COURT-PACKING"

On February 5, 1937, President Roosevelt proposed a plan to reorganize the federal judiciary by legislation authorizing appointment of additional justices to the Supreme Court whenever incumbent justices reached retirement age but failed to retire or resign. Senator Black supported the plan. While this "court packing" bill, as opponents called it, was pending, the Court on April 12, 1937, upheld the New Deal National Labor Relations Act, Justice Roberts casting the swing vote. However, the president still urged his court bill; the one-man majority was too slight for safety.

Then, in June 1937, one of the "conservative" group of justices, Willis Van Devanter, who had sat since 1910, resigned his seat. President Roosevelt shocked the conventional minded by appointing Senator Black in his place. Although the court-reorganizing bill eventually died in the Senate, Roosevelt got his safe majority by ordinary attrition of older justices and appointment of more open-minded younger men. He appointed eight justices in all, four of them between 1937 and 1939. Only Justice William O. Douglas, appointed in 1939, now remains on the Court.

In August 1937 the Senate consented to Black's appointment by a vote of 63 to 16. The new Justice and Mrs. Black journeyed off to Europe. In September, while they were still abroad, a Pittsburgh newspaper printed a series of stories—long before published in California papers—that Black had been a Ku Klux Klan member before 1926 and that after his primary victory in that year, the Klan sent him a "Grand Passport."

EXPLAINS KLAN MEMBERSHIP

The Pittsburgh articles won a Pulitzer Prize for their author and stirred up much criticism of Black. When he returned to the United States, he made a radio statement on October 1 to which perhaps fifty million people listened. He said that he had been a Klan member in his early days at the Alabama Bar, but had dropped his membership before he became a Senator. He had never solicited the "card" sent him; he had neither used it nor kept it. Black never again made a public statement on the subject.

Neither before nor after that time did Black ever show by actions or words the bigotry or racial hatred with which the Klan

was associated. His membership was unfortunate, the sort of thing a young Alabama lawyer-politician, trying jury cases and hoping for votes, could do. The furor quieted down and Black on the bench came to be the target of abuse by those who shared the Klan's objective.

WROTE 783 OPINIONS

A review of Justice Black's votes at thirty-five terms of the Supreme Court is beyond the possibilities of this short essay. In 1967 Chief Justice Warren, writing for the *UCLA Law Review* in honor of Black's thirtieth year on the Court, found that in his tenure on the Court Black had written 783 opinions—442 for the Court, 64 concurrences, 18 other separate opinions, and 241 dissents.

At most there is here time and space for a review of his constitutional philosophy. Perhaps he set it forth most clearly in an exchange with Justice Felix Frankfurter during a series of antipodal opinions on the rights of men charged with crimes.

In 1947 the Supreme Court heard the case of a man named Admiral Dewey Adamson, who had been convicted in a California state court of atrociously murdering an elderly woman in order to steal her jewelry. The California law allowed comment on the failure of an accused to take the witness stand and explain the evidence against him. Adamson sat silent and the prosecutor, summing up, made the most of this before the jury, thus eliminating practically all of Adamson's theoretical privilege against self-incrimination.

DEcriES "NATURAL LAW" DUE PROCESS

The Supreme Court affirmed Adamson's conviction although on a federal indictment and trial, under the Fifth Amendment, the result would have been the opposite. Black dissented, protesting what he described as a theory "that this Court is endowed by the Constitution with boundless power under 'natural law' periodically to expand and contract constitutional standards, to conform to the Court's conception of what at a particular time constitutes 'civilized decency' and 'fundamental liberty and justice.'"

In place of this flexible standard, in which he saw lurking the danger of "economic due process," Black proposed the theory that the Fourteenth Amendment "incorporated" *sub silentio* the first eight amendments *literatim*. Here Black found what for him was a solid rock of constitutional literalism on which to stand. Content, he was able in most cases to reach results which satisfied American liberals.

Justice Frankfurter in 1952 stated the converse proposition in *Rochin v. California*. Saying, "The vague contours of the Due Process Clause do not leave judges at large," Frankfurter still could not quite find words to say what fenced them in. He wrote:

"To believe that this judicial exercise of judgment could be avoided by freezing 'due process of law' at some fixed stage of time our thought is to suggest that the most important aspect of constitutional adjudication is a function for inanimate machines and not for judges. . . ."

The judicial work of many judges demonstrates that differing formulas of philosophy do not necessarily bring about different decisional results.

STOOD FOR INDIVIDUAL FREEDOM

In his long life on the bench, through a series of cases on criminal justice, racial equality, religious freedom and free expression, Black's judgments stood for individual freedom and against the tyrannical exercise of governmental power.

On his last day in the courtroom, Justice Black wrote an opinion in which Justice Douglas joined, concurring with the Court's *per curiam* refusal to enjoin the *New York Times* and the *Washington Post* from publishing the Viet Nam papers. He wrote:

"I believe that every moment's continu-

ance of the injunctions against these newspapers amounts to a flagrant, indefensible, and continuing violation of the First Amendment. . . . It is unfortunate that some of my Brethren are apparently willing to hold that the publication of news may sometimes be enjoined. . . ."

Black discovered ways to find the spirit in the letter. He will be much missed.

UNREASONABLE WELFARE REGULATIONS

Mr. FANNIN, Mr. President, State and city governments all over our Nation are being bled to death by welfare payments. Local governments are being forced by the heavy hand of our Federal Government to make excessive welfare payments to thousands and perhaps millions of persons who should not be on the welfare rolls in the first place.

We must have a thorough overhaul of the welfare system. We must have true welfare reform which is aimed at reducing the number of persons on welfare rather than increasing it.

In the meantime, there are some steps that should be taken immediately to relieve the burden that has put a number of States in a condition akin to bankruptcy.

The problem lies with the Department of Health, Education, and Welfare. HEW has not followed the intent of Congress in drawing up regulations the States must follow to qualify for Federal funding for welfare.

I had hoped that the courts would set this matter straight, but this has not happened. Just last month a Federal court upheld HEW regulations which I feel are highly unrealistic.

As a result of this decision, my State of Arizona faces the choice between abiding by these unrealistic regulations or losing some \$41 million a year in Federal welfare funds.

Arizona is one of the few States in our Nation which has maintained a realistic budget in welfare matters. The State has remained solvent and has not had to cut off arbitrarily certain categories of welfare recipients.

Arizona is one of three States that is operating within its general budget. Gov. Jack Williams and the Arizona Legislature are to be congratulated for keeping Arizona on a sound fiscal basis. Apparently, HEW believes Arizona is setting a bad example by living within its means. Why should Arizona practice fiscal responsibility when the Federal Government does not?

Mr. President, from time to time it has been necessary for Congress to force administrative agencies into line with legislative intent. Now it is time to straighten out that sprawling bureaucracy known as HEW.

At issue between HEW and Arizona welfare officials were four points:

An Arizona regulation cutting off welfare payments to anyone out of the State more than 90 days.

The State formula for disregarding earned income in the aid to families with dependent children program.

A State regulation on AFDC payments when children are not living with persons who have legal custody of the children.

Establishment of an advisory committee.

Let me go into these issues a little further and explain my understanding of the current situation.

Residency—HEW has ruled that a State plan may not contain provisions imposing any residence requirement as a condition of eligibility for aid or assistance. Arizona terminates aid payments to recipients after they have been absent from the State for 90 days.

It is extremely difficult for me to understand why HEW should object to a 90-day cutoff. Why, I ask, should HEW have a regulation which invites welfare cheating? What is to stop a person from going to another State and getting on the welfare roll there while still drawing payments from Arizona? As soon as a person leaves Arizona and enters another State, he becomes eligible for welfare in that State. The HEW regulation is ridiculous and certainly not in keeping with any legislative intent that I am aware of.

It seems to me that a 90-day vacation outside the State is sufficient for anyone. This allows time for recipients to vacation elsewhere during the hot summer months, then return in time for the good weather which starts in September.

Disregard—HEW contends that in disregarding earned income in the AFDC program, States must disregard the first \$30 plus one-third of the remainder from the gross earned income.

Arizona disregards from the net income, rather than the gross.

There have been abundant illustrations as to how the HEW regulation is abused so that persons with incomes in the five figures can still qualify for welfare payments. HEW should adopt the Arizona formula, not vice versa.

Dependent children—the Arizona Welfare Department held that aid to dependent children should be administered only to the children who are with their natural mother or father or a legally recognized guardian of some type. HEW says that where some children of an AFDC family live in the home of the natural parent and other brothers and sisters live elsewhere with relatives, those living with relatives may not be excluded from assistance whether or not the welfare department or the relatives have legal custody of the children.

Under the Federal regulations, a welfare family with a great number of children may distribute the children to other impoverished members of their family and thus secure income for them.

Advisory Council—HEW says that States must provide for the establishment at State and local levels of an advisory committee. Under these regulations, the advisory board could pressure the State as to welfare payments and regulations. The State opposed this.

The court upheld HEW on all four points, but it did modify the regulation concerning the advisory council. The court said the committee would be purely advisory and would not run the State welfare board or commissioner as HEW would have it.

Mr. President, all four of the HEW regulations are contrary to legislative intent.

They are unreasonable and they contribute to the growing welfarism in the United States.

During the 91st Congress the Senate passed several amendments which would have cured three of these problems. Two of the amendments, which I offered, would make advisory councils optional with the States and would provide a new formula for disregard. My disregard formula would allow only day care as a separate deductible work expense. States would be required to disregard the first \$60 earned monthly by an individual working fulltime plus one-third of the next \$300 plus one-fifth of amounts earned above this.

Another amendment we approved would, in essence, allow the cutting off of welfare payments to persons absent from a State for 30 days.

As you will recall, these amendments were to the social security bill, and they got lost in the shuffle in the closing hours of the 91st Congress.

Mr. President, I shall introduce proposed legislation next week to remedy the problems I have discussed here today. The bill will provide for reasonable residency requirements, clarify the situation involving ADC payments, establish a disregard formula that will exclude high income families from welfare, and make advisory committees optional.

ONE CHINA OR TWO CHINAS— CHOICES FOR AMERICA, CHINA, AND THE UNITED NATIONS

Mr. KENNEDY. Mr. President, one of the major issues in American foreign policy in recent years—the question of Chinese representation in the United Nations—is now moving swiftly into a new era. Before the end of this month, it is likely that the General Assembly will dispose of the resolutions introduced by the United States and Albania on the issue, thereby resolving the question for this session of the Assembly and perhaps for the indefinite future.

An article written by Prof. Allen Whiting, of the University of Michigan, one of America's most distinguished China scholars, and published in the New York Times of October 11, provides an important and perceptive analysis of one major element in the debate—the question whether, as Secretary of State Rogers has implied, Peking might be willing to accept representation in the United Nations under the two-China formula proposed by the United States.

Professor Whiting cites Peking's clear and unequivocal refusal to accept such dual representation, and emphasized that there are only two real alternatives before the U.N.—either participation by Peking as the sole representative of China, or no participation by Peking at all.

Mr. President, I believe that Professor Whiting's analysis provides an extremely helpful clarification of this important issue. 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:

[From the New York Times, Oct. 11, 1971]

THE WORD OF CHOU EN-LAI

(By Allen Whiting)

ANN ARBOR, MICH.—It is impossible to conceive of Chou En-lai reversing all of his Government's long-standing, explicit opposition against any form of "dual representation" in the United Nations, yet that is precisely what Secretary Rogers continues to see as a distinct possibility.

Perhaps the sudden willingness to abandon the traditional stereotype of "Chinese face" as a constraint on behavior stems from our own experiences with duplicity and cynical expediency in Government officials. Certainly U.S. policy on Chinese representation in the U.N. has tortuously twisted legal and political logic in repeated reversals over the last 22 years. But to assume from this that a similar opportunism exists in Peking is to misjudge Chou's personal and political position.

Within China, Chou's credibility rating is exceptionally high precisely among those Chinese who have had to calculate the reliability of his word. During the "blooming and contending" campaign of 1955-57, Chou's personal assurances that the invitation to criticism was not a trap persuaded seasoned intellectual and political figures to voice their views.

Many subsequently suffered in the "anti-rightist" reaction. Interestingly enough, however, Chou's personal esteem survived, as dramatically demonstrated by his unique ability to mediate among fiercely contending factions during the Cultural Revolution violence of 1967-68.

Outside of China, Chou's words are the quintessence of Chinese policy as experienced by the many governments and statesmen with whom he has dealt over his years both as Premier and Foreign Minister of the People's Republic. It was confidence in this factor which permitted the U.S. Government to predict the first Chinese nuclear test. On Sept. 26, 1964, we learned that Chou had informed a foreign chief of state that China planned to explode its first atom bomb on Oct. 1. Neither the Atomic Energy Commission nor the Central Intelligence Agency estimated Peking to have the technical capacity to detonate at that time. However, Secretary Rusk was willing, on his own, to accept the reliability of Chou's word and predicted the test at his press conference Sept. 30. When no test occurred the next day, State was chided for having overstepped its bureaucratic bounds. After the test occurred on Oct. 16, delay apparently stemming from problems at the Lop Nor site, C.I.A. director John McCone was quick to claim credit for "the intelligence community" in forecasting the event. While that "community" produced a wide range of valuable evidence, it was the estimate by political analysis of Chou's stake in credibility which accurately predicted China's entry into the nuclear club.

Obviously it would be famous to take every official Chinese statement as an irreversible, literal commitment to one particular course of policy. Flexibility and bargaining are manifest in much of Peking's declaratory and negotiatory behavior. Chou En-lai is deliberately evasive when he chooses to be, as in his reply to a question concerning the genuineness of China's alleged desire to see a total rupture of U.S.-Japanese military relations, with all that this might imply for the future of Japanese military developments.

However, there is no equivocation in his statement, "Should a state of two Chinas or one China, one Taiwan appear in the U.N., or a similar absurd state of affairs take place in the U.N. designed to separate Taiwan from China to create a so-called independent Taiwan, we will firmly oppose it and, under those circumstances, we will absolutely not go into the U.N."

At stake is nothing less than self-esteem both individual and collective. In Chou's words, "We will not barter away principles." Peking will not accommodate an expelled and defeated civil war government in exile in order to win the legitimate right of representing China in the symbolic assemblage of the world community. Moreover, Chou's political position in Peking as well as Peking's relationships with Tirana, Hanoi, Pyongyang, Washington and Moscow preclude compromise on this point.

The alternatives are clear: Either the People's Republic is seated as the sole successor to the Government which ruled China from the founding of the U.N., in 1945 to its loss of the mainland in 1949, or there will be no participation by the People's Republic in any United Nations body. However the United States chooses to extricate its prestige from the prospects of defeat raised by last year's majority vote to support the Albanian resolution, no other government should entertain the slightest doubt as to the consequences of following Washington and ignoring Peking.

(NOTE: Allen Whiting was State Department director of research for the Far East, 1962-1966, and is chairman, Citizens Committee to Change U.S. China policy.)

REDUCED AIR RATES FOR OLDER AMERICANS

Mr. BROOKE. Mr. President, in a speech to the Legislative Council for Older Americans in Boston on April 23, I said:

There is no valid reason why personal development must come to an abrupt halt at the magic age of 65 or 70 if an individual is both willing and able to do more.

At that time I was referring to opportunities in education and employment.

Today I would broaden that statement to include opportunities for air travel. Our older citizens should have at least as many options available as our younger citizens for travel and enjoyment of their leisure years. They have more time to travel and the maturity with which to appreciate it. They frequently have friends and relatives, and even former homes, in distant reaches of the globe. And they have less time remaining to them in which to enjoy the pleasures of travel.

The problems besetting older Americans today are considerable, ranging from physical and mental impairments and limitations to loneliness and boredom. But one of the major burdens that the elderly must bear is the limitation of fixed incomes. Any rise in prices and the cost of living affects all of us to varying degrees, but those who exist on a fixed annual income are hardest hit. Consequently, when the air fares were raised again in May of 1971 by 6 percent, another major obstacle to travel was placed in the path of the elderly. Senior citizens are, in effect, being forced to remain at home on fixed incomes while the costs for transportation continue to rise.

Statistics clearly demonstrate that the elderly do not, and usually cannot, take advantage of travel opportunities. Of all Americans who crossed State lines this past year, only 1 percent were senior citizens. Of all the airline passengers this past year, only 5 percent were over 65. These figures must be viewed against the fact that the elderly comprise 10 per-

cent of the population and that they indeed have available considerably more leisure time.

There is ample precedent for offering the elderly reduced travel fares. We already offer a youth fare for those between the ages of 12 and 22, and there are special rates for persons in the military. In Canada, reduced rates are already in existence for persons over 65, and KLM, the Royal Dutch Airlines, announced on October 4 that it would offer a lower rate for senior citizens flying between the United States and Amsterdam starting February 1. Lower fares make good economic sense for the elderly. But they could also benefit the airlines, which last year flew at only 49 percent capacity, by encouraging many persons to fly who would otherwise be denied this option.

Tomorrow is today for the older citizens. Those who have worked hard in their earlier days should have the opportunity to enjoy fully their leisure time. I call upon the airlines and the CAB to act now to bring this extra benefit to our senior citizens.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

CONSTITUTIONAL CONVENTIONS

The PRESIDENT pro tempore. Under the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 215) to provide for calling constitutional conventions for proposing amendments to the Constitution of the United States, on application of the legislatures of two-thirds of the States, pursuant to article V of the Constitution (together with separate views).

VIRGINIA FIRE-CURED AND VIRGINIA SUN-CURED TOBACCO ALLOTMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily and that the Senate turn to the consideration of Calendar No. 385, H.R. 6915; and that when that bill is disposed of, it be followed by Calendar No. 380, S. 1151.

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

The bill will be stated by title.

The assistant legislative clerk read the bill by title, as follows:

A bill (H.R. 6915) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The Senate proceeded to consider the bill.

Mr. TALMADGE. Mr. President, this bill would permit transfer across county lines in the same State of Virginia fire-cured tobacco type 21 and Virginia sun-cured tobacco type 37 allotments. At present tobacco allotments can be trans-

ferred only from one farm to another in the same county. These types of tobacco are grown only in the State of Virginia.

I yield now to the distinguished Senator from Kentucky (Mr. COOPER).

Mr. COOPER. I thank the distinguished Senator, chairman of the Senate Committee on Agriculture and Forestry.

Mr. President, I want to direct some questions to the chairman. I may say that, after reading the report, it is probable that my questions do not really have any relevance, but because of our great interest in this matter in Kentucky, I must ask these questions.

In our State there has been constant objection to the transfer of allotments across county lines. The old theory was that the allotment ran with the land. I know that several types of tobacco growers have supported transfer of allotments across county lines.

The bill and the report referred to Virginia fire-cured tobacco type 21 and Virginia sun-cured tobacco type 37 allotments. The report states, on page 2, that these two types of tobacco are grown only in Virginia.

I just ask the following question: Is there anything in the bill or anything in the language of the report which would permit or authorize the extension of the right to transfer allotments across county lines to either dark fire-cured or dark air-cured or burley tobacco or any other type of tobacco grown in Kentucky?

Mr. TALMADGE. None whatever, As the Senator has already pointed out, on page 2 of the committee report, at the end of the first paragraph, it states:

These two types of tobacco are grown only in Virginia.

This bill is directed only to these two types of tobacco which are grown only in Virginia, to wit, Virginia fire-cured tobacco type 21 and Virginia sun-cured tobacco type 37. It has no relation whatever to any other type of tobacco grown anywhere else in the United States or its territories.

Mr. COOPER. I thank the Senator. I certainly have no objection to the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 6915) was ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR REVISION OF A REPAYMENT CONTRACT WITH THE SAN ANGELO WATER SUPPLY CORPORATION IN TEXAS

Mr. TALMADGE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 380, S. 1151.

The PRESIDENT pro tempore. The clerk will read the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1151) to authorize the Secretary of the Interior to revise a repayment contract with the San Angelo Water Supply Corporation, San Angelo project, Texas, and for other purposes.

The PRESIDENT pro tempore. Without objection, the Senate will proceed to consider the bill.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum—

Mr. TOWER. Mr. President, would the Senator withhold his request and give me an opportunity to make my remarks and then put in a quorum call?

Mr. TALMADGE. Does the Senator's statement relate to this particular bill?

Mr. TOWER. Yes.

Mr. TALMADGE. I think other Senators desire to be present, and, at the specific request of the majority leader, I intended to suggest the absence of a quorum.

Mr. TOWER. What I thought I would do is to make my remarks—

Mr. TALMADGE. Mr. President, I withhold my request for a quorum call temporarily, and I yield to the Senator from Montana (Mr. METCALF).

Mr. METCALF. Mr. President, inasmuch as I am going to handle the bill for the Committee on Interior and Insular Affairs, I would be very grateful if both Senators from Texas, who are familiar with the San Angelo project, would be on the floor, because while I heard both Senators from Texas as a part of the hearings, there may be some questions asked that they, with their special knowledge, would be able to answer.

Mr. TOWER. Mr. President, I would not want to proceed much further on the bill at this time without the junior Senator from Texas being here. I was going to make my remarks and then suggest the absence of a quorum. I will yield to the distinguished Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. President, the junior Senator from Texas had requested to be on the floor. We are making every effort to contact him in the committee hearing which he is attending so he can absent himself from it.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. METCALF. Mr. President, the purpose of S. 1151, which was introduced by the Senators from Texas, is to provide financial relief to the San Angelo Water Supply Corp. by extending the term of its repayment contract with the Bureau of Reclamation from the present 40 years to 50 years and by providing other credits to the corporation.

The San Angelo project is in the vicinity of the city of San Angelo in west-central Texas. Construction of the project was authorized in 1957—71 Statute 372—and construction was completed in 1963.

The principal project feature is the Twin Buttes Dam which controls the flow of both the south and middle forks

of the Concho River, in conjunction with the previously existing Nasworth Reservoir. The combined operation of the reservoirs was intended to serve an irrigation project area of 10,000 acres and to provide for the foreseeable growth in demand for municipal and industrial water for the city of San Angelo. The project purposes also include flood protection, fish and wildlife, and recreation.

Since completion of the Twin Buttes Reservoir, unprecedented drought over the drainage area—since 1961—prevented successful operation of the project. The greatest actual storage in the reservoir since its completion has been 10 percent of the conservation capacity. There have been heavy rains this past summer and storage is now good.

The Bureau of Reclamation has executed a repayment contract with the San Angelo Water Supply Corp. providing for repayment of \$10,196,400 in 40 years. Payments began in 1966 but some recent payments have been deferred due to financial hardships and will have to be repaid along with future payments within the 40-year period. Interest is paid on the municipal and industrial portion of the debt.

A second repayment contract with the Tom Green County Water Control and Improvement District No. 1 has not yet become operable because of a lack of water for delivery.

In order to meet its water needs, the city of San Angelo has been obliged to undertake sizable investments in alternative water sources, for the most part temporary and unsatisfactory.

Section 1 of S. 1151 would provide authority for the Secretary of the Interior to extend the repayment period from 40 to 50 years. This would permit reduction of annual payments in the near future—to the interest on the unpaid balance only—without the necessity of increasing later payments in compensation. It is hoped that this relief will permit the corporation and the city to handle the financial burden associated with the drought.

Section 2 would authorize the Secretary to credit the corporation, which is the operation entity for the project facilities, with the share of the operation costs associated with nonreimbursable flood control and fish and wildlife purposes. This credit would amount to about \$8,000 annually. This credit would be consistent with normal Federal policy; however, the act authorizing construction of the San Angelo project has been interpreted by the Department as precluding it.

Mr. TOWER. Mr. President, I think I do not need to account for the factual situation here, because it has been very completely and ably presented by the Senator from Montana. I might note that these projected payments were based upon what the Bureau of Reclamation and then the Corps of Engineers projected would be the amount of water accrued in the reservoir.

Today we are considering the enactment of S. 1151, a bill which I introduced to authorize the Secretary of the Interior to revise a repayment contract with the San Angelo Water Supply Corp. of San Angelo, Tex.

In 1957, a water project was authorized for the purpose of impounding water to be used for flood control, irrigation projects, and the municipal and industrial demands of San Angelo and the surrounding area. Construction of the project was completed in 1963. Twin Buttes Dam and Reservoir is the principal feature of the project, and combines with Nasworth Reservoir and San Angelo Reservoir to complete the water storage program. The system in normal years would provide irrigation water for an area of approximately 10,000 acres and furnish sufficient water to meet the other municipal and industrial needs. And, as in most water storage projects, fish, wildlife and recreational benefits were included.

The Bureau of Reclamation executed a repayment contract with the San Angelo Water Supply Corp. providing for repayment to the Federal Government for expenses of construction in the amount of \$10,196,460 to be paid over a 40-year period. Payments began in 1966, and they have been made as scheduled for 1966, 1967, 1968, and 1970 for a total amount of \$919,242. However, as a result of the disastrous drought which covered much of the southwestern portion of the United States and was extreme in the San Angelo area, the corporation has experienced financial difficulties, and it has been necessary for the Bureau of Reclamation to defer some payments. The conditions which have existed in San Angelo and the surrounding area have created mammoth water shortages and have forced the expenditures of additional funds so that the citizens of the area might be afforded the minimum water requirements.

Storage in Twin Buttes Reservoir began on December 1, 1962. The greatest actual storage in the reservoir since completion was 18,360 acre feet on September 30, 1964. This is only approximately 10 percent of the conservation capacity of the reservoir. In the spring of 1970, the San Angelo reservoir water supply was completely depleted. The drought has plagued the Concho River Basin above San Angelo since 1961. The runoff of the Concho River System above the reservoirs has been much lower during this drought than during the 7-year period of 1950-56 which was the most severe low flow period in record at the time the project was designed. For an example, the runoff at the San Angelo Reservoir and the Twin Buttes Reservoir during the 1962-68 drought was less than one-half of the runoff of the 1950-56 drought. These unprecedented low flows have continued throughout 1969, 1970, and 1971.

The corporation has made every effort to alleviate the present water shortage. It has invested approximately \$3,200,000 on a 30-mile pipeline to Spence Reservoir on the Colorado River in order to purchase water from the Colorado River Municipal Water District. The drought has also caused a water shortage for the Colorado River Municipal Water District, and so it has been of little help. The corporation purchased water rights on the South Concho River from riparian owners at a cost of \$82,000 in 1971 which represents about one-half of the

year's supply for the city. Water wells in Tom Green and Schleicher Counties were drilled for additional water supplies and water lines were laid at a cost of \$1,200,000 to the corporation. The three unexpected expenditures total \$4,482,000, which is a tremendous burden for a city to repay when faced with an obligation to the U.S. Government.

The San Angelo Water Supply Corp. has asked that the payment schedule be increased from 40 to 50 years. We could discuss the problems relating to drought for the balance of the day and each hour of discussion would further emphasize the need for this extension. I think it is important to point out that the corporation is asking for an extension of the payment period in preparation for any additional expense which they might be forced to make.

The corporation has made arrangement for furnishing water during prolonged periods of drought at the expense of the local taxpayer. The ability to predict the weather is one many of us desire; however, to my knowledge no one has been able to successfully accomplish the task. It is our responsibility to make allowances for communities or counties who are exerting their utmost to meet their obligations and at the same time perform their responsibilities in a time of crisis such as has been experienced in the San Angelo area these past 10 years. I commend the mayor and his counterparts for their ability to cope with the water shortage and for their farsightedness in preparing for the future. I urge the passage of this much needed legislation.

The PRESIDING OFFICER (Mr. GAMBRELL). The bill is open to amendment.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield.

Mr. ELLENDER. I do not have the bill before me, but as I understand, it is not the purpose of the bill to reduce the payment, but simply to spread it so that a longer period of time would be provided to pay off the debt. Is that correct?

Mr. TOWER. The Senator from Louisiana is absolutely correct. There would be no reduction in payment; just an extension of the time period because the reservoirs did not produce as was originally projected, and they have gone to a lot of additional expense to obtain water.

Mr. ELLENDER. I thank the Senator.

Mr. BENTSEN. Mr. President, I rise to speak in support of S. 1151, which would authorize a revision of the repayment schedule of the city of San Angelo Water Supply Corp. for the Twin Buttes reservoir project.

I wish to thank the distinguished chairman of the subcommittee, the Senator from Montana (Mr. METCALF) for his assistance in the consideration of this measure, and the time that he devoted to studying the problem of San Angelo and its water supply.

What this proposal would do is extend the period of payments on the project. It extends the repayment of these funds from 40 years to 50 years. This would

allow the city a reduction in its presently scheduled payments without having to increase its future payments in order to compensate.

This repayment period extension, Mr. President, is prompted by conditions resulting from the severe drought which the San Angelo area has experienced in recent years. The drought has drastically affected water runoff in the Concho River system and has caused a critical water shortage in the Twin Buttes Reservoir. As a result, the city of San Angelo has been forced to develop an alternate water supply source in order to meet its people's needs.

The cost of seeking a new water supply has placed a considerable strain on the city's finances. In the last 2 years the city of San Angelo has had to spend over \$4.5 million in search of other sources of water.

It is estimated that the total cost of developing a new underground water supply system will be nearly \$15 million.

This represents a tremendous financial burden for a city the size of San Angelo, Mr. President, but it is a burden that San Angelo is ready to assume in order to meet its future water needs.

What we are asking in this legislation is that, at this time when the people of San Angelo are making such an effort, we provide them with some slight relief by extending their repayment period on the Twin Buttes project from 40 to 50 years.

This would permit a reduction of their annual payments in the near future without the necessity of increasing later payments in order to compensate.

This is not a giveaway—the city of San Angelo would still be required to repay all of its obligations for the Twin Buttes project under S. 1151.

This bill merely allows a minor restructuring of the city's payment schedule in recognition of the extraordinary problems it faces in developing a new water supply system.

The distinguished Senator from Montana (Mr. METCALF) has indicated already that the Committee on Interior and Insular Affairs does not consider this to be a precedent-setting bill but rather they consider it to be a bill for special relief in this one particular instance of need.

Mr. President, the city of San Angelo is working to meet its water shortage problems. The people of San Angelo will assume a huge debt and face long-range expenses so that they might have a secure supply of water for their community. The relief we offer in this bill is minor in comparison to their effort. I hope the Senate will act upon it favorably and without delay.

Mr. PROXMIRE. Mr. President, I have been concerned about this bill for some time now. It is opposed by the Bureau of the Budget and by the Department of the Interior.

What concerns me particularly is the fact that the bill would permit a stretch-out of the repayment terms applying to the San Angelo project. It is true that this stretchout would result in terms equivalent to the terms that would have been in effect if the project were initially authorized today under the Water Supply Act of 1958, except for this one signif-

icant difference: The interest rate on the repayment contract would have been higher.

I should like to ask the distinguished Senator from Montana, who is the manager of the bill, as I understand it, and handled it in the Committee on Interior and Insular Affairs, is not the city getting the best of all possible worlds with a 50-year repayment period at 1957 interest of 2.58 percent, when the Federal Government has to pay about 6 percent—5.9 percent in September on 3- to 5-year bonds—to borrow money?

Mr. METCALF. I can tell the Senator right away, the city is not getting the benefit of the best of all possible worlds, because it has suffered a 10-year drought.

Mr. PROXMIRE. It has suffered what? I did not hear.

Mr. METCALF. A 10-year drought, and is spending \$4.5 million extra to try to find out alternative water sources, where it can obtain the necessary water.

It is correct that the interest rate being paid by the city on this contract is low by today's standards. However, the city has been making payments on the contract since 1966 and has repaid \$500,000, including \$437,000 of interest charges, without receiving any water supply benefits. However, when the legislation was originally passed, the contract could have been for the 50-year period and under the ordinary practices would have been for a 50-year period, as most of these contracts are, instead of a 40-year repayment period.

I recall that during the course of the hearings I asked the Senators from Texas and they said that they felt that had they had the ordinary delivery of water, they could easily repay in the 40-year period, so they felt that that was adequate.

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

Mr. METCALF. I yield.

Mr. PROXMIRE. As I understand it, the bill authorizing the San Angelo project was passed in August 1957. The Water Supply Act of 1958, which was passed the next year, after 1957, authorized a 50-year repayment period rather than a 40-year repayment period. As I understand it, in 1957 there was no way in which this project could have a 50-year repayment period. At that time, a 40-year repayment was required. Is that information in error?

Mr. METCALF. There was no special statute at that time, as I understand it; but under reclamation law and reclamation practice, a 50-year repayment period was possible and appropriate.

Mr. PROXMIRE. The reference I have is to 43 U.S.C. 485 h(d)(3), which, as I understand it, under the Reclamation Project Act of 1939, limited repayment to 40 years.

Mr. METCALF. I have not had the advantage of referring to the statute the Senator mentions. I have been on an Interior Committee for a long time and have watched these specific authorizations. It seems to me that I can recall some 50-year authorizations. I was only saying that it is standard policy at the present time, of course, under the law the Senator has cited, to have a 50-year repayment period.

Mr. PROXMIRE. The only argument I make is that they are having the best of both provisions. In other words, they are getting the interest rate applied in 1957, but they are getting the period of time that has only applied since 1958. If this had been authorized in 1958, the interest rate would have been somewhat larger, and authorized today, it would have been approximately 50 percent larger.

Mr. METCALF. Perhaps it would. If it were authorized today and we had a 50-year period, it would be larger. But with the rain situation today, there would be water delivery, instead of a 10-year delay in water delivery.

As a matter of fact, if we did not have the doctrine of sovereignty, it may well be that the city of San Angelo could sue the Government of the United States for failure to deliver the domestic water that they provided. So the city has been obliged to spend more than \$4.5 million in attempts to obtain other dependable alternative sources of water. The city presently faces the possibility that an additional \$15 million might need to be financed through bond issues to develop a ground water supply.

The purpose of S. 1151 is not to relieve the city of its obligation. It merely extends the repayment period so that the city's financed situation will remain clearly adequate to support financing of its future obligations. They have not had the best of all possible worlds, because they have had a dry and difficult situation.

Mr. PROXMIRE. I did not mean to refer to the fact that they are having great difficulties. I do not dispute that. I say they are having the best of a longer period at a lower rate, and it does not seem to comply with the law.

Mr. METCALF. It is because there was a situation in which there was an extended drought, and they had to have additional costs. Actually, under existing law, it may be that from year to year some payments will be postponed in the judgment and discretion of the Secretary of the Interior.

All we are trying to do is to give them something stable and firm and fair, so that they can sell their bonds to finance this additional water supply.

Mr. PROXMIRE. I have one other question, and this is the most important. I know that the Senator from Montana is extraordinarily able in this area and has a great deal of experience. In his estimation, does this legislation set a precedent for changing the terms of other pre-1958 contracts at a substantial cost to the Government?

Mr. METCALF. The answer is a flat and unqualified "No."

The Interior Committee has had a policy for some years to not revise the legislative requirements upon authorized projects to reflect new policies; unless, of course, there is a statutory provision making the new policies retroactive.

In the case of S. 1151, the committee views this bill as an action to relieve the city of special financial problems brought about by a unique hydrologic situation. The committee does not feel that the bill establishes a precedent for any similar legislative action on any other project.

Mr. PROXMIRE. I thank the Senator. Mr. President, I yield the floor.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. TOWER. I ask for a third reading, Mr. President.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assist the San Angelo Water Supply Corporation in overcoming hardships resulting from developing and financing an alternate water supply to overcome the effect of an unprecedented drought on the San Angelo project, the Secretary of the Interior is authorized to revise the repayment contract numbered 14-06-500-368 dated April 28, 1959, as amended, by extending the period authorized for repayment of reimbursable construction costs of the San Angelo project from forty years to fifty years.

Sec. 2. The Secretary is authorized to credit annually against the corporation's repayment obligation that portion of the year's joint operation and maintenance costs which, if the United States had continued to operate the project, would have been allocated to controlling floods and providing fish and wildlife benefits.

Sec. 3. The Secretary of the Interior may use any funds that are otherwise available to him to carry out the purposes of this Act.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BENTSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REFERRAL OF A MESSAGE FROM THE PRESIDENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a message from the President on appropriations and legislation for minority Americans be jointly referred to the Committee on Appropriations and the Committee on Banking, Housing and Urban Affairs.

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

The message from the President is as follows:

To the Congress of the United States:

Approximately 35 million Americans are of Black, Spanish-speaking, or Indian ancestry—about 1/3 of our total population. Yet these same minority Americans presently own only about 4% of America's businesses. And these businesses, in turn, account for less than 1% of our Nation's gross business receipts.

In my statement on school desegregation of March 24, 1970, and again in my statement on equal housing opportunity last June 11, I committed this administration to the untiring pursuit of a free and open society, one which gives all citizens both the right and the ability to control their own destinies. I emphasized that such a society should be diverse and pluralistic, affording all of its members

both a range for personal choice and the mobility which allows them to take advantage of that range of choice. Both in law and in practice, I argued, we owe every man an equal chance at the starting line and an equal opportunity to go as high and as far as his talents and energies will take him.

Throughout our history, one of the most effective ways in which we have advanced these goals has been by expanding the opportunity for property ownership and independent business activity. On many occasions our Founding Fathers spoke eloquently about the close relationship between property rights and human rights, and the wisdom of their words has been abundantly demonstrated throughout our national experience.

One of the most effective means now available for advancing the cause of human dignity among minority Americans is by expanding managerial and ownership opportunities for minority entrepreneurs.

On March 5, 1969, in one of my first executive orders as President, I established two new mechanisms for promoting expanded minority business activities: an Office of Minority Business Enterprise within the Department of Commerce to coordinate and oversee all Federal efforts in this field and to stimulate private sector initiatives; and an Advisory Council for Minority Business Enterprise to study this complex subject and recommend further action. Since that time, both of these units have been diligently carrying out these assignments. The further steps which I am announcing today have grown in large measure from their suggestions and their experience.

THE RECORD TO DATE

The record of this administration in promoting minority enterprise is a record of which we are proud. The aggregate total of Federal business loans, guarantees and grants to minority enterprises and purchases from them has increased almost three-fold over the last three fiscal years—from nearly \$200 million in Fiscal Year 1969 to an estimated \$566 million in Fiscal Year 1971. Federal purchases involving minority businesses alone have increased more than eleven-fold—from \$13 million in Fiscal Year 1969 to \$142 million in Fiscal Year 1971. Our program to stimulate minority banking, which began just 1 year ago this month, has surpassed its goal of generating \$100 million in new deposits in minority banks; firm commitments have been received for more than \$35 million from the Federal Government and \$65 million from the private sector.

In addition, the Small Business Administration has licensed 39 Minority Enterprise Small Business Investment Companies (MESBIC's), with an aggregate capitalization in excess of \$10 million. When Federal monies available to these 39 MESBIC's are fully utilized, they should be able to generate some \$150 million additional dollars in overall financing for minority business ventures. Moreover, a number of new MESBIC's are now in the process of for-

mation. At the same time, the Opportunity Funding Corporation, which has received \$7.4 million from the Office of Economic Opportunity, is also developing new projects which will stimulate minority ownership.

Other promising developments include new legislation which provides crime insurance at reasonable rates to minority businessmen, new legislation which assures the availability of surety bonds to minority contractors, and new regulations which require affirmative action to increase minority subcontracting under all Federal prime contracts and increased minority business participation in all Federally financed housing projects.

The Government has also stepped up the collection and dissemination of information critical to the development of minority enterprise, including the first census ever taken of minority-owned businesses. Meanwhile, an Inter-Agency Committee on Minority Business Enterprise has been formed in Washington and a series of Minority Business Opportunity Committees have been set up across the Nation.

Government efforts have also helped stimulate the private sector to provide increasing assistance for minority enterprise—including resources such as equity and debt capital, franchise offerings and other business openings, management services and technical assistance, and a range of market opportunities. For example, there are nearly three times as many minority-owned franchises and more than six times as many minority auto dealerships today as there were 2 years ago.

THE CHALLENGES WHICH REMAIN

In a wide variety of ways, then, we have been working to give disadvantaged groups a greater stake in the American economy. But, as the Advisory Council on Minority Enterprise concluded in its recent report, there are still "enormous economic inequities" which challenge the will and the resourcefulness of our Nation. The elimination of those inequities must be a national objective of high priority in the 1970's. Accordingly, I am today calling on the Congress to join with the administration in a still more intensive and far-reaching effort to foster business development among minorities.

This program should be guided by several important principles. It should be a comprehensive and pluralistic effort, one that moves forward on many fronts, since the barriers to minority enterprise are varied and numerous. It should also be a flexible approach, one that maximizes local control, since local realities are diverse and changeable. Our program should encourage the private sector to join with Government in creating an economic environment conducive to the development of minority businesses.

Another important principle is that we should carry out this program without overpromising or raising false hopes. There is no automatic road to economic success for any group in our society. A sound program which enables more Americans to share in the rewards of entrepreneurship will find them sharing in

the risks and the responsibilities of entrepreneurship as well.

AN EXPANDED BUDGET

With these considerations in mind, I am calling today for a significant expansion of our minority enterprise budget. In addition to the \$3.6 million appropriation which we originally requested for the Office of Minority Business Enterprise in fiscal year 1972 we have asked the Congress to budget an additional \$40 million—bringing the total budget for the current fiscal year to \$43.6 million. I repeat that request today—and in order to provide for continued expansion of the minority enterprise program, I intend to propose that OMBE be given a budget for fiscal year 1973 of \$63.6 million. Altogether, we are asking for a new two-year program of \$100 million.

What would this money be used for? Primarily, these funds would provide for an expanded program of technical assistance and management services. Approximately 10 percent of these new funds would be used at the national level—to strengthen minority business and trade organizations, to generate broad private programs of marketing and financial assistance, to develop training programs, and to foster other national efforts. The remaining 90% of the new money would be spent on the local level—supporting a variety of efforts to identify, train, advise or assist minority businessmen and to put them in touch with one another and with non-minority businessmen who can provide them with additional help.

In talking about encouraging expanded ownership, we are talking about an impulse which is already strong among minority groups in this country. The desire to gain a bigger piece of the action is already there; it is not something that depends on government stimulation. What government must do, however, is to help eliminate the artificial obstacles to expanded ownership—including the complex array of regulations and forms and bureaucracies which often stand between minority entrepreneurs and the resources which are available to help them.

This is why we are emphasizing the development of local centers which can bring together a vast array of training, advice and information for minority businessmen. Such centers can help them put together in an effective way the many elements which are necessary to build a successful business. We hope to develop more than 100 of these centers over the next three years.

I would emphasize that the money we are requesting for OMBE does *not* include grants, loans, guarantees, and purchases with minority businessmen by many other Federal agencies. Such direct aid, however, will also be expanded. We have, in fact, budgeted for \$700 million in minority loans, grants, guarantees and purchases in the current fiscal year, an advance of half a billion dollars—more than three-fold increase—over 1969.

BOLSTERING THE MESBIC'S

In addition to expanded budgets, I am also submitting to the Congress legislation to strengthen our growing program

for Minority Enterprise Small Business Investment Companies. This legislation would:

(1) Lower the level of private financing required to qualify for financing from the Small Business Administration on a three for one basis. At present, a MESBIC must raise \$1 million before it can obtain Federal dollars on a three for one basis rather than the two for one basis that otherwise applies. I propose that the qualifying figure for three for one assistance be cut in half.

(2) Provide increased equity to MESBIC's in the form of preferred stock to be purchased by the SBA in place of part of the debt instrument purchased by the SBA under current law. This would reduce the debt load presently carried by MESBIC's and stimulate added investments to create larger and more vigorous MESBIC's.

(3) Lower the interest rate on SBA loans to MESBIC's to three points below the normal rate set by the Treasury Department during the first five years of the loan.

These provisions should greatly increase the resources which are available to minority businesses through the MESBIC program.

BETTER COORDINATION

I am also issuing today an executive order giving the Secretary of Commerce—and, through him, the Office of Minority Business Enterprise—increased authority over all Federal activities in the minority enterprise field. This order gives the Secretary a clear mandate to establish and carry out Federal policy concerning minority enterprise and to coordinate the related efforts of all Federal departments and agencies. It also directs the departments concerning their minority enterprise programs and to cooperate in expanding the overall Federal effort. The substantive provisions of Executive Order 11458 of March 5, 1969 are also carried over into the new order.

UNFINISHED BUSINESS

In addition to these new initiatives, I again urge action on a number of older proposals. Among these is my suggestion that a new Assistant Secretary for Minority Enterprise be created in the Department of Commerce—an important step in giving greater cohesion and greater emphasis to Federal involvement in this area.

Other important legislation includes Senate Bill 544, which would alter tax laws so as to ease the burden on small, marginal businessmen. I also urge passage of the Small Business Amendments Act of 1971. Finally, I again ask the Congress to enact the Indian Business Development Program Act, the Indian Financing Act, and the Washington, D.C. Development Bank Act of 1971.

CONCLUSION

The best way to fight poverty and to break the vicious cycle of dependence and despair which afflicts too many Americans is by fostering conditions which encourage those who have been so afflicted to play a more self-reliant and independent economic role.

This goal will not be achieved over-

night for there is no easy way to eliminate the barriers which now prevent many who are members of minority groups from controlling their fair share of American business. Yet the long range health of our economy—and, indeed, of our entire society—requires us to remove these barriers as quickly as possible. Both morally and economically, we will not realize the full potential of our Nation until neither race nor nationality is any longer an obstacle to full participation in the American marketplace.

RICHARD NIXON.

THE WHITE HOUSE, October 13, 1971.

ORDER FOR ADJOURNMENT UNTIL 11 A.M., FRIDAY, OCTOBER 15, 1971

Mr. BYRD of West Virginia. Mr. President, I have been authorized by the distinguished majority leader to ask unanimous consent that when the Senate completes its business today it stand in adjournment until 11 a.m., on Friday next.

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

ORDER FOR RECOGNITION OF SENATORS ON FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Friday, immediately following the recognition of the two leaders under the standing order, the following Senators be recognized, each for not to exceed 15 minutes and in the order stated: the Senator from New York (Mr. JAVITS), the Senator from Missouri (Mr. EAGLETON), and the Senator from Wisconsin (Mr. PROXMIRE).

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon the completion of orders for the recognition of Senators on Friday, there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. I assume that this will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AUTHORIZATION FOR THE VICE PRESIDENT, THE PRESIDENT PRO TEMPORE, THE ACTING PRESIDENT PRO TEMPORE, AND THE SECRETARY OF THE SENATE TO TAKE CERTAIN ACTIONS DURING ADJOURNMENT OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate at the close of business today until 11 a.m., on Friday, and during the adjournment of the Senate from the close of business on Friday until 12 o'clock noon on Tuesday, October 19, 1971, the Vice President, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

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

Mr. BYRD of West Virginia. I also ask unanimous consent that during the same period, the Secretary of the Senate be authorized to receive messages from the House of Representatives, and that there also be authorization for their appropriate referral.

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

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, not to exceed 15 minutes, with statements therein limited to 3 minutes.

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

SAFER AEROSOL CONTAINERS

Mr. MOSS. Mr. President, I should like to bring to the Senate's attention a creative development in the field of product safety.

A few days ago I had an opportunity to witness a demonstration of a new, safer aerosol container developed by the American Can Co. I wish all of my colleagues could have seen American Can's new aerosol container because the new package apparently eliminates the explosion hazard. This new aerosol container is known as the RVR—Rim-Vent-Release—aerosol.

The RVR aerosol, basically takes ad-

vantage of a predictable sequence of events which occur every time an aerosol can is misused or permitted to become overheated. The "venting" device is simply a series of scores cut into the top of the aerosol can. When the top of a RVR aerosol buckles upward after becoming overheated, the scores open and release the pressure which has built up inside the can—and this prevents an explosion. Whenever a can of conventional design is overheated, excessive pressure buckles the top of the can and the container will burst if the pressure is not relieved.

Actually, the aerosol industry's safety record is quite good—less than 1/10,000 of 1 percent of aerosol containers have been involved in explosions. But as Mr. Judd H. Alexander, American Can's vice president who heads up the company's aerosol division, has told me, the industry cannot tolerate even one hazardous event. Mr. Alexander and his technical staff developed the RVR aerosol to eliminate the explosion hazard completely—even though the hazard is miniscule.

The development of a new, safer aerosol can represents a significant contribution to product safety and to public safety, and I would certainly like to commend the American Can Co. for its willingness to develop products that are responsive to the public's need for product safety.

(The remarks of Mr. Moss when he introduced S. 2691 are printed earlier in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

PRESIDENT NIXON'S FORTHCOMING TRIPS

Mr. BROOKE. Mr. President, in announcing his plans to visit Moscow next spring, President Nixon has once again demonstrated his extraordinary sensitivity to the need for balance in an effective foreign policy. I applaud his decision, for it demonstrates conclusively the seriousness of his intent to resolve outstanding differences among the major world powers and to achieve a "generation of peace."

Some weeks ago, President Nixon startled the world by stating his intention to visit Peking in the spring. This trip will be the first by an American head of state to the great Asian nation which faces us across the Pacific, and for that reason alone it has historic significance. But the fact that mainland China has been cut off from communication with the United States for more than 20 years lends a revolutionary character to the President's proposed undertaking.

The trip to Peking is full of promise for the future. It signifies our acceptance of the fact that the Government of 800 million people deserves to be heard, and must be heard in a world order which can only be held together by mutual cooperation. It makes clear that we have a common interest in trade and cultural contact. It holds forth, for the first time in the postwar period, the promise of a

normalization of international relations and the introduction of a truly flexible and stabilizing, multipolar political system.

But overtures to Peking cannot be made at the expense of our relations with other states. It will have gained us nothing if, in our attempts to establish contact with the People's Republic of China, we forfeit the good will of other states or raise the specter—however remote and unjustified—of seeking an alliance aimed against another power.

It is in this context, and as an assurance against this interpretation of his motives, that the President's announced trip to Moscow takes on such significance.

The President has made clear that the two trips are unrelated—and they should be. This country has many separate issues to explore with Moscow and Peking. The discussions of the President with the leaders of an Asian power with whom we have been out of touch for 20 years will assuredly be different from the items on the agenda for discussion with a European/Asian power equal to our own with whom we have kept up a sustained and productive dialog.

President Nixon's discussions in Moscow might focus on many issues of mutual concern. Hopefully, by the time of his visit in May of 1972, considerable progress will have been made at the SALT talks and there will be cause for mutual congratulations as well as an opportunity to chart directions for further talks.

Opportunities for expanded trade between the Soviet Union and the United States, as well as with the other nations allied with these two leading powers, will certainly be a subject for suitable discussion.

Outstanding areas of difference—such as Berlin, the divided Germanies, and even Cuba—might productively be discussed by the leaders of the world's two great powers.

Cooperative uses of modern technology ranging from nuclear energy to weather satellites, space exploration, and undersea developments can also be discussed at the Moscow meetings.

In sum, the President's trip holds forth the promise of resolving many issues of mutual concern. In this, as in his many wise and timely foreign policy undertakings, he deserves our commendation and full support.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I ask that morning business again be closed, and I ask unanimous consent that the distinguished Senator from Virginia (Mr. BYRD) be recognized for not to exceed 15 minutes, after which the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Morning business is concluded, and, without objection, the Senator from Virginia is recognized for not to exceed 15 minutes.

FORCED BUSING SOLELY ON THE BASIS OF RACE

Mr. BYRD of Virginia. Mr. President, I am alarmed at the continuing, if not the growing, tendency of the Department of Health, Education, and Welfare to attempt to force local school systems to assign teachers and pupils solely on the basis of race.

In pursuing this policy, the Civil Rights Office of Health, Education, and Welfare has arrogated unto itself functions of each of the three branches of Government.

The Department of Health, Education, and Welfare has ignored the expressed will of Congress on the question of busing of school children to achieve an artificial racial balance.

The Civil Rights Act of 1964 defines desegregation as assignment of students without regard to race, and states that desegregation "shall not mean the assignment of students to public schools in order to overcome racial imbalance."

In the Education Appropriations Act of 1969, 1970, and 1971 there are provisions that funds shall not be expended for the transporting of students to achieve a racial balance.

Nevertheless HEW remains adamant in its refusal to adhere to legislation enacted by the elected representatives of the people.

Even though the Department of Health, Education, and Welfare is a part of the executive branch of the Government, it has continuously flaunted the directive of the Chief Executive on the subject of busing. HEW appears to have set itself on a course of independence from the wishes of the President. I believe that positive action by the President is needed to bring a few overzealous officials back into line.

HEW is not content to assure the prerogatives of the legislative and executive branches of Government; it has taken it upon itself to interpret and enforce judicial decrees and even interfere in cases pending before the courts.

It is high time that the Department of Health, Education, and Welfare was reminded that it is not a fourth branch of the Government.

The Supreme Court ruled in 1954 that the public schools, in assigning teachers and pupils, shall not take race into account. Yet the evidence is overwhelming that HEW is demanding that race be the sole factor in such assignments.

I wish to relate to the Senate four examples in Virginia alone, of HEW's harassment.

Nansemond County, in southeastern Virginia, is one of the Nation's largest peanut producing areas. The county is, at present, operating its schools under order of the local Federal district court. Recently, the Justice Department filed a petition in the court alleging that the school board was guilty of certain discriminatory hiring practices. The court, after hearing the initial claim, ordered the Justice Department to furnish specific data to substantiate its charge.

While this matter was pending, Mr. Theodore Nixon, of HEW's Civil Rights

Office in Philadelphia, visited the county. In formal exhibits furnished to me by the Nansemond County School Board Chairman and Superintendent of Schools, Mr. Theodore Nixon is charged with conducting a completely one-sided investigation which led only to racial unrest; in addition, county officials found his manner to be "argumentative and discourteous." Mr. Theodore Nixon and his associates have refused to supply the county with any evidence of the alleged discrimination.

As a result of Mr. Theodore Nixon's "investigation," Nansemond County's request for funds under title IV of the emergency school assistance program was denied.

Thus the county was tried and convicted of discrimination by an HEW official who refused to confront those whom he accused, and while the whole question was before a Federal district court.

By what Constitutional authority has the Civil Rights Office of HEW assumed the role of the judiciary in this country? Can any Senator answer that question for me?

The second incident involves Charlotte County, a rural county in southside Virginia.

This county, which has successfully operated an integrated school system for several years, recently was ordered by Mr. Ronald Gilliam of the Philadelphia HEW office to transfer teachers from one school to another solely on the basis of race.

Perhaps because the spirit of that great champion of liberty, Patrick Henry, still lingers on in his native county, the superintendent of education, Mr. J. H. Hoppe, refused to accede to this illegal demand and rejected the HEW bribe. Yes, rather than submit to continuous HEW harassment, this small rural county has chosen to refuse Federal funds.

I believe that the superintendent not only speaks for the people of Charlotte County, Va., but, indeed, for all sensible Americans, when he asserts:

We cannot legally assign personnel solely on the basis of race.

Indeed, his entire letter is one of good commonsense, and I ask unanimous consent that the text of Mr. Hoppe's letter be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BYRD of Virginia. Mr. President, third, I ask the Senate to consider the case of Accomack County. Accomack is one of two counties on Virginia's delightful Eastern Shore, the narrow peninsula between the Chesapeake Bay and the Atlantic Ocean. The Eastern Shore is separated from the Virginia mainland by 25 miles of water.

For many years Accomack has been subjected to HEW's ridiculous demands. At one point an HEW "expert" in Washington or Philadelphia decided that black students from the Eastern Shore mainland should be transported to tiny Tangier Island in the middle of the Chesapeake Bay. This would have established

the novel precedent of boating to achieve a racial balance. When the irrationality of this suggestion was called to HEW's attention, an unnamed employee admitted that no one had any knowledge of Tangier's geographic situation. After obtaining a roadmap, HEW abandoned this plan.

The second case of HEW harassment in Accomack County involved Chincoteague Island on the Atlantic shore. HEW has demanded that additional students from the Eastern Shore mainland be bused to this island's already overcrowded schools in order to establish a desired racial balance.

Dr. Eloise Severinon, the Chief of the Philadelphia office, was informed of the overcrowding on Chincoteague, yet she still persisted in directing her subordinates, Messrs. N. E. King and Theodore Nixon, to push for more assignments solely on the basis of race.

In an informal meeting with the Accomack School Board, these two gentlemen admitted that the schools were overcrowded, but suggested that the school board could lengthen the school day and convert the gymnasium into classroom space to accommodate the students who were to be bused.

Imagine that. A demand that a school be physically emasculated to carry out HEW's racial programs.

During one telephone communication, Mr. Theodore Nixon is alleged to have said that racial mixing was his sole concern.

This situation closely parallels that detailed by the distinguished junior Senator from Alabama (Mr. ALLEN) in his speech of September 23, when he recalled the comment by a Government official who stated to Alabama educators that:

We don't give a damn about education. We are only interested in mixing them in the South.

The fourth incident concerns the treatment of the public schools of the progressive central Virginia county of Albemarle.

Dr. Eloise Severinon, head of the HEW Philadelphia Civil Rights Office, who has concerned herself in the past with such matters as the racial composition of a high school majorette corps and the racial hiring of private college football coaches, commenced to harass Albemarle on the subject of increased busing and teacher assignment.

In a recent letter to the school board, she took it upon herself to interpret the decisions of the U.S. Supreme Court and apply them to Albemarle; she also demanded submission of a complicated plan of compliance within 2 days of the receipt of her letter.

In protesting this action to Secretary Richardson, I said that this letter of Dr. Severinon's was the epitome of bureaucratic arrogance. I called to Secretary Richardson's attention the statement of the White House Press Secretary, commenting upon the President's opposition to compulsory busing when he said:

Those who work within the government

are going to be responsive; those who are not responsive will find themselves involved in other assignments or quite possibly in assignments other than the federal government.

I repeat my comment that a good place to begin would be with Dr. Severinon.

Mr. President, since the days of Washington and Jefferson, the people of Virginia have cherished their individual liberties. They are now speaking with one voice on this subject of arbitrary assignments on the basis of race.

Virginians are not alone in this outcry; their thoughts are now being echoed by citizens of New York, Michigan, and elsewhere. Only a few weeks ago, the Chinese of San Francisco made their deep feelings known to the whole country. The recent Gallup poll on the question of busing makes quite clear the fact that the American people are demanding action by the Congress and by the President.

The Congress has spoken out on this issue; it is now time for the President to take action to follow through on his antibusing statements.

It is no longer a question of sectionalism. All Americans, North and South, black and white, I feel, desire to regain control of their schools, so that education can, once more, be the principal, if not the sole, function of our public school system.

EXHIBIT 1

SEPTEMBER 23, 1971.

MR. RONALD GILLIAM,
Office of Civil Rights, H.E.W. Region 3,
Philadelphia, Pa.

DEAR MR. GILLIAM: I have considered your demand concerning the moving of teaching personnel within our school system, from school to school, using race as the sole criteria in order that we may obtain Title IV funds to which we are entitled for use in our school program. I have discussed it with our School Board chairman and with supervisory personnel and I must advise you as follows:

Your demand is not consistent with your own definition of desegregation in your own regulations as applied to students, so why are teaching personnel different?

We cannot legally assign personnel solely on the basis of race.

We assign teaching personnel primarily on the basis of school division educational needs, their qualifications to meet these needs and do not discriminate in any way on the basis of race, color or creed, as the law requires.

Such assignments as you demand will produce, in our small school division, a psychological set-back to our constantly improving race relations. It will serve to emphasize race-consciousness where the only way to real integration is to subordinate such psychological barriers to realistic relationships.

Such ratios as you propose have no sound basis in fact for improvement of race relations. If this were true, we would have to re-locate millions of Americans all over the United States.

We have a good program in the building stages working for the improvement of opportunities for all, with special emphasis on the economically and socially deprived youngsters, of whom our county has a high percentage, as compared to others.

However, if failing to comply with your demand means we may not receive our allotted share of ESAP funds, so be it. You will only be working to the detriment of needy

people, which I do not believe is the goal of ESAP.

Sincerely,

J. H. HOPPE,
Division Superintendent,
Charlotte County Public Schools.

CONSTITUTIONAL CONVENTIONS

The PRESIDING OFFICER. Under the previous order, the Chair now lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 215) to provide for calling constitutional conventions for proposing amendments to the Constitution of the United States, on application of the legislatures of two-thirds of the States, pursuant to article V of the Constitution (together with separate views).

ORDER TO RECOGNIZE SENATOR EAGLETON ON TUESDAY NEXT, INSTEAD OF FRIDAY NEXT

MR. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order previously entered for the recognition of the Senator from Missouri (Mr. EAGLETON) for not to exceed 15 minutes on Friday be vacated.

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

MR. BYRD of West Virginia. Mr. President, I ask unanimous consent that the same order be entered for Tuesday next, immediately after the recognition of the two leaders under the standing order.

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

PROGRAM FOR FRIDAY

MR. BYRD of West Virginia. Mr. President, the program for Friday is as follows:

The Senate will convene at 11 a.m. After the recognition of the two leaders under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes and in the order stated: Mr. JAVITS and Mr. PROXMIRE.

Following the remarks of the two Senators whose names have just been mentioned, the Senate will proceed to the consideration of routine morning business for a period of not to exceed 30 minutes, with statements limited therein to 3 minutes.

Following the routine morning business, the Senate will return to the consideration of the unfinished business, but the majority leader has asked me to state that that business will remain before the Senate for a resumption of consideration on Tuesday next.

So there will be no rollcall votes on Friday, and the joint leadership has indicated that it is hoped that committees will take every advantage of this opportunity to work without being interrupted for rollcalls, in order to report bills and resolutions to the Senate for floor action, the calendar being virtually clear.

ADJOURNMENT UNTIL FRIDAY, OCTOBER 15, 1971, AT 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m., on Friday.

The motion was agreed to; and (at 1 o'clock and 35 minutes p.m.), the Senate

adjourned until Friday, October 15, 1971, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate October 13, 1971:

U.S. DISTRICT COURTS

William C. Stuart, of Iowa, to be a U.S. district judge for the southern district of Iowa, vice Roy L. Stephenson.

AMBASSADOR

Fred J. Russell, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW

W. W. Little, of Arizona, to be a Member of the Federal Metal and Nonmetallic Mine Safety Board of Review for the term expiring September 15, 1976. (Reappointment)

HOUSE OF REPRESENTATIVES—Wednesday, October 13, 1971

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Whosoever will save his life shall lose it: and whosoever will lose his life for My sake shall find it.—Matthew 16: 25.

Eternal God, who committest to us the swift and solemn trust of life: Since we know not what a day may bring forth, but only that the hour for serving Thee is always present, may we wake to the instant claims of Thy holy will, not waiting for tomorrow, but yielding today. Consecrate with Thy presence the way our feet may go that the humblest work may shine and the rough places be made smooth. Lift us above unrighteous anger and undue mistrust into faith, hope, and love by a simple and steadfast reliance upon Thee.

Through our oneness with Thee make us one with our fellowmen across all boundaries of color, creed, and culture. May our sympathies be wide, our loyalties high, and our devotion deep. In this day give to us and to our Nation light to lead us, strength to support us, and love to unite us.

In the mood of the Master we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 29, 1971:

H.J. Res. 782. Joint resolution to authorize the President of the United States to issue a proclamation to announce the occasion of the celebration of the 125th anniversary of the establishment of the Smithsonian Institution and to designate and to set aside September 26, 1971, as a special day to honor the scientific and cultural achievements of the Institution.

On September 30, 1971:

H.R. 7048. An act to amend the Communications Act of 1934, as amended, to establish a Federal-State Joint Board to recommend uniform procedures for determining what part of the property and expenses of

communication common carriers shall be considered as used in interstate or foreign communication toll service, and what part of such property and expenses shall be considered as used in intrastate and exchange service; and for other purposes.

On October 5, 1971:

H.R. 10538. An act to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961; and

H.R. 10090. An act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commission for the fiscal year ending June 30, 1972, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7072. An act to amend the Airport and Airway Development Act of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2652. An act to provide an elected Mayor and City Council for the District of Columbia, and for other purposes.

THE LATE HONORABLE HENDERSON H. CARSON

(Mr. BOW asked and was given permission to address the House for 1 minute.)

Mr. BOW. Mr. Speaker, it is with sadness I rise today to advise the House of the passing of a former Member of this body, one of my predecessors from the 16th Congressional District of Ohio and a very dear friend.

Henderson H. Carson, who was a Member of this body in the 78th and 80th Congresses, passed away in our home city of Canton last week.

When Mr. Carson was a Member of this body he was an important member of the House Committee on Interstate and Foreign Commerce, where he played a great and important role in the legislation affecting natural gas.

Mr. Carson was a native of Cadiz, Ohio. He was an Army veteran of World War I. He was a graduate of the Cleveland School of Law and Baldwin-Wallace College.

He began practicing law in Canton, Ohio, in 1922. He had also served in the legal department of the Pennsylvania Railroad. He was a very active member of the Ohio bar.

He shall be missed in our community. He is survived by his widow, Ella W. Carson, and two daughters, Mrs. Leonard Snyder, of New Philadelphia, Ohio, and Mrs. Frank Condit, of Brecksville, Ohio.

Mrs. Bow and I extend to Mrs. Carson and the other members of the family our deep sympathy of the passing of this fine man. I am sure those who served with Henderson Carson during the 78th and 80th Congresses will join with me in sorrow at the passing of this fine and outstanding gentleman.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Ohio yield?

Mr. BOW. I am glad to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I wish to share in the views, observations, and expressions of sympathy set forth by the gentleman from Ohio. I, too, served with Mr. Carson. I did not know him as intimately as the gentleman from Ohio, but he was a good friend and a fine legislator.

I join in extending to his family our deepest sympathy.

Mr. BOW. I thank our distinguished minority leader.

GENERAL LEAVE

Mr. BOW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to express their views on life, character, and service of the late Honorable Henderson H. Carson.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

THE LATE HONORABLE DEAN ACHESON, FORMER SECRETARY OF STATE

(Mr. BOGGS asked and was given permission to address the House for 1 minute.)

Mr. BOGGS. Mr. Speaker, I take this time to note with sadness the passing of a great American statesman, Dean Acheson.

Many of the Members of this body knew Mr. Acheson not only as one of the men who put together a coalition of