

By Mr. FISH:

H.R. 11400. A bill to amend title 38 of the United States Code to authorize the enrollment of eligible veterans in a course offered by an institution which has changed its location; to the Committee on Veterans' Affairs.

By Mr. FULTON of Tennessee:

H.R. 11401. A bill to declare the policy of Congress and to define the powers of Federal courts with respect to transportation or assignment of students to achieve racial balance in the public schools; to the Committee on the Judiciary.

By Mrs. GRASSO (for herself and Mr. BRADEMANS):

H.R. 11402. A bill to authorize a national summer youth sports program; to the Committee on Education and Labor.

By Mr. MCKAY:

H.R. 11403. A bill to authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the boundaries of the Cache National Forest in the State of Utah; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 11404. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. QUILLEN:

H.R. 11405. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 11406. A bill to amend the Economic Stabilization Act of 1970, as amended, to exempt any individual whose earnings are substandard or who is amongst the working poor or near poor from any wage freeze under that act, as amended, and amendments thereto and regulations issued thereunder pursuant to Executive Order 11615; to the Committee on Banking and Currency.

By Mr. SARBANES:

H.R. 11407. A bill to provide for the establishment of a national cemetery in the State of Maryland and to provide for the care and maintenance of said cemetery; to the Committee on Veterans' Affairs.

By Mr. SEBELIUS (for himself and Mr. BEGICH, Mr. BEVILL, Mr. BROWN of Michigan, Mr. BROXHILL of North Carolina, Mr. CEDERBERG, Mr. DON H. CLAUSEN, Mr. CLEVELAND, Mr. DU PONT, Mr. ESCH, Mr. GUBSER, Mr. HALEY, Mr. HARVEY, Mr. HILLIS, Mr. JONES of North Carolina, Mr. LANDGREBE, Mr. LEGGETT, Mr. LENNON, Mr. MCCOLLISTER, Mr. MCKAY, Mr. McMILLAN, Mr. ROBISON of New York, Mr. RUNNELS, Mr. STEIGER of Wisconsin, and Mr. VANDER JAGT):

H.R. 11408. A bill to provide incentives for the establishment of new or expanded job-

producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. SHRIVER (for himself and Mr. WINN):

H.R. 11409. A bill to amend the Occupational Safety and Health Act of 1970 to exempt small farmers from its requirements; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 11410. A bill to amend title 38 of the United States Code relating to basic provisions of the loan guarantee program for veterans; to the Committee on Veterans' Affairs.

By Mr. VEYSEY:

H.R. 11411. A bill to permit suits to adjudicate disputed titles to lands in which the United States Code to authorize the Committee on the Judiciary.

By Mr. CELLER:

H.R. 11412. A bill to amend title 18 of the United States Code to authorize the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released; to the Committee on the Judiciary.

By Mr. ESCH (for himself and Mr. STEIGER of Wisconsin):

H.R. 11413. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. MIKVA (for himself, Mr. MATSUNAGA, Mr. MITCHELL, Mr. MOORHEAD, Mr. PEPPER, Mr. PODELL, Mr. PREYER of North Carolina, Mr. REID of New York, Mr. RANGEL, Mr. RIEGLE, Mr. ROSENTHAL, Mr. ROY, Mr. RYAN, Mr. SCHWENDEL, Mr. WOLFF, Mr. LINK, and Mr. DENHOLM):

H.R. 11414. A bill to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age; to the Committee on the Judiciary.

By Mr. MIKVA (for himself, Mr. ADAMS, Mr. ASPIN, Mr. BADILLO, Mr. BEGICH, Mr. COTTER, Mr. DRINAN, Mr. DELLUMS, Mr. EDWARDS of California, Mr. EILBERG, Mr. ESCH, Mr. FLOOD, Mr. FOLEY, Mr. FORSYTHE, Mr. FRASER, Mr. FRENZEL, Mr. GALLAGHER, Mrs. GRASSO, Mr. GUDE, Mr. HALPERN, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mrs. HICKS of Massachusetts, Mr. HORTON, and Mr. KEATING):

H.R. 11415. A bill to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 11416. A bill to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air trans-

portation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS (for himself and Mr. SPRINGER) (by request):

H.R. 11417. A bill to amend the Rail Passenger Service Act of 1970 to provide financial assistance to the National Railroad Passenger Corp., for the purpose of purchasing railroad equipment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 11418. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes.

By Mr. GUDE (for himself, Mr. FRASER, Mr. DUNCAN, Mr. MCCOLLISTER, Mr. MOSHER, Mr. WALDIE, Mr. RANGEL, Mr. PEPPER, Mr. HARVEY, Mr. DRINAN, Mr. RIEGLE, Mr. BYRNE of Pennsylvania, Mr. DOW, and Mr. BURTON):

H. Con. Res. 435. Concurrent resolution expressing congressional recognition of a declaration of general and special rights of the mentally retarded; to the Committee on Interstate and Foreign Commerce.

By Mr. GUDE (for himself, Mr. JONES of Tennessee, Mr. McDADE, Mr. HELSTOSKI, Mr. ROSENTHAL, Mrs. HECKLER of Massachusetts, Mr. LINK, Mr. ROE, Mr. HORTON, Mr. BURKE of Florida, Mr. KLUCZYNSKI, and Mr. MCKINNEY):

H. Con. Res. 436. Concurrent resolution expressing congressional recognition of a declaration of general and special rights of the mentally retarded; to the Committee on Interstate and Foreign Commerce.

By Mr. HANLEY:

H. Con. Res. 437. Concurrent resolution to protect the domestic specialty steel industry; to the Committee on Ways and Means.

By Mr. THONE:

H. Con. Res. 438. Concurrent resolution urging units and individual members of the armed services to engage in civic works; to the Committee on Armed Services.

By Mr. HOWARD:

H. Res. 659. Resolution expressing the sense of the House with respect to disclosure of the results of the national nutrition survey; to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. ROYBAL presented a bill (H.R. 11419) for the relief of Carlos R. Johnson, which was referred to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

148. The SPEAKER presented a petition of Larry H. Bogle, Long Beach, Calif., relative to the admission of the Peoples Republic of China to the United Nations, which was referred to the Committee on Foreign Affairs.

## SENATE—Thursday, October 21, 1971

The Senate met at 12 o'clock noon and was called to order by Hon. LLOYD BENTSEN, a Senator from the State of Texas.

### PRAYER

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

Almighty God, rule over the deliberations of this body, to Thy glory, and for the good of this Nation.

Make us mindful of all veterans, the

causes they served and the Nation's obligation to them. Be especially near those who bear in their bodies the wounds of battle or in their spirits suffer the deeper trauma to the inner being. Be with the lonely, the homeless, and those who feel neglected, to comfort and sustain them. May the days we celebrate assure each one of them that a compassionate and concerned people remember them with gratitude. And may this time renew in all the people a determination henceforth to eschew the stern arbitrament of the

sword, to resolve conflicts by adjudication, and to bring in the reign of peace with justice.

We pray in the name of the Prince of Peace. Amen.

### DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter.

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., October 21, 1971.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. LLOYD BENTSEN, a Senator from the State of Texas, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,  
President pro tempore.

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

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Leonard, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore (Mr. BENTSEN) laid before the Senate a message from the President of the United States submitting the nomination of James R. Thompson, Jr., of Illinois, to be U.S. attorney for the northern district of Illinois, which was referred to the Committee on the Judiciary.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 429) providing for an adjournment of the two Houses from Thursday, October 21, 1971, to Tuesday, October 26, 1971.

The message also announced that the House had passed a bill (H.R. 10367) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes, in which it requested the concurrence of the Senate.

#### ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 923) to assure that every needy schoolchild will receive a free or reduced price lunch as required by section 9 of the National School Lunch Act.

#### HOUSE BILL REFERRED

The bill (H.R. 10367) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 20, 1971, be dispensed with.

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

#### COMMITTEE MEETINGS DURING SENATE SESSION

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

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

#### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 399, 400, and 401.

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

#### AUTHORIZATION FOR EXPENDITURES FROM THE CONTINGENT FUND TO IMPROVE THE PAYROLL AND PERSONNEL SYSTEM OF THE SENATE

The resolution (S. Res. 184) authorizing expenditures from the contingent fund to improve the payroll and personnel system of the Senate, was considered and agreed to, as follows:

S. Res. 184

*Resolved*, That the Committee on Rules and Administration is authorized to expend, from the contingent fund of the Senate, not to exceed \$145,000, to improve through the use of computers the payroll and personnel system of the Senate. Expenses of the committee under this resolution shall be paid upon vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-401), explaining the purposes of the measure.

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

Senate Resolution 184 would authorize the Committee on Rules and Administration to expend, from the contingent fund of the Senate, not to exceed \$145,000 to improve through the use of computers the payroll and personnel system of the Senate.

This proposal was included in the report of the Secretary of the Senate entitled "Administrative Reorganization of the Office of the Secretary of the Senate," which report documents a survey of the Office of the Secretary requested by the Joint Leadership. The pertinent excerpt from that report is as follows:

2. *Modernization of Disbursing Office operations.*—The Administrative Survey noted that the Senate is the only agency of government to continue the practice of cash payroll distributions. About 60% of the 1970 payroll was disbursed in cash with consequent security risks to the Senate and to a great many of its employees who must carry their wages to the bank in currency.

The Survey also noted that the Senate Disbursing Office, unlike any other public or private employer, is exempt from withholding local and state income taxes, whether for the Washington, D.C. area or for home state jurisdictions, with consequent inconvenience to countless persons who wish to fulfill these responsibilities in an orderly fashion.

At my request and under the direction of the Financial Clerk, the traditional man-

ual bookkeeping procedures which have been used are being examined thoroughly and already have been supplemented by increasing mechanization in order to meet the needs of an annual payroll volume which is now about 4,000 to 6,000 employees. While the manual system permits satisfactory individualized service (and that service will be maintained as an essential service for the Members of the Senate), it does not lend itself to high-speed mass processing of such a large payroll. As a result, the system has not been able to process check payments on a semi-monthly basis, nor has it been able to handle the separate transactions necessary for the computation of local taxes.

The Administrative Survey noted that these problems might be handled by modern automatic data processing procedures on the IBM 360-40 computer which is already under lease to the Senate, without impairment of personalized service to Senators. It recommended that steps be taken to make fuller use of such technology and thereby offer a more complete service to all employees of the Senate.

I am pleased to be able to report to you that steps in this direction are underway in the Disbursing Office. Initial emphasis is being placed on the practice, already employed by other agencies of government of making composite bank deposits on behalf of employees.

Special authority to make such transfers from the Senate Disbursing Office is pending as part of a bill to amend the Legislative Reorganization Act of 1970, and initial implementation will be for those employees for whom individual checks are presently being deposited. On that basis alone, an expected 60-to-one reduction in the volume of checks to be written each payday will result. Ultimately, the Disbursing Office hopes to offer this service on a semi-monthly basis to persons who are now being paid in cash, with a consequent substantial curtailment in cash disbursements.

Simultaneously, discussions have been held with private data processing firms and with the staff of the Committee on Rules and Administration Subcommittee on Computer Services, relative to the fuller use of modern computer capability to process the Senate payroll. Various proposals are under study at this time and recommendations are expected in the not too distant future.

By joint letter dated June 10, 1971, addressed to the Secretary of the Senate, the Joint Leadership (Senators Mansfield and Scott) endorsed the above proposal as follows:

Your proposal to bring about adjustments in the Senate Disbursing Office which will permit a curtailment of the use of cash in payroll disbursements and an optional withholding of District or state income taxes are changes which seem to me (us) clearly desirable and long past due in the light of the security situation and the present size of the Senate staff. I (we) urge that you have the Financial Clerk move ahead in this area as promptly as possible.

By letter dated July 8, 1971, Francis R. Valeo, Secretary of the Senate, advised Senator B. Everett Jordan, chairman of the Committee on Rules and Administration, of the interest of the Joint Leadership (Senators Mansfield and Scott) in the automation of payroll procedures in the Senate Disbursing Office, and requested the approval and assistance of the committee in the implementation of that proposal. The Secretary's letter, in pertinent part, is as follows:

U.S. SENATE,  
OFFICE OF THE SECRETARY,  
Washington, D.C., July 8, 1971.

HON. B. EVERETT JORDAN,  
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR JORDAN: I am writing to request the approval and assistance of your Committee in the solicitation of proposals

for computer services necessary to the automation of payroll procedures in the Senate Disbursing Office.

The principal policy objectives of this automation program have been outlined in my recent report to the Joint Leadership and confirmed by the letter of the Majority and Minority leaders to me, copies of which have been forwarded to you in previous correspondence.

A further technical requirement is that any such system must be maintained on an in-house basis so that it can function as a high-speed information service to the Senate as well as a payroll distribution system. It is my understanding that some preliminary unsolicited studies have been undertaken which suggest possible approaches to meeting these objectives.

Should your Committee agree to go forward in this area, it would be my hope that invitations for proposals could be issued prior to the August recess so that proposals could be reviewed and evaluated in the early fall, with a view toward possible implementation in 1972. I appreciate your assurance in your letter of July 6 that your staff is already giving some advance consideration to this matter.

Sincerely,

FRANCIS E. VALEO,  
Secretary of the Senate.

At its first formal meeting, on July 9, 1971, the Subcommittee on Computer Services considered and approved the proposal to modernize procedures in the Senate Disbursing Office. In its report to the full committee, the subcommittee stated in part:

"This would require the solicitation of bids from and contracting with a qualified company to design and implement an improved payroll and personnel system which would be operated by the Senate's computing facility. The request for proposals would be distributed to selected contractors before the August recess with a target contract award to be made during October 1971. It is estimated that the system, if approved and funded, would be made operational during the third or fourth quarters of 1972."

The Committee on Rules and Administration adopted the report of its subcommittee on July 21, 1971.

Senate Resolution 184 would serve to implement this proposal to improve the payroll and personnel system of the Senate which has been recommended by the Secretary of the Senate and approved by the Joint Leadership, by the Subcommittee on Computer Services, and by the Committee on Rules and Administration. This resolution would authorize the expenditure of not to exceed \$145,000 for that specific purpose. Other expenditures involving the application of computer technology to Senate services, and indicated in the subcommittee report above, would be accommodated by Senate Resolution 175, which is also being reported favorably to the Senate.

#### AUTHORIZATION FOR THE PRINTING OF THE STUDY ENTITLED "INTERNATIONAL COOPERATION IN OUTER SPACE: A SYMPOSIUM" AS A SENATE DOCUMENT

The concurrent resolution (S. Con. Res. 44) authorizing the printing of the study entitled "International Cooperation in Outer Space: A Symposium" as a Senate document, was considered and agreed to, as follows:

S. CON. RES. 44

Resolved by the Senate (the House of Representatives concurring), That the study

entitled "International Cooperation in Outer Space: A Symposium", prepared for the use of the Senate Committee on Aeronautical and Space Sciences under the direction of the staff of such committee, be printed with illustrations as a Senate document, and that there be printed three thousand additional copies of such document for the use of that committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-403), explaining the purposes of the measure.

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

Senate Concurrent Resolution 44 would provide (1) that the study entitled "International Cooperation in Outer Space: A Symposium," prepared for the use of the Senate Committee on Aeronautical and Space Sciences under the direction of the staff of such committee, be printed with illustrations as a Senate document; and (2) that there be printed 3,000 additional copies of such document for the use of that committee.

This proposal is similar to that contained in Senate Resolution 123, referred to the Committee on Rules and Administration on May 13, 1971. Since the concurrence of the House of Representatives is required on proposals to print additional copies costing in excess of \$1,200 (44 U.S.C. 703), the Committee on Rules and Administration is expressing its approval of this proposal by reporting out this original concurrent resolution in lieu of Senate Resolution 123.

#### AUTHORIZATION FOR SUPPLEMENTAL EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION FOR AN INQUIRY AND INVESTIGATION RELATING TO THE USE OF COMPUTER SERVICES FOR THE SENATE

The Senate proceeded to consider the resolution (S. Res. 175) authorizing supplementary expenditures by the Committee on Rules and Administration for an inquiry and investigation relating to the use of computer services for the Senate which had been reported from the Committee on Rules and Administration with an amendment to strike out all after "Resolved" and insert:

That Senate Resolution 28, Ninety-second Congress, agreed to March 1, 1971, is amended as follows:

(1) Redesignate sections 3 and 4 as sections 4 and 5, respectively.

(2) Insert after section 2 the following new section:

Sec. 3. The Committee on Rules and Administration, or any subcommittee thereof, is authorized from the date the resolution adding this section is agreed to through February 29, 1972, to expend not to exceed the sum of \$78,000 to examine, investigate, and make a complete study of any and all matters relating to the use of computer services for the Senate. Of such sum, not to exceed \$45,000 may be expended for the procurement of individual consultants and organizations thereof.

(3) In section 5, as redesignated by this resolution, insert immediately after the words "this resolution" a comma and the following: "which shall not exceed in the aggregate \$191,000."

The amendment was agreed to. The resolution, as amended, was agreed to.

The title was amended, so as to read: "Resolution authorizing supplemental expenditures by the Committee on Rules and Administration for an inquiry and investigation relating to the use of computer services for the Senate."

#### EXECUTIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar, beginning with page 2.

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

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar, beginning with page 2, will be stated.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The second assistant legislative clerk read the nominations in the National Oceanic and Atmospheric Administration, as follows:

Carl R. Berman, Jr., to be lieutenant.  
John W. DeCoste, to be lieutenant.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

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

#### RENEGOTIATION BOARD

The second assistant legislative clerk read the nomination of Richard T. Burrell, of Maryland, to be a member of the Renegotiation Board.

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

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

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

#### LEGISLATIVE SESSION

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

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

#### AUTHORIZATION FOR SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN ENGROSSMENT OF SENATE AMENDMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make the following technical corrections, which I send to the desk, in the engrossment of the Senate amendment to the House amendment to Senate Amendment No. 2, which was agreed to by the Senate on October 19, 1971.

In lieu of the matter proposed to be inserted by the House amendment insert the following:

By striking out such item and inserting in lieu thereof the following:

"	Trinitrotoluene:				
405.04	Valued not over 15 cents per pound.....	1.7 per lb. + 11% ad val.	7¢ per lb. + 45% ad val.		
405.05	Valued over 15 cents per pound.....	Free	7¢ per lb. + 45% ad val."		

The rate of duty in rate column numbered 1 of the Tariff Schedules of the United States for item 405.05 (as added by this subsection) shall be treated as not having the status of statutory provisions enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

The ACTING PRESIDENT pro tempore. Without objection, the corrections will be made.

Mr. MANSFIELD. Mr. President, these corrections make no substantive changes whatsoever—they are designed solely to carry out the intent of what the Senate intended to do.

**NOBEL PEACE PRIZE WINNER. CHANCELLOR WILLY BRANDT**

Mr. MANSFIELD. Mr. President, it was with interest and appreciation that I read in the newspaper on yesterday that the Chancellor of the Federal Republic of West Germany, Willy Brandt, had been awarded the Nobel Peace Prize.

I can think of no better recipient than Chancellor Brandt who, throughout his entire career, dating back to the days of Hitler and continuing down to the present, has shown himself to be forwardlooking, imaginative, and courageous. I certainly approve of the steps which he has undertaken to bring about peace in Europe during his time, beginning with the preliminary talks in Moscow and Warsaw and leading up to what many of us hope will eventually be treaties between Poland and the Soviet Union on the one hand and the West German Republic on the other.

We know of his great initiative and courage in helping to get the Berlin talks underway and the responsibility which was his in arriving at the agreement signed by the plenipotentiaries of the four powers.

We know that now the two Germans are considering tentative agreements. We hope before too long that those agreements will be signed and the final stamp of approval then put on by the ambassadors of the four powers.

If and when that is done, then I would think the next step would be the signing of the treaties between West Germany and Poland and the Soviet Union; and when that is done, then I would look forward to an all-European security conference attended by the United States and Canada from outside the European Continent.

Mr. President, the reason I go into this little detail is to indicate that Chancellor

Willy Brandt is not only a man for all seasons but also a man of his time.

I want to commend those who awarded the Nobel Peace Prize to Willy Brandt and say that the recipient well deserves it. As a matter of fact, in my opinion, no one deserves it more.

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

Mr. MANSFIELD. I am delighted to yield to the distinguished minority leader.

Mr. SCOTT. Mr. President, I am very proud of the fact that I am a longtime friend of Chancellor Willy Brandt, as I am of other leaders of the West German Republic.

I join in what the distinguished majority leader has said in praise of Chancellor Willy Brandt. He well deserves the award.

Next year, I would hope it may be possible for me and many others to nominate for the Nobel Peace Prize—in the event an agreement has been reached on either the SALT talks or on the Middle East—the President of the United States and the appropriate leaders of the U.S.S.R.

(The remarks of Mr. Scott when he introduced S. 2733 are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

**THE FUTURE LEGISLATIVE PROGRAM**

Mr. SCOTT. Mr. President, prior to the Senate recessing for what I hope will be the last recess before sine die adjournment, I would like to comment further on the colloquy that took place Tuesday between the majority leader and myself.

The majority leader outlined a very ambitious and extensive legislative program for action before the hoped for adjournment not later than December 1. I am sure that we would both be very happy if an earlier target date of mid-November might be reached.

As minority leader, I am quite pleased that the Senate will be considering so many of the President's legislative proposals before adjournment. I think the Senate membership on both sides of the aisle are to be commended for the progress that has been made so far and will continue to be made in these closing weeks.

The majority and minority whips have performed yeoman service to the Senate in scheduling legislation and working out time agreements so that legislation can be handled expeditiously.

As I indicated earlier I am pleased by the extensive schedule outlined by the majority leader, but I would like to mention just a few items that are of utmost importance that are unfortunately not scheduled for action.

I am aware that the President's revenue-sharing plan has not received consideration by the House Ways and Means Committee and, therefore, cannot be considered by the Senate. I would hope that early next year the House would act and that the Senate would move expeditiously when it has some-

thing before it. This, Mr. President, is a most important proposal for our States and cities, and I hope for early action.

Also, Mr. President, I notice that the Ways and Means Committee is holding hearings on health care legislation. Here again, this is a most important area for consideration. The necessity for providing Federal assistance to our citizens in meeting the burgeoning costs of medical care cannot be minimized. I hope for early action on this proposal also. We cannot adjourn this Congress without effectively meeting the health care needs of our people.

Finally, Mr. President, let me say that I hope the Senate can act before adjournment on the Okinawa Reversion Treaty. This is an important treaty, and I commend the majority leader for scheduling it and hope the Senate will act before adjournment.

I also commend the majority leader for scheduling action on the Supreme Court nominees to be submitted shortly, and I would hope that expeditious action would be taken by the committee and the Senate. Also I hope that committees that have nominees for Federal positions before them would report them to the Senate so all could be considered before the end of this session.

Having said all that, let me return to my earlier statement to once again commend the majority leader for his outstanding leadership in the Senate and his diligence in keeping the Senate moving to do the country's business. I think if we can complete the schedule as outlined, Senators can return home for the holidays with a feeling of great accomplishment for the first session of the 92d Congress. While much remains to be done in the second session, we will have made encouraging progress.

**PRESIDENT'S ANNOUNCEMENT OF SUPREME COURT NOMINEES**

Mr. SCOTT. Mr. President, tonight at 7:30 the President will announce by nationwide radio and television his nominees to fill the two vacant seats on the Supreme Court. I hope that would-be critics would at least defer their criticism until they know the names of the President's nominees. That would be gracious. That would be timely. That would be orderly. And that would be unique. [Applause.]

The ACTING PRESIDENT pro tempore. The occupants of the galleries will please be in order. If there are any further outbreaks, the galleries will be cleared.

Mr. MANSFIELD. Mr. President, may I say that I think the announcement just made by the distinguished minority leader is very welcome.

I must admit that I was getting a little bit concerned while reading the papers that perhaps the names of the nominees might not be forthcoming until next week.

This is good news. We look forward with anticipation to the President's announcement of the names of his nominees to the Nation.

I express the hope—and I know the

distinguished minority leader joins with me in that hope—that once the names are announced, the Judiciary Committee will start hearings immediately.

Mr. SCOTT. Mr. President, I thank the majority leader.

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

Mr. SCOTT. Mr. President, I ask unanimous consent, subject to any special orders, that I may proceed for 3 additional minutes. Would the distinguished junior Senator from Pennsylvania yield me 3 minutes?

Mr. SCHWEIKER. I yield 3 minutes to the distinguished senior Senator from Pennsylvania.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized for 3 minutes.

#### THE CONFLICT BETWEEN INDIA AND PAKISTAN

Mr. SCOTT. Mr. President, the recurring rumors, which appear to have much substance in point of fact, concerning the fact that the situation between India and Pakistan is deteriorating rapidly, are of grave concern among all peace-loving and peace-minded peoples, which I think includes most of the world. It is feared that this dispute might degenerate into an actual armed conflict.

I would appeal to our own country and to other nations of the world to do everything possible to avoid this tragic eventuality. I would urge all Senators to avoid taking sides in such a controversy. I would certainly expect that we would not ourselves become involved, and I would hope that it be made clear to both of these nations that our continuing programs of assistance to them could indeed be jeopardized—and I say this only as a personal statement—by a sudden resort to the arbitrament of war.

I therefore sincerely hope, in spite of these very ominous clouds that are gathering on the horizon and along the borders of the two nations, that this can be avoided. In any event, it is necessary for the United States to remember its neutrality. And I think it would be wise for us in the Senate, until we see what eventuates, to avoid choosing up sides. It could only be divisive in our own country.

#### ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senator from Pennsylvania is recognized for 15 minutes.

(The remarks of Mr. Schweiker when he introduced S. 2734 are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

#### APPOINTMENTS BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. BENTSEN). The Chair, on behalf of the Vice President, appoints the following Senators to attend the 16th session of the Food and Agriculture Or-

ganization to be held in Rome, Italy beginning November 6, 1971: the Senator from Florida (Mr. CHILES) and the Senator from Iowa (Mr. MILLER).

#### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order the Senator from Oklahoma is recognized for not to exceed 15 minutes.

#### THE NATION'S TRADE BALANCE

Mr. BELLMON. Mr. President, on August 15, the President of the United States was impelled to impose an import surtax to prevent further deterioration of this Nation's trade balance.

This action would not have been necessary if fair and equitable trade relations had existed in the past. However, our desire to assist foreign nations in the rebuilding of their economies, shattered during World War II, lingered long after the rebuilding was done. We have been too slow in realizing that countries which were once virtually economic wards of the United States are now formidable trading nations.

A clear case in point is our relationship with Japan. Immediately following World War II, Japan's economic and social structure had been completely shattered—its markets were lost, its source of supply depleted, its people discouraged, and a very substantial portion of its physical plant destroyed. The United States, as a matter of national policy, offered major assistance in the reconstruction of Japan—economically and socially. We provided an effective security umbrella and made available vast sums for reconstruction. The results have been mutually beneficial. Japan has become a strong ally and a valuable partner.

During the Korean conflict, and later, during the conflict in Indochina, Japan was the principal U.S. base of operation for repair, supply, rest and recreation, and other facilities. All of this injected large sums of hard currency into the Japanese economy. These special activities, and the industrious and intelligent nature of the Japanese people, wrought the much heralded "miracle" of economic recovery in Japan. Supplies of raw materials are now assured from Japanese investments in long-range supply contracts in nearly every part of the world. Markets of Japanese manufactured products have spread throughout the world, especially to the United States.

Most of the trade between Japan and the rest of the world has been mutually beneficial; however, it became evident in the late 1950's that the inclination of the Japanese to overly protect domestic markets would result in severe dislocation of relations with its trading partners. Strong representations were made in 1959-60 urging the Japanese to remove much of the fabric of a highly restricted market. Smiles, nods, and superficial assent were the response, rather than ef-

fective action. Japan has engaged in a game of self-delusion or shallow deception in playing what might be called a "numbers game" of trade restrictions. They have reported removal of a significant number of trade restrictions; however, those engaged in an attempt to market products in Japan find that, coincidentally, as tariffs were reduced and quotas limited, other restrictions were imposed, such as the administrative action which resulted from the tight control the Japanese Government imposes on its business. Special taxes on various lines of products, specifications, and licenses make it most difficult for a non-Japanese supplier to penetrate the market. Among the most effective restrictive measures is the absolute control of financing. No significant Japanese transaction can take place without the approval of the monetary authorities: therein lies almost absolute control. This is neither evident in published figures nor is it related to the usual international identification of export restrictions. The result has been that Japan today, with minor exceptions, imports only raw materials it needs, and it does so with the most competitive purchasing arrangement in the world.

At the same time, Japanese exports are nearly always highly competitive with the production of the importing country. For many years Japan-United States trade was favorable to the United States, or in balance, the economic climate was clearly to the benefit of Japan. In the prosperous Japanese economy which lives largely on the markets of others, it is unfortunate that such items as automobiles, textiles, electronics, and meat are almost completely banned. Foreign products are imported by Japan only through a very narrow corridor of Government approvals.

These restrictions were impressed upon me when I visited Japan earlier this year in an attempt to promote the sale of U.S. feeder cattle. Japan's beef shortage is critical. Per capita beef consumption hovers around the 5-pound mark compared to 116 pounds in the United States and 53 pounds in the EEC.

This critical shortage causes consumer prices to range from \$1.77 per pound for ground beef to \$6.27 for top sirloin. It is obviously a premium item, since 37 percent of a Japanese's disposable income already goes for food, compared to 16.5 percent in the United States. Yet Japan, where only one-sixth of the land is arable and already under intensive use, does not have the necessary land area to establish and maintain a cattle-breeding industry of sufficient capacity to meet demand for feeder cattle. Despite all these factors, Japan had completely shut the door to entry of feeder calves.

Initially a quota system regulated the flow of processed beef and live cattle into Japan. Through trade negotiations, the quota system on live animals was eliminated, but a duty of 45,000 yen, or about \$130 per feeder of 300 kilograms or less was imposed. On a typical 250-pound

calf, that is a duty of 130 percent of the value of the calf.

At the time that Japan faces a need to provide more beef to its citizens, the United States is plagued by farm surpluses, and this year the surpluses threaten to become worse. We are trying to cope with our farm problem by keeping over 50 million acres of arable land idle through a farm program costing American taxpayers over \$3 billion annually.

The interest of both nations would be greatly served through an increase of U.S. agricultural exports—particularly feeder calves or processed beef to Japan.

In the United States we have the agricultural know-how and capacity to supply Japan's beef or feeder cattle needs at competitive prices.

A U.S. feeder calf export program would quickly place idle farm land back into production to support expanded cattle and feed grain production, reduce the costs of our domestic farm program, and improve the U.S. balance-of-payment position.

Japan in turn would benefit in several areas beside reducing its undesirable trade surplus and pressure on currency reevaluation.

For one, Japan is faced with a critical rice surplus, a crop that represents 60 percent of total crop income for Japanese farm households. Price support of this crop accounted for 4.8 percent of total 1970 Government expenditures. This artificial price, almost twice the world market price, has been cited as a contributing factor in Japan's domestic inflationary pressures. The land used in producing this unneeded rice could and should be used in producing roughage to be used in producing beef which Japanese consumers want and need. Such a development would benefit Japanese farmers, consumers, and taxpayers. Japanese farmers would have better incomes. Japanese consumers would have improved and cheaper food. Japanese taxpayers would be relieved of the horrendous rice support program. Our country would also benefit. Our farmers could put their idle land to productive use. Our declining rural areas would become economically strong. The costs of our farm program would be reduced and our imbalance of payments would be corrected.

Since 1965 Japan has been faced with an ever-growing balance-of-payment surplus vis-a-vis the United States, reaching a level of \$1.2 billion in 1970.

As a result, foreign exchange reserves have climbed to close to \$6 billion in March of this year—bringing continued pressures for reevaluation of the yen, whose par value has not been changed in 22 years.

Since this balance-of-payment surplus is primarily in the trade area, it means that a balance must be achieved by encouraging greater export of capital and greater imports of goods.

The pattern of Japan's imports, however, is unusual in that 80 percent are industrial products. Unless there is a dramatic investment increase in plant and

equipment, there is little hope for any rapid expansion of imports. The only possibility for a quick increase in this area appears to be in agricultural products.

Economists estimate an immediate potential demand of \$500 million in farm products should trade barriers be lowered in this area. Ultimately the demand could become much larger.

Since Japan's agriculture consists primarily of small farms with virtually fixed labor costs, the distribution of feeder calves to these farmers would greatly increase their productivity and efficiency.

Greater beef production would mean larger farm income, and finally, the Japanese consumer would benefit through a greater supply of beef.

Mr. President, the forceful action of President Nixon which culminated last week in the signing of the textile agreements between Japan and the United States demonstrates that when our Government needs to get tough to protect our economic interests, we will not hesitate to do so.

The same kind of toughness is needed in behalf of the U.S. cattle industry. I strongly urge that during our present readjustment of monetary and trade policies, this Nation take constructive action to eliminate the unreasonable and discriminatory tariff wall against feeder calves and to set the stage for ushering in an era of equitable trade with Japan.

Mr. President, I would go further. Our Government must not agree to adjustments in monetary and trade policies with Japan until the present unreasonable, unfair, and mutually damaging tariff against feeder cattle is removed.

Mr. President, I yield back the rest of my time.

#### TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 30 minutes, with a limitation of 3 minutes of time allotted to each Senator.

The Chair recognizes the Senator from Ohio.

#### CERTAIN MEMBERS OF UNITED MINE WORKERS UNION IN EAST CENTRAL OHIO ARE ON THE RAMPAGE

Mr. TAFT. Mr. President, certain members of the United Mine Workers Union in east central Ohio are on the rampage. Roving bands of rioters are destroying property, engaging in extortion, and threatening the people of our State. Rioting has been on an unprecedented scale in this part of Ohio. Damage to date reportedly exceeds a million dollars. Court orders have not been obeyed and law enforcement officers have been intimidated.

Law violators have become so brazen that they have destroyed a barn owned by Common Pleas Judge Raymond Rice, who on October 8 had issued a restrain-

ing order against the United Mine Workers Union.

Events such as this cannot be permitted to occur in a free society.

Because of the probable violation of Federal law, I am today calling upon the Attorney General to convene a Federal grand jury to investigate these disorders.

I am also calling upon the Labor Subcommittee to resume its hearings into the activities of the United Mine Workers Union with particular reference to the turmoil and violations in Ohio.

These disturbances represent nothing short of anarchy, and the Federal Government must step in and help protect the people of this part of Ohio.

I ask unanimous consent that an editorial from the Times Reporter of Dover-New Philadelphia, Ohio, which appeared on October 18, together with three related news articles from that issue, appear at this point in the RECORD.

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

[From the Dover-New Philadelphia Times Reporter, Oct. 18, 1971]

#### AN EDITORIAL

Saturday's invasion of Tuscarawas and Carroll counties by a small army of United Mine Workers was the last straw in a series of destructive forays during which a million dollars in property damage occurred, lives were threatened and court orders, plus a federal agency order, were defied.

Although FBI agents already are on the scene at the request of Sheriff Dean Yeager of Carroll County, a full-scale investigation is in order. The Times-Reporter believes Gov. John J. Gilligan and Attorney General William Brown should appoint a special prosecutor to head a grand jury inquiry into Saturday's destruction at the James Brothers Coal Co. near Magnolia, the injuring of law enforcement officers and the gunfire directed at other officers and mine employes by the roving terrorists.

There is no place in our society for the kind of barbaric tactics James Russell, organizer for the United Mine Workers, and his followers have used in an effort to bring to their knees those coal operators who, for one reason or another, including employe voting, have declined to affiliate with the UMW. Therefore, every method available to decent society should be utilized in bringing to justice those responsible for what has happened, or those who have threatened to blow up mine buildings and homes.

Russell and his followers, in Saturday's rampage, not only defied a nonharassment order by Common Pleas Judge Raymond C. Rice, but also a similar Carroll County court order and a National Labor Relations Board order. The latter should be cause enough for federal investigation of the United Mine Workers' campaign of terror.

As if that defiance wasn't enough, the roving UMW pickets blocked roads on Saturday, they threatened Mineral City firemen and, in the course of those incidents, a barn owned by Judge Rice was leveled by fire, possibly in retaliation for his nonharassment order.

There is cause in some of those incidents for the federal government to enter the picture inasmuch as the Civil Rights Act provides for federal prosecution, along with maximum penalties of \$10,000 fine and five years imprisonment in case of conviction, for those persons who engage in civil disobedience to the extent that property is dam-

aged and persons are injured, or who interfere or obstruct law enforcement officers or firemen performing official duties, as was the case with Mineral City firemen.

As of this morning there had been only one arrest, that of James Russell, although law enforcement cars followed the pickets' caravan from one end of the county to the other.

Sheriff A. J. (Tony) Young, who recently was appointed by Gov. Gilligan to the Criminal Justice Supervisory Commission, wasn't on the scene. Only his chief deputy, John Barlock, and Capt. Earl (Lefty) Doriche were at the James Brothers mine after it had been hit.

However, Sheriff Young said no arrests were made because officers were unable to catch or identify any of the pickets. He further said deputies could not arrest pickets for violating Judge Rice's orders unless an "injured party" called a violation to the court's attention.

What does it take, we ask, for enforcement of civil obedience laws and court orders? With more than 100 autos in the pickets' caravan and, at times, patrol cars in front and in back of it, many of those who witnessed the "processions" got the impression the roving terrorists were being given police escorts as they roared from mine to mine. Worse yet, at several locations officers suggested to owners that they abide by the pickets' demands and shut down, which they did.

It is obvious that Jim Russell and his cohorts, who assembled their caravan at Midvale on Saturday, must have a sense of safety while operating in Tuscarawas County. Why else did they park more than 100 cars in our county and walk across the Tuscarawas-Carroll line to the James Brothers mine?

Russell, who was to have left the state under an agreement between the UMW boss and the James Brothers, lives in New Philadelphia and earlier this year was presented to those attending a big Democratic dinner by Chairman Howard (Bud) Mercer. That in itself would serve as encouragement for his destructive actions.

Unionization of every mining operation is the goal of the UMW, and apparently it doesn't care how that end is achieved. According to rumor, union members have agreed to destroy "one non-union mine every week" in the UMW campaign. That, too, should be subject to state and federal investigation.

Attorney General Brown also should make certain that there is no conspiracy between large unionized Ohio mines and the UMW which is aimed at destroying all small operators. That's what occurred in Kentucky and last week the UMW and Consolidated Coal Co., based in Pittsburgh, paid \$3,907,000 (\$4,453,500 each) in damages to the non-union Kentucky operator. The UMW also has paid \$1.8 million in antitrust damages to non-union operators in Tennessee and a similar suit for \$30 million is awaiting settlement.

We also point out that our county, and the area, has more at stake in the UMW campaign than appears on the surface. While the James Brothers and other operators hit by the unionists have incurred heavy losses in buildings and equipment, those employed by them also suffer each time the mines are forced to shut down. And the UMW destruction also constitutes a black eye for the county in any effort to attract new industries to it. Saturday's trouble received banner headlines in numerous Sunday papers, marking us as an area to stay out of.

Unless there is a thorough investigation of Saturday's incidents and an assurance that law and order henceforth will prevail, the area may have well been set back 25 years. And why should an otherwise good community pay such a price because one union wants to war on one segment of business?

And, one last question. Mayors and other authorities have been warning parents they will be responsible for any Halloween vandalism caused by their children. The question: Who will authorities hold responsible for the year-around vandalism by UMW members?

#### JAMES RUSSELL—HIS 27 MONTHS

In the summer of 1969, James A. Russell of New Philadelphia came out of the Midvale deep mine and was made an organizer for District 6 of the United Mine Workers Union.

His orders were to memorize the nationwide UMW contract (The National Bituminous Act of 1968) and the articles of the union's constitution. He was then told by District 6 President Thomas Williams of Belaire to unionize the strip mine firms in Tuscarawas and surrounding counties.

Russell, in an interview, billed himself as the champion of the common man "... trying to raise the standard of living for the coal miners and haulers."

However, it is known that Russell offered to fix the price of coal, using the power of the union to protect the large mine owners and squeeze out the small operators.

The price fixing was revealed in Carroll County common pleas court in July 1970 when James Brothers Coal Co. of Magnolia gained several major concessions from the UMW which, in essence, stymied the organizing effort against that firm.

Result of the legal dispute was that Judge Frank Cope, now retired, extended his February 1970 restraining order prohibiting the union from interfering or having contact in any way whatsoever with the firm, its employees, or those who do business with the firm.

Richard James, president of the coal company, secretly taped conversations with Russell, which included the offer to fix the price of coal and revealed the existence of a \$7 million UMW "war fund" to be used to organize the strip mines in northeast Ohio.

Cope admitted the tapes as evidence and Russell was heard to say: "If the United Mine Workers stay on organizing this area you'll (James Brothers) either be out of business or organized."

The upshot of the legal dispute was that Cope's restraining order was continued until a representation election could be held. The date for an election still has not been set by the National Labor Relations Board and action cannot be initiated by either the union or the firm.

Russell was found guilty by Cope of violating the restraining order and he was required to pay \$200 in fines and \$2000 in restitution to the James Brothers.

The restraining order and Russell's contempt findings were upheld in the appeals court.

Cope also found Russell guilty of four counts of threatening and harassing four truck drivers, who haul coal for the company. The judge deferred sentencing which can be imposed by Judge Paul M. Perkins if Russell is found to be in violation of the restraining order. Perkins succeeded Cope on the bench.

Strip mine operators said the James court decision struck at the heart of the union's credibility.

Workers at three coal firms in the area have chosen independent unions in contests with the UMW since the James decision. Each firm had been the target of Russell's organizing efforts.

In September 1970 the vote was 19 to 0 at the Magnolia Mining Co. and 60 to 0 at the Hardy Coal Co. near Sugar Creek. Last August, the vote was 21 to 4 at Wallick Coal Co. located between Strasburg and Bolivar.

The Wallick and Magnolia elections were supervised by the National Labor Relations

Board, while the Hardy vote was conducted by the men themselves.

Since the James decision, only one firm has signed with the UMW. Eugene Mining Co., near Roswell, employing five men, was organized in December 1970.

The firm, an affiliate of Ben Cookson Inc. of New Philadelphia signed a contract two weeks after vandals caused more than \$100,000 worth of damage to equipment.

One factor brought out at the James proceedings was that Russell, by informal agreement between the UMW's Williams and James' attorney, would be transferred out of state. However, three months later Russell confirmed that Williams had given him permission to organize Hardy Coal.

Last July he was charged with trespassing on Wallick property. The mine closed temporarily. Russell was accused of leading 50 to 75 pickets onto the mining site. Judge Raymond Rice of Tuscarawas County common pleas court ruled there was "clear and convincing evidence" that UMW had interfered with the mining operation.

At that time Russell had led the pickets in support of W. A. (Tony) Boyle, UMW president, who had been removed by federal authorities as trustee for the union's retirement fund.

Although Rice did rule on the trespassing charge at Wallick's, damage claims totaling \$150,000 still are pending. The suits and requests for injunctions were filed by Wallick Coal (for \$50,000) and Hardy Coal (for \$100,000).

The most recent court action came Oct. 8, again from Judge Rice. He issued a preliminary injunction and restraining order against the UMW, barring any further harassment at 10 nonunion mines in and around Tuscarawas County.

The order came at the request of Wallick, Hardy, Wilmot Mining Co., Eberhart Coal Inc., Empire Coal Co., Tobo Mining, Rucker Bros. Inc., Alexander Coal Co., Sugar Creek Cartage and Puskarich Mining Inc. A.I. maintain they have been victims of UMW harassment since the union's contract expired Oct. 1.

The mine operators are asking \$250,000 in compensatory and punitive damages. They cite seven acts of UMW vandalism and claim they are losing \$10,000 a day.

Rice required the UMW and its officers and agents to post \$300 bonds each and directed Sheriff A. J. Young to enforce the provisions of the order and "take all steps necessary to do so."

The arrest of Russell Saturday night following the destruction at the James Brothers tipple and his subsequent release on bond is the latest in a series for him over the last 27 months.

The first legal action occurred on Aug. 1, 1969 when Russell, along with Earl L. Henry of Uhrichsville, were charged with trespassing on J&M Mining Co. property. On Aug. 4, J&M president Marvin Davidson signed a contract with the UMW. The charges against Russell were dropped and J&M went out of business shortly thereafter.

On Aug. 21 the R&F Coal Co. of Cadiz filed a suit in Harrison County against Russell and District 6 for damages of \$144,000.

On Aug. 28 of that year Puskarich Mining filed a request for a temporary and permanent injunction and asked for damages against Russell and District 6 totaling \$312,000 in Carroll County Common pleas court. Known they would not leave until they had at area mines has cost operators a staggering sum.

Puskarich Mining of near Sherrodsville lost a \$150,000 payload in 1969. In the same year the Daron Coal Co. of Cadiz had a \$300,000 Manitowic dragline dynamited.

Last year, an explosion destroyed a \$40,000 transformer at the James mine in Rose Town-

ship and later five power poles servicing the mine were cut.

Then there was the damage to Cookson's equipment in November 1970. Saturday's vandalism against the James firm has been tentatively set at about \$250,000.

Until Saturday, law enforcement officers have not made any arrests in any of the vandalisms.

Outside of the \$2000 paid by Russell to the James Brothers, none of the mining firms have court awards for their damages from the UMW.

Also in the 27 months, only two area strip mines, still in business, have been signed by the UMW: Cookson's Eugene Mining and Crosscreek Coal Co., off old Rt. 21 west of New Philadelphia.

#### OPERATORS OF IDLED MINES MAP ACTION AGAINST UMW

##### ORGANIZER IS CHARGED WITH RIOT

An uneasy peace settled over the coal industry in the area today as mine owners considered courses of action open to them in the wake of violence Saturday that left three lawmen injured and one operation in shambles.

Mines were closed and trucking operations halted when an estimated 500 striking United Mine Workers prowled the area, stopping long enough at James Bros. Coal Co. two miles east of Mineral City to inflict damage estimated at \$250,000. The mine is located in Carroll County, approximately 1000 feet from the Tuscarawas County line.

However, Wallick Coal and Limestone Inc. resumed work at noon today after working out an agreement this morning with UMW associates. The meeting also was attended by Chief Deputy John Barlock and Capt. Earl (Lefty) Doriche of the Tuscarawas County sheriff's department. Wallick officials agreed to strip and ship limestone only.

James Russell, 38, of 214 2nd st. SW, New Philadelphia, organizer for UMW District 6, was arrested at his home Saturday night by Carroll and Tuscarawas County sheriff deputies on a warrant prepared by Prosecutor Rudolph Battista of Carroll County.

Russell was charged with destruction of property, first-degree riot and inciting to riot. He was identified as the spokesman for the roving pickets by authorities and mine owners.

Russell, who was lodged in Stark County jail was released shortly after midnight after posting \$5,000 bond in Carroll County common pleas court. Bond, originally set at \$7,500, was reduced at the request of Russell's attorney, Danny Johnson of New Philadelphia.

None of the injured men was seriously hurt and all were released from Aultman Hospital in Canton following treatment.

John Sommers, Magnolia police chief and a special Carroll deputy, received a left arm fracture. John Pothorski, chief Carroll deputy, suffered a head wound which required 10 stitches, and James Wheadon, Carroll deputy, was treated for a leg injury.

They were hurt as they attempted to halt the vandalism at the James Brothers mine. Pothorski reportedly was reading a Carroll County court restraining order which had been issued against the UMW. He was struck and a machinegun was wrestled from him and thrown into a creek.

Carroll County Sheriff Dean R. Yeager said he had dispatched the deputies to James Brothers after receiving information which led him to believe some miners were gathering and were heading into his county.

When trouble erupted, Yeager said, he requested aid from sheriff's departments in surrounding counties and area police forces. Stark County immediately supplied four cars. The response by police also was prompt, and

Tuscarawas County "eventually" sent Barlock and Doriche, Yeager said.

One of the men in the group at the James operation allegedly was Russell.

The weigh station and the maintenance building were burned as were cars of two employes and two pit trucks—one in the repair shop and another which was run into the tippie.

The tippie itself did not catch fire. However, Mineral City firemen were summoned at 1:45 a.m. Sunday to extinguish a blaze which had flared in a coal crusher near the tippie.

The Mineral City firemen had been turned back Saturday morning by pickets who were returning to their cars parked along County Rd. 110—all of them in Tuscarawas County west of the mine. One fireman counted 133 cars and said some of the men were carrying sledge hammers.

"They told us we had nice looking equipment and if we didn't want it messed up we had better get out of there," he said. "They wouldn't even let us go forward enough to turn around. We had to back up until we reached a place to turn around."

Back at the fire station, the Mineral City crew maintained radio contact with units from Magnolia, Waynesburg and Dellroy, which were on the scene, and also relayed messages.

Magnolia Fire Chief Arthur Shilling, whose department was called first—shortly after 10 a.m.—said the village's three trucks were stopped at the entrance to the mine by about 50 pickets and told to "stay out of there." The strikers withdrew a few minutes later, however, following the main body of miners to their parked cars.

"We went into the mine as soon as they went around the bend," Shilling said. An ambulance also was detained, but Waynesburg's two trucks and the three from Dellroy arrived after pickets had departed.

East Sparta fire-fighting units went only as far as Mineral City where they were alerted to the situation by firemen. Advised they were not needed at the mine, they returned to their station.

Shots were fired into a transformer at the tippie and a conveyor and master controls at its base were damaged, reportedly by an explosion. One lawman said nitroglycerine was used.

Mine officials said gasoline from the company pump was thrown around and used to torch buildings and cars.

Two other pit trucks and four pickups and four cars owned by employes also were damaged. One of the pit trucks upset was loaded with coal. Cleanup operations continued throughout the weekend.

Warren Smith, a Canton lawyer representing the James brothers, Richard and Kermit, said: "We're holding the United Mine Workers responsible for this."

Smith said he would meet with the Carroll County prosecutor and expected to proceed with legal action today.

The pickets grouped for their foray at Midvale where the union has been holding numerous meetings in the community room since the strike began 18 days ago.

(Another session was held there Sunday afternoon and it later was rumored that strikers agreed to burn a mine a week until the strike is settled.)

From Midvale, the strikers went to Puskarich Mining Inc. near Sherrodsville where they shouted threats and obscenities before proceeding to the James Brothers mine, officials said.

The caravan went through New Cumberland, took County Rd. 112 into Carroll County, followed a township road to Lindentree and turned west on Carroll County Rd. 36, driving past the mine toward Mineral City

and parking along Tuscarawas County Rd. 110.

Leaving their cars, the main body of strikers swarmed across fields behind the tippie, with only about 50 using the main entrance. Employes were warned not to get in the way.

After leaving the James mine, they proceeded south on Rt. 800, west on Rt. 212 and south on I-77 past Wallick Coal and Limestone near Strasburg.

The caravan, estimated at nearly a mile long, slowed as it passed the mine and an exchange of gunfire ensued. Chief Deputy Barlock and Capt. Doriche were on County Rd. 102 in front of Wallick's and reportedly were caught in the crossfire. No one was injured.

Next stop was at Hardy Coal Co.'s Copperhead mine on Rt. 93 between Dundee and Sugar creek, where the strikers were met by about 15 deputies from several counties. Mine officials permitted the pickets to dump the tippie and they climbed back into their cars and left.

A brief stop at Penn Ohio Coal Co. outside New Philadelphia followed. It is unionized.

Final target for the day was Empire Coal Co. at Gnadenhutzen. A force of approximately 110 law officers had been mustered by that time (approximately 5 p.m.)

"I have no doubt that authorities could have stopped them," Raymond Lahmers, owner of Empire said, "but it would have meant bloodshed. So we took Barlock's advice and agreed to dump the tippie if the pickets would leave."

We were fortunate the sheriff's department got as many men in here as fast as it did. I think they (the strikers) intended to level the place.

"Russell was the spokesman. He threatened to burn my home and said sooner or later they would burn the place down. He said they definitely would be back to blow us up."

The opinion that the pickets "all had plenty to drink" was expressed by more than one person.

FBI agent Tom Murphy from the Canton office is investigating on an "inquiry basis only" to determine if any federal laws have been broken.

Round-the-clock watches were being maintained at all the mines and the consensus among mine officials and employes is that "this thing isn't over yet."

#### YOUNG: WE SAVED THE COUNTY

Tuscarawas County Sheriff A. J. (Tony) Young and his deputies Sunday agreed they took the proper action to prevent "the county from being burned to the ground" by roving United Mine Workers Union pickets Saturday.

"I think they were surprised at the turnout of law enforcement officers," Young said. "It was a showdown. If they do come back they will be in greater force."

"If there are any more incidents the law will be enforced at any cost," Young added.

His entire force of regular deputies and most reserve officers were on duty Saturday. The sheriff said he also called for and received assistance from Coshocton, Harrison and Stark County sheriffs and police departments.

Young said Chief Deputy John Barlock and Capt. Earl (Lefty) Doriche were caught in a cross-fire at Wallick Coal Co. along County Rd. 102 when Wallick employes and pickets opened fire there Saturday morning. When pickets allegedly fired across I-77, Young said he called the highway patrol for help.

There were no arrests, Young explained, because officers were unable to catch or identify those doing the shooting. Young said he did not know how many shots were



fired. There were no gunshot injuries reported.

While deputies were tied up at the Wallick site a handful of officers were confronted by a number of pickets at the Hardy Coal Co. in the Sugar Creek area.

There, Young said, company officials agreed to allow the pickets to dump coal from a tippie after they (the pickets) made it known they would not leave until they had done something to let it be known they were there.

The sheriff said although Common Pleas Judge Raymond Rice had issued an injunction against the UMW, barring them from harassment at 10 non-union mines, deputies could not make an arrest for violation of the injunction. He said the owners would have to call the violation to the attention of the court. If the incident was witnessed by a deputy the deputy would be called to testify and an arrest order would be issued by the judge.

When asked if he had enough manpower to halt the caravan, the sheriff said he felt his force would have been adequate, but he said he thought such a move may have created more problems.

He and deputies explained then that even if guns were found in the vehicles or on the pickets there would have been no violation as long as the weapons were in sight. One deputy said several pickets were wearing sidearms.

Young placed the blame for increasing violence and breakdown in law and order on "the fear in the county courthouse." "There is no fear here," he said. The sheriff said that in many cases his department's efforts are blocked. He cited "insufficient evidence to support a charge" as one excuse given.

Young said Prosecutor George Demis called him Saturday morning and asked that pictures be taken at any scenes of violence.

Demis said today he was "not pleased" with the odds Saturday when three law enforcement officers were overrun by about 500 striking miners in Carroll County.

"If those odds continue," he said, "I'm going to suggest to Sheriff Young that the National Guard be called out."

Demis said he would await any evidence submitted by the sheriff relative to any incidents in Tuscarawas County over the weekend.

"I'm not going to get involved in any labor disputes," he explained, "but I'm not going to stand by and let people's rights and property be damaged and violated. Anything that has to be done we are going to do."

Prosecutor Rudolph Battista of Carroll County agreed with Demis. He said that if the odds continue he would ask for help from the Governor's office and the state patrol.

He added that Carroll County officials did contemplate asking for assistance Saturday, but noted: "It was over before there was a possibility for such a response."

Battista said if Sheriff Dean Yeager can uncover further evidence against anyone involved in Saturday's raid "there is no doubt I'll go to the grand jury."

Young called for public involvement, noting that if witnesses to some previous vandalism incidents had not been afraid to cooperate, the cases could have been solved.

He asked the public to contact his department whenever any violations of the law are seen and to sign affidavits against violators when required so they may be arrested.

Young said his department is grossly undermanned and underfunded, even though county commissioners have imposed a piggy-back sales tax.

The sheriff said even though his department has received very little help as a result of the extra tax, he strongly supports it and

will publicly campaign against the referendum vote Nov. 2 to kill it.

Barlock said it was fortunate in Tuscarawas County that officers were able to minimize the vandalism by getting to mines before pickets accomplished anything.

He said Paul Jones at the Hardy Coal Co. agreed to shut down until something was resolved with the union and Bud Lahmers of Empire Coal Co. near Gnadenhutten also agreed to cease operations.

#### THE WELFARE PROPOSAL SUBMITTED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. BYRD of Virginia. Mr. President, the Senate Finance Committee has before it a new welfare proposal submitted by the Department of Health, Education, and Welfare. I think that the Secretary of that department, Mr. Elliot Richardson, accurately summed up the proposal in two words. He calls the proposal "revolutionary" and "expensive." Those are the words of Mr. Elliot Richardson, Secretary of Health, Education, and Welfare. He made that statement before the Senate Finance Committee when he was testifying in behalf of the new welfare plan.

Mr. President, I shall vote against reporting this new plan to the Senate during the calendar year 1971. Unless it is drastically changed, I shall vote against reporting it to the Senate in 1972.

I shall vote against this proposal because it is lacking in work incentives; it is a tremendously costly program, as the Secretary has pointed out; it will add at least \$5 billion to the cost of public assistance. But, more than that, it will double the number of welfare recipients. It will double the number of persons drawing public welfare checks. At the present time we have approximately 12 million persons on welfare. If this proposal is enacted, we will have 26 million persons on welfare.

I think this proposal should be fully debated. There should be plenty of time for the Senate to understand it. I shall expect, from time to time, to present facts with regard to it to the Senate.

I want to ask the 99 other Members of the Senate today—I would like one Member of the Senate to tell me—how we are going to reverse the trend of the welfare state by doubling the number of people on welfare. I will pause in the event anyone wishes to answer that question for me, and I will repeat the question: How will we reverse the trend of the welfare state by doubling the number of persons on welfare? Until that question is answered satisfactorily, I shall have some difficulty in supporting the new proposals, which the Secretary of Health, Education, and Welfare himself labeled revolutionary and expensive.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Is there further morning business?

#### THE OVERSEAS PRIVATE INVESTMENT CORPORATION

Mr. JAVITS. Mr. President, in view of the contemplated Senate debate which

will soon ensue on the foreign aid bill, and certain questions which I am sure will be raised therein respecting the operations of the Overseas Private Investment Corporation, with the establishment of which I had a great deal to do, and in view also of the points raised with respect to that Corporation by my distinguished colleague from Virginia—and I might say that while perhaps this will sound a little bit unusual, I welcome the points he has raised because they sharpen the agency and they sharpen me in looking into what it has been doing, and so on—I wish to point out that I did predict, when the matter was before the Senate, that this agency would make money; and if I wished to be technical I could say that so far my prediction is in fact true. They have made money, and they have made more money this year than they made last year and the year before.

The figures are quite appreciable. They are as follows: The corporation earned \$22 million in 1970, \$26 million in 1971, and the 1972 earnings are projected at \$30 million. So they have earned money. As I say, if I wished to be technical, that is all I would need to say. But I have no such desire, and it would hardly be proper, in addressing so distinguished a critic, to be so superficial. The fact is that there is a very considerable exposure by the Overseas Private Investment Corporation, especially in Chile, but also in other parts of the world.

Interestingly enough, the OPIC, that is, the corporate entity which I sponsored, is an inheritor of these problems rather than their creator. It did not make the guarantees. They were made by the predecessor U.S. agency in the AID, which had the guarantee authority. But even there I do not wish to be superficial, Mr. President. It might be that if they had had the opportunity or the option, they would have made it; I do not know. But I do believe the OPIC is a very prudently run corporation. Certainly the people who are running it now, who are different than the people who ran it before, in the sense that Brad Mills, who is the president, was not there before OPIC, are very intelligent, able people, and rather conservative in the guarantees they render.

There is a problem, and there is a serious exposure, but it is quite in the hands of Chile. And I remind the Senate that exposure does not have to mean expropriation, which is what is threatened now. I would hope very much that President Allende, notwithstanding the Marxist orientation of his government, will understand that no government can live without world credit. The Soviet Union, for example, has as good credit as anyone around when it comes to paying its bill, for the reason that they value their credit, just as I hope Chile will.

So, while I realize the danger, I point out that if Lloyds of London, the most successful insurance entity in history, had operated on the basis that they would close up if they ran into a loss or the danger of a loss, they would hardly have survived and lived to another day when they could make money.

Surely, this is a risk. The U.S. Government can have a lot to do with minimizing the risk, and of course, Chile can have everything to do with eliminating the risk. But the fact is that when you are in that line of business, you take risks, and it is worth it, considering the amount of leverage that you have in the amount you can do in the world by that means as contrasted with budgetary expenditure, which we are trying so hard to cut down, as this is all private investment, generally speaking of an extremely constructive kind, both for the world and for our own policy.

Finally, Mr. President, I hope all my colleagues will compare even the danger of loss in Chile with what the United States has gotten out of it. For decades, we have drawn enormous reserves of copper. We probably could not have carried on World War II without Chilean copper. We have to remember that when we assess the possibility of important losses in connection with our exploitation of a resource so essential to American security, let alone the American economy.

Certainly there are grave risks, and I am personally indebted to the Senator from Virginia, and thank him for speaking out with reference to them and keeping and alerting us to the problem, and I hope his words will ring clear in the ears of President Allende as indicating decisively the strong importance he must attach to how he treats morally with the United States in this matter, as the loss he imposes may well fall on the United States, and we are not likely to forget it or to like it at all.

Mr. BYRD of Virginia. Mr. President, I thank the Senator from New York for his very informative and fair statement in regard to this matter. I do hope that the President of Chile will be aware of the sentiment in this country and in New York—the sentiment so ably expressed just a moment ago by the distinguished senior Senator from that State.

#### FOREIGN AID

Mr. BYRD of Virginia. Mr. President, I hope that when the foreign aid bill comes before the Senate, which I assume will be next week, adequate time will be given to its consideration. I do not mean a matter of weeks or even many days, but I am hopeful that no effort will be made to vote on that measure the same day that it is reported to the Senate. It seems to me that a matter involving some \$4 billion, probably, or somewhere between \$3 billion and \$4 billion, is of such great significance to the taxpayers of our Nation that several days should be taken in considering it.

I do not expect to speak long on the subject, though I would like to speak to it. My main concern is that the Members of the Senate and the American people have a reasonable length of time to know just what is in this foreign aid bill, just how much money is involved in it, and I think that those facts could not be properly ascertained and brought out if the bill is handled on this floor in 1 day. I would hope several days could be devoted

to it, though I do not expect to speak very long.

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

Mr. BYRD of Virginia. I yield to the Senator from Vermont.

Mr. AIKEN. It is my hope that the bill will be reported to the Senate this afternoon and that the report will go to the printer tonight.

Mr. BYRD of Virginia. This afternoon, did the Senator say?

Mr. AIKEN. That is a hope. I think it is a pretty good hope. I am as anxious to see the report as is the Senator from Virginia, because I am not completely satisfied with some of the provisions of the bill. But I think it will be available before the end of this week.

Mr. BYRD of Virginia. I thank the Senator from Vermont. I am very glad to receive that information.

#### QUORUM CALL

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

#### THE STENNIS COLLECTION AT MISSISSIPPI STATE UNIVERSITY

Mr. BYRD of West Virginia. Mr. President, I would like to call the attention of the Senate to an occasion of great historical significance that transpired October 15, 1971. On that day, a high tribute was paid to one of the most distinguished Members of this body by his alma mater. I am speaking of the Senator from Mississippi (Mr. STENNIS) and Mississippi State University.

Senator STENNIS was honored when a suite of Mississippi State's 600,000-volume library housing the Stennis collection was dedicated to his name and his work as a public servant.

Senator STENNIS, who graduated from Mississippi State in 1923, has donated his papers, speeches, manuscripts, research notes, graphs, books, and other materials to his alma mater. Those of us who know Senator STENNIS and his work realize the value of such a gift. We recognize the preeminence of the Senator from Mississippi in the field of military preparedness and know him as one of the Nation's top authorities on national security and defense. Senator STENNIS has been close to the problems of the U.S. defense structure during the unprecedented and unusual era following World War II. He has been a guiding figure as this country has moved into an era of world leadership through perilous, chaotic, and sometimes tragic, times. The Stennis collection at Mississippi State University will surely provide significant research material for the scholar, and shed light and understanding for the historian delving into this period of history.

Mr. President, one cannot help but appreciate and indeed covet Mississippi State's fortune in having this facility and these papers. The students of Mississippi State University are especially fortunate because they will have the opportunity to visit the Stennis wing of the Mitchell Memorial Library daily and see the raw materials of history. The students who avail themselves of this vault of knowledge can draw inspiration as well as knowledge from the works of Senator STENNIS. They will have an unusually complete reservoir of information of what it takes to make the U.S. Government function. This collection will benefit generations of Americans for decades to come, helping young men and women understand our form of government and helping them appreciate it more than they otherwise could. The students of Mississippi State now and forever are the real beneficiaries of Senator STENNIS' generosity.

I ask unanimous consent, Mr. President, to have printed in the RECORD at this point an address by Judge James Plemon Coleman, noted Mississippian, esteemed former Governor, and now a member of the U.S. Fifth Circuit Court of Appeals, dedicating the Stennis wing and Stennis collection, and Senator STENNIS' response.

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

#### DEDICATORY ADDRESS BY THE HONORABLE J. P. COLEMAN

Mr. President, fellow Mississippians, it's always been one of the great joys and pleasures of my life that I grew up within 25 miles of this campus. I have known and been associated with the people of this area now for over 50 years, and I would have been an alumnus of Mississippi State if they'd had a law school. I've always been as keenly interested in it as in any other institution in our State and it's a great honor and a great personal privilege to turn aside from the everyday duties of life to come here on this beautiful afternoon before such a distinguished audience to speak briefly with reference to one of the distinguished occurrences of our lifetime in this State.

Nearly four hundred years ago it was said that "Knowledge is Power" and "Reading maketh a full man." The philosopher Bacon said that. The thirst for knowledge is one of the strongest of American traditions. The useful application of knowledge is of untold benefit to the human race.

As in keeping with these traditions, it's in acknowledgement of these truths that we've gathered this afternoon to acknowledge the existence of a great library in a most useful institution of higher learning. We are here to dedicate the Stennis Wing of the Mitchell Memorial Library. Most of all, so far as I am concerned and I know you agree, we have come to express our gratitude to our incomparable United States Senator, and to his family, for his outstanding public service and his unique contribution to this collection of knowledge.

Ten years ago this Library contained 215,000 volumes. Today it contains 375,000 books, 100,000 government documents, 16,000 reels of microfilm, and uncounted thousands of manuscripts and archival documents. This new wing, which is to house the Stennis collection of papers, speeches, manuscripts, photographs and other materials, was completed last year. The addition to and the

renovation of the original building cost \$1,083,000. The result is that the new Library now has a capacity of 600,000 volumes and its seating capacity has been more than doubled. This advancement is not only a genuine tribute to the progress of our State and its people, but it's an inspiration to all lovers of learning. It is a tribute to the loyalty, energy, and foresight of the University authorities who saw its hope through to its reality.

Every time I look toward a collection of books such as this, to a Library such as this, I think of one of the saddest but one of the most inspirational experiences ever recorded in American history. Abraham Lincoln never went to a formal school a day in his life. He lived in the backwoods. Realistically speaking, for him there was no hope but he had a consuming desire for knowledge. From a kind neighbor he borrowed a copy of Weems' *Life of Washington*. The falling snow came through the chinks in the humble log cabin where he slept and ruined the book, and this underprivileged boy, even underprivileged in that day and time, pulled the fodder for three days in the cornfields to pay for that book. Living in a place where there were neither teachers nor schools nor many books this product of the backwoods educated himself by reading whatever he could rustle up from any possible source. The days came when he wrote the First Inaugural, when he wrote the Gettysburg Address, the Letter to Loretta Bixby, and, finally, the Second Inaugural. The stately elegance of these efforts have been equalled by few, if any, and exceeded by none in all the history of America.

His successor in the Presidency, Andrew Jackson's wife taught him to read and write after he was a grown man and married. Thereafter, he read constantly at the Tailor's Bench. Yet he became the Governor of his State, the President of the United States, and died in the United States Senate.

Now a thousand of similar examples could be cited, but the point I've come here to make today is that we have here on this campus, within the reach of thousands of students, within the reach of hundreds of thousands of Mississippians, a storehouse of knowledge available to all if they would simply avail themselves to use it. The mental picture of a boy who would pull fodder for three days for the privilege of reading one book ought to inspire us to make better use of these facilities.

Now add to the indescribable value of this facility, an alumnus of this University, one of the outstanding Mississippians of all time—and I say that deliberately—a distinguished American of national reputation, has come forward with a gift, the value of which no man would be able to appraise. Two years ago in this same month, on October 11th, 1969, Senator John C. Stennis signed the legal documents by which he committed to the keeping of this University a collection of knowledge, a recitation of history in its original form, a panorama of statesmanship which would arouse the envy of any University in the United States.

From a knowledge of this man which I have acquired over a period of 30 continuous years of admiration, friendship, and respect, I am not at all surprised that such a magnificent, such a significant gift should have come from his hands. I know, too, that it came with the approval and endorsement of that splendid lady, Mrs. Stennis, whom I have also known and admired and respected for all these years, who honors us with her presence here today, as well as the pride of a son and a daughter of whom any parents could justly be proud.

I will remember the first time I ever saw the future United States Senator, John C. Stennis. It happened before World War II

right here in the City of Starkville, in Oktibbeha County, Mississippi. He was the Circuit Judge and I was a beginning lawyer. I appeared before him in the old courthouse which is now gone. When I left that courthouse that day, young as I was, beginner that I was, I said to myself: "There's something extra special about this man." I later found out that he was a graduate of Mississippi A&M College; that he was a graduate of the University of Virginia Law School; that the people had elected him to serve as a legislator, and as a district attorney. They had elected him to be Judge of the Circuit Court, which he always liked to call "the people's court"—I've heard him say it so many times—because he said correctly that it was the one court to which the people looked for justice in their daily walks of life. Now these were the marks of great distinction which this man bore, but they did not fully explain the polish, the absolutely perfect demeanor, the obvious ability, and the magnetism of this man. Those things were grounded in him, grained personality, an unerasable character.

I next saw him at the Democratic National Convention in Chicago in 1940, while men like Senator Harrison, Senator Bilbo, Governor Paul B. Johnson, Senior, and others were at the zenith of their powers.

In time, I became a District Attorney and a Circuit Judge and I mention that only to say that I invited John Stennis to hold court over in our judicial district, seven counties. He quickly captivated our people at once, and they promptly became his lifelong adherents.

Then there came a day when I received a telephone call at my home in Ackerman and Judge Stennis said "I'm going to be a candidate for the United States Senate." History knows the rest. He was elected. He has served in the United States Senate longer than any other Mississippian in all history, save one. He has never had serious opposition for reelection. I had the honor of going along with a number of friends from Mississippi, including Oktibbeha County, to see Senator Stennis take the oath of office in November, 1947. It was a proud day for Mississippi, and today there are only 8 men in the United States Senate who were there the day he took office. Now I know why this is so, and you know why it's so. Senator Stennis told the people that if they elected him, he would "plow a straight furrow right down to the end of the row." The people of Mississippi knew what that meant. Much better in 1947 possibly than they know today, but they knew, and they believed that he meant what he said and they have not been in any way disappointed.

Now the exigencies of time make it impossible for me to recount the many outstanding accomplishments of this great man in our national legislative body. We all know that he is Chairman of the Armed Services Committee; that the brunt of maintaining the defense establishment of this country in the past few years has been upon his shoulders. We know he's Chairman of the Senate Ethics Committee, and has been the pilot through several stormy seas in this regard. Most of all we know that President Eisenhower said, "that John Stennis was one of the five men in this nation best prepared and best qualified to serve as President of the United States of America."

A hard-boiled Washington newsman once said to me that Senator Stennis enjoyed this high standing in the Senate because there is, and I'm quoting him, "There is not another member of that body who can look at Stennis and say, I am a better man than he is," and that's about the highest compliment I know that can be paid to anybody. Now there's much more I could say, but I close with a quotation at Millsaps College right in our own State of Mississippi on Feb-

ruary 24, 1967, by the Secretary of Defense. This is what the Secretary of Defense said:

"He (speaking of Senator Stennis) is a man of very genuine greatness. . . . That he's a gentleman, and a man of towering personal integrity is clear to anyone who knows him. But's more than that; he's a man of courage and selflessness. He has handled matters of flammable, emotional sensitivity with responsibility and balance; and he has strengthened the essential constitutional principle of the separation of powers in our government with the classical sense of our history and our tradition."

Now this is the kind of man who has come forward of his own volition to bestow upon this University and its Library and thus upon the people of Mississippi the accumulated papers, and monuments and milestones of a public career that goes back for nearly 50 years already, and is destined to go for much longer.

I wish that I as a Mississippian and as an American were possessed of the words that would do just tribute to such generosity, and at the same time, to such devotion.

I simply want to point out that in all of these 24 years that Senator Stennis has been walking with the great of the nation, and certainly with the power of the nation—powerful people of the nation—he's come home to Mississippi more, made more speeches, he's seen more people than any other Senator, not at all discounting what the others have done. He's kept his hand in the hand of the people, and they've kept their hands in his. I think it has strengthened us, and I know it has strengthened him.

I'm grateful to the authorities of Mississippi State University and all concerned for their allowing me, as one Mississippian, to stand upon another high summit in my life and to pay tribute to such a great man. Thank you very much.

#### RESPONSE BY SENATOR JOHN C. STENNIS

President Giles, friends of the University, personal friends, fellow Mississippians, and other friends—I am very much touched by the most generous remarks that have been made by Judge Coleman and others. For what I have done in connection with this Library and this Collection, I deserve no credit. This place . . . this University . . . is the place I love. These papers are for the people of Mississippi. They are the people I love. The University and the people of Mississippi have done so much for me . . . and these papers are but an humble attempt on my part to repay this State and this institution.

We are now sitting and standing less than 100 yards from the exact spot where some years ago, on a rainy September morning, a highly uncertain lad, traveling alone, stepped from the train and arrived here for the first time as a prospective member of the incoming Freshman Class. He was uncertain because he had not decided what he wanted to do. He had vague, undefined desires but no defined, positive purposes. He wandered here in this haze for almost a year. Finally during a vacant hour he sat one day on the west steps of Lee Hall and overheard through an open window a lecture in a Government Class by the late Dr. A. B. Butts, a professor here at that time. At the very first chance, this young man signed up for one of Dr. Butts' courses, and after several lectures a new world started unfolding. I hope and believe that these papers and this entire Collection will help unfold some new worlds for the countless others who come this way. At least I am entitled to an opinion on this because I was that wandering, uncertain, timid Freshman.

And now we come back today. Let me ex-

press again my warmest gratitude for what has been said and what has been done here today. I am proud of this new and modern Library Building. I warmly thank Mississippi State University for wanting my papers here, and for the avenues made available for their use in future years. As a Mississippian and as an alumnus, I am grateful to President Giles for his timely remarks, and join with all Mississippians in thanking him for his outstanding guidance, his firm hand, and his many achievements at Mississippi State University. We are grateful to Mr. Lewis and Dr. Bettersworth for the same reasons. And for his remarks here, we are all grateful to Judge J. P. Coleman, now a highly valuable member of our U.S. Circuit Court of Appeals, and recently a highly esteemed, and one of the most outstanding Governors our State has ever had. His contributions to our State still live, and will continue to benefit our people, our State and the Nation for many decades to come. I personally feel he should have been a member of the Supreme Court of the United States.

My thoughts also go far beyond this immediate hour. This collection of papers, documents and records, with those that shall follow, are a gift to the State of Mississippi and, more particularly, to the youth of our State, those who are here now and those who will come in the decades ahead. These records and documents belong to history, too, because they reflect some of the happenings of a major new and different era in our nation's history . . . the decades following World War II. These years represent our nation's first major venture in world leadership, and they also present a period of far-reaching social, industrial, and economic changes which have created challenges to self-government never before faced in recorded history by a democracy. Self-government which makes liberty and freedom really possible never operates automatically, and does not fit too readily, either, into a mechanized and computerized age. Therefore, there must be far more people with even firmer purposes who are willing to labor to make our system of government work. So as we face this vastly more complex era, I hope that this collection of papers, and my humble record in the United States Senate, will be found on the sound and constructive side. I hope that the Collection will be a small candlelight along this troubled highway as we search for better self-government and for the solutions to these ever-increasing problems and challenges of our generation and those to come.

It would please me greatly, too, if these papers give students an active interest in pursuing a course of study which will enable them to obtain a more complete knowledge of the governmental problems of our times and give them some guidance, yes, some encouragement that would lead them to a better understanding of the true meaning and true obligations of citizenship. I think, my friends, that is the greatest challenge that we have before us today and in those decades to come . . . developing, training, and encouraging enough men and women of dedication and activity to take a part in making our system work. Further, I have the fervent hope that these papers and this Collection will inspire many students, here and elsewhere, to devote themselves directly to the responsibilities of our age by being willing, and seeking to hold offices, at the district-county level, at the county level, at the district-state level, at the state level, and at the national level.

And in addition thereto, I hope that these same papers and Collection will in some way aid our Political Science Department to stimulate an interest with numerous stu-

dents so that they will prepare themselves to teach practical and meaningful courses in Political Science at all levels throughout our State, and I include grammar school, the high school, the vocational school, technical school, the junior college, the senior college and the university.

So it is to the youth of today that we dedicate and leave these papers, and more particularly, for the use of the students of today and the tomorrows for many years to come, that all may pursue not only knowledge of the problems, but also the spirit of our great American system, with its liberty and freedom for all.

Now as Mississippians and as Americans, may we have the purpose in our hearts, the constant dedication and determination in our minds, to do our part, always looking to that Higher Power for added light and strength. Doing this, I feel sure we will find our way, and for a thousand years and more we will be a land of the free and a home of the brave. God bless you and God bless America as we face the future with courage and purpose.

#### EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider certain nominations which have been reported today by the Committee on Labor and Public Welfare, and I ask unanimous consent that the Senate proceed to the immediate consideration of those nominations.

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

The ACTING PRESIDENT pro tempore. The nominations will be stated.

#### DEPARTMENT OF LABOR

The legislative clerk read the nomination of Richard Schubert, of Pennsylvania, to be Solicitor for the Department of Labor.

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

#### DEPARTMENT OF LABOR

The legislative clerk read the nomination of Richard J. Grunewald, of Connecticut, to be an Assistant Secretary of Labor.

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

#### FEDERAL METAL AND NON-METALLIC MINE SAFETY BOARD

The legislative clerk read the nomination of W. W. Little, of Arizona, to be a member of the Federal Metal and Non-Metallic Mine Safety Board.

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

Mr. BYRD of West Virginia. Mr. President, for the record, may I say that these nominations have been cleared with the distinguished chairman of the committee, the Senator from New Jersey

(Mr. WILLIAMS), the distinguished senior Senator from New York (Mr. JAVITS), who is now in the Chamber, and with the minority leadership and the majority leader.

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

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

Mr. JAVITS. Mr. President, I thank Senator BYRD, Senator MANSFIELD, and Senator SCOTT for their attention to this matter.

These nominations had been pending for some weeks. The Department represented that they urgently needed the personnel; and inasmuch as there was no objection in the Committee on Labor and Public Welfare, I greatly appreciate clearing them before the short recess.

#### LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

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

The PRESIDING OFFICER. The Senator from Florida is recognized.

(The remarks of Mr. CHILES when he submitted Senate Resolution No. 186 are printed in the RECORD under Submission of a Resolution.)

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

##### PROPOSED LEGISLATION RELATING TO ASSIGNMENT OF CERTAIN OFFICERS OF THE NAVY AND MARINE CORPS

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 5504 of title 10, United States Code, relating to assignment of lineal position to certain officers of the Navy and Marine Corps (with an accompanying paper); to the Committee on Armed Services.

##### REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Examination of Financial Statements of the Federal Home Loan Bank Board, Federal Home Loan Banks, and Federal Savings and Loan Insurance Corporation, for the Year Ended December 31, 1970," dated October 20, 1971 (with an accompanying report); to the Committee on Government Operations.

##### PROPOSED CONCESSION CONTRACT FOR OREGON CAVES NATIONAL MONUMENT, OREG.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract within Oregon Caves National Monument, Oreg. (with accompanying papers); to the Committee on Interior and Insular Affairs.

#### PETITIONS

Petitions were laid before the Senate and referred as indicated:

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

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"ASSEMBLY JOINT RESOLUTION No. 48  
"Relative to ocean vessels

"Whereas, Vessels in the navigable waters of the United States are presently required only to use whistle signals to communicate with other vessels; and

"Whereas, Direct radio communications would supplement and clarify information vessels are able to exchange as they maneuver in close proximity to one another; and

"Whereas, Such communication would greatly assist the effort to prevent vessel collisions; and

"Whereas, Legislation is now pending before Congress which would require every towing vessel over 26 feet in length and every vessel over 300 gross tons entering United States ports to be equipped with a radiotelephone so that verbal communication between pilots could be effected; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and the Congress of the United States to enact legislation providing for bridge-to-bridge radio-telephone communication; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of Pennsylvania; to the Committee on Commerce:

"SENATE OF PENNSYLVANIA MEMORIAL

"Once again part of our American heritage is being destroyed. In ten of our Western states packs of wild horses roam freely; however, they are rapidly being killed and processed for dog food. Just a few years ago there were over two million of these animals and now there are less than twenty thousand. These horses are historically and esthetically valuable. We cannot allow them to be brought any closer to the brink of extinction. At this very time the Congress of the United States is considering legislation which would protect these animals;

"Now therefore, the Senate of the Commonwealth of Pennsylvania memorializes the Congress of the United States to pass the legislation now before it which would protect the valuable and beautiful wild horses which roam freely in the West so that this part of our ecology may stay with us;

"And further directs that a copy of this resolution, Serial No. 20, sponsored by Senators Louis G. Hill, W. Louis Coppersmith, Henry C. Messinger, Henry J. Cianfrani, Thomas P. McCreesh, Patrick J. Stapleton, Joseph F. Smith and Thomas M. Nolan and adopted by the Senate of Pennsylvania the twelfth day of October, one thousand nine hundred and seventy-one, be transmitted to the presiding officer of each House of Congress of the United States, and to each Senator and Representative from Pennsylvania serving in the Congress of the United States."

#### ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore (Mr. BENTSEN) announced that on today, October 21, 1971, the President pro tempore (Mr. ELLENDER) signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 74. An act to provide for the conveyance

of certain real property of the United States to the University of North Dakota, State of North Dakota;

S. 414. An act to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home; and

S. 654. An act for the relief of Frederick E. Keehn.

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. WILLIAMS, from the Committee on Labor and Public Welfare:

Richard Schubert, of Pennsylvania, to be Solicitor for the Department of Labor;

Richard J. Grunewald, of Connecticut, to be an Assistant Secretary of Labor; and

W. W. Little, of Arizona, to be a member of the Federal Metal and Nonmetallic Mine Safety Board of Review.

#### 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. SCOTT (for himself, Mr. COOPER, Mr. SCHWEIKER, Mr. BENNETT, Mr. PEARSON, Mr. ALLOTT, Mr. PERCY, Mr. HANSEN, Mr. DOMINICK, Mr. TAFT, Mr. MATHIAS, Mr. SAXBE, Mr. BEALL, and Mr. DOLE):

S. 2733. A bill to designate certain segments of the Interstate System as the "Dwight D. Eisenhower Highway." Referred to the Committee on Public Works.

By Mr. SCHWEIKER:

S. 2734. A bill to amend the Fair Packaging and Labeling Act to provide for the establishment of national standards for nutritional labeling of food commodities. Referred to the Committee on Commerce.

By Mr. BELLMON:

S. 2735. A bill to provide for compensation to the Cherokee Nation for certain lands. Referred to the Committee on Interior and Insular Affairs.

By Mr. WEICKER:

S. 2736. A bill to authorize the Secretary of Housing and Urban Development to make grants to certain local public bodies or agencies to finance the development costs of certain connecting sewer facilities. Referred to the Committee on Banking, Housing and Urban Affairs.

S. 2737. A bill to require the Corps of Engineers to replace or repair certain sewage systems or facilities damaged in the course of the work of the Corps of Engineers. Referred to the Committee on Public Works.

By Mr. HUGHES:

S. 2738. A bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria. Referred to the Committee on Armed Services.

By Mr. SPARKMAN:

S. 2739. A bill for the relief of Cecilia Borgan Arnett. Referred to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCOTT (for himself, Mr. COOPER, Mr. SCHWEIKER, Mr. BENNETT, Mr. PEARSON, Mr. ALLOTT, Mr. PERCY, Mr. HANSEN,

Mr. DOMINICK, Mr. TAFT, Mr. MATHIAS, Mr. SAXBE, Mr. BEALL, and Mr. DOLE):

S. 2733. A bill to designate certain segments of the interstate system as the "Dwight D. Eisenhower Highway." Referred to the Committee on Public Works.

Mr. SCOTT. Mr. President, my colleague, Mr. SCHWEIKER, and I are today introducing, for appropriate reference, a bill to designate certain segments of the interstate highway system as the "Dwight D. Eisenhower Highway." This is a fitting tribute to the man who made so many contributions to develop the outstanding highway system we now have across the country.

President Eisenhower was a forceful advocate and initiator of our present interstate highway system. The National System of Interstate and Defense Highways was created by legislation in 1956, during the Eisenhower term.

The highway network was developed originally for the military defense of the United States. Pennsylvanians share considerable credit for the system—U.S. Senator Edward A. Martin was chairman of the Senate Highways Committee, at the time the legislation was developed. Martin, also a former Governor of Pennsylvania and a major general in the 28th Division, proposed the creation of a highway network for defense purposes as early as 1940, when on maneuvers his heavy equipment was not permitted to use certain roads.

One of the segments of interstate highway which will bear the Eisenhower name crosses five of Pennsylvania's southwest countries—Fulton, Bedford, Somerset, Westmoreland, and Washington—for 150 miles to the Ohio State line.

In addition to Interstate 70 from Washington, D.C., to Denver, Colo, two segments will be included—Interstate 25 from Denver to Cheyenne, Wyo., and Interstate 80 from Cheyenne to San Francisco, Calif.

When this legislation is authorized, I am hopeful that the Federal Highway Administration will erect signs that so designate this highway, "Dwight D. Eisenhower Highway."

Joining me today are the Senators from States through which the proposed highway passes, and the distinguished ranking Republican on the Public Works Committee, the Senator from Kentucky (Mr. COOPER). I am hopeful that he will endeavor to obtain prompt consideration in his committee for this bill.

By Mr. SCHWEIKER:

S. 2734. A bill to amend the Fair Packaging and Labeling Act to provide for the establishment of national standards for nutritional labeling of food commodities. Referred to the Committee on Commerce.

Mr. SCHWEIKER. Mr. President, I introduce for appropriate reference a bill to amend the Fair Packaging and Labeling Act to provide for the establishment of national standards for nutritional labeling of food commodities.

As a member of the Senate Select Com-

mittee on Nutrition and Human Needs, I have been concerned for some time about the problems confronting consumers in attempting to select foods which are healthful and nutritious. Most people generally understand that there are four basic food groups from which we make our selections, but we know very little about the specific nutritional values in a particular food.

I think, for example, that most consumers would be surprised to learn that a quarter pound of cooked ground round contains more protein, less fat, less calories, and is generally more nutritious than a quarter pound of sirloin steak. Similarly, how many consumers would know that 1 cup of spaghetti contains less calories than two cooked frankfurters? Without nutritional labeling, very few homemakers would know that one wedge of cheese pizza contains as much protein as an egg and far less calories than a quarter-pound of hamburger. Watermelon is another surprising example, supplying half the daily requirement of vitamins A and C.

The point I am making is that without some organized system of comparing various types of foods, consumers simply cannot tell either which foods are more nutritious than others or how much of a particular nutrient is provided in a normal serving of a specific food.

In early September of this year, a Washington, D.C., supermarket chain, Giant Food, Inc., initiated a testing program on nutritional labeling. This program was developed by a committee of consumer, industry, and Government representatives, and nutritional experts. The committee was headed by Dr. Jean Mayer, professor of nutrition at Harvard University and chairman of the White House Conference on Food, Nutrition, and Health. The advisory committee developed the labeling program to provide nutritional information for consumers at the point of sale. In setting up this program, the advisory committee worked with the Food and Drug Administration in setting up the testing on 58 separate items. The program includes new labels on 10 products and nutritional information posted in the stores for 48 other products in the produce, dairy, bakery, meat, and frozen foods departments. Mrs. Esther Peterson, consumer adviser to Giant Food, testified before the Select Committee on Nutrition and Human Needs. She was very helpful in explaining how this new program works and indicated that the results of the testing will be available by next April. I believe that this is something which has been needed for a long time. It is vital, too, that a single, consistent national program be adopted so that consumers can use a single system to compare many different types of foods. The system used in one testing program, for example, provides a rounded percentage of recommended daily allowance for each of 10 elements provided by a normal serving for a food. A rating of "1," for example, indicates that there is at least

10 percent of the recommended dietary allowance of a certain element within that particular portion. Similarly, a rating of "5" means that 50 percent of the recommended daily allowance is provided. The result is that it is very easy for a consumer to add up the nutrients provided in the various servings of food during the day to determine whether the recommended dietary allowances are being met.

The bill I am introducing today, the Nutritional Labeling Act of 1971, is designed to assist consumers by requiring that information relating to the nutritional value of food commodities is included on the label of such commodities. Any persons engaged in the packaging or labeling of any food commodity for distribution in commerce, and wholesale or retail food distributors who prescribe or specify the manner in which food is packaged or labeled, would be responsible for seeing that the label contains the information required.

The Secretary of Health, Education, and Welfare would promulgate regulations after consulting with the National Academy of Sciences as to the specific types of nutrients which should be listed on the label.

If there is a representation on the label as to the number of servings contained in the package, the label must provide a breakdown of the nutritional value of each serving. My bill would also permit the Secretary of Commerce to request various manufacturers, packers, and distributors to get together and develop a single voluntary standard label for this purpose.

As I have indicated, each label would specify the nutritional value of the food contained in the package. The nutritional value would be expressed in terms of the relationship of the amount of each nutrient contained in the food to the total recommended daily requirement of each such nutrient required to maintain a balanced diet.

The term, "nutrient" includes protein, vitamin A, the B vitamins, thiamin, riboflavin, niacin, vitamin C, vitamin D, carbohydrates, fat, calories, calcium, iron, and such additional nutrients as may be prescribed by regulation.

In order to permit the results of several testing programs to be analyzed, my bill would permit the Secretary of Health, Education, and Welfare to postpone the effective date of this legislation for up to a period of 12 months after enactment.

I believe this legislation can provide an invaluable aid to consumers in trying to determine what and how much to eat. Testimony before the Select Committee on Nutrition and Human Needs has pointed out time and time again that we have serious problems of nutrition not only among our low-income citizens but also in families which can afford to purchase almost any food commodity available. This is a nutritional education problem. Without having a simple system to guide us to what nutrients are contained in the foods we eat, it is virtually impossible for us to know whether we are

getting enough of a particular nutrient, or too much. This applies not only to vitamins and minerals but also to protein, fat, carbohydrates, and calories.

My legislation will provide for a simple, uniform system which all consumers can easily use. Testing programs are showing that this can be done. For the health and welfare of all of our citizens, it is time to expand this program nationwide.

I think it is rather ironic that in our society we spend more of our time and effort to take care of our automobiles than our bodies. It is interesting that in this society we have a preventive maintenance program as a matter of course in any large industry in our society today, where the needs, maintenance, and survival of a machine are looked after as a matter of right and yet we take no commensurate action with respect to our bodies. We do not look after our health and many times we do not know what is wrong with us until it is too late and we go to the doctor's office with a breakdown of the system. We take no time to maintain our bodies in a healthful and meaningful way, because we do not know what nutrients we are consuming from day to day that can be injurious to our bodies and our health.

Mr. President, I ask unanimous consent that the full text of the Nutritional Labeling Act of 1971 be reprinted in the RECORD at this point.

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

#### S. 2734

A bill to amend the Fair Packaging and Labeling Act to provide for the establishment of national standards for nutritional labeling of food commodities

*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 "Nutritional Labeling Act of 1971".*

Sec. 2. The Fair Packaging and Labeling Act (15 U.S.C. 1451-1461) is amended as follows—

- (1) by inserting "TITLE I—FAIR PACKAGING AND LABELING" immediately above the heading of section 2;
- (2) by redesignating sections 2 through 5 as sections 101 through 104, respectively;
- (3) by striking out "section 3" in section 103(a), as redesignated by clause (2) of this section, and inserting in lieu thereof "section 102";
- (4) by striking out "section 6" in section 103(b), as redesignated by clause (2) of this section, and inserting in lieu thereof "section 301";
- (5) by striking out "section 4" and "section 2" in section 104(b), as redesignated by clause (2) of this section, and inserting in lieu thereof "section 103" and "section 101", respectively;
- (6) by striking out "section 4" in section 104(c), as redesignated by clause (2) of this section, and inserting in lieu thereof "section 103"; and
- (7) by adding immediately after section 104, as redesignated by clause (2) of this section, the following new title:

"TITLE II—NUTRITIONAL LABELING  
"STATEMENT OF FINDINGS AND PURPOSE  
"SEC. 201. (a) The Congress finds that—  
"(1) food consumption patterns in the

United States are undergoing significant changes; and

"(2) the labeling on the packages of all food commodities should be required to clearly and accurately indicate the nutritional value of such commodities and thus facilitate maintenance of a nutritionally balanced diet.

"(b) It is, therefore, the purpose of this Act to assist consumers of food commodities by requiring that information relating to the nutritional value of food commodities be included on the label of such commodities.

#### "PROHIBITIONS

"SEC. 202. (a) It shall be unlawful for any person engaged in the packaging or labeling of any food commodity for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled food commodity, to distribute or to cause to be distributed in commerce any such commodity if it is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this title and regulations promulgated under the authority of this title.

"(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail food distributors except to the extent that such persons (1) are engaged in the packaging or labeling of such food, or (2) prescribed or specify by any means the manner in which such food is packaged or labeled.

#### "LABELING REQUIREMENTS

"SEC. 203. (a) No person subject to the prohibition contained in section 202 shall distribute or cause to be distributed in commerce any packaged or labeled food commodity except in accordance with regulations which shall be prescribed by the Secretary of Health, Education, and Welfare pursuant to this title. Such regulations shall require that any food commodity distributed in interstate commerce bear a label containing a statement specifying the nutritional value of the food commodity contained therein, that the label on such commodity appear in a uniform location on the package, and that such label—

"(1) appear in conspicuous and easily legible type in distinct contrast (by topography, layout, color, embossing, or molding) with other matters on the package;

"(2) contain letters or numerals in type size which shall be (A) established in relationship to the area of the principal display found on the package, and (B) uniform for all packages of substantially the same size;

"(3) be placed so that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed; and

"(4) bear a statement of the nutritional value of each serving if the label appears on a packaged food commodity which bears a representation as to the number of servings of the food commodity contained in the package.

"(b) The Secretary may by regulations require additional or supplementary words or phrases to be used in conjunction with the statement of nutritional value appearing on the label whenever he determines that such regulations are necessary to prevent the deception of consumers or to facilitate value comparisons as to any food commodity. Nothing in this subsection shall prohibit supplemental statements, which are not misleading or deceptive, at other places on the package, describing the nutritional value of the food commodity contained in such package.

"(c) Whenever the Secretary of Commerce determines that there is undue proliferation

of methods of indicating the nutritional value of food commodities or reasonably comparable food commodities which are being distributed in packages for sale at retail and such proliferation unreasonably impairs the ability of consumers to make comparisons with respect to the nutritional values of such food commodities, he shall request manufacturers, packers, and distributors of the commodities to participate in the development of a voluntary product standard (relating to nutritional values) for such commodities under the procedures for the development of voluntary product standards established by the Secretary of Commerce pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, packer, distributor, and consumer representation.

"(d) If (1) after one year after the date on which the Secretary of Commerce first makes the request of manufacturers, packers, and distributors to participate in the development of a voluntary product standard as provided in subsection (c) of this section, he determines that such a standard will not be published pursuant to the provisions of such subsection (c), or (2) such a standard is published and the Secretary of Commerce determines that it has not been observed, he shall promptly report such determination to the Congress with a statement of the efforts that have been made under the voluntary standards program and his recommendation as to whether Congress should enact legislation providing regulatory authority to deal with the situation in question.

#### "DEFINITIONS

"SEC. 204. For the purpose of this title—

"(1) The term 'food commodity' means articles used for food or drink for man or other animals, and articles used for components of any such article.

"(2) The term 'nutritional value' means the amount of nutrients contained in the food expressed in terms of the relationship of the amount of each nutrient contained in such food to the total recommended daily requirement of each such nutrient required to maintain a balanced diet as determined by the Secretary of Health, Education, and Welfare after consultation with the National Academy of Sciences.

"(3) The term 'nutrient' includes protein, vitamin A, B Vitamins (Thiamin, Riboflavin, Niacin), Vitamin C, Vitamin D, Carbohydrate, Fat, Calories, Calcium, Iron, and such other nutrients as may be prescribed by regulation."

SEC. 3. (a) The Fair Packaging and Labeling Act is further amended by inserting "TITLE III—GENERAL PROVISIONS" above the heading for section 6, and by redesignating sections 6 through 13 as sections 301 through 308, respectively.

(b) Section 301 of such Act, as redesignated by subsection (a) of this section, is amended by striking out "section 4 or 5 of this Act" in subsections (a) and (b) and inserting in lieu thereof "section 103, 104, or 203 of this Act".

(c) Section 302 of such Act, as redesignated by subsection (a) of this section, is amended—

(1) by striking out "section 3" in subsection (a) and inserting in lieu thereof "sections 102 and 202"; and

(2) by striking out "sections 4 and 5" in subsection (c) and inserting in lieu thereof "sections 103, 104, and 203".

(b) Section 303 of such Act, as redesignated by subsection (a) of this section, is amended by striking out "sections 5(d)" and inserting in lieu thereof "sections 104(d) and 203(c)".

(e) Section 307 of such Act, as redesignated by subsection (a) of this section, is amended—

(1) by inserting "and for the labeling of

the nutritional value of contents of the package of any food commodity covered by this Act" immediately after "Act" where it first appears in that section; and

(2) by striking out "section 4" and inserting in lieu thereof "sections 103 or 202".

SEC. 4. The Secretary of Health, Education, and Welfare may by regulation postpone, for a period of twelve months after enactment, the effective date of this Act with respect to any class or type of food commodity on the basis of a finding that such a postponement would be in the public interest.

By Mr. HUGHES:

S. 2738. A bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria. Referred to the Committee on Armed Services.

Mr. HUGHES, Mr. President, today I am introducing legislation aimed at ending the inequities in family benefits for American women in military service.

This legislation was suggested by a constituent of mine in the Army Nurse Corps in Vietnam. In her letter to me late this summer, she wrote:

When I went to the finance center with my problem I was shown the regulation and informed that "Women are second class citizens in the Army." The discrimination here is obvious and everyone with whom I discuss the matter agrees with me.

Under current law and Department of Defense regulations, women members of the military are not able to claim their husbands as dependents under the same conditions as servicemen. This legislation would provide the husband or children of a woman in military service the same rights, benefits, and privileges which are now available to the wife of any man in the service.

Equal pay for housing is included, which will make it easier for married women in service to live off base with their husbands. Inequities in medical and dental benefits would be ended. These benefits are available today to the wives and children of servicemen while most husbands of women military personnel do not qualify. In numbers, women are just a very small part of our military personnel, so the budget requirements of the Department of Defense would not be increased.

Women live a demanding life in military service. Their sacrifice is great and their benefits should be equal to those of our men in uniform. If we accept women into military service along with men, then we should not impose different standards on women for payment of benefits. I am hopeful this legislation will receive early approval.

The Department of Defense has analyzed similar legislation which has been introduced in the House of Representatives. I have drawn on their analysis in preparing a summary of the major features of this bill which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

I also ask unanimous consent that the bill and analysis of the bill be printed in the RECORD.

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

S. 2738

A bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) Clauses (C) and (D) of section 1072 (2) are amended to read as follows:

"(C) the husband;  
"(D) the unremarried widower."

(2) Section 101(36) is repealed.

Sec. 2. Section 401 of title 37, United States Code, is amended by striking out the second sentence.

Sec. 3. The text of section 420 of title 37, United States Code, is amended to read as follows:

"A member of a uniformed service may not be paid an increased allowance under this chapter, on account of a dependent, for any period (1) during which that dependent is entitled to basic pay under section 204 of this title, or (2) the spouse of such member is being paid an increased allowance under this chapter on account of that dependent."

ANALYSIS OF PROPOSED LEGISLATION TO PROVIDE FOR EQUALITY OF TREATMENT FOR MILITARY PERSONNEL IN THE APPLICATION OF DEPENDENCY CRITERIA

The bill changes the statutory definition of a military dependent by making the husband of a woman member of the armed forces a presumptive dependent and thereby extend to him the same rights, benefits and privileges which are now available to the wife of a man in the military services.

The bill would remove the limitation that the spouse of a woman member or former member is considered a dependent only if he receives more than half of his financial support from the member or former member. Specifically, the bill would remove this limitation for the purpose of determining eligibility for dependent medical or dental care. Under current law, the husband of a deceased woman member or former member is considered a dependent only if he was physically or mentally incapacitated, and receiving more than half of his support from his wife at the time of her death. This condition does not apply to the wives of servicemen and the bill would remove it from law.

The current statutory definitions of dependents do not impose a factual test of dependency for the spouse of a male member. His children are presumed to be dependents if they qualify by reason of age or other conditions related to the specific benefit concerned. Factual tests do apply in some instances in which a child has reached majority or to claims of dependency of parents or parents-in-law. The definitions are applicable only to those statutes which refer to "dependents." Laws relating to death benefits administered by the Department of Defense, for instance, are specific as to eligible beneficiaries and make no distinction between male and female spouses.

Regarding dependent medical care, elimination of the existing tests of dependency for the husband or the unmarried widower of a woman member would authorize the husband or widower the full range of military medical care on a space available basis, and the medical care in civilian facilities at government expense subject to the conditions prescribed in the Dependent's Medical Care Act.

By eliminating other conditions of dependency for the husband and child or children of a female member on full-time active duty or in the National Guard or Reserve components, the bill would have the following effects:

If her husband is not himself a member of the uniformed services entitled to basic pay, a married woman member without children could become entitled to increased allowances for quarters, to transportation of her husband on change of station and to other related allowances. The entitlement to quarters allowances would not accrue unless the married woman member concerned were on active service as opposed to serving in the National Guard or Reserve components not on active duty, because neither men nor women members of the Reserve components not on active duty are entitled to the quarters allowances.

If her husband is a member of the uniformed services entitled to basic pay, a married woman member without children generally would not become entitled to an increase in these allowances. In that event, however, the member and her spouse would, under the bill, each be considered to be a dependent of the other. Therefore, in the event that quarters adequate for a member with dependents are unavailable, each would be entitled to the "without dependents" allowance, even though single quarters are available and/or actually occupied by either one. Under existing laws, if single quarters are available for the wife and she is in pay grade O-3 or below, she is not entitled to an allowance. The couple, therefore, is entitled only to the husband's single quarters allowance which is less than that prescribed for dependents. Under the bill, in most cases, their combined "without dependents" allowances would continue to exceed the "with dependents" allowances prescribed in the case of a married member whose spouse is not also a member of the uniformed services entitled to basic pay.

In both instances discussed above, it is assumed there were no children. Where there are children, a female member is already entitled to increased allowances if the child or children are in fact dependent on her for over one-half of their support. Elimination of this factual test of dependency could confer an entitlement to increased allowances for children, but there will be very few cases.

Women are only a very small part of active duty forces, about 1% of the total. Of these, it seems likely that only a minority are married. A recently completed survey of married women military personnel in the Air Force showed that 25.0 percent of the officers and 23.0 percent of the airmen were married. Approximately 4.0 percent of the total female officer force and 2.2 percent of the total WAF airmen force are married to civilians. For this reason, it is estimated that the enactment of this legislation would result in no increase in budgetary requirements of the Department of Defense.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 1736

At the request of Mr. WEICKER, his name was added as a cosponsor of S. 1736, to amend the Public Buildings Act of 1949, as amended.

S. 2125

At the request of Mr. HARTKE, the Senator from Kentucky (Mr. COOK) was added as a cosponsor of S. 2125, a bill to amend chapter 19 of title 38 of the United States Code to extend coverage under Servicemen's Group Life Insurance to cadets and midshipmen at the service academies of the Armed Forces.

S. 2712

At the request of Mr. SPARKMAN, the Senator from Michigan (Mr. GRIFFIN) was added as a cosponsor of S. 2712, to extend and amend the Economic Sta-

bilization Act of 1970, as amended, and for other purposes.

SENATE RESOLUTION 185—SUBMISSION OF A RESOLUTION TO PROVIDE ADDITIONAL FUNDS FOR COMMITTEE ON VETERANS' AFFAIRS

(Referred to the Committee on Veterans' Affairs.)

Mr. HARTKE submitted the following resolution:

S. RES. 185

Resolved, that the Committee on Veterans' Affairs is hereby authorized to expend from the contingent fund of the Senate, during the 92nd Congress, \$10,000, in addition to the amount, and for the same purpose specified in Section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

SENATE RESOLUTION 186—SUBMISSION OF A RESOLUTION RELATING TO PROPOSED SALE OF PROPERTY FORMERLY OWNED BY GEORGE WASHINGTON

(Referred to the Committee on Foreign Relations.)

Mr. CHILES. Mr. President, according to recent news reports, the real property located near Mount Vernon, commonly known as the Wellington Estate, is under consideration for sale to the Soviet Union.

The reporting of this news has caused great concern among many citizens of this country. My phone has been ringing as a result of calls from people in Florida who have heard this news.

At the conclusion of my remarks, I shall send to the desk a resolution which would express the sense of the Senate that until the President can determine, through an appropriate study, the historical significance and value to the citizens of the United States of this property, which was a part of George Washington's original river farm, no sale be made to any foreign government of said lands which were a part of the original George Washington river farm.

Mr. President, many of the people in Florida who have called me about this matter—and I think people generally—are rightfully upset about this. I think it makes about as much sense for the Russian Government to be buying a part of George Washington's original farm as if we were going to set up a hotdog stand next to Lenin's tomb.

I send the resolution to the desk, expressing the sense of the Senate on this matter, and ask unanimous consent that the text of the resolution be printed in the RECORD.

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

S. RES. 186

Resolved, That it is the sense of the Senate that real property located near Mount Vernon commonly known as the Wellington Estate which is owned by Malcolm Matheson should not be sold to the Soviet Union or its citizens, and the President should refuse to grant permission for such sale.

Sec. 2. It is further the sense of the Senate that the President conduct a study to determine an appropriate disposition of such property.



SEC. 3. It is further the sense of the Senate that until the President can determine through an appropriate study the historical significance and value to the citizens of the U.S. that no approval should be given by the U.S. Government for the sale to any foreign government of said lands which were originally part of the George Washington River Farm.

#### REVENUE ACT OF 1971— AMENDMENTS

##### AMENDMENT NO. 480

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

Mr. HARTKE submitted amendments, intended to be proposed by him, to the bill (H.R. 10947) to provide a job development investment credit, to reduce individual income taxes, to reduce certain excise taxes, and for other purposes.

##### AMENDMENT NO. 481

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

##### INTRODUCTION OF SMALL BUSINESS TAX AMENDMENT

Mr. BIBLE. Mr. President, I submit for appropriate reference an amendment, on behalf of small business, to H.R. 10947, the "Revenue Act of 1971," as presently pending before the Committee on Finance.

##### NATURE OF THE AMENDMENT

The sole "small business provision" of H.R. 10947 would provide that the 7-percent credit could apply to \$65,000 worth of used machinery; but there is an offset for any new machinery purchased. The attached amendment would eliminate this offset and make the full \$65,000 available to all businesses purchasing such used machinery.

We are informally advised by the congressional authorities on the subject that the revenue effect of this would be very minor, perhaps somewhere around \$30 million.

##### THE PRESIDENT'S PROPOSALS

This legislation contains the major part of the economic program which President Nixon has put forward to cope with the inflation, unemployment, trade, and monetary difficulties facing our Nation. Many of these problems were the subject of my remarks on several occasions over the past 2½ years.<sup>1</sup>

Periodically, during this period, I respectfully offered my advice to the President on the many benefits which

<sup>1</sup> "Small Business Caught in Triple Credit Squeeze—Administration Should Release \$170 Million in SBA Loan Authority," remarks by Senator ALAN BIBLE, CONGRESSIONAL RECORD, Vol. 115, pt. 13, p. 17275.

"S. 4039—Introduction of the Small Business Tax Simplification and Reform Act of 1970," by Senator ALAN BIBLE, CONGRESSIONAL RECORD, Vol. 116, pt. 16, p. 22205.

"Next Year's SBA Budget Will Be Important Test—Direct Loan Funds Should Be Restored," remarks by Senator ALAN BIBLE, CONGRESSIONAL RECORD, Vol. 116, pt. 33, p. 44026.

"S. 1615—Small Business Tax Simplification and Reform Act of 1971," by Senator ALAN BIBLE, CONGRESSIONAL RECORD, Vol. 117, pt. 9, p. 11409.

"Administration Overlooks Potential of Smaller Business in Solving Nation's Problems," July 19, 1971, CONGRESSIONAL RECORD, p. 25808.

would flow into our economy from minimal small business measures, which could kindle initiative and enterprise of the 5½ million small business concerns across the country. For instance, there is the "Small Business Tax Simplification and Reform bill," which was reintroduced in this Congress and has now been before the public for nearly a year and a half. This 23 sponsors of this bill feel it would stimulate formation and growth of smaller firms, and thus modernization, cost reductions through competition, more jobs, and more profits for 95 percent of the American business community. I am sorry that the administration has chosen not to adopt this approach toward improving the economy. In the past, we have noted with regrets that the administration's tax initiatives have been weighted heavily in favor of the few great corporations which occupy the summit of our economy.<sup>2</sup>

It should be observed that the DISC proposal is back in the President's economic package as title V of the Revenue Act of 1971. Tax authorities have estimated that between 50 and 90 percent of the billion dollar benefit of this provision will go to fewer than 125 corporations.

Another phase II proposal, embodied in section 401 of H.R. 10947 is the elimination of the excise tax on automobiles. Although many small businessmen do stand to gain from an upswing in the domestic automobile industry, the primary beneficiaries of this proposal are three giant automobile manufacturers, one of which earns net income of over \$2 billion a year.

The August 15 announcements also put the administration squarely behind the investment tax credit, which it previously advocated eliminating without exceptions in 1969. One thing should be clear about the investment credit—about three-fourths of the \$3.6 billion will be reaped by about 2,590 companies, all of which have assets of more than \$1 million. I have attempted, in a series of amendments since 1969, to make the investment credit device more balanced and equitable for the smaller firms.

Does it seem from this information that the 95 percent of the Nation's companies which are small business are again being left out in the cold? Well, it is not quite a complete shutout. There is a section of the bill which provides an allowance for the purchase of \$65,000 worth of used machinery. However, even this is qualified. There is also a limitation that the purchase of new equipment reduces this benefit dollar for dollar.

##### CONGRESSIONAL RESPONSE

The President has put forward the Revenue Act of 1971 as emergency legislation to deal with the economic emergency. As the Senator from Maryland (Mr. MATHIAS) stated before the Finance Committee:

<sup>2</sup> The particulars as to the big business weighting of the administration's corporate tax rate proposals of September 1969, the DISC export proposal, accelerated depreciation guidelines of January 1971 are detailed in my earlier statements, see particularly July 19, 1971, CONGRESSIONAL RECORD, p. 25809.

The tax proposals are a key element of an economic package perhaps more far-reaching and ambitious . . . than any put forward by the Executive Branch in the last generation.

I therefore believe that the Congress should resist any pressure to deal with these measures hastily, but should give them our most deliberative, prompt thought.

Because of this, I have not asked the Ways and Means Committee or the Finance Committee to raise the issue of small business tax reform in the current hearings. I would, of course, welcome such consideration at any time, and hope that there will be such an opportunity quite soon. Tax equity for small business is necessary in the best of times, and has become urgent as our economy has run into rough water. Over 10,700 firms went under in bankruptcy in 1970 alone, an increase of 17 percent for a 3-year high.

Accordingly, I think it responsible at this time to deal only with the legislation as proposed. For instance, the used-machinery credit can be materially strengthened by eliminating the "offset" requirement for new machinery.

##### SMALL BUSINESS PROBLEMS WHICH ARE ALREADY ARISING

Correspondence which has already been received from small businessmen across the country illustrate the need for such an amendment. For instance, an industrial corporation from Illinois writes:

Due to recent legislation, businesses must buy safety equipment and pollution control equipment, all of which can be very expensive, and all of which must be purchased new. These expenditures will automatically be deducted from the tax credit on used. The entire concept of this offset is entirely unfair to industry and especially to small business."

A Pennsylvania firm has advised us that:

I am one of the Small Manufacturers who will be hit with the exorbitant cost of putting in a water purification setup for our little Plating Plant. Actually, we put out a total of less than ½ percent cyanide and less than ½ of a percent of chrome. To purify this we must put in a full sized water cleaning plant—costing approximately \$35,000.

We do not have this money and will have to try to borrow it at probably 9 percent interest.

Why can't the government help us a little like they are helping everyone else in need? Believe me we are in need of help.

Especially for such firms who are required to buy new equipment to comply with deadlines under Federal law, the case is compelling. I have proposed legislation in the last two Congresses, now partially enacted which would provide SBA emergency loans for businesses so that they could make these improvements.

Thus, as a practical matter the company which would ordinarily wish to purchase used machinery but was simultaneously under the compulsion of the Federal deadlines to update its pollution control facilities would be substantially disadvantaged by the present wording of H.R. 10947. It could be said that what the used machinery allowance gives with one hand it takes away with the other.

## AMENDMENT WOULD PROVIDE RELIEF

My amendment would remove this offset for new machinery, so that the entire \$65,000 credit for used machinery would be available. I think this would benefit the entire business community, and particularly the 95 percent which need it most.

I sincerely hope that the Finance Committee will be able to favorably consider this amendment and act on it to make the bill more equitable for the Nation's small business community.

At a later time I hope the broader small business tax simplification and reform bill can provide our tax-writing committees with the opportunity to consider thoroughly the long-term structural questions and resolve them in a manner which will better balance the equities of the Internal Revenue Code and result in better tax justice for small business.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 21, 1971, he presented to the President of the United States the following enrolled bills:

S. 74. An act to provide for the conveyance of certain real property of the United States to the University of North Dakota, State of North Dakota.

S. 414. An act to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home.

S. 654. An act for the relief of Frederick E. Keehn.

## ANNOUNCEMENT OF HEARINGS BY THE SUBCOMMITTEE ON BUSINESS, COMMERCE AND JUDICIARY OF THE SENATE DISTRICT COMMITTEE ON MISCELLANEOUS BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of the distinguished Senator from Illinois (Mr. STEVENSON) I announce, on his behalf, hearings by the Subcommittee on Business, Commerce and Judiciary of the Senate District Committee on the following bills:

S. 1362. To authorize the Commissioner of the District of Columbia to enter into contracts for the payment of the District's equitable portions of the costs of reservoirs on the Potomac River and its tributaries, and for other purposes;

S. 2204. To provide for improvements in the administration of the government of the District of Columbia, and for other purposes;

H.R. 10383. 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;

S. 2409. To facilitate the amendment of the governing instruments of certain charitable trusts and corporations subject to the jurisdiction of the District of Columbia, in order to conform to the requirements of section 508 of the Internal Revenue Code of 1954, as amended by the Tax Reform Act of 1969; and

S. 1367. To authorize the Commissioner of the District of Columbia to lease airspace above and below freeway rights-of-

way within the District of Columbia, and for other purposes.

The hearing is scheduled for Thursday, October 28, 1971, at 10 a.m. in room 6226, New Senate Office Building. Persons wishing to testify on this subject should notify Mr. Gene E. Godley, general counsel of the committee, in room 6222, New Senate Office Building.

## ANNOUNCEMENT OF HEARING ON COMMODITY RESERVES

Mr. JORDAN of North Carolina. Mr. President, I wish to announce that the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry will hold a hearing on the following bills relating to commodity reserves on Wednesday, November 10, S. 2093, S. 2099, S. 2444, S. 2500, S. 2648, S. 2678, and S. 2729. The hearing will begin at 9:30 a.m. in room 324, Old Senate Office Building. Anyone wishing to testify should contact the committee clerk as soon as possible.

## ANNOUNCEMENT OF HEARINGS ON SICKLE CELL ANEMIA LEGISLATION

Mr. TUNNEY. Mr. President, as chairman of the Subcommittee on Public Health, Education, Welfare, and Safety of the Committee on the District of Columbia I am pleased to announce that hearings on S. 2677, a bill to combat and control the disease known as sickle cell anemia in the District of Columbia, will be held on Wednesday, October 27, 1971 at 9:30 a.m., in room 6226, New Senate Office Building.

Anyone wishing to testify at those hearings should contact Mr. Gene Godley, counsel to the committee, 225-4161.

## NOTICE OF HEARINGS ON SURPLUS PROPERTY

Mr. ALLEN. Mr. President, I wish to announce that on November 2 at 10 a.m. and on November 3 at 10:30 a.m., in room 3302, the Ad Hoc Subcommittee on Surplus Property of the Committee on Government Operations will hold hearings on a number of proposals to amend the Federal Property and Administrative Services Act of 1949, including S. 164, S. 239, S. 244, S. 1153, S. 1579, S. 2000 and S. 2312.

## ADDITIONAL STATEMENTS

## THERON W. MARSHALL

Mr. MATHIAS. Mr. President, the loyal service provided by the employees of this body was typified by Theron W. Marshall. Mr. Marshall came to the Senate staff in 1934, with Senator Park Trammell, of Florida, and began to work in the Senate Document Room shortly after World War II. He was appointed superintendent of the Document Room in 1955.

Mr. President, in tribute to Theron W. Marshall, who died of a heart attack during the August recess, I ask unanimous consent that the obituary in the Washington Post at that time be printed in the RECORD.

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

[From the Washington Post, Aug. 14, 1971]

T. W. MARSHALL DIES, DOCUMENTS CHIEF

Theron W. Marshall, superintendent of the U.S. Senate Document Room, died yesterday of a heart attack. He was 64.

Mr. Marshall, who lived at 1401 N. Nicholas St., Arlington, was born on June 11, 1907, in Lakeland, Fla.

He came to the Senate in 1934 with Sen. Park Trammell of Florida, and began to work in the document room shortly after World War II. He became superintendent in 1955.

Marshall became known for his wide knowledge of legislation.

He was a veteran of World War II and a past president of the Young Democrats of Washington.

Mr. Marshall is survived by his wife, Mary Vaughn, and a son, Thomas, of the home; a daughter, Josephine Evey, and three grandchildren in St. Petersburg, Fla., and a sister, Margaret Weichel of Lakeland, Fla.

## REPRESENTATIVE WYMAN OF NEW HAMPSHIRE, SUGGESTED AS A SUPREME COURT NOMINEE

Mr. STAFFORD. Mr. President, I hope that while the President is considering potential candidates for the vacancies on the Supreme Court of the United States he will not overlook the name of LOUIS C. WYMAN, a U.S. Representative from New Hampshire.

I have known Mr. WYMAN since 1953, when we met at a meeting of the National Conference of Attorneys General. LOU WYMAN subsequently served as president of that conference during 8 distinguished years as attorney general of New Hampshire.

He has had an outstanding career as an attorney. He is a Fellow of the American College of Trial Lawyers; a former chairman of the American Bar Association Standing Committee on Jurisprudence and Law Reform; and most recently he has, for several terms, served as a distinguished Member of the U.S. House of Representatives from New Hampshire.

He is well qualified legally to be a Supreme Court Justice, and I hope that the President will submit his name to the American Bar Association.

I ask unanimous consent to have printed in the RECORD some material reflecting the highlights of LOUIS C. WYMAN's career.

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

## LOUIS C. WYMAN

Member of Congress, Former State Attorney General (N.H.), Trial Lawyer, Fellow of American College of Trial Lawyers, Former Chairman American Bar Association Standing Committee on Jurisprudence and Law Reform, Former Counsel to U.S. Senate and House Committees, Honor graduate of Harvard Law School 1941.

Age 54.

Wyman was born in Manchester, New Hampshire, in 1917, son of Attorney Louis E. Wyman. He graduated from the University of New Hampshire in 1938, completing his 4 year college course with honors (Phi Kappa Phi Nat'l Honorary Society) in three years going to Harvard Law School from which he graduated *cum laude* in 1941. While at Harvard Law he was elected President of the Jeremiah Smith Law Club (to which Felix Frankfurter was faculty adviser), President

of the Harvard Legal Aid Bureau, and Permanent Secretary of the Class of 1941 which is the only permanent elective office at the Law School. He then took and passed both the Massachusetts and New Hampshire Bar Examinations (ranking second in both) and became an Associate in the law firm of Ropes & Gray on Federal Street in Boston. He was admitted to the Florida Bar by examination in 1957.

After four years in the Navy in World War II he returned to practice in his father's firm in Manchester, New Hampshire (Wyman, Starr, Booth, Wadleigh & Langdell) from which he took leave of absence to serve as Counsel to the U.S. Senate Campaign Committee in 1946, Secretary to the late Hon. Senator Styles Bridges in 1947, and Counsel to the Joint House-Senate Committee on Foreign Economic Cooperation in 1948-1949. He then returned to New Hampshire as a partner in the Wyman firm and was appointed Attorney General of New Hampshire in 1952 taking office in January 1953. During eight years as Attorney General Wyman tried many criminal cases of major importance and argued several cases before the U.S. Supreme Court to which he was admitted in 1947. In 1956 he was elected President of the National Association of Attorneys General in Phoenix, Arizona, followed by Chairmanship of its Committee on Internal Security from 1957 to 1961. In 1955 he was appointed a member of the American Bar Association's Special Committee on Communist Tactics, Strategy and Objectives, on which he served until 1961 when he was appointed Chairman of the American Bar Association's Standing Committee on Jurisprudence and Law Reform. He was appointed Chairman of this Committee in 1962.

Following his tenure as Attorney General he served as Legislative Counsel to the Governor of New Hampshire in 1961 and drafted a major reorganization of the State Government of N.H. most of which was enacted by the 1961 N.H. General Court. In 1962 he was elected to Congress from the 1st District of New Hampshire, and reelected in 1966 and 1968. He was appointed to the House Appropriations Committee in 1963 as a freshman Congressman and currently serves on the Defense Subcommittee.

Wyman has also been elected Delegate to the Republican National Conventions of 1956 favorable to Eisenhower and 1960 favorable to Nixon. He is an original Nixon supporter having assisted Nixon in his Senatorial Campaign in California in 1950 and has worked for Nixon ever since.

He has been a consistent critic of looseness and permissiveness in U.S. Supreme Court decisions ever since Earl Warren became Chief Justice of that Court and has authored or cosponsored many bills and resolutions designed to restore balance to American jurisprudence. His Presidential Address to the National Association of Attorneys General in 1957 at Sun Valley, Idaho, dealt with State's Rights, Security and the Supreme Court.

Wyman has had years of successful trial practice much of it in the field of criminal law. In New Hampshire the Attorney General is required to prosecute all cases the penalty for which exceeds 25 years in State Prison. He has served on advisory groups in the field of criminal law, was a member of the House Republican Task Force on Crime and has authored publications in the field of criminal law. As Attorney General of New Hampshire he prepared and published a Law Enforcement Manual for all State law enforcement officers which has been repeatedly cited in the Court in criminal causes.

Mr. COTTON. The Senator from New Hampshire has known Representative WYMAN from his youth and, in common with all the bench, the bar, and the citizens of our State, admires his legal abil-

ity and is aware of his distinguished record as New Hampshire's attorney general.

I wish to thank the distinguished Senator from Vermont for his comments and associate myself with him in expressing the hope that the President will give careful consideration to Mr. WYMAN as he selects his nominees for the Supreme Court of the United States.

#### ADVISORY COUNCIL ON AGING AND AGED BLACKS

Mr. CHURCH. Mr. President, the Special Committee on Aging has been assigned a unique responsibility by the resolutions which first established the committee and then extended it from year to year.

That mandate requires the committee to keep watch over all developments in aging which should be of concern at the Federal level.

In previous years, the committee has relied primarily upon hearings—both in Washington, D.C., and in the field—upon staff research, and upon reports prepared by individuals or small "task forces."

This year, however, in preparation for the White House Conference on Aging, the committee is relying upon a new technique for exploration of important issues: The establishment of advisory councils to provide the committee with direct access of suggestions and experience of well-informed persons in areas of special importance.

The first advisory council, dealing with the administration on aging or a successor, met during the summer and has completed work on a report which recommends far-reaching action on Federal organizations to deal more effectively with problems affecting older Americans. My thanks goes in particular to Dr. Harold Sheppard, elected by that advisory council as its chairman.

Today, however, I wish to announce that an Advisory Council on Aging and Aged Blacks is also at work.

This council has as its cochairs Mr. Hobart Jackson, president of the National Caucus on the Black Aged and administrator of the Steven Smith Geriatric Center in Philadelphia; and Mrs. Jean Harris, M.D., executive director of the National Medical Association Foundation.

The need for special attention to the subject of old blacks was, in my opinion, amply documented last month when the committee published "Multiple Hazards of Age and Race: The Situation of Aged Blacks in the United States." This preliminary report was prepared by Dr. Inabel Lindsay, former dean of the school of Social Work at Howard University and a member of the planning board for the White House Conference on Aging. Among her most striking findings were: Poverty is twice as prevalent among aged blacks as among aged whites; average age at death for blacks is 61, as compared to 67 for whites; and housing resources are strikingly inadequate.

The advisory council will, early next year, advance its recommendations for

committee inquiry and action. I am pleased to have such a distinguished group working directly with the Committee on Aging, and I ask unanimous consent to list the names of the members of that council.

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

#### LIST OF MEMBERS OF COUNCIL

Bishop John D. Bright, President, National Committee on Black Churchmen.

Kenneth W. Clement, M.D., Member of the Board of Trustees of Howard University and former President of the National Medical Association.

Jean L. Harris, M.D., Executive Director, National Medical Association Foundation.

Robert Hill, Ph.D., Associate Professor of Sociology, University of California.

Robert Kastenbaum, Ph.D., Professor of Psychology, Wayne State University.

Benjamin E. Mays, Ph.D., President Emeritus of Morehouse College, and President, Atlanta Board of Education.

Frank Pohlhaus, Counsel for the Washington, D.C., Bureau, National Association for the Advancement of Colored People.

Mrs. Carolyn N. Watts, Member and Former Board Member, National Association for the Advancement of Colored People.

Mr. Robert Butler, M.D., Chairman of the D.C. Advisory Committee on Aging and Chairman of the Committee on Aging for the Group for the Advancement of Psychiatry.

Mr. Donald L. Davis, Director of Senior Community Service Project, National Council on the Aging.

Hubert L. Hemsley, M.D., President-Elect, Charles Drew Medical Society.

Jacquelyne J. Jackson, Ph.D., Assistant Professor of Medical Sociology, Duke University Medical Center.

Hobart C. Jackson, President, National Caucus on the Black Aged and Administrator, Steven Smith Geriatric Center.

Donald P. Kent, Ph.D., Former Director, U.S. Office on Aging, Department of HEW, and Professor of Sociology.

Lawrence Oxley, Director of Special Projects, National Council of Senior Citizens.

Louise M. Singleton, representing National Welfare Rights Organization.

#### THE MILITARY BALANCE: THE UNITED STATES AND THE SOVIET UNION

Mr. FULBRIGHT. Mr. President, in these days when we are subjected to so many comparisons of United States and Soviet strength, estimates which imply that the Soviet Union has overtaken us in the military field and will continue to do so unless we pour additional billions into our defense budget and divert further human and material resources to our defense establishment, it is refreshing to read a cooler and less apocalyptic analysis of the military balance. Such an analysis is produced every year by the International Institute for Strategic Studies in London. The latest edition is entitled "The Military Balance, 1971-72."

The publication begins with a summary of the balance between the United States and the Soviet Union and I ask unanimous consent that the complete text of this portion of the study be printed in the RECORD at the conclusion of my remarks.

I would urge Senators to read this portion of the study, for there are several statements that I think they would find interesting.

For example, the survey states:

The Soviet Union, having matched the American total of offensive strategic missiles, has continued to deploy additional intercontinental ballistic missiles (ICBMs) on land, to construct additional ballistic-missile submarines and to develop more effective weapons for its offensive forces. At the same time, the United States has embarked upon an extensive modernization of its strategic offensive weapons which, over the next four years, will add considerably to the number and effectiveness of the nuclear warheads which its own land-based and sea-based forces can deliver.

As far as ICBM's are concerned, the study states that "the Soviet Union has now surpassed the United States ICBM force of 1,054," although it adds that—

Soviet deployment has, however, slowed down considerably since the beginning of 1970 and may have reached, or be approaching, its planned level.

The study also notes that—

The United States has made no effort to increase its total of ICBM launchers.

but adds:

It has, however, continued the replacement of Minuteman I missiles with Minuteman 3 missiles which began in 1970 . . . This will have the effect of doubling the number of targets at which the total Minuteman force can strike.

So far as ballistic-missile submarines are concerned, the study states that the Soviet Union has continued to launch Y-class ballistic-missile submarines but has not yet overtaken the United States. The study observes:

In terms of launcher totals the Soviet Union's construction program continues to bring it closer to the United States at a rate which could produce numerical equality by 1974. Moreover, the Soviet Union has been testing a new SLBM which, with its estimated range of some 3,000 miles, would be comparable to the American Polaris vehicle. Meanwhile, the United States has begun to deploy the more advanced Poseidon SLBM, with at least 10 independently-targeted re-entry vehicle . . . the completion of the planned program for converting 31 boats would raise the total number of nuclear warheads deliverable by the American SLBM force from about 1,500 (capable of attacking 656 separate targets) to over 5,400 (capable of attacking some 5,000 separate targets).

The IISS study also states that both the Soviet Union and the United States have continued to allow their strategic bomber forces to dwindle, although the United States still has over 400 B-52 bombers while the Soviet force of Bison and Bear bombers is now estimated at 140 aircraft. The study adds that on the American side, however, the effectiveness of the B-52 force is likely to be greatly increased by the introduction of the new short-range attack missile and concludes:

The total number of nuclear weapons deliverable by the American strategic bomber force is thus likely to rise sharply during the next five years. The Soviet Union has shown no apparent interest in matching this particular effort.

There are appendices to the publication which also contain a number of interesting points. Table 3 shows defense expenditures in millions of dollars in the period 1970-71, defense expendi-

tures per capita and defense expenditures as a percentage of GNP. While the table shows that the United States devoted 7.8 percent of its GNP to defense expenditures compared to 11 percent for the Soviet Union, U.S. defense expenditures in 1971 were \$78,743,000,000 compared to Soviet defense expenditures of \$55 billion. And in defense expenditures per capita, the United States was spending \$373 compared to a Soviet expenditure of \$222.

Table 6 is entitled "Overseas Deployment of Forces" and includes all forces abroad excluding Europe and small contingents such as military advisory groups. It provides the interesting information that the Soviet Union has deployed abroad 1,500 personnel in Algeria, 1,000 in the Sudan, 1,000 in Cuba, and between 15,000 and 20,000 in the United Arab Republic for a total of between 18,500 and 23,500. Table 6 shows that, as of the time the figures were collected, the United States has deployed abroad, excluding forces in Europe and Vietnam, over 177,000 military personnel. There are 3,500 in Cuba—Guantanamo; 1,750 in Ethiopia; 40,000 in Korea; 72,000 in Japan and Okinawa; 1,700 in Morocco; 18,400 in the Philippines; 8,000 in Taiwan; and 32,000 in Thailand. Of course, if the 210,000 men in Vietnam are added the total becomes 380,000 abroad, excluding Europe where there are an additional 310,000 deployed. Mainland China, incidentally, is shown as having only railway and construction engineers in Laos and North Vietnam.

I ask unanimous consent that table 6 from "The Military Balance, 1971-1972" also be printed in the RECORD.

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

#### THE UNITED STATES AND THE SOVIET UNION

Whatever their other commitments or capabilities, the primary mission of American armed forces remains the deterrence of a strategic attack, necessarily with nuclear weapons, upon the United States. The principal object of that deterrence is the only other "super-power", the Soviet Union, with China as a subsidiary object of potentially increasing importance. Conversely, although less explicitly, Soviet strategic nuclear forces appear to be designed primarily to deter an American strategic attack upon the Soviet Union. The strategic forces and weapons of both super-powers have capabilities which, at least in theory, go beyond reciprocal deterrence, to the point of offering some prospect of limiting the damage which either would suffer should a strategic nuclear war occur. They also provide means of deterring lesser nuclear powers. In terms of intentions, however, it seems that deterrence of each other represents the first priority for both countries.

Soviet and American representatives have been engaged since November 1969 in an effort to agree upon the mutual limitation of strategic nuclear forces. These Strategic Arms Limitation Talks (SALT) have not yet produced any formal agreement, although the governments issued a statement on 20 May 1971 in which they spoke of working out an agreement during the remaining months of the year which would limit the deployment of anti-ballistic missile (ABM) systems and which would also include "certain measures" of limitation on offensive weapons. Meanwhile, the expansion or modernization of strategic nuclear forces has continued on

both sides. The Soviet Union, having matched the American total of offensive strategic missiles, has continued to deploy additional intercontinental ballistic missiles (ICBMs) on land, to construct additional ballistic-missile submarines and to develop more effective weapons for its forces. At the same time, the United States has embarked upon an extensive modernization of its strategic offensive weapons which, over the next four years, will add considerably to the number and effectiveness of the nuclear warheads which its own land-based and sea-based forces can deliver. Both countries have also pursued attempts to deploy an effective ABM system: the Soviet Union by improving the small system which it already has, the United States by starting deployment of the *Safeguard* system which was announced in 1969.

With an estimated total of 1,510 ICBM (about 100 of which are positioned in MR/IRBM fields, and may, therefore, be intended for possible use against targets other than the United States), the Soviet Union has now surpassed the United States ICBM force of 1,054. Soviet deployment has, however, slowed down considerably since the beginning of 1970 and may have reached, or be approaching, its planned level. A number of underground silos of a new type have been observed, but it is not clear whether these are intended to fire a new ICBM (of which no other evidence has been reported) or to provide added protection for missiles of existing types, and especially for the large SS-9 missile. If, as seems possible, the latter is the case, this improvement of the silo for the SS-9 system will match the testing of an SS-9 multiple warhead cluster, containing three re-entry vehicles, in which the Soviet Union has been actively engaged since 1968.

The United States has made no effort to increase its total of ICBM launchers. It has, however, continued the replacement of *Minuteman 1* missiles with *Minuteman 3* missiles which began in 1970. Over 500 *Minuteman 3* launchers, each of which carries three independently-targeted warheads, are to be deployed, under present plans, by 1975. This will have the effect of doubling the number of targets at which the total *Minuteman* force can strike.

Although the Soviet Union has continued to launch Y-class ballistic-missile submarines now at a rate of some 7-8 a year, it has not yet overtaken the United States in this field. It now has about 350 SLBMs in nuclear-powered submarines (of which some 320 are in modern Y-class boats), in contrast with the 656 launchers in the parallel American force. In terms of launcher totals, the Soviet Union's construction programme continues to bring it closer to the United States at a rate which could produce numerical equality by 1974. Moreover, the Soviet Union has been testing a new SLBM which, with its estimated range of some 3,000 miles, would be comparable to the American *Polaris* vehicle. Meanwhile, the United States has begun to deploy the more advanced *Poseidon* SLBM, with at least 10 independently-targeted re-entry vehicles. The first submarine equipped with *Poseidon* became operational during early 1971; the completion of the planned programme for converting 31 boats would raise the total number of nuclear warheads deliverable by the American SLBM force from about 1,500 (capable of attacking 656 separate targets) to over 5,400 (capable of attacking some 5,000 separate targets). For the longer term, development work continues on an Undersea Long-Range Missile System (ULMS), which might replace the *Poseidon* submarines themselves at the end of the 1970s.

In contrast with the quantitative reinforcement of their offensive missile forces, the Soviet Union and the United States have continued to allow their strategic bomber forces to dwindle. The number of American B-52 bombers in service has dropped to well be-

low 500, while the Soviet force of Mya-4 *Bison* and Tu-20 *Bear* bombers is now estimated at 140 aircraft (with an additional 50 *Bison* tankers). On the American side, however, the effectiveness of the B-52 force is likely to be greatly increased by the introduction of the new Short-Range Attack Missile (SRAM), which has been ordered into production and which is expected to have an operational range of 60-75 miles. Each B-52 could carry up to 24 SRAM, while the proposed B-1 bomber, prototype development of which is under way, would, if produced, be able to carry some 32 SRAM when it became operational in about 1978. The total number of nuclear weapons deliverable by the American strategic bomber force is thus likely to rise sharply during the next five years. The Soviet Union has shown no apparent interest in matching this particular effort. The prototype of a new variable-geometry ('swing-wing') bomber has been observed, but it is not clear that, even if produced, it would have an effective inter-continental capability, and there have been no reports of any attempt to develop air-to-surface missiles for it (or for existing Soviet bombers) of a type comparable to SRAM.

The Soviet Union, with some 10,000 anti-aircraft missiles (SAM) and 3,000 interceptor

aircraft, has devoted a great deal more effort to territorial air defense than the United States, although the latter has continued development of its Over-the-Horizon-B (OTH-B) radar system, designed to detect attacking aircraft at great range, and of an Airborne Warning and Control System (AWACS), designed to track aircraft flying below the coverage of other radar systems. Both countries have continued to devote efforts to developing means of defense against ballistic missiles. The Soviet Union, which completed deployment around Moscow of 64 ABM launchers for its *Golash* missile in 1970, has been testing an improved ABM missile and may be ready to begin its deployment.

It does not appear, however, to have modified the basic orientation of its ABM system, whose missiles and radars are deployed in a manner which suggests a strong bias towards defense against an attack by American ICBM. The United States has begun work on three sites for its *Safeguard* ABM system, each containing long-range *Spartan* and short-range *Sprint* missiles for the protection of a part of the *Minuteman* force against ICBM or SLBM attack, the first of which could be operational at the end of 1974. Funds have also been requested for a fourth site, either at an additional *Minuteman* field or at

Washington, D.C., as well as for the continuation of development work on an alternative system, known as *Hard Site*,\* for the more economical and less vulnerable defense of *Minuteman*. On both sides, however, continued deployment of ABM launchers now depends heavily upon the outcome of the SALT negotiations.

The manpower strength of American conventional forces has declined from the 1968 peak of over 3.5 million to the 'pre-Vietnam' level of 2.7 million and is well on the way toward the 1972 target of 2.5 million. At the same time, withdrawals from Vietnam and South Korea and the redeployment of units from Japan have marked the further contraction of American military deployment in Asia. No parallel manpower reductions or deployment changes have been apparent in the Soviet case. As far as navies are concerned the American tendency to reduce the active ship strength, while improving its quality, has been generally followed by the Soviet Union. Both navies have reduced overall numbers while continuing with modernization (see p. 82 for some comparative figures of new construction).

\*This would replace the *Safeguard* Missile Site Radars (MSR) with a large number of smaller and cheaper radars.

6. OVERSEAS DEPLOYMENT OF FORCES<sup>1</sup>

## (A) AFRICA—SOUTH OF THE SAHARA

Deploying country	Recipient countries							
	Chad	Ethiopia	Gabon	Ivory Coast	Malagasy Republic	Niger	Senegal	Sierra Leone
Britain					Air Force: det with 2 MR ac. <sup>3</sup>			
France	Total: 1,300— Army: 600, 1 CF regt. <sup>2</sup> Air Force: 700, 6 tpts; 10 hel.		Total: 200—1 para coy.	Total: 600—Elms of 1, CF regt. <sup>2</sup>	Total: 2,500— Army: 1,250, 2 regts; Navy: 450, 1 frigate, 2 MCM ships; Air Force: 800, 1 GA sqn, 6 tpts.	1 armd car sqn on det from Ivory Coast.	Total: 2,000— Army: 1,200, 1 CF regt. <sup>2</sup> Navy: 500, 2 escorts; Air Force: 300, 6 tpts.	
Guinea								Total: 200—All Army.
United States		Total: 1,750— Comms station and support tps.						

<sup>1</sup> Excluding Europe, all forces stationed in colonies or metropolitan territories, and small contingents such as military advisory groups, training teams, seconded personnel, and United Nations observer teams.

<sup>2</sup> On the Beira patrol. Frigates on this patrol are found from ships based in United Kingdom or Singapore.

<sup>3</sup> A CF Regt (RIAOM) is a regimental group containing infantry and armor with supporting services.

## (B) MIDDLE EAST AND MEDITERRANEAN

Deploying country	Recipient countries								
	Algeria	Cyprus <sup>1</sup>	Jordan	Malta <sup>2</sup>	Morocco	Persian Gulf <sup>3</sup>	Sudan	Syria	UAR
Britain		Total: 4,000— Army: 2 bns, 2 armd car sqns; Air Force: 1 interceptor sqn, 1 tpt sqn.		Total: 3,000— Army: 1 inf bn; Air Force: 1 MR sqn; 1 recce sqn.		Total: 6,400— Army: 2,400 inf and engrs; Navy: 1,000; Air Force: 3,000.			
Kuwait									Total: 1,500— All Army.
Saudi Arabia			Total: 1,000— All Army.						Total: 2,000— All Army.
Soviet Union	Total: 1,500						Total: 1,000	AD units	Total: 15 to 20,000 including 6 fighter sqns and AD units.
Sudan									Total: 2,000.
UAR								Air Force elms	
USA					Total: 1,700— 3 comms bases.				

<sup>1</sup> There is a United Nations peace-keeping force in Cyprus (UNFICYP), military personnel strength about 2,950, with contingents from Austria, Britain, Canada, Denmark, Finland, Ireland, and Sweden and 175 civilian police from Australia, Austria, Denmark, and Sweden.

<sup>2</sup> Britain has a DDG and 2 frigates stationed in the Mediterranean, reinforced from time to time by other ships. These are normally based in Malta.

<sup>3</sup> British forces are to be withdrawn by the end of 1971.

(C) EAST ASIA

(D) LATIN AMERICA

Deploying country	Recipient countries			
	Japan and Okinawa	Korea (South)	Mongolia	Philippines
Soviet Union			2 divs.	
United States <sup>1</sup>	Total: 72,000—Incl 1 Special Forces gp, 1 marine air wing; Elms of 5th Air Force.	Total: 40,000—1 inf div; Elms of 5th Air Force.		Total: 18,400—Incl elms of 13th Air Force.

Deploying country	Recipient country: Cuba
Soviet Union	Total: 1,000.
United States	Total: 3,550—Navy and Marines at Guantanamo Naval Base.

<sup>1</sup> The United States has substantial naval forces in the Pacific based in a number of countries.

(E) REST OF ASIA

Deploying country	Recipient countries							
	Cambodia	Laos	Malaysia	Singapore <sup>1</sup>	Taiwan	Thailand	Vietnam (North)	Vietnam (South)
Australia			2 fighter sqns. <sup>2</sup>	Army: 1,200, 1 inf bn; Air Force: 1 det.				Total: 7,000 <sup>2</sup> —2 inf bns and sp tps.
Britain				Army: 1 bn gp; Air Force: MR ac det, some heli.				
China		Railway <sup>4</sup> engrs; construction engrs.					Railway <sup>4</sup> engrs; construction engrs.	
Korea (South)								Total: 50,000—2 inf divs, 1 marine bde.
New Zealand				Army: 1 inf bn less coy; Air Force: 1 pt sqn.				Total: 320 1 inf coy.
Thailand								Total: 11,250.
United States <sup>4</sup>					Total: 8,000—incl elms of 13th Air Force.	Total: 32,000—Mainly elms of 13th Air Force.		Total: 245,000 <sup>5</sup> —Army: 195,000 Inf, airmobile, AB and sp tps; Marines: 1,800; Navy (shore-based): 11,000; Air Force: 37,000 incl 7th Air Force.
Vietnam (North)	Total: 40,000	Total: 75,000						Total: 90,000.
Vietnam (South)	Total: 23,000—Army: inf and sp tps.							

<sup>1</sup> After 1971. Under 5-Power defence arrangements taking effect from Nov. 1, 1971, Britain is to keep 5 frigates or destroyers on station East of Suez, including Hong Kong. Australia is to provide a submarine in the Singapore area for most of the time.  
<sup>2</sup> Less a detachment in Singapore.

<sup>3</sup> In May: the figure is to be reduced to 6,000 by November 1971.  
<sup>4</sup> 15 to 20,000 in Laos and North Vietnam.

<sup>5</sup> The United States has substantial naval forces in the Pacific, based in a number of countries, as of mid-June.

EVE EDSTROM

Mr. MATHIAS. Mr. President, the Washington press corps has lost one of its most distinguished members with the death of Eve Edstrom. Mrs. Edstrom, who was a reporter for the Washington Post for 20 years, died last week after a valiant struggle with cancer.

We who were acquainted with her knew her as a delightful individual as well as an outstanding reporter. Her professional reputation is attested by the many journalism awards which she received.

Mr. President, in tribute to Eve Edstrom, I ask unanimous consent to have printed in the RECORD the outline of her career which was published in the Washington Post of October 14.

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

EVE EDSTROM, POST WRITER, DIES

(By Jean M. White, and Jean R. Halley)

On one of her last trips home from the hospital, Eve Edstrom still found the strength to feel concern and indignation over the health services, not so much for herself as for others.

"I want to write a piece on what people have to go through with all this splitting up of services," she told a friend and the nurses going home with her. "Anyone ill doesn't have the strength for all the calls needed to

arrange for a visiting nurse, homemaker, practical nurses, all the services needed."

That article remains to be written, for Eve Mark Edstrom, 48, a reporter for The Washington Post for 20 years, died of cancer late Tuesday evening at her apartment at 4201 Cathedral Ave. NW.

In her years as a reporter in the nation's capital, Eve Edstrom covered many of the top stories of the day—school desegregation, anti-poverty war, medicare, social welfare reform that affected the lives of millions of Americans.

She won an array of top journalistic awards and, more importantly, respect—and affection—as an incisive, honest reporter with the added dimension of compassion for people and their problems in getting through daily life.

She could cover a campaign swing with a presidential candidate, translate complicated welfare legislation into clear and simple language, and tell what it was like to be a hungry child too tired to run and play. She was the complete professional.

Those who knew Mrs. Edstrom remembered her professionalism and her special compassion yesterday:

"Eve Edstrom was a wonderful lady and a great newspaper reporter. She understood as well as anyone, the major social problems that face this nation. Because she brought to her work a thorough understanding of the issues. Eve could take the most complicated set of facts and transform them into an interesting, informative news story. We all will miss her," said Sen. Abraham A. Ribicoff (D-Conn.), a former Secretary of Health, Education and Welfare, whose de-

partment was a major part of Mrs. Edstrom's beat.

Another former Secretary of HEW Wilbur J. Cohen, said: "I'm deeply shocked at Eve's untimely death. She was a wonderful reporter, critical and persevering, and her stories were the result of responsible, perceptive and intelligent reporting. As Secretary of HEW, I found it essential to read her stories in order to keep up with what was happening in some of the programs for which the department was responsible."

Rep. Wilbur Mills (D-Ark.), chairman of the House Ways and Means Committee, which handles welfare appropriations, said: "I knew Eve Edstrom for many years as a very fine and most able writer for The Washington Post. I know that the readers of The Post will miss her, just as she will be missed by those of us who regarded her as a friend. She was a very fine lady."

Sargent Shriver, former director of the Peace Corps and the Office of Economic Opportunity, said: "I am saddened to learn of the death of Eve Edstrom, not only because she was a personal friend but because in her death, Washington journalism has lost a perceptive and honest mind and pen. She was a credit to her profession, certainly one of the leading journalists, male or female, in our city for many years."

"Eve has represented the best of journalism. We will miss her irreplaceable expertise as will many others in her field. We will miss her even more as a great and valiant friend," Katharine Graham, publisher of The Washington Post, said.

Alfred Friendly, London correspondent and former managing editor of The Post,

said: "The death of Eve Edstrom is a deep loss both to her friends and her profession. I treasure the memory of that gifted and sensitive writer. Working with her through the years was a constant delight."

In the crowded city room of the newspaper, Mrs. Edstrom added a bright touch of feminine grace and elegance with her wondrous array of hats, wide-brimmed, varicolored.

There is the well-documented story that Mrs. Edstrom wore a dull green dress to a presidential press conference and could not get President Kennedy's attention for a question. The next time she switched to shocking pink and was recognized.

Mrs. Edstrom came to Washington and The Post in 1951 from the Louisville Courier-Journal, where she had covered a wide range of stories from the wedding of Vice President Alben W. Barkley to the British elections of 1950.

Mrs. Barkley had told reporter Eve Mark: "When you get married, let me know and I'll come."

Two years later, when Eve married Ed Edstrom, then a Washington correspondent for the Courier-Journal, Vice President and Mrs. Barkley were among the wedding guests.

When Mrs. Edstrom came to work for The Washington Post in 1951, the paper was among the first to give special coverage to social welfare as a top newspaper beat. Mrs. Edstrom made it that with her stories.

In consecutive years in 1955 and 1956, she won the Washington Newspaper Guild grand award, the first time for a Juvenile Court series credited with opening the Court to the press and the following year for coverage of congressional hearings on school desegregation in the nation's capital.

Among her other awards were three more Guild first-place citations: public service (1957), for stories about hungry children that resulted in the District's hot lunch program; general international news (1959), for a series on Russia's social welfare problems after a six-week assignment overseas for feature writing (1961), for stories on the plight of the city's needy.

She won the 1962 Catherine L. O'Brien Award for women's interest reporting for articles on relief funds and unwed mothers.

Mrs. Edstrom served as president of the Women's National Press Club, now the Washington Press Club, in 1966-67.

A graduate of the University of Missouri, she began writing professionally at 13 when she was hired by the New Bedford (Mass.) Standard-Times to do school news, and she learned quickly to spin out descriptions of events and gowns on space rates by the word.

In addition to her husband, Mrs. Edstrom is survived by a sister, Gilda Fehr, of Orange County, Calif., and five nieces and nephews.

The family suggests contributions to the American Cancer Society. A memorial service will be announced later.

#### GEN. LEWIS "CHESTY" PULLER, U.S. MARINE CORPS

Mr. SCOTT, Mr. President, in last night's Washington Evening Star, Smith Hempstone paid tribute to an outstanding general in the U.S. Marine Corps, Lewis "Chesty" Puller who was buried this week.

This moving account in brief touches on the outstanding career of a man who served 33 years in his country's defense, in all corners of the world and through three wars.

Chesty Puller will go down in history as a leader of men and one who had the greatest respect of those who followed him in peace and in preserving the peace. More than 1,500 marines and former ma-

rines paid their final respects at a remote churchyard in Virginia.

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

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

#### THEY WERE ALL CHESTY PULLER'S TRUE SONS (By Smith Hempstone)

They buried Chesty Puller at high noon on an apple-sweet October day, the notes of taps thin and sad on the crisp Tidewater air. The most decorated Marine in the history of the Corps did not hit his last beach-head alone.

They were all there: Chapman, Walt, Shoup, Greene, Silverthorne, Thomas, more than two dozen generals from a service in which stars come neither quickly nor easily. Pink-cheeked recruits down from Quantico and turkeynecked old timers, crackers who could remember how Chesty won his first Navy Cross against Sandino in Nicaragua 40 years ago. More than 1,500 Marines and ex-Marines found their way to that remote churchyard in Virginia to pay final homage to a superlative fighting man who in his own lifetime had become a myth.

The wonder of it all is that Lewis Burwell Puller lived either to make general or to die in bed at the age of 73. Haiti, Nicaragua, Guadalcanal, Peleliu, Inchon, Yongdonpo, Chosin Reservoir. At any of half a dozen places Puller might have left his bones to whiten with those of so many of the brave men he led. For Chesty led from out front and insisted that his officers do so, which is why his 1st Marines lost 74 percent of its officers and "only" 60 percent of its enlisted men in the caves of Peleliu's Bloody Nose Ridge.

But although Puller bore to his grave the scars of a dozen wounds, the God in whom he reposed such quiet trust denied him the battlefield death for which, in reality, he was born. Making general was another matter.

For in the service as in civilian life there's a small hello for a man with a salty tongue unafraid to use it on his superiors. Chesty always maintained that "the fat-assed generals" had it in for him and indeed he did not win his first star until he had served 33 years, won an unprecedented five Navy Crosses and led his 1st Marines out of "Frozin' Chosin," carrying their dead and wounded, trilled by the shattered remnants of less-favored regiments and better equipped (from materiel abandoned by other units) than when the Korean front collapsed.

Those "fat-assed generals"—or perhaps the Women's Christian Temperance Union (he always insisted that Marines fought better on whisky than on ice cream)—saw to it that the barrel-chested Puller never commanded anything larger than a regiment in combat. His third star was a "tombstone" promotion (made on the occasion of his retirement because of his 56 decorations for valor) and they turned him down in 1965 when he tried to get recalled to active duty so that he could go to Vietnam. Instead, his son went; young Puller lost both legs and parts of six fingers in a land-mine explosion.

To serve under Chesty was to have a good chance to die. And yet enlisted Marines, who are not given to the adulation of their generals, fought for the chance to follow him and came down out of the mountain hamlets of half a dozen states to bury him last week.

Curious. Or is it? It was much the same with that strange, harsh, God-fearing man, "Stonewall" Jackson, Puller's fellow-Virginian. Jackson would have a hungry Confederate soldier shot for stealing apples in Maryland and yet his butternut legions cheered him to a man whenever he showed himself. As Lee remarked sadly after Chancellorville, Jackson's presence on the bat-

tlefield was worth that of two crack regiments. So it was with Puller.

No soldier ever loved the brilliant Douglas MacArthur. Which leads one to the conclusion that enlisted Marines, with that curious intuition of unschooled men, realized two things: That Chesty Puller was tougher than any of them and that, despite this and almost because of it, he genuinely cared about them. He might—almost certainly would—lead them into hell, but he would be with them all the way and lead them out the other side, savoring their victories and mourning their deaths, for they were all, no less than his own blood and bone, Chesty's true sons.

The services are experiencing a difficult period. Men not fit to shine the boots of Chesty Puller make a mockery of everything for which he stood. You have to go into the rural areas to find a post office outside which enlistment posters can stand undefaced. A boy-man who has served his country in Vietnam, laying his life on the line, has to apologize to hairy stay-at-homes for his deeds.

And yet this, too, will pass. For ever since the world began there have been meat-eaters and grass-eaters, those who would fight and those who would rather talk. And both in the cities and in the boondocks, in the concrete hell of Spanish Harlem and in the grim coal mines of Harlan County, Ky., the Marine recruiters are still finding rawboned youngsters willing and eager to go through the valley of the shadow for a lantern-jawed, profane, compassionate man like Chesty Puller.

In the end, it matters little whether the rest of us understand or appreciate warriors such as Puller; there is little we can do to add to or detract from what they have been and are. But this nation would not exist without them and all of us comfortably at home today owe each of them an immense debt of gratitude. And when the smoke of that last volley cleared over the grave of Chesty Puller, it would have been a small man who would not have conceded that.

#### AWARD TO BERNARD C. BRONDER, MOUNTAIN HOME, ARK.

Mr. FULBRIGHT, Mr. President, Mr. Bernard C. Bronder, a 73-year-old self-taught artist from Mountain Home, Ark., has been named as the winner in the national senior portrait contest for the 1971 White House Conference on Aging.

I am very pleased that a citizen of Arkansas has won this fine honor in nationwide competition. According to Conference Chairman Arthur S. Flemming, Mr. Bronder's oil portrait, "Patriarch of the Mountain," was the unanimous choice of a three-judge panel.

The senior portrait contest was open to any artist who had reached age 65 by last December 31. It was not restricted to amateurs, but was open as well to senior artists whose income might have been supplemented by the sale of their artwork. Contest rules called for an original portrait of an aged subject completed within the last 3 years.

Mr. Bronder's "patriarch" was a bearded Confederate veteran named David Penland, who lived in the North Carolina mountains. Mr. Bronder found his subject in a collection of photographic studies made by a Mountain Home neighbor and onetime Philadelphia photographer, William A. Barnhill.

Mr. Bronder, who thinks of himself as a "part impressionist, part realist" painter, has drawn on the Barnhill col-

lection for many portraits. Of 250 paintings he has sold in the last 20 years, to buyers from Illinois and Indiana to Arkansas and Louisiana, the mountain portraits have been among his most popular. His wife, May Bronder, says most of them have been asked for "even before the paint was dry."

Mr. Bronder was originally from Chicago, but like many others he recognized the attractiveness of life in Arkansas and retired to the scenic Mountain Home area in 1950.

He has served as a volunteer art teacher in a junior high school and gives private lessons, painting "when he feels up to it." He has won a number of local art shows and county and State fair contests.

Both Mr. and Mrs. Bronder are active in a community center for senior citizens in nearby Gassville, a project funded by the Arkansas Office on Aging. Mrs. Bronder teaches rug hooking at the center.

#### CONSTITUTIONALITY OF WAGE-PRICE FREEZE

Mr. TAFT. Mr. President, in recent weeks certain newspaper columnists have taken it upon themselves to assert that the President's wage-price freeze may be unconstitutional as an impairment of the obligation of contracts. They suggest that because the freeze precludes wage increases which had been previously contracted, that the wage-price freeze thereby contravenes article I, section 10 of the U.S. Constitution.

These stories reflect an ignorance of the law and inadvertently or intentionally serve to mislead the American people.

As early as 1830 a State recording act was upheld as applying to deeds dated prior to the passage of the act. *Jackson v. Lamphire*, 3 Pet. 280 (1830).

The Court has sustained legislation prohibiting lotteries, even though such legislation invalidated lottery tickets which were lawful when issued. *Stone v. Mississippi*, 101 U.S. 814 (1879).

The Court has sustained State prohibition laws which invalidated prior contracts for the sale of beer. *Beer Co. v. Massachusetts*, 97 U.S. 25 (1877).

The Court has permitted States to modify existing contracts of employment by imposing additional liability upon employers for workmen's compensation. *N.Y. Central R.R. Co. v. White*, 243 U.S. 188 (1917).

Agreements between two railroads with respect to rates have been modified through public rate regulation. *Portland Ry. Co. v. Oregon R.R. Comm.*, 229 U.S. 397 (1913).

The Court has allowed states to prohibit the conveyance of water beyond its own limits, even though such prohibition necessarily struck down preexisting contracts. *Hudson Water Co., v. McCarter*, 209 U.S. 349 (1908).

I believe that the best statement on the relationship between the obligation of contracts clause and the legislative power was contained in *Manigault v. Springs*, 199 U.S. 473 (1905) at page 480:

It is the settled law of this court that the interdiction of statutes impairing the obli-

gation of contracts does not prevent the State from exercising such powers as are vested in it for the promotion of the common weal, or are necessary for the general good of the public, though contracts previously entered into between individuals may thereby be affected. \* \* \* In other words, that parties by entering into contracts may not estop the legislature from enacting laws intended for the public good.

In 1934 Chief Justice Hughes placed the obligation of contracts clause in its proper context. In *Home Building and Loan Association v. Blaisdell*, 290 U.S. 398 (1934), he said:

It is manifest from this review of our decisions that there has been a growing appreciation of public needs and of the necessity of finding ground for a rational compromise between individual rights and public welfare. The settlement and consequent contraction of the public domain, the pressure of a constantly increasing density of population, the interrelation of the activities of our people and the complexity of our economic interests, have inevitably led to an increased use of the organization of society in order to protect the very bases of individual opportunity. Where, in earlier days, it was thought that only the concerns of individuals or of classes were involved, and that those of the State itself were touched only remotely, it has later been found that the fundamental interests of the State are directly affected; and that the question is no longer merely that of one party to a contract as against another, but of the use of reasonable means to safeguard the economic structure upon which the good of all depends. \* \* \* The principle of this development is, \* \* \* (he added) that the reservation of the reasonable exercise of the protective power of the States is read into all contracts \* \* \*.

While the President's program may be the subject of considerable litigation, I believe that it is clear that it meets the test under the obligation of contracts clause.

The economic moves undertaken by the President on August 15 and in phase II will help make this country productive again and will help us regain foreign markets and recapture domestic markets. Only through these moves can we increase our productivity and improve the standard of living for all Americans.

During the last 10 years our productivity growth rate has been behind that of every other major western industrial nation. During the second quarter of this year our balance-of-payments deficit was running at an annual rate in excess of \$23 billion. We have been reinvesting a smaller percentage of our gross national product in new machinery and tools than any other major nation. In this situation, the President did what he had to do. His moves will provide jobs for workers, generate profits for businessmen, and protect buying power for housewives.

To increase productivity we need the investment tax credit to provide new tools so that the American worker does not have to compete with obsolete equipment.

We need to strike down unproductive work rules that make American goods more costly and permit foreign workers to capture our markets and destroy our jobs.

We need to relate wages to productivity so that labor and management will not view each other as opponents but

will recognize that they are joined together in a common cause.

What we do not need is erroneous and irresponsible assertions that wage-price freeze violates the obligation of contract clause of the U.S. Constitution. The law has been clear since before 1905 and suggestions to the contrary simply undermine this great economic effort in which we are now engaged.

#### THE ADMINISTRATION WIDENS ITS CREDIBILITY GAP

Mr. WILLIAMS. Mr. President, the Bureau of Labor Statistics has just announced plans to discontinue, for about 1 year, its reports on the rate of unemployment in inner-city poverty areas. I found this announcement discouraging, but hardly surprising, in light of the obvious intention of this administration to withhold from the American people any information which might not support the administration's euphorically optimistic assessments of the results of its economic policies.

During the past 35 months we have been constantly reassured by spokesmen at the highest level of this administration that the President's economic policies were working just fine. These pronouncements may have eased the anxieties of some ivory-tower economists in the Executive Office Building; and they may have pleased Republican political strategists; but somehow they just do not ring true to the worker standing in line at an unemployment office, or the housewife trying to figure out how to keep up with skyrocketing food prices. As a result, there has developed a yawning chasm between the rhetoric spewing from the administration's good news machine, and the reality faced by Americans in their daily lives. The administration's latest action can only add to that credibility gap.

Mr. President, the latest statistics, released Tuesday, show that during July, August, and September, the rate of unemployment among blacks in inner-city, poverty areas increased by more than 16 percent. According to these figures, from the Bureau of Labor Statistics, more than 14 percent of the work force in that group of people could not find a job as of the end of September. That staggering statistic is frighteningly reminiscent of the unemployment figures during the depths of the great depression. I am not surprised that the administration would rather not talk about this constantly increasing reminder of the tragic failure of its economic policies.

And that is precisely what the administration is seeking to suppress—reminders of its dismal failure to keep its promises to halt inflation and lower unemployment. According to the announcement issued Tuesday, statistics regarding unemployment in inner city areas will be discontinued after the end of this year. And they will not resume until some time in 1973. In other words, during all of next year there will be no official reports on the unemployment situation in our big cities. This means that during the 9 months preceding November 7, 1972, there will be none of those annoying Government statistics to tell us



whether unemployment is continuing to increase among the people who live in the cities.

I suppose the theory is that if there are no statistics to remind us of the tragedy of millions of people who cannot find jobs, then the American people will just forget about them. But the fatal flaw in this theory is that the American people are not stupid, and neither are they blind.

They can see the lengthening unemployment lines, they know about the increasing welfare rolls, and they recognize the fact that they are staggering under a recession created by an inept and insensitive administration.

As chairman of the Committee on Labor and Public Welfare, I want to make it clear that these statistics are very important in helping to assess the Nation's economic and manpower needs. We on the committee need these statistics to help guide us in developing legislation, and I intend to do all I can to see that they are provided.

The administration's clumsy attempts to suppress whatever it considers bad economic news have been obvious. First, the Bureau of Labor Statistics was ordered to discontinue its monthly press briefings on the meaning of the latest unemployment, wage-and-price statistics. When things continued to get worse, the impartial civil servants in charge of interpreting these figures were shifted to other assignments. And now we learn that some of the most damaging statistics are going to be discontinued completely.

This is not just news management—it is outright censorship. It is the latest manifestation of the administration's desire to create a fantasyland of peace and plenty—a sort of Federal "big rock candy mountain"—and it is a truly frightening trend.

In the face of the administration's blatant attempts to pawn its fantasies off on the Nation, we can only put our faith in the innate ability of the American people to recognize a deception.

The administration can succeed in hiding some of the truth all of the time, or all of the truth some of the time, but it will never be able to hide the whole truth, the whole time, and that will be its undoing.

#### PITTSBURGH PIRATES VICTORY MARRIED BY OVERENTHUSIASTIC NEWS REPORTING

Mr. SCOTT. Mr. President, the great effort by the Pittsburgh Pirates in winning the world series has been marred by some apparent over enthusiastic reporting. Such reporting has mentioned a riot that occurred following the game. This reporting somewhat distorted the actual situation.

Gerald McKelvey, a reporter from the Philadelphia Inquirer, went to Pittsburgh to see for himself. He interviewed numerous persons in authority and spoke to reporters who actually covered the demonstration following the game.

Mr. President, I ask unanimous consent that his news story be printed in the RECORD today to attempt to clear up the

misleading impression many must have drawn after reading the original news accounts following this great victory for the Pittsburgh Pirates.

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

[From the Philadelphia Inquirer,  
Oct. 20, 1971]

#### RIOT IN PITTSBURGH? YES, NO, MAYBE? (By Gerald McKelvey)

The Pirates won the World Series; there's no disputing that.

But what happened in Sunday's postgame victory celebration in Pittsburgh (the game was played in Baltimore) is very much under dispute.

The mayor, Peter F. Flaherty, said, "We had an overexuberant celebration." The police chief said that reports of riot and assault among the celebrants "were unfounded and in some cases completely fabricated" by newsmen.

In its Sunday night dispatches, the Associated Press said 40,000 fans rioted in the downtown Triangle, danced nude in the streets, openly made love in the parks and cheered while at least a dozen women were raped on the streets.

The report said that more than 300 persons were arrested, that shops were vandalized and looted.

United Press International carried reports of the activity, but did not term it a riot, said that police reported no rapes and claimed it did not make excessive reports of arrests.

But there was general agreement in Pittsburgh that wire service stories on the victory celebration were highly inflated.

Police Superintendent Robert E. Colville, complaining of "many unfounded and in some cases completely fabricated stories which went over the national news media," released these statistics:

98 persons were arrested during the celebration, 90 for drunkenness, six for disorderly conduct and two juveniles for burglary. All have been released.

Of the 128 persons treated for injuries received during the parade, all but one are back at home.

There were no rapes (confirmed by the city hospital where rape cases are referred).

20 store windows were broken but in some cases simply by the crush of people parading through the narrow streets of the Triangle, the downtown section where the celebration was held.

As for the public lovemaking, Colville termed that "nothing unusual."

"With over 100,000 persons in the downtown area, there were no major injuries, no violent crimes against persons and the overwhelming number of arrests were made for intoxication," Colville added.

Both Colville and Mayor Flaherty criticized the news media for reporting events that were not later substantiated.

On Monday, Flaherty said, "While we had an overexuberant celebration last night, the situation was blown out of proportion by some of the news media."

Pittsburgh's two daily newspapers poked fun at the reports. Monday afternoon's Press said, "Sorry, Sir—But Post Series Tales Can't compare with Fall of Rome." Tuesday morning's Post Gazette said, "Triangle Rampage In Eye of Beholder—Reports Vary Wildly."

The Associated Press said one of its newsmen "witnessed one apparent assault on a young woman."

#### RECONFIRMATION OF FEDERAL JUDGES

Mr. BYRD of Virginia. Mr. President, my attention was recently called to an

article written more than 15 years ago by an outstanding Virginian on the subject of judicial self-restraint.

The author of the article was Ralph T. Catterall, long a member of the State Corporation Commission of Virginia.

In his article, Mr. Catterall pointed out the dangers which are posed when judges set aside the tradition of restraint and substitute their own convictions for the provisions of the Constitution.

I have proposed that the Constitution be amended to provide for periodic reconfirmation of Federal judges by the Senate. The lack of judicial restraint which has been shown by some Federal judges in recent years was one of the main reasons for my proposing this amendment.

I hope that my proposal will generate renewed interest in the subject of the role and function of the judiciary, a subject to which Mr. Catterall contributed considerable wisdom more than 15 years ago.

I ask unanimous consent that the text of Mr. Catterall's article, "The Obligation of the Judiciary," originally published in the American Bar Association Journal, be printed in the RECORD.

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

#### JUDICIAL SELF-RESTRAINT: THE OBLIGATION OF THE JUDICIARY

(By Ralph T. Catterall)

In his address at the John Marshall Bicentennial Ceremonies, 41 A.B.A.J. 1009. Chief Justice Warren said:

"Insistence upon the independence of the judiciary in the early days of our nation was perhaps John Marshall's greatest contribution to constitutional law. He aptly stated the controlling principle when, in speaking of the Court during his tenure, he said that they had "never sought to enlarge the judicial power beyond its proper bounds, nor feared to carry it to the fullest extent that duty required". That is precisely the obligation of the judiciary today. Self-restraint and fearlessness are always essential attributes of every branch of our Government."

An independent judiciary (with power to issue a writ of habeas corpus) marks the dividing line between a free nation and a police state. A police state is a state where the police can hold you in custody as long as they please, and no judge who is not himself afraid of the police can let you out. So the Act of Settlement, 1701, settled the British Crown on the Protestant descendants of the Electress Sophia on condition that they appoint judges for life; our own Declaration of Independence denounced George III for not extending that principle to the Colonies ("He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.") and the Constitution of the United States embodies that principle. We cannot get along without it. It is a pearl of great price. The great price that the people willingly pay to have judges who are not dependent on anybody is that everybody is dependent on the self-restraint of the judges. To them we confide the power to make decisions affecting life, liberty and property in return for their promise to apply the law as they honestly understand it.

Dissenting in *United States v. Butler*, 297 U.S. 1 (1936), complaining of the abuse of judicial power and "a tortured construction of the Constitution", Mr. Justice Stone said (page 78):

"The power of courts to declare a statute

unconstitutional is subject to two guiding principles of decision which ought never to be absent from judicial consciousness. One is that courts are concerned only with the power to enact statutes, not with their wisdom. The other is that while unconstitutional exercise of power by the executive and legislative branches of the government is subject to judicial restraint, the only check upon our own exercise of power is our own sense of self-restraint."

Those words rankled in the breast of Mr. Justice Sutherland for months. To him they seemed to "offend the proprieties" and "impugn the good faith of those who think otherwise". So, dissenting in *West Coast Hotel Co. v. Parrish*, 300 U. S. 379 (1937), he unburdened himself (page 402):

"The suggestion that the only check upon the exercise of the judicial power, when properly invoked, to declare a constitutional right superior to an unconstitutional statute is the judge's own faculty of self-restraint, is both ill considered and mischievous. Self-restraint belongs in the domain of will and not of judgment. The check upon the judge is that imposed by his oath of office, by the Constitution and by his own conscientious and informed convictions; and since he has the duty to make up his own mind and adjudge accordingly, it is hard to see how there could be any other restraint."

Justice Sutherland modifies the word "convictions" with "conscientious and informed". It would, however, be impossible for him to hold convictions that were not conscientious and informed. The act of thinking that a conviction was not conscientious and informed would keep him from entertaining that particular conviction. The importance attributed by Mr. Justice Sutherland to his own convictions is the philosophers' stone that transmutes natural law into positive law. Natural law can never produce a writ of *habeas corpus* in the hands of the sheriff except through the medium of some judge's convictions.

Justice Sutherland was quite right in saying that "self-restraint belongs in the domain of will and not of judgment". It calls for enough will power to resist the temptation to do good. ("Good" in this context means what the judge knows is good. ["Knows" means what the judge knows that he knows.]) Whether, in a given case, the judge will ignore the written law that he has promised to obey in favor of his concept of natural law depends on the strength of his convictions. He will do so only when he knows that he is right. Justice Holmes was sceptical about natural law for the same reason that he distrusted the man who knows he is right.

Chief Justice Marshall had convictions about the sanctity of the ownership of land. He had gone deeply in debt to buy land in the Northern Neck of Virginia, and Virginia had passed a statute the effect of which, if valid, would be to deprive him of his land.

*Fletcher v. Peck*, 6 Cranch 87 (1810), involved a Georgia statute that deprived landowners of their land. That was before the Fourteenth Amendment; and the due process clause in the Bill of Rights did not apply to the states. Marshall held that the Georgia statute violated the contract clause of the Federal Constitution. But for good measure he held as an independent and sufficient ground for his judgment that the statute was void as a matter of natural law (page 139):

"The State of Georgia was restrained either by general principles which are common to our free institutions, or by the particular provisions of the Constitution of the United States, from passing a law."

He takes his stand that a state law is void in two separate instances: (1) if it violates the Constitution, and (2) if it violates general principles.

Mr. Justice William Johnson, Jefferson's first appointee to the Court, could not go along with Marshall on the constitutional ground. He said (page 143):

"I do not hesitate to declare that a state does not possess the power of revoking its own grants. But I do it on a general principle, on the reason and nature of things: a principle which will impose laws even on the Deity."

Judge Johnson knows he is right even if the Deity should differ with him. Most supporters of natural law are more modest: they are merely certain that *they* know the Laws of Nature and of Nature's God.

*Loan Association v. Topeka*, 20 Wall. 655 (1875), held a state statute void on general principles. The Court did not rely on or mention any clause of the Constitution. The Fourteenth Amendment had been on the books for seven years, but the Justices had not yet discovered the talismanic properties of the due process clause. To Mr. Justice Miller the statute looked like robbery, and that was all he needed to know. He said (page 664):

"To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation."

Mr. Justice Clifford, on behalf of the self-restraint school of thought, objected that the Court ought not to hold state statutes void without relying on the Constitution or any clause thereof, saying (page 669):

"Such a power is denied to the courts, because to concede it would be to make the courts sovereign over both the Constitution and the people, and convert the government into a judicial despotism."

The next generation of Justices discovered the intricate beauties of the due process clause and used it with telling effect in a long line of cases in which they were sure that they knew what was good for the country. Their zeal in protecting the people from the mistakes of their elected representatives was described by Mr. Justice Holmes, dissenting in *Baldwin v. Missouri*, 281 U. S. 586 (1930), as "... evoking a constitutional prohibition from the void of 'due process of law'..."

Speaking of the constitutional rights of the states, he said (page 595):

"As the decisions now stand, I see hardly any limit but the sky to the invalidating of those rights if they happen to strike a majority of this court as for any reason undesirable. I cannot believe that the Amendment was intended to give us carte blanche to embody our economic or moral beliefs in its prohibitions."

But every man has his breaking point, and Holmes himself was faced with a temptation to do good that he could not resist. He was sceptical of many things, but not of the fundamental importance of freedom of speech. It took a long while for the Justices to get around to the notion that they could force freedom of speech on the states. As late as 1922, Mr. Justice Holmes joined in the opinion in *Prudential Insurance Company v. Cheek*, 259 U. S. 530, which said (page 543):

"Neither the 14th Amendment nor any other provision of the Constitution of the United States imposes upon the states any restrictions about 'freedom of speech.'"

Three years later it turned out that his brethren were ready, able and willing to bring freedom of speech under the aegis of due process of law. For twenty years Holmes had been fighting a rear-guard action against the extension of the due process clause. He would have had to be more than human to resist this particular extension and he did not resist it. He was 84 years old. In *Gilow v. New York*, 268 U. S. 652, in a dissenting opinion, he said:

"The general principle of free speech, it seems to me, must be taken to be included in the Fourteenth Amendment, in view of the scope that has been given to the word 'liberty' as there used."

The most articulate champion of the doctrine of self-restraint on the Bench today is Mr. Justice Black. He implores his colleagues to give up their natural law doctrines and go back to a study of the text of the document and the history from which it grew. Dissenting in *Adamson v. California*, 332 U. S. 46 (1947), he said:

"This decision reasserts a constitutional theory spelled out in *Twining v. New Jersey*, 211 U. S. 78, 53 L. ed. 97, 29 S. Ct. 14, 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.'"

"I think that decision and the 'natural law' theory of the Constitution upon which it relies degrade the constitutional safeguards of the Bill of Rights and simultaneously appropriate for this Court a broad power which we are not authorized by the Constitution to exercise."

"And I further contend that the 'natural law' formula which the Court uses to reach its conclusion in this case should be abandoned as an incongruous excrescence on our Constitution. I believe that formula to be itself a violation of our Constitution, in that it subtly conveys to courts, at the expense of legislatures, ultimate power over public policies in fields where no specific provision of the Constitution limits legislative power."

"But this formula also has been used in the past, and can be used in the future, to license this Court, in considering regulatory legislation, to roam at large in the broad expanses of policy and morals and to trespass, all too freely, on the legislative domain of the States as well as the Federal Government."

In *Brown v. Board of Education*, 347 U. S. 483, the Court forbade the states to maintain segregated public schools. In *Bolling v. Sharpe*, 347 U. S. 497, the Court forbade the Congress of the United States to maintain segregated public schools. Both cases were decided the same day, May 17, 1954.

In the *Brown Case* (dealing with state schools) the Court called for the facts of history (as Mr. Justice Black did in *Adamson*). After thousands of hours of laborious research the facts of history were produced: they proved that nobody in 1868 expected the Fourteenth Amendment to abolish segregation. (See Alexander M. Bickel: *The Original Understanding and the Segregation Decision*, 69 Harv. L. Rev. 1.) The facts of history were dismissed as irrelevant and immaterial. The Court knocked out state segregation on the basis of the equal protection clause, saying:

"This disposition makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment."

But in *Bolling* the Court abolished segregation solely on the basis of the due process clause, thereby demonstrating that it would have reached the same result in *Brown* if the equal protection clause had never been adopted.

In the *Bolling Case* the Court did not call for research into the facts of history. In 1791, nobody thought that the Bill of Rights abolished even slavery, but the Court held in 1954 that words not intended to abolish slavery were intended to abolish segregation.

The basis for the decision in the *Bolling Case* is stated by the Court at the end of its opinion (page 500):

"In view of our decision that the Constitution prohibits the states from maintaining racially segregated public schools, it would be unthinkable that the same Constitution

would impose a lesser duty on the Federal Government."

This *non sequitur* is unique. The clause of the Constitution on which the state decision is exclusively based does not impose any duty on the Federal Government, as the Court pointed out on the previous page of its opinion (page 499):

"The Fifth Amendment, which is applicable in the District of Columbia, does not contain an equal protection clause as does the Fourteenth Amendment which applies only to the states."

A lawyer would be laughed out of court who argued with a straight face:

"In view of your decision that the constitution prohibits the states from impairing the obligation of contracts, it would be unthinkable that the same constitution would impose a lesser duty on the Federal Government."

When you say that something is "unthinkable" you are expressing as forcefully as you can the strength of your convictions. You mean that no honest and rational person could disagree with you. The Court does not say that segregation is unthinkable. The unthinkable thing is "that the same Constitution would impose a lesser duty on the Federal Government. Heretofore the rule of decision has turned on whether the Constitution does forbid something, rather than on whether it would forbid something. What the Court calls unthinkable is that the Constitution would forbid an evil in the states and not in the District. Between September 17, 1787, and May 17, 1954, the doctrine the court calls unthinkable had been universally thought.

The Court could have avoided this difficulty, and could have got out of the frying pan into the fire, by deciding the federal school case first or by basing the state school cases on the due process clause.

The 1791 Amendment says: "No person shall be . . . deprived of life, liberty, or property, without due process of law . . ."

The 1868 Amendment says: ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law . . ."

Thus the Amendment applicable only to the United States and the Amendment applicable only to the states both contain the same words; and, if the Court had first forbidden segregation in the District on the basis of those words, it would have followed logically that the same words would necessarily produce the same result in the states. The Court passed up the chance to hold that exactly the same words means exactly the same thing, in favor of holding that widely different words produce exactly the same result. The Court decided the state case first and then held that the state case governed the federal case. That would have followed if the decision in the state case had been based on the due process clause; but the Court did not use the due process clause in the state case even as a makeweight.

If the Court had decided the federal case first, the expensive and useless research into the history of the equal protection clause would not have occurred and there would have been no debate over the facts of history. For 165 years any colored children who were educated in the nation's capital were educated in separate schools. The Justices knew that it would sound silly to ask counsel to search for evidence that the framers of the Fifth Amendment intended it to abolish segregation.

But if the Court had begun at the beginning, it would have had to begin with a clause of the Constitution adopted in 1791 that did not keep the Congress from passing and the courts from upholding the Fugitive Slave Law of 1850. Members of Congress and Presidents of the United States also swear to support the Constitution; and they had

not thought it necessary to integrate the schools in the District of Columbia. The psychological treatises cited by the Court would have justified Congress in abolishing segregation in the District, because for many years it has been well understood that the police power is the power to adopt and enforce a policy to prevent an evil, and that the writings of experts can be cited in support of the argument that what the legislature seeks to forbid could be thought to be an evil. And if the Court had cited the learned treatises in support of its decision based on the due process clause, it would have sounded as if the Court was citing them to support its own exercise of the police power.

The Court does not say in so many words that it adheres to the dogmas of "natural law", but these school cases are not the first in which natural law considerations have played a decisive part. They give comfort to those who believe that the eternal verities should take precedence over the written law, and they are disturbing to those who prefer a written constitution. Progressive modification by the judges of the judge-made common law is a very different thing from abruptly changing a written constitution. If the eternal verities as revealed through the writings of Gunnar Myrdal are to outweigh the words written in the constitution, the concept of the constitution as a solemn and binding contract is destroyed.

The meaning of judicial self-restraint is that the judge will successfully restrain himself from putting his own convictions ahead of the law. If he does not like the written Constitution, it is not for him, in the words of Omar, to "shatter it to bits—and then remould it nearer to the Heart's Desire", or, in the no less eloquent words of Mr. Justice Black, "to roam at large in the broad expanses of policy and morals and to trespass, all too freely, on the legislative domain of the states as well as the Federal Government".

But, as Mr. Justice Black has said, the Court has for many years been roaming at large in the broad expanses of policy and morals; and, as Mr. Justice Holmes intimated, the Court has often embodied its own economic and moral beliefs in the due process clause; and, as Mr. Justice Clifford pointed out eighty years ago, that sort of thing leads to judicial despotism. The strongest denunciations of the Supreme Court are found, not in the speeches of soap-box orators, but in the opinions of dissenting Justices.

In past cases in which the Court has injected its moral views into the picture, it has not upset the domestic institutions of the states. When the Court was holding in a long line of cases, subsequently overruled, that intangible property taxed by one state cannot be taxed by another, there was no concerted outcry from the supporters of a written constitution; the decisions pleased more people than they annoyed. The same thing can be said of the Court's holdings in the realm of freedom of speech and freedom of religion. Most people agree that there is a moral foundation for those decisions; although the constitutional foundation is somewhat shaky. Chief Justice Taney's opinion in the *Dred Scott Case* than an Act of Congress freeing the slaves in the Nebraska Territory deprived the slave owners of their property without due process of law caused a good deal of controversy, but did not interfere with the internal affairs of the states. The school case decisions differ not only in degree but in kind from past examples of "judicial despotism". It is the difference between advancing into forbidden territory step by step and advancing by leap and bounds. The leaps and bounds began with *Shelley v. Kraemer*, 334 U.S. 1 in 1948. When Chief Justice Vinson wrote the Court's opinion in that case he did not realize what a leap the Court was taking. He found out

in *Barrows v. Jackson*, 346 U.S. 249 (1953). In that case, dissenting all by himself, he sputtered (page 267) that the majority opinion: "puts personal predisposition in a paramount position over well-established proscriptions on power."

He, too, cast a backward glance at the good old days of judicial self-restraint, saying (page 269):

"Since we must rest our decision on the Constitution alone, we must set aside predilections on social policy and adhere to the settled rules which restrict the exercise of our power to judicial review—remembering that the only restraint upon this power is our own sense of self-restraint."

The alarming significance of the school cases extends beyond the immediate decisions. Never before have the personal predilections and moral certainties of the Justices ridden so rough-shod over the text of the written Constitution. The Court has found that the moral law which impels it to advance the interests of colored people outweighs the moral law which teaches that a judge who has sworn to uphold a constitution ought to uphold it. Actually, the Court was not faced with a moral dilemma. A judge is not blameworthy who enforces a written law that he disagrees with, and as a last resort he can resign if the law he has sworn to enforce is more immoral than he can stomach. But the Justices, in the school cases, have trapped in a genuine moral dilemma all those who believe (1) that the Constitution is a binding contract, and (2) that the Supreme Court is the final umpire to interpret that contract.

To illustrate this moral dilemma with a homely example, let us suppose that two teams are tied in the last inning of the World Series and that the umpire is morally convinced that the Yankees ought to win. The Yankee runner is tagged with the ball forty-five feet from the home plate, and the umpire, acting on his understanding of the precepts of natural law, declares that the runner is safe at home. Those who bet on the Dodgers are then confronted with the problem of whether the moral law requires them to pay their bets, and those who bet on the Yankees are confronted with the problem of whether the moral law permits them to accept the payments. Does the decision of the umpire prevail over the rules of the game? One of the rules of the game is that both teams shall obey the decision of the umpire; and the umpire has promised to stick to the rule book.

The price of judicial independence is that the people are dependent on judicial self-restraint. The people have made this bargain on the understanding that the judges will render equal justice under law and will not enforce their personal convictions in lieu of law. Those who understand what the court has done can hardly think it immoral to protest and to resist. It has been suggested in support of what the court has done that "world opinion" is pleased by the result. No worse reason could be suggested. No decision of a court is going to stem the torrent of Communist propaganda, and even if it did, the preservation of the Constitution is more important than the approval of the Kremlin. Even those who are most sensitive to world opinion have not recommended that amendments to our constitution should be made by a vote of three fourths of the members of the General Assembly of the United Nations.

The school decisions have raised acrimonious issues between North and South and within the political parties, and those issues, by exciting specific and dramatic controversies, have obscured the one great issue: whether the people of this country really believe that any immediate reform can possibly be worth more to the United States than the preservation of the Constitution of the United States.

## MARYLAND'S WORLD CHAMPIONS

Mr. MATHIAS. Mr. President, while it is now a matter of record that the pride of my State in professional baseball, the Baltimore Orioles, were narrowly defeated in their attempt to win a second consecutive world's series championship, I want to assure Senators that Maryland does boast of another group of baseball world champions.

The Hagerstown Colt League All-Stars, of Hagerstown, Md., won the Colt Baseball World Championship this year, for the second time in 5 years. The Hagerstown team won the title by defeating a Hawaii all-star team in the final game of the tournament August 26 at Lafayette, Ind.

Mr. President, in tribute to the Hagerstown All-Stars, World Champions of Colt League Baseball, I ask unanimous consent to have printed in the RECORD the report of their victory as published in the Hagerstown Morning Herald of August 27.

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

## LOCAL COLTS WIN WORLD TITLE

LAFAYETTE, IND.—The Hagerstown Colt League All Stars, getting an assist from the Purdue University athletic department, won the Colt League World Championship for the second time in five years by blasting Hawaii 10-0 Thursday night.

Terry Brown, son of coach Jim Brown, pitched a three-hitter, delivered a pair of runs with a double and scored two more in keying the victory. But if the Purdue trainer had not been available, Brown might have been forced to watch the game from the sidelines.

Brown woke up Thursday with a swollen right hand, his pitching hand. The swelling was caused by Brown being hit with a pitch during batting practice prior to Wednesday's game with Hawaii, the only game the locals lost in the tourney.

Brown was taken to Purdue where the trainer worked on his hand for one and one-half hours, eventually causing the swelling to lessen to the point where Brown could play.

Brown was then able to take his mound turn and he came through by scattering three hits, striking out ten and walking only three while never being in trouble.

"I'm so proud of them I don't know what to say," a jubilant coach Jim Brown remarked. "It really hasn't sunk in yet."

Hagerstown started off with a flurry as it pushed across nine runs in the first two innings to repeat its title performance of 1967.

Bob Osbourne gave Hagerstown all the runs it needed in the first when he followed Mike Lowry's walk and Brown's single with a single to score two.

The locals tucked the victory away in the second when Greg Leedy was hit by a pitch, Mike Steiner singled and Mike Gentry got aboard with a bunt single to load the bases. Lowry then walked to force in a run and cause Hawaii to change pitchers.

Lee Ridenour greeted reliever Mark Nagamine with a single to score two runs and Brown followed with a double for two more. Osbourne then singled to bring one home and came on around to score on an error by Hawaii's third baseman after Doug Higgins fled out to center.

Hagerstown reached double figures in the fifth inning when Osbourne lashed a triple and tallied on Bill Joffe's double.

Hagerstown teed off on three Hawaii hurlers for ten base hits as starter Yamada was tagged with the loss.

Coach Brown expressed pleasure with the

way his players came back after being blanked 1-0 by Hawaii Wednesday night. "They were really up for the game. They were down after losing Wednesday but they came back. I'm really proud of them," Brown said.

The Colt Leaguers will return to Hagerstown today between 5 and 6 p.m. The team bus will arrive at Hellene Park.

Hawaii	-----	000	000	0-0	3	1
Hagers	-----	270	010	x-10	10	0

Yamada, Nagaminei, Kish and Kira; Brown and Higgins.

## VETERANS DAY

Mr. THURMOND. Mr. President, November 11 marks the date of Veterans Day. Because of the Monday holiday bill, I and U.S. citizens everywhere will celebrate this national holiday on Monday, October 25. Much has happened in the last year to change the complexion of the problems facing our veterans. We have seen the phasing down of the Vietnam war with its resultant problems of unemployment, housing needs, educational needs, and drug abuse.

With our veterans population rising to over 28 million, our needs to provide benefits for these veterans has also risen. This last year has seen the implementation of a drug abuse rehabilitation program in the Veterans' Administration. President Nixon has established a Special Action Office on Drug Abuse Prevention. This office has been established within the Executive Office of the President and has direct responsibility for all nonlaw enforcement aspects of Federal drug abuse prevention including research, treatment, rehabilitation training, and education and prevention.

Mr. President, the Veterans' Affairs Committee was established during this past year in direct response to the needs of the veterans' segment of our population. This committee has taken a strong initiative in formulating legislation and investigating needed areas of reform. The Veterans' Affairs Committee and its members have been considering the following matters: The establishment of a program of exchange of medical information; a bill to increase the vocational rehabilitation allowances and educational assistance allowances; a bill to authorize the issuance of national service life insurance to prisoners of war; a provision for automatic cost-of-living increases in dependency and indemnity compensation payable to veterans; the establishment of a national cemetery system within the VA except for certain cemeteries and memorials under the Secretary of the Interior, Secretary of the Army, Secretary of the Navy, and the Secretary of the Air Force; a bill to establish a Court of Veterans' Appeals and describe its jurisdiction and function; an increase of maximum amount of grant payable for specially adapted housing for disabled veterans; a bill to improve recruitment and retention of career personnel in the Department of Medicine and Surgery of the VA; legislation to authorize the Administrator of Veterans' Affairs to issue direct loans to veterans; a provision that increases in social security, railroad retirement benefits, and cost-of-living adjustments of civil service retirement annuities shall

not cause corresponding decreases in veterans' pensions; and lastly, legislation has been introduced which provides that all income of the retired spouse shall be disregarded in determining the annual income of a veteran. Our U.S. veterans can thus readily see that their representatives are giving due consideration to the multitude of problems facing all veterans. The establishment of the Veterans' Affairs Committee increases my confidence that Congress will be more responsive and understanding of the special needs of these men and women who have served our Nation in its Armed Forces.

I have always been concerned over our Nation's responsibility to its veterans, as the basic ingredient of our Nation is the relationship between the Nation as a whole and its citizen population. This relationship is clearly shown by our veterans population and our veterans benefit system. This is as it should be, because these patriotic and loyal American citizens have always risen to place their lives between our country and foreign aggression throughout history and in every part of the globe.

Mr. President, I personally want our veterans to know that Congress will not rest on past actions, but will continue to look forward to solve or alleviate the burdens these men and women must bear. I join with the veterans in commemorating this day and assure them that the year to come will be as fruitful for them as the past year has been.

I expect to spend Monday, October 25, visiting veterans in the Columbia Veterans Hospital and other places.

## QUORUM CALL

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

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

The legislative clerk proceeded to call the roll.

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

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

## MILITARY CONSTRUCTION AUTHORIZATION, 1971—CONFERENCE REPORT

The PRESIDING OFFICER (Mr. ALLEN). The period for the transaction of routine morning business having now expired, the Chair lays before the Senate the unfinished business, the conference report on H.R. 9844, which the clerk will state.

The legislative clerk read as follows: The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 9844, to authorize certain construction at military installations, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment. Signed by all the conferees on the part of both Houses.

The Senate resumed the consideration of the conference report.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WAIVER OF THE RULE REQUIRING PRINTING OF CONFERENCE REPORT AS SENATE DOCUMENT

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the requirement that the conference report be printed as a Senate report be waived, inasmuch as under the Rules of the House, it has been printed as a House document.

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

Mr. SYMINGTON. Mr. President, I move the adoption of the conference report on the military construction authorization bill for fiscal year 1972, and in connection therewith have a brief statement.

The report was signed by all conferees, House and Senate, and has now been agreed to by the House.

The bill as agreed to would provide a total new authority of \$1,986,323,000, and an increase in prior years' authority of \$6,011,000, or a total authority of \$1,992,334,000.

The amount of new authority approved is \$273,121,000 below the amount originally requested by the Department of Defense. It includes, however, \$183,570,000 for construction relating to the Safeguard anti-ballistic-missile system which was transferred to, and then considered in, the military procurement authorization bill.

This leaves a net reduction in new authority of \$89,551,000 below the amount requested. We consider this fairly substantial in this rather austere construction bill.

The Senate position prevailed on 70 percent of the items in dispute in the conference.

The bill as approved by the conference committee is \$12.9 million below that originally approved by the Senate.

I would now mention a few points that might be of special interest.

First, military family housing. This year the Department requested an increase in the average unit cost of housing both within and outside the United States, the basis for this being the rising cost of construction over the past several months.

The Senate, during its consideration of the bill, allowed a modest increase of about 4 percent in the unit cost to insure that there would be no degradation of existing standards in the housing to be constructed in the future.

The House chose to retain present average unit cost limitations, but rather than reducing the funds requested, which were based on a higher unit cost, allowed some \$15.3 million to remain in the bill; and added some 665 additional units to be absorbed within the funds allowed.

The Senate position prevailed, however, after it was made apparent to the

conferees that if some increase was not allowed, the housing program would be degraded and the additional units added by the House could not be built within the funds available.

The Senate conferees did recede on 88 units of badly needed housing which were added by the House for Camp Drum, N.Y.; and 90 units requested by the Air Force after the bill was submitted to the Congress for a highly classified project in Australia. There are sufficient funds in the Military Family Housing Account to accomplish this construction.

I refer now to the two water pollution abatement projects that were offered on the floor of the Senate when the bill was under consideration early last August. These amendments related to the improvement of the sewerage disposal systems at Fort Monmouth, N.J., and Fort Wainwright, Alaska. Each of these projects would permit the Army to participate in the local sanitary districts of the respective local communities, and since no testimony was presented before either committee concerning either, considerable discussion took place in the conference.

In regard to Fort Monmouth, N.J., the Senate conferees were forced to recede to the House. Apparently, the State standards were changed by the State of New Jersey subsequent to the consideration of this measure by both the House and Senate committees. These changes seemed to make it imperative that Fort Monmouth either install its own ocean outfall or join the regional authority.

The House conferees were adamant in their position that this project not be included in the bill since they had had no opportunity to look into the matter. It is a project which undoubtedly will be included in the fiscal year 1973 military construction authorization bill.

At Fort Wainwright, Alaska, a different situation exists. Last year, a similar project for Fort Wainwright was denied by the Congress since the city of Fairbanks was not in compliance with existing pollution standards and had not yet approved a bond issue to permit the improvement of their existing sewerage system in order that they could comply with established standards. Since that time, however, the bond issue has been approved and preliminary planning is underway. The Army has determined that it will be more economical for them to join the sanitary sewerage system of the city of Fairbanks than to improve their existing plant. The granting of this authority now will aid the city in its planning and expedite the completion of the project. Funding for this project in the amount of \$2 million is not necessary during this fiscal year.

Finally, I would mention section 207 of the bill which relates to the Culebra complex of the Atlantic Weapons Range. The Navy's training activities on the island of Culebra is a matter that has been delved into thoroughly by both the Committees on Armed Services. It has also been discussed extensively on the floor of both Houses.

The matter is still under study by the Department of Defense. The Navy has made many concessions to ameliorate

this emotional and political problem. They have complied in good faith with the agreement entered into last January which in turn was signed in good faith by the representative officials of Puerto Rico and the island municipality of Culebra.

Furthermore, Secretary Laird has said in writing that by the end of 1972, he will reappraise the Culebra situation and the alternative option(s) from the point of view of national security and the best interests of the people of Puerto Rico in order to make a final decision as to what additional action should be taken.

While there is no doubt whatever the Secretary of Defense will adequately fulfill his promise, the Senate in considering this bill elected to include therein a provision as set forth in title II of the bill as proposed by Senator JACKSON during the Senate committee's consideration of this measure. In effect, this provision incorporates into law the stated position of the administration as expressed by Secretary Laird.

As mentioned earlier, the House spent considerable time on this matter and the House conferees were adamant in their position that the Navy has acted in good faith, has already made many concessions; also that further amendments are unnecessary, particularly in light of Secretary Laird's statement that he will again reappraise the situation by the end of 1972.

After considerable discussion, the House conferees reluctantly agreed to accept the Senate amendment with the following change:

As originally prepared, paragraph (b) of the Senate amendment reads in part as follows:

(b) The detailed feasibility study authorized by subsection (a) of this section shall be completed by December 31, 1972, and shall be done in sufficient detail as to provide a basis for the development of a plan for the orderly transfer of activities now conducted in the Culebra Complex to another site or sites.

The House conferees insisted that the first sentence of this paragraph be shortened by placing a period after the date "1972" and deleting the balance of the sentence.

Mr. President, this amendment still requires the Secretary of Defense to complete his study by December 31, 1972, then report his findings and recommendations to the President of the United States and to the Committees on Armed Services of both the Senate and the House of Representatives be assured that when this report is received, the Military Construction Subcommittee will give it full consideration.

Mr. President, I respectfully move the adoption of this conference report.

Mr. BYRD of West Virginia. Mr. President, I rise to congratulate the distinguished chairman of the Military Construction Subcommittee (Mr. SYMINGTON) for his fine work in processing this bill through its various stages from hearings to the final congressional action anticipated today, and to express my sincere appreciation to the committee for including in this bill the \$260,000 authorization to construct a badly needed community

building at the Sugar Grove Naval Receiving Station located in Pendleton County, W. Va.

On June 4, 1971, I wrote to the Armed Services Committee and requested the committee to consider including this \$260,000 unbudgeted item in their fiscal year 1972 military construction authorization bill. The Sugar Grove facility is, of necessity, located in an isolated area in order that there will be no interference in the quality of the reception. While this isolation is necessary, it is not necessary, in my opinion, that the personnel stationed at this location should be deprived of basic and needed facilities. That is why I requested this item which the committee has been kind enough to include in the bill.

There are four other West Virginia construction items authorized in this bill and I want to also thank the committee for including the necessary authorization in order that they can be included in the current fiscal year's program. They are as follows:

First. Romney, W. Va., construction of an Army Reserve Center, \$415,000. This project is required in order to provide adequate training facilities for the accomplishment of the training missions of assigned units. It will provide an Army Reserve Center with a 100-man capacity and a maintenance shop. The present leased facilities are inadequate, and the continued usage of them will hinder training and preclude increasing the capability of the unit.

Second. Huntington, W. Va., conversion of storage building to armory, \$67,000. The present facilities are overcrowded, and this lack of space is hampering the efficient operation of the units involved. The renovated facility will provide space for the 254th Transportation Company, which is housed with two other units, and which presently has inadequate unit supply, vault, and administrative space.

Third. Huntington, W. Va., construction of an organizational maintenance shop, \$65,000. The facility presently used for the organizational maintenance shop is needed for conversion to an armory, and it has been determined that it will be more economical and efficient to convert this facility, and construct a new organizational maintenance shop.

Fourth. Martinsburg, W. Va., construction of a one-unit armory, \$220,000. The present facility is in a very deteriorated condition and is inadequate for the operation, maintenance, and training of the units assigned.

I feel that all of these items which I have enumerated above are needed projects which will promote more efficiency in the operational and training functions of the units involved, and, again, I thank the subcommittee chairman and the other members of the Armed Services Committee for including them in the pending bill.

The PRESIDING OFFICER (Mr. ALLEN). The question is on agreeing to the conference report.

The report was agreed to.

Mr. SYMINGTON. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### FOREIGN ASSISTANCE ACT OF 1961

Mr. MANSFIELD. Mr. President, the Committee on Foreign Relations last night reported H.R. 9910, the Foreign Assistance Act of 1971. It is my understanding that that report will be filed in the Senate this afternoon. The Senate has permission to receive messages, reports, and the like for the next 4 days, I believe. The hearings and the report itself will go to the printer late this afternoon.

Mr. President, with that explanation, I ask unanimous consent that the Senate turn to the consideration of H.R. 9910. I do this so that it will be the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill, H.R. 9910, to amend the Foreign Assistance Act of 1961, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana.

There being no objection, the Senate proceeded to consider the bill (H.R. 9910) which had been reported from the committee on Foreign Relations with amendments.

Mr. MANSFIELD. Mr. President, there will be no consideration of the pending business this afternoon. We will endeavor to get copies of the report and hearings at the earliest opportunity to the Senators who have indicated a vital interest in the bill.

#### TO SEE OURSELVES AS OTHERS DO

Mr. HARTKE. Mr. President, NBC Radio Network News recently asked its foreign correspondents to express how the countries from which they report view America. Views were to be presented under three general categories: Economic, domestic, and foreign affairs.

The documentary based on the results of that survey was broadcast on September 12, 1971, over the NBC Radio Network on its award-winning "Second Sunday" series.

Because I believe this program to be of timely and important value to Americans, I ask unanimous consent that the transcript of this presentation, "A World Reflection—How They See Us," be printed in the RECORD.

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

#### A WORLD REFLECTION—HOW THEY SEE US

Premier PIERRE TRUDEAU. We understand your problem. We sympathize wholeheartedly with your goal of a healthy economy. We suggest only that the advocacy of your surcharge . . .

WILSON HALL. Premier Trudeau of Canada is somewhat understanding of US problems. Some other nations are equally sympathetic. Still others feel differently. We will look at both sides of the coin.

(Music.)

ANNOUNCER. This is Second Sunday, NBC's award-winning news documentary series.

This month's topic—"A World Reflection—How They See Us". Here is your host Wilson Hall.

HALL. Never in our history as a world power has the image of the United States been at such a low ebb. We were riding high until the sixties. Then it seemed something or some things—fate, kismet—pulled the rug from under us. We became ensnared in the race issue, with all its concomitant aspects—poverty, riots, busing, segregation, desegregation, you name it. We are frustrated and guilty, and we're being drained. And in the sixties we became more deeply mired in the Vietnam war. Now forty thousand American deaths later, we are trying to extricate ourselves. But the fact remains, we still are in Vietnam. As a result, we're not the sure-footed power we were following our assumption of world leadership after World War II. We are like the giant Gulliver, bound up by the Lilliputians, our problems.

As a nation we have tried, we believe it can be argued, we have tried to behave decently by international standards. But it seems to little or perhaps no avail. We still flounder in the race issue, we still flounder in Vietnam. And to top it off, the value of the American dollar is in question. These are indeed strange times.

Because of these facts we've asked our correspondents around the world to advise us how the nations around the world see us, you and me and our nation. Within the coming hour we plan to pursue this inquiry along three broad lines—economic aspects, domestic issues, and the field of foreign affairs. First, as to foreign affairs. How do the British view us?

GEORGE MONTGOMERY. This is George Montgomery in London. To be exact, on Fleet Street, the capital's newspaper row, which helps make and reflect British attitudes on American foreign policy. For the last year or so there has been a growing feeling that the Americans were learning, in Vietnam and elsewhere, that their power had limitations, and accordingly the Americans were trying to pull in their horns. Now comes the dollar crisis, and the weekly magazine, the New Statesman, says that the actions of the Nixon administration have ended an era not just in world economics but in world politics. The Statesman goes on that the Americans have found their resources so overstretched that they have curiously abdicated as the world's number-one nanny or nursemaid. The Statesman adds that what it calls the American empire has now crumbled and that in a few months' time people will be talking not about Fort Knox but about Fortress America.

That's a fairly typical left-wing view. But the right is making similar noises with the Sunday Telegraph mentioning what it calls Mr. Nixon's new policy of enlightened isolationism. The Telegraph, along with other commentators, is saying that if the liberated dollar is the economic symbol of this enlightened isolationism, its military equivalent could well be heavy domestic American pressure for cuts in US troops in Europe. Many middle-of-the-road Britons claim that America's new, more realistic, less aggressive attitude about the limitations of its power augur well for peace. They say an American President may be going to Peking twenty years later than he could have gone, but at least he is going and not arrogantly.

This is George Montgomery on Fleet Street in London.

HALL. The British viewpoint, as might be expected, is rather tempered. Traditionally the British have been our allies, although they were, ironically, our first foe. How about our other traditional ally, France? However, a word of caution. It must be remembered that it was General de Gaulle about ten years ago who suggested cutting France away from the United States. His idea was the creation of a third force to counterbalance

the two super-powers, the United States and the Soviet Union.

DAVID BURRINGTON. This is David Burrington in Paris. The French rarely criticize the goals of American foreign policy.

In fact, opinion surveys of the past five years show that Frenchmen rate the U.S. far ahead of any other country as France's best friend. But when it comes to how the U.S. tries to achieve its goals—well, French criticism is often harsh. For example, there's general approval of President Nixon's decision to wind down the Vietnam war. But French newspapers still sputter that Vietnamization won't work, and the most influential paper, *Le Monde*, has advised Mr. Nixon to take a closer look at the recent seven-point Vietcong peace proposal.

It's American policy toward Europe, however, that the French are touchiest about. President Pompidou has noted that the U.S. always says it's in favor of the Common Market, but he doubts American leaders are really ready to face the consequences. The major consequence, the French insist, will be less American imports in Europe. This is a sore point. The weekly magazine *L'Express* recently blamed the current dollar crisis on excessive U.S. investment in Europe, thirteen billion dollars' worth last year, and it warned that such investment inevitably generates political influence, dollar diplomacy.

The French hope to see their own influence in Europe increase as American influence declines. But all this is based on the assumption that Russia is no longer a threat. Any new saber-rattling in Moscow would force a profound reappraisal.

David Burrington, NBC News, outside the Foreign Ministry in Paris.

HALL. France and Great Britain have been friends in the historic sense. Germany has been our enemy in two world wars. After World War II we helped put West Germany on its feet, partly because we had to. Germany's geographic position, plus the dynamics of its people, make it a compelling force in world politics. And it can be argued that we acted as we did toward the Germans to prevent a Communist takeover of Western Europe in the years following the war. Now in 1971, how does West Germany view us?

ROBERT HAGER. This is Robert Hager in West Berlin. I'm standing beside the Berlin Wall—tall, gray, and ugly. For West Berliners the specter of Communism and the Soviet bloc is never very far away. In spite of the pending Berlin agreement, West Berliners, and for that matter most West Germans, feel much more secure with the American army around, and that at the moment is their number-one concern over U.S. foreign policy.

A few months ago, when the U.S. Senate was debating a cutback for troops in Europe, the influential newspaper *Frankfurter Allgemeine* was warning its readers of neo-isolationism in the United States. A few days later, word that the Senate had decided not to tamper with the present troop levels brought a general sigh of relief throughout West Germany. Germans don't see the U.S. presence here as a favor. Over the years, they've come to regard it as an obligation.

The Defense Minister Helmut Schmidt once told me Americans should realize the US army is necessary in Germany not only as a defense for Germany but in Schmidt's view as a defense for America itself. West Germany, said Schmidt, just happens to be the front line.

Apart from the various negotiations under way with the East, many West Germans will tell you they know the Russians best, and the Russians can't be trusted. Whether that be true or not, the Germans feel a lot more comfortable with America in the ring beside them. Withdrawal from other parts of the world may be all right, but the Germans don't want to see American withdrawal from this part of the globe.

Robert Hager, alongside the Berlin Wall in West Berlin.

HALL. Germany was one of our two major foes in World War II. The other, Japan. It's sometimes interesting to speculate what might have happened if Japan had not made the mistake of bombing Pearl Harbor. For that act solidified American opinion into a determination to defeat the totalitarian powers. The Allies did defeat Germany and Japan, and then the United States rebuilt Japan. That is history. Today is now. What do the Japanese think of us now?

JOHN RICH. This is John Rich in Tokyo. Japanese policy makers are taking a new look at the United States. For 25 years, or almost as soon as they got used to the American occupation, the Japanese have taken the United States pretty much for granted. The Americans were in Japan, US forces operated from Japanese bases, and the Japanese simply assumed that America needed Japan and would thus take care of Japan.

The double Nixon shocks—his announced trip to Peking and the economic measures—have shaken the Japanese as nothing has for years. One Japanese columnist writes that in Japan the image of a rich America has persisted. It was kept alive by post-war memories of generous aid and Japan's own heavy dependence on the United States, which came to be taken for granted. Because of this, he says, Japan has been reluctant to stand on its own feet.

America's moves toward China, made without consulting Japan, have forced the Japanese to think more about their own future policy in Asia. When they think about a role independent from the United States, it seems to many Japanese to be a very lonely one. America's new policy is forcing Japanese diplomats and leaders to face up to the realities of the situation in Asia for the first time since World War II. One result may be that as Japan begins to make its own independent decisions it may gain a new appreciation of the United States and the protection and help it's received from its conqueror for the past quarter-century.

This is John Rich, NBC News, at the Japanese Foreign Ministry in Tokyo.

HALL. We still have troops in Japan and in Germany and in other parts of the world. We have no soldiers in the Middle East. Nevertheless, that area poses a problem for American foreign policy. It is in this area that the interests of the Soviet Union and the United States directly conflict, the two super-powers maneuvering for positions of influence as relations grow ever more tense between the Israelis and the Arab world.

MARK SCHLEIFER. This is Mark Schleifer in Beirut. Part of the way Beirut makes its living is by serving as a propaganda center for all of the conflicting political trends in the Arab world. But over the past year a shaky common view here towards American policy has emerged, a belief that only the United States has the power to force Israel to make the compromises that the Arab governments insist are necessary if there is ever to be peace in the Middle East. This consensus began to emerge when the more radical Arab states, particularly Egypt and Syria, became convinced that US-sponsored negotiations with Israel was the least painful and most likely way to recover all of the Arab territory lost to Israel during the June, 1967 war. The differences, then, are more those of mood.

Newspapers here, like *Al Nahar*, which reflect Egyptian opinion, are still suspicious and always ready to warn that American peace efforts may be just maneuvers to divide the Arabs and buy more time for Israel. The right wing newspapers here like *El Huyat*, which reflect Saudi Arabian and Jordanian opinion, keep urging the Arabs not to alienate the United States with rhetorical threats.

Outside of this uneasy consensus stand the Palestinian guerrillas and the small but influential Arab New Left who argue that the Arabs will never be able to unite or de-

velop their economy unless they mobilize themselves for a revolutionary war, Vietcong style, against Israel and, if necessary, the United States.

This is Mark Schleifer at *Al Nahar* newspaper in Beirut.

HALL. The Israelis have forged a powerful nation in the Middle East, powerful because of a strong national will, a will to live, a will to survive.

KEN LUCOFF. This is Ken Lucoff in Jerusalem. A frequently-heard question here comes to politics, peace, social problems, and in fact anything at all is, "Is it good for the Jews?" meaning the Jews of Israel. At no time in recent years has that question been heard as often as when talking about American attempts to bring Arabs and Israelis together for a peace settlement.

Many Israelis doubt US sincerity, frequently claiming that the Nixon administration is more interested in chalking up a peace agreement to its credit than finding what Arabs and Israelis both like to call a just settlement. However, for all that's written and said here about American pressure on Israel to accept a settlement that does not meet Jerusalem's demands, the Nixon administration is enjoying the greatest amount of popularity here since taking office. More than 52 percent of all Israelis apparently are pleased with the President's Middle East policies according to recent polls. This is a tremendous increase from fifteen percent, when the President first announced his so-called even-handed Middle East policy.

What did worry Israelis, however, was the worsening American economic crisis, since Jerusalem is directly tied to the US dollar. Most Israelis now, though, are pleased with the administration's recent sweeping economic program. Government financial advisers and businessmen alike say it is the right step to strengthen all dollar-linked currencies, including the Israeli lira.

What does trouble Israelis about America, however, is the permissiveness of middle-class young Americans, virtually all Jewish, who visit here. Too many of them, Israelis complain, bring with them drug habits and revolutionary rhetoric that influence their Israeli counterparts. And this, the Israelis say, definitely is not good for the Jews.

This is Ken Lucoff at Freedom Square, Jerusalem.

HALL. The Middle East lies at the eastern end of the Mediterranean, once a base for the British navy. With the phasing out of the British influence, the American Sixth Fleet had become a bulwark of strength in the area, somewhat diminished now as the Soviet navy grows in strength in the eastern Mediterranean. Since World War II the United States has been bolstering its influence on the western end of the Mediterranean, in Spain. Within the past year, Mr. Nixon, Mr. Agnew, other American dignitaries have visited Spain. Prince Carlos, the Spanish king-to-be, has visited this country. There seems to be a spirit of cordiality between the two nations. But is there?

TIM BROWN. This is Tim Brown in Madrid. Not since Christopher Columbus discovered the Americas have relations at a political level been so cozy between the United States and Spain. But on an unofficial level there is simmering discontent. Franco's political opponents strongly resent the US military presence here and complain of what they term the American economic colonialism of their country.

They point out that 35 percent of all foreign investment in Spain is American. An estimated three quarters of a billion dollars have been invested by US business, and over one hundred of America's top two hundred companies are in Spain. In fact, no other country's presence is more noticeable in the daily life of the country. US military jets roar in and out of this air base near Madrid as they do at other bases near Zaragoza and Seville.

On the southern coast at Rota, Polaris-armed submarines leave to patrol the Mediterranean and the Atlantic. Despite the anti-American sentiments, mainly fermented by the left, demonstrations against the US are rare in Spain. And the fact that this resentment has not boiled to the surface more often is in part a tribute to the general good manners of most Americans in Spain, and this includes the one million tourists that come annually.

Most Spaniards also admit that the US is to a great extent responsible for the tremendous economic strides that have lifted the country out of poverty.

This is Tim Brown at the US air base at Torrejon near Madrid.

HALL. American preoccupation with Europe, the Far East, the Middle East, tends to make us sometimes to forget a very loyal friend, Australia. It's been a quarter of a century since thousands of American GI's based there had a profound effect on Australian thinking.

LIONEL HUDSON. This is Lionel Hudson on the outskirts of Canberra, Australia's federal capital is in the heart of the sheep country. It's spring here, and the lambs are dropping. But Australians are facing up to another new season with a lot less joy, a new season in international affairs brought about largely by changes in United States policies.

Whatever the outcome of America getting off the hook in Vietnam or of the dollar crisis, Australia's position in the Pacific will never be the same again. After years of holding on to Britain's hand and then America's, Australia is being forced willy-nilly into economic and political independence. Canberra was caught on the hop by the stepping up of United States troop withdrawals from Vietnam and by the Nixon doctrine that Southeast Asian nations should do much more for themselves.

President Nixon, said the Sydney Morning Herald, was now little concerned to consult his Pacific and Asian allies, and indeed seemed less concerned to preserve their good opinion. The question was asked, "Was the United States reverting to a form of isolationism?" "So what?" said one commentator. "It's high time Australia stopped hating after great powers in a self-important, ex-imperial, little-brother kind of way." And most Australians agreed with him.

Australians were warned the other day that their country had more chance of survival than many others, as long as they changed from the present course of imitating America's mistakes. On top of this, there was a report of a big increase of American immigrants to Australia, fleeing urban disorders and race problems. However, many Australians are curious of the fact that one third of all American immigrants go home again.

This is Lionel Hudson on the outskirts of Canberra.

HALL. In the foregoing segment, we've tried to present a cross-sectional view of American foreign policy. We're aware that American prestige is on the wane. It is too early to assess Mr. Nixon's attempt to establish better relations with Red China. But his move has the value of being positive, a step away from our drafting attitude. It is one of Mr. Nixon's two recent dynamic steps. The other is of course the so-called new economic policy. By cutting the dollar away from gold and by surcharging imports, the President has shaken the economic world. In this segment, we will give time to this matter. First, a report from the country most hard-hit by the new economic dollar.

(Man speaks in Japanese.)

JACK RUSSELL. This is Jack Russell in Tokyo. For Japan it was both a very good and a very bad summer. The affluent Japanese in the largest numbers ever flocked to beach and mountain resorts, but they drove their Toyota and Honda cars home to the specter of what many are calling the Nixon depression. When President Nixon announced he was imposing

a ten percent surcharge on all imports, the Japanese felt that the friendly giant had turned against them. Businessmen openly cursed the US President, using the worst profanities in the Japanese language.

But the anger is melting. The Japanese now are more worried about the impact of U.S. economic policies that already have forced the flotation of the yen on their economy. Daily television commentators, economists, and newspapers warn that weaker industries will go bankrupt, that there will be unemployment, and that both wages and the economy will be held down for months.

But they are not blaming the United States solely for their problems. If anyone is being blamed now, it is Prime Minister Saito. A Japanese newspaper editor said Saito's government, by not earlier coming to terms with Washington on the trade problem, proved it had miscalculated the American response. Japanese businessmen don't want this to happen again. Every one of them hopes that somehow the ten percent surcharge on their goods will be lifted. But one exporter said that in business we know only how to attack; we must now learn how to retreat gracefully in the economic cold war with the United States.

So far, anti-Americanism has been held in check. But if things really get bad, President Nixon and the United States may yet become villains in Japan.

This is Jack Russell, NBC News, Tokyo.

HALL. It is ironic that the United States had to act to hold down Japan, a country it defeated in the last great war. It is doubly ironic that the same policy was designed to hold down not only Japan but our other major wartime opponent, Germany.

LESLIE COLITT. This is Leslie Colitt in Berlin. The activity here in West Berlin's stock exchange has been centering around the stocks of western companies which send a high percentage of their exports to the United States. Their prices have been sliding for weeks. Talking to dozens of West German businessmen, industrialists, bankers, and economists, the following is the most frequently-quoted reason for the present dilemma of the American economy, that the United States is no longer able to compete with the major industrial nations because too many American goods have simply grown too expensive in recent years.

But as a prominent West German chemicals manufacturer puts it. "All this could change as other countries follow West Germany and revalue their currencies, thus making American goods cheaper abroad." West German economist Dr. Horst Zeidler explains the essential reason why the American dollar has lost its former international position while the West German mark continues to be one of the world's hardest currencies.

HORST ZEIDLER. We were free in our decisions to steer our economy according to our own wishes and opinions, more free than the Americans have been.

COLITT. He shares the belief of many knowledgeable Germans that American-owned companies in Europe have contributed their share to the current economic and monetary troubles of the United States for expansion there rather than remitting them back to the United States.

This is Leslie Colitt at the stock exchange in Berlin.

HALL. West Germany is alarmed. The Japanese have had to revalue their currency. Thus, our new economic strategy has had a powerful effect on wartime foes. But it has also hurt a long-time friend, our good neighbor to the north.

RALPH ERRINGTON. This is Ralph Errington in Ottawa. When Pierre Trudeau paid his first visit to Washington as Prime Minister of Canada, he offered a lighthearted comment on Canada-US relations. "Living next to the Americans," he said, "is in some ways like sleeping with an elephant. No matter

how friendly and even-tempered the beast, one is affected by every twitch and grunt." Trudeau had cause to reflect on those words when he cut short a European vacation in the wake of President Nixon's drastic economic move. With nearly 70 percent of its exports going to the United States, Canada primarily was concerned about the ten percent import surcharge.

Canada immediately appealed to the Nixon administration for total exemption, arguing that Canada, with a floating dollar and no tariff barriers, did not contribute to the US balance of payments problem. Prime Minister Trudeau pressed Canada's case for exemption in a radio-TV address to the Canadian people, but the message was aimed at Washington.

TRUDEAU. We understand your problem. We sympathize wholeheartedly with your goal of a healthy economy. We suggest only that the application of your surcharge to Canadian exports contributes in no way to the surcharge to Canadian exports contributes in no way to the attainment of that goal. A weak Canadian economy is of no help to the United States.

ERRINGTON. While voicing concern that thousands of Canadians could be thrown out of work by the US import surcharge, Prime Minister Trudeau said there would be no retaliation on Canada's part. In the meantime, Canadians are trying to ride out the economic storm.

This is Ralph Errington reporting from Parliament Hill in Ottawa.

HALL. Governments come and governments go, but Switzerland has shown a remarkable talent for survival.

ROBERT KROON. This is Robert Kroon, Geneva. The Swiss are known as the money managers of Europe, free trade champions in the true sense of the word, and also as citizens of the world's oldest democracy. As such, they are taking a jaundiced view of the United States today. To the Swiss, political and economic stability are national virtues. Therefore, they are surprised that the US government, as they see it, has not been in control of America for quite a while politically, socially, and now also in the economic field.

Swiss exports to the United States, especially of watches, have been hit very hard by the ten percent surcharge, plus the almost ten percent revaluation of the Swiss franc that people here feel was forced upon them. And there is no relief in sight. The Swiss complain that the US is letting them down.

Many Swiss tend to forget, however, that the huge speculation against the weakening dollar of the past few months was operated to a large extent through Swiss banks and that enormous profits were made before Washington finally presented the bill. So now the Swiss are sitting tight and hoping for the best. They may be grumbling under the pressure of Nixon's economic program, but responsible leaders and economists will admit that the sooner the US puts its house in order, the better things will work out for Switzerland and for everyone else in the long run.

This is Robert Kroon, Geneva.

HALL. It is almost 200 years since the 13 colonies broke ties with the British Empire, then at its peak of power. The split was clean and complete. But there has remained a spirit of association between the two nations.

DAVID WEBER. This is David Weber in London. Economists here in Britain are still trying to assess the country's radically new financial relationship with the United States. It'll be some time before the pound and the dollar arrive at their natural parity, and it'll be even longer before British exporters learn how badly they're hurt by the new ten percent tax on goods they sell to America. If the surcharge upsets them, they're cheered up by the revaluation of the yen because



this means they can now really compete with Japanese prices. What it amounts to is that the British still can't say whether President Nixon's surprise package of last month was a good thing or not.

They were certainly unhappy about it at the time—not so much by what the President did than how he did it. There was talk of his high-handedness, his lack of courtesy for not letting his foreign friends know of his plans in advance. And there were also some dark mutterings about the President playing fast and loose with the economies of the world just to gain a little political advantage at home. But those early grumblings have now given way to a kind of grudging respect, even admiration, for Mr. Nixon. Here in The City, which is to London what Wall Street is to New York, bankers and stockbrokers are now beginning to say that the big shake-up from Washington was just the thing to get a little flexibility in the old fixed world money exchanges.

As far as a lot of British economists are concerned, the tough new American economic policy may wind up helping Britain as much as it could help the United States.

David Weber, in The City of London.

HALL. European statesmen have tried to create a third force in the world—a buffer between the United States and the Soviet Union. France has played a leading role.

ALINE SAARINEN. This is Aline Saarinen in Paris. Editorial and official opinions in France have been angry about the manner and sometimes the content of President Nixon's new economic policy. Even *Le Monde*, the old gray lady of the French press, refers consistently to quote, "the President's egocentric decision." *L'Express*, the French magazine that's like *Time* or *Newsweek*, started its summary article by saying, "The cowboy has come through the lawyer. President Nixon gave up his gentlemanly manners. He refuses to respect the rules of the monetary game." Although they don't want retaliation to start a trade war, all French opinion is enraged by the ten percent surcharge. Valéry Giscard d'Estaing, the French Finance Minister, has been reiterating the French position that the United States balance-of-payments deficit is caused by large-scale direct American investment in Europe and that it is not up to the European countries to revalue upwards to save the dollar.

Although the French position prevented concerted action by the Common Market, after the last French Cabinet meeting the government spokesman said France was anxious to find a common position, quote, "that would affirm the personality of Europe and its weight in the world." The government also expressed its satisfaction with the two-tiered market. Olivier Wernzel(?), governor of the Banque de France, where we are now, says Europe shouldn't stop urging a devaluation of the dollar by rise in the price of gold. He, too, is against revaluing the franc. But *Le Monde* now thinks the floating of the Japanese yen may shake the French out of their rigid stance.

This is Aline Saarinen at the Banque de France in Paris.

HALL. American relief has found its way to nations all over the world. A good portion has gone to India.

MYRON BELKIND. This is Myron Belkind in New Delhi. Since 1951, the United States has given India nearly ten billion dollars in economic assistance. The amount represented 56% of all the foreign aid India has received—and yet today the United States has few friends in India. The reason is the United States policy of permitting arms shipments to Pakistan, who has always been considered India's arch enemy.

One senior Indian Foreign Ministry official, who deals directly with the United States, expressed his lack of understanding of American foreign policy with this question: "How

does America," he asked, "support a dictatorship in Pakistan against India, the world's largest democracy?" When India and the Soviet Union signed a friendship treaty early in August, the *Times* of India said that America's friendship with Pakistan was indirectly responsible for the agreement. Prime Minister Indira Gandhi, who herself has been critical of American policy, may be able to help improve Indo-American relations during her proposed visit to the United States in November.

This is Myron Belkind of the Associated Press outside the American Embassy in New Delhi.

HALL. We closed out our segment on foreign affairs with a report from down under—Australia. We close out this economic segment from another country somewhat out of the mainstream: South Africa.

RALPH ELLIOTT. This is Ralph Elliott in Tablebay Docks, Capetown, South Africans living in the southernmost country of the continent of Africa are very much aware of American economic affairs. The Republic produces 70% of the free world's gold, and a significant percentage of this finds its way into the vaults of Fort Knox. On the other side of the scale, the United States has 800 million dollars in direct investment in the Republic, and 270 million in indirect investment. And these are important influences in the economy of this country.

Since the closure of the Suez Canal, the sea routes around the Cape of Good Hope have been brought into sharper focus both commercially and strategically by this, now the only practical passage from the western world to eastern countries, and we at Capetown, the halfway house, known to mariners as the cavern (?) of the sea, know this. The magnitude of commercial shipping traffic has increased many times, and this growth rate is matched by the build-up of communist naval forces in the Indian Ocean. These political and commercial developments have had the effect of bringing South Africa more and more into the arena of international affairs. Along with that, the Republic views the economic pattern of events with keener interest in terms of the dollar as the standard measure for gold. Its sale is the key factor between the States and South Africa, and here Washington has shown an awareness of this vital economic link.

This is Ralph Elliott in Tablebay Docks, Capetown.

HALL. We've given time to consideration of the view others take of us with regard to foreign affairs and to economic matters. But how do they think we're doing in our domestic affairs? First, the French.

GEORGE V. LEWIS. George V. Lewis, Paris. When New York's Mayor John Lindsay switched parties, declaring himself a Democrat, *Le Monde*, France's most authoritative newspaper, made the event the subject of its famous front-page editorial, the one dealing with the major international topic of the day. This gives some indication of how much deep concern there is here for every significant turn in America's domestic affairs. Right now, the French are eyeing the 1972 Presidential campaign with nearly as much interest as Americans. The names of the six or seven leading contenders for the Democratic nomination already are surprisingly well known here. The widespread French belief of only a year or two ago that the United States was inevitably headed for racial upheaval and violent revolution has largely subsided, giving way to the view, voiced for example in a recent issue of the big magazine *Paris Match*, that there's nothing much wrong with the United States that more capable leadership would not help solve. Thus the extraordinary interest in 1972.

By and large, President Nixon isn't treated as critically here as in some other countries. The big reason for this is that he's considered

pro-French and pro-Gaullist, but he generates no real enthusiasm. And, as a French opposition leader Francois Mitterand has put it, "the French don't think that Mr. Nixon has the answers to America's problems."

George V. Lewis, NBC News, Paris.

HALL. And, how to the Russians see us?

ED STEVENS. This is Ed Stevens in Moscow. The Soviet press and radio never portray America as anything but a sick society coming apart at the seams, torn by crime and race violence, plagued by inflation and unemployment, demoralized by dope and porno, ruled by a ruthless military-industrial power structure. American democracy a sham; civil rights, including freedom of the press a myth. Soviet correspondents in America always confirm this one-sided picture, but there are other sources of information. The Voice of America commands a vast audience despite jamming, and the trickle of Soviet visitors to America is gradually increasing. Learned periodicals, of limited circulation, give factual reports on American progress and achievements. The latest U.S. scientific and technical literature is available to specialists.

Many educated Russians who publicly parrot the Party Line on America change their tune in private. Thus, publication of the secret Pentagon papers was officially played up as new proof of American depravity, but one most prominent citizen—who asked to remain nameless—voiced glowing admiration for a press and for patriotic individuals who dared expose their rulers' mistakes and abuses of power—something unthinkable in the Soviet Union. Even the average man likes and admires Americans, despite the official line. As one factory worker remarked, "I don't believe that people who can land on the moon almost like their own back yard are in such bad shape."

This is Ed Stevens in Moscow.

HALL. We've heard reports from American correspondents, but now the viewpoint of a non-American: David Webster of the British Broadcasting Corporation, stationed here in New York.

Mr. Webster, do you think the President's announcement of the wage-price freeze, particularly the import surcharge, came as a blow to the ordinary Englishman?

DAVID WEBSTER. I don't think it came as a blow to the ordinary Englishman. It might have come as a blow to the bankers and the economists and some of the politicians. But if they were smart, they must have seen it coming. I think the ordinary Englishman is probably dimly aware that the relationship which has been maintained between the United States and the rest of the world ever since the end of the war in '45, has—that phase is coming to an end. There have been signs that it's coming to an end for a long time, and they are now aware that a different kind of relationship is going up.

HALL. Do you think that perhaps there might have been a feeling among some of the British that, ah, glad to see us in the same old bucket of being a little broke, and not being able to pay our bills?

WEBSTER. Oh, there's always an element of that. Sort of feeling that, gee, if lots of them understood what economics are about—there was a certain, ah, among the profession, there was a certain irony in the fact that here you are having great arguments about wage freeze and price controls, which, as the fact of the argument, we've been going through so long it all sounded terribly familiar to us. On the other hand, I don't think anybody in his right mind wishes to see the United States in a state of penury. And of course the United States is not in a state of penury—they're merely having to adjust themselves to the realities of their situation in the world, in which they've become over-extended; became over-extended, I think they realize that, in terms of their military pol-

icies, but also over-extended in terms of their economic part in the world.

HALL. Do you think there's a better understanding in England now, David Webster—a better understanding of our racial problems which we have now that certainly racial problems, color problems, have come upon England?

WEBSTER. There is perhaps a greater recognition. Whether there's greater understanding I'm not sure, because the problems are very different. The problem's very different in scale. Our problems tend to be problems of immigration which happen to be related to race, rather than problems of race as such. A large part of our problem is, in fact, partly an Asian problem—a Pakistani problem which relates not so much to the color of the man's skin but to a totally different cultural background and sometimes an inability to actually speak English.

HALL. How is our racial progress, or lack of same, viewed? The busing, the ghettos, and so forth?

WEBSTER. Well, it's viewed with some alarm. This is largely because, as the nature of news reporting, we tend to hear the bad news rather than the good news. And, at least in this country you are starting from a basic proposition, which says that it is the purpose of the country to make the situation better. Unlike some countries, you aren't starting from a position from where the purpose of the country to make the situation group. And you're going through a whole series of difficult transition phases, sometimes resulting in violence in pursuit of these aims.

HALL. Think we're making any progress?

WEBSTER. I think you are. I don't think it's a straight line progress. I think you're going in fits and starts, and sometimes you go along one direction, and it's as far as you can go in that direction, so you change tacks and you start trying to deal with the problem in another way. Which is right because it's an extremely complex problem.

HALL. Turning to foreign affairs, for a moment—David Webster, how are we doing, how do we seem to be doing I should say, about Vietnam, that terrible thing that's hung over our heads for years now?

WEBSTER. Well, you seem to be going through a long, tortuous process of trying to extricate yourself from the situation. I suppose you find as many different opinions among people in Britain, as to precisely how you should get out of it, as you'd find among people in America as to how you should get out of it. I think it's recognized in Britain that it's not a question of easy solutions, that there is no easy solution left to America.

HALL. It's not just Vietnam, but in many other areas of endeavor.

WEBSTER. I think the general reaction in Britain would be one of delight that after many years your China policy would seem to be taking on a different dimension. I think basically the British people are very happy about this. That it's a sign of coming to terms with the whole problem of Southeast Asia, and what we cheerfully call the Far East, and the people in the east call the east.

HALL. Do you think it's a little late in coming? Not you, but, again, the—

WEBSTER. I think most British people would say it is very late in coming. But it's comparatively easy for a nation which has severely modified its world role to be critical of another nation which is still trying to deal with the problem.

HALL. Another problem in the Middle East. Are they as critical of our attempts in the Middle East to get some sort of interim agreement at least?

WEBSTER. I don't think that there's any great body of opinion either way in Britain, on American policy in the Middle East. They regard it as a great international problem in which America's trying to do her bit, and

the British trying to do their bit, and so on. There is, it's not a major—the debate about American policy in the Middle East is not a major issue in Britain. The Middle East may be, but American policy is not.

HALL. I remember particularly in 1957, when I was in Britain just after the—That war. How angry so many people were with the United States for cutting off the—or making, as they saw it, perhaps, in Britain and Israel, stop picking on Nasser.

WEBSTER. Well, that was a great internal debate in Britain. In some ways similar to the argument you're having in this country about your relationships in Southeast Asia. And the United States made moves at that time, in relation to that area, which were resented by many British people. On the other hand, a lot of other British people thought they were correct.

HALL. We've wandered around—foreign affairs, economics, and domestic affairs. What do you see, David Webster, as the biggest problem facing the United States today?

WEBSTER. Well, I don't quite know whether to describe it as the biggest problem, or the greatest hope. One of the things which I find myself arguing with Americans about—it's the Americans being very outspoken, and very open people in the way they discuss their own problems. And get into a kind of intellectual masochism, and they say, "God, we've got all these problems," and they get very upset about it, and they argue about them ad infinitum. And this is right, and this is one of the great strengths of the United States. The thing which interests me about the United States at this stage, looking back over the last ten or fifteen years of my experience in this country, is that it is going through a process of maturing. It realizes that the gap between the ideal of what they think the United States is about in the world and what, in fact, might be actually practical to achieve, and this coming to terms with the reality, with the limits of strength, with the limits of problem-solving, perhaps taking a less quaintly Victorian attitude toward the inevitability of progress. This, I think, is a, is a great sign of hope. And it's a sign of growing up.

HALL. This is Wilson Hall, NBC News.

ANNOUNCER. You've been listening to Second Sunday, "A World Reflection—How They See Us," was written and produced by James Quigley; directed by Edward Smith; associate director, Albert Reyes; technical supervision, John Rice. Second Sunday is produced under the supervision and control of NBC News. This is Bill McCord.

#### QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum prior to moving that the Senate stand in adjournment.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ORDER FOR RECOGNITION OF SENATOR BYRD OF WEST VIRGINIA ON TUESDAY, OCTOBER 26, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Tuesday next, immediately following recognition of the two leaders under the standing order, the junior Senator from

West Virginia (Mr. BYRD) be recognized for not to exceed 15 minutes.

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

#### ORDER FOR UNFINISHED BUSINESS, H.R. 9910, TO BE LAID BEFORE THE SENATE ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business on Tuesday next, the Chair lay before the Senate the unfinished business, H.R. 9910, a bill to amend the Foreign Assistance Act of 1961, and for other purposes.

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

#### PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for Tuesday is as follows:

The Senate will convene at 11 a.m. Tuesday next. After the recognition of the two leaders under the standing order, the junior Senator from West Virginia (Mr. BYRD), now speaking, will be recognized for not to exceed 15 minutes, following which there will be a period for the transaction of routine morning business for not to exceed 30 minutes with statements limited therein to 3 minutes, at the conclusion of which the Chair will lay before the Senate the unfinished business, H.R. 9910, the foreign aid bill.

The majority leader and the minority leader have indicated that the Senate should be on notice that beginning on Tuesday long sessions are to be expected, with long hours of work, so as to expedite the remaining "must" legislation which remains to be considered and acted upon by the Senate prior to adjournment sine die.

So, Senators are alerted to the fact that beginning Tuesday of next week we can expect long sessions and we can expect rollcall votes. The foreign aid bill is on the front griddle. There will be some heat and some votes.

I am authorized by the majority leader to state that following the foreign aid bill there will be such bills as the warranty-guarantee bill, the water pollution bill, the Equal Employment Opportunities Commission Act, and the economic tax package. It goes without saying, we have busy days ahead. Senators were urged by the joint leadership yesterday to cancel their scheduled speaking engagements or appointments so that they can be on hand and aid the Senate in proceeding with its remaining business, in order that our objective of adjourning on November 15 and not later than December 1 can be achieved.

#### ADJOURNMENT TO 11 A.M., TUESDAY, OCTOBER 26, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the provisions of House Concurrent Resolution 429, that the Sen-

ate stand in adjournment until 11 a.m., Tuesday, October 26, 1971.

The motion was agreed to; and (at 1 o'clock and 23 minutes p.m.) the Senate adjourned until Tuesday, October 26, 1971, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate October 21, 1971:

##### DEPARTMENT OF JUSTICE

James R. Thompson, Jr., of Illinois, to be U.S. attorney for the northern district of

Illinois for the term of 4 years, vice William J. Bauer.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate October 21, 1971:

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Carl R. Berman, Jr., and John W. DeCoste for permanent promotion to the grade of lieutenant in the National Oceanic and Atmospheric Administration, subject to the qualifications provided by law.

##### RENEGOTIATION BOARD

Richard T. Burrell, of Maryland, to be a member of the Renegotiation Board.

##### DEPARTMENT OF LABOR

Richard J. Grunewald, of Connecticut, to be an Assistant Secretary of Labor.  
Richard Schubert, of Pennsylvania, to be Solicitor for the Department of Labor.

##### 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.

## EXTENSIONS OF REMARKS

### HEALTH INSURANCE FOR THE NATION

#### HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1971

Mr. PRYOR of Arkansas. Mr. Speaker, I would like to commend to the attention of my colleagues an editorial that appeared in the October 13 issue of the Arkansas Gazette dealing with the national health insurance proposals pending before the Congress. As the House Ways and Means Committee is now delving into this complex issue, I thought that this editorial, which analyzes the several legislative measures relating to national health insurance, would be of interest to my colleagues. I include the editorial at this point in the RECORD:

#### HEALTH INSURANCE FOR THE NATION

One of the large unresolved issues still before the Congress this fall is whether a national health insurance system of some type should be adopted. The arena for really substantive examination of the question will shift later this month to the House Ways and Means Committee, headed by Representative Wilbur Mills of Kentsett.

It can be stated with reasonable assurance and fairness, we believe, that the present system of delivering an acceptable level of medical care at a reasonable cost to all Americans is essentially inadequate. It is often said, and agreed to by many in the health field, that at its best American medicine is the best there is and can be delivered to the patient if he can pay for it. The rich can pay for the best but in varying degrees the rest of those in our society cannot.

A need for change, at least, in the system is widely recognized. Evidence of that is the proliferation of bills before the Congress dealing with the national health insurance concept. At last count there were about 20 in the hoppers, with five of them to be considered serious contenders. What happens is going to depend in large measure on the handling given to the issue by Mr. Mills and his colleagues on Ways and Means.

Consequently, it was encouraging to read last week of Mills' criticism of the version of national health insurance offered in the Nixon administration bill. The administration's proposal, he says, would "only add to the problems we now have," a point on which Mr. Mills is precisely correct. Perhaps it will be argued that such an evaluation is a part of the Mills non-candidacy for the Democratic presidential nomination. It may be, but if this means that Wilbur Mills is ready to fashion a truly comprehensive program of national health insurance, then let the credit fall where it will.

The administration's program would largely preserve the present system of financing health insurance for a limited segment of the population through private insurance. Features include a provision requiring all employers to purchase a minimum-benefit private insurance package for their employees.

A second serious measure before Ways and Means is similar in several respects to the administration plan. It is the "Healthcare" bill supported by the Health Insurance Association of America, and introduced by Representative Omar Burleson of Texas. Unlike the Nixon proposal, the purchase of insurance policies would remain voluntary. There are other provisions as well, but what this "health insurance industry" bill does essentially is build upon the present system. That is essentially what the administration bill does, too. Basic change simply would not be accomplished.

Even less attractive are the "Medicredit" plan supported by the American Medical Association, and the "Catastrophic Health Insurance" program, written by Senator Russell Long of Louisiana and backed by his Senate Finance Committee. Medicredit would provide a system of tax credits toward the purchase of private health insurance. The Long program would be something of an extension of Medicare to the under 65s, covering only those persons presently covered under the Social Security system. As the name implies, the principal advantage would be to pay most medical costs after those insured had been hospitalized for 60 days and had paid \$2,000 more for other medical services.

Our own preference among the proposals before the Congress is the "Health Security" plan introduced by Senator Edward Kennedy. It has its flaws but it is the only proposal that would reform the whole system of health care—from delivery to method of payment—and it would cover all Americans. Traditional relationships between patient and private physicians would be preserved. Financing would come 50 per cent from general tax revenues and the rest from taxes on employers and employees through the Social Security system. Preventive medicine—perhaps the best kind there is—would be encouraged.

Total costs are really not the principal issue. Authoritative estimates—some of them from the Department of Health, Education, and Welfare—indicate that total health costs in the coming years are going to be about the same regardless of what system of health care payment and delivery is used. Indeed, the chances are that under a system such as that advanced in the Kennedy bill total costs would even be reduced.

Virtually all the industrialized nations of the world already have national health care systems. Adequate health care should be available to all Americans regardless of their economic circumstances as a matter of national policy. It is time that fact was recognized and acted upon in the Congress.

### COMMONWEALTH EDISON PRAISED FOR \$11 MILLION RESEARCH PROGRAM

#### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1971

Mr. McCLORY. Mr. Speaker, on earlier occasions, I have expressed myself in support of the responsible management of Commonwealth Edison Co. which serves the electric power needs of Lake County, Ill., and most of the 12th District which I have the privilege to represent in the Congress.

Mr. Speaker, in connection with the development of a nuclear powerplant at Zion, Ill., questions have been raised regarding the threat of thermal pollution resulting from the use of Lake Michigan water for cooling the condensers of the nuclear generating plant.

While alternate methods of reducing the thermal effect have been suggested, there seems to be no existing satisfactory answer. Indeed, there is some question as to whether the limited thermal change which will occur in a small segment of Lake Michigan will indeed have any deleterious effects on the environment.

Mr. Speaker, it has been shown that substitution of a liquid metal-cooled fast breeder would eliminate the threat of pollution to the environment, either through thermal change or dispersal of heat into the atmosphere.

I am encouraged to note that Commonwealth Edison Co. has pledged the total sum of \$11,414,000 toward a joint Government-industry research effort aimed at building several demonstration fast breeder nuclear powerplants.

This announcement made recently by my constituent, J. Harris Ward, chairman of Commonwealth Edison Co., evidences the determination of this responsible electric utility company to supply the needed energy for residential and industrial needs of the area—at reasonable cost and with a minimal adverse effect on the environment. Mr. Speaker, I am pleased to note this significant contribution by Commonwealth Edison Co. which is further tangible evidence that American industry is vitally interested in improving the quality of life in our Nation and in protecting the human environment for the benefit of all mankind.