

## HOUSE OF REPRESENTATIVES—Monday, April 19, 1971

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*The honest man comes to the light so that it may be clearly seen that God is in all he does.—John 3: 21 (NEB).*

O God, our Father, we lift our hearts unto Thee in this hallowed moment and bow our heads at the altar of prayer, thanking Thee for the days of renewal which have been ours and praying for wisdom and strength as we face the trying tasks of this troubled time. Empower us with Thy spirit that we may rise above pettiness and prejudice and learn to work together with a glad good will for the welfare of our country and the well-being of mankind.

Guide with Thy truth and support with Thy love those who lead our Nation in this forum of freedom—our Speaker, our Representatives, he who assumes office representing the District of Columbia, and all who labor with them under the glowing dome of this glorious Capitol, that Thy kingdom of justice and freedom and good will may go forward until the earth becomes a planet where men live together in true brotherhood and enduring peace: To the glory of Thy holy name. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 15. Concurrent resolution pertaining to the printing of additional copies of part I of the hearings before the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary; and

S. Con. Res. 18. Concurrent resolution authorizing the printing of additional copies of Senate Report 91-1548, entitled "Economics of Aging: Toward a Full Share in Abundance."

### HON. WALTER E. FAUNTROY

The SPEAKER. The Chair is ready to administer the oath of office to the Delegate from the District of Columbia.

Mr. FAUNTROY appeared at the bar of the House and took the oath of office.

### MAKING IN ORDER CONSIDERATION OF SUPPLEMENTARY APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order on Thursday of this week to consider a joint resolution making certain urgent supplementary appropriations for the current fiscal year.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, would the distinguished chairman of the Committee on Appropriations tell the House what subjects are proposed to be dealt with in this expedition of certain supplemental appropriation funds?

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MAHON. Mr. Speaker, the gentleman makes a very appropriate inquiry.

The President has sent to Congress requests for numerous supplementary appropriations for the current fiscal year 1971 which ends on June 30 next. The Committee on Appropriations has over a period of some weeks been holding hearings on them. We hope to report a general supplemental bill early next month, but we cannot be certain just how quickly Congress will take final action on it. In the meantime, there are a handful of pressing items which must be accommodated in the very near future.

There are requests before us for \$16.3 million for the Occupational Safety and Health Act which goes into effect on the 28th of this month as a result of legislation passed by Congress late last year. It is the desire of the administration to get this program underway. There is also considerable interest in the Congress to move ahead. The request has been before us for some time and we feel it should be acted upon soon. That is one of the items.

A second item is the result of various laws enacted by the last Congress and unanticipated caseloads. There are two requests for a total of \$736 million for Veterans' Administration mandatory-type benefits—\$434 million for compensation and pensions and \$302 million for readjustment benefits.

May I add that the first request would provide \$4,140,000 for increased subsistence allowances for vocational rehabilitation trainees, as provided by Public Law 91-219; \$3,612,000 for increased dependency and indemnity compensation rates, as provided by Public Law 91-262; \$222,212,000 for increased compensation rates, as provided by Public Law 91-376; \$115,000,000 for increased pension rates, as provided by Public Law 91-588; and \$88,815,000 is for unanticipated increases in the number of disabled veterans applying for benefits and in the average amount of payment. The second veterans request, for \$302 million, breaks down as follows: \$10,500,000 for liberalized educational assistance to servicemen,

veterans, and certain dependents, as provided by Public Law 91-584; \$8,700,000 for increased automobile allowances for disabled veterans, as provided by Public Law 91-666; and \$283,000,000 for unanticipated increases in the rate and unit costs of participation in training programs by veterans' dependents.

We understand that balances in the existing appropriations could be exhausted before action on the general supplemental bill is finalized.

Then, as a result of the fairly recent earthquake in California and storms and disasters in the Middle West and Gulf States, there is a request before us for \$290 million for disaster relief and loan programs. There is urgency attached to them since they relate to assistance as a result of natural disasters.

It is therefore proposed, I would say to my friend from Iowa, that we lift these three items out of the regular supplemental and give them early attention. Of course, the special resolution to be presented will be subject to amendment, but we have been urged over a period of quite some time to act as quickly as possible, and we felt that we should yield to these urgent requests ahead of the regular supplemental bill.

Mr. GROSS. Is the gentleman saying that there are three items or there may be more than three, perhaps six or seven items?

Mr. MAHON. There are seven appropriations, but there are three areas of appropriation involved, and I have mentioned those three.

Mr. GROSS. And they are all of an emergency nature?

Mr. MAHON. They are.

Mr. GROSS. Is the gentleman saying further that the material in respect to these bills will be available before Thursday?

Mr. MAHON. The material is available today. The hearings are now available and, of course, the budget requests from the President have been available for some time. The joint resolution and report will be available just as soon as the committee acts, which will be on Thursday.

I would like to say further that the gentleman from Ohio (Mr. Bow) the ranking minority member of the Committee on Appropriations, fully concurs in this request.

Mr. GROSS. It is anticipated that this legislation may be called up on Thursday or prior to that date?

Mr. MAHON. This is the request which is being made, for Thursday.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, further reserving the right to object, in view of the announced program for the House of Representatives for this week, including the Accelerated Public Works Act, Pan American Day, the supplemental maritime authorization, and all of the six bills that are scheduled for Thursday

and the balance of the week, I presume that the gentleman, the distinguished chairman of the Committee on Appropriations, is by this unanimous-consent request serving notice that on Thursday or thereafter we will take up this supplemental appropriation.

I would like to ask if he or the leadership knows whether or not it is planned to continue the program as announced or whether we are planning to work through Friday and Saturday in order to accomplish this added new program.

Mr. MAHON. I would say that it is the hope that this urgent supplemental matter can be handled rather expeditiously in the House. I would say further that the matter of making a request today in order to expedite it this week comes at a time when it was not possible fully to clear the matter with all elements of the leadership on this side. But I would think there is no problem involved.

Mr. BOGGS. Mr. Speaker, will the gentleman yield to me?

Mr. HALL. I yield to the House majority leader.

Mr. BOGGS. We see no problem about scheduling the emergency legislation from the Committee on Appropriations. We do not expect it to take but a very short period of time. We think it is proper that it be considered.

Mr. HALL. Mr. Speaker, further reserving the right to object, no one has said that it is not important that it be considered. In fact, to the contrary, I think the distinguished chairman of the Committee on Appropriations has made a good case for the consideration of the resolution.

My question is simply what we plan to do with respect to the 5-day week this week. Do we plan to go into the 5-day week and do we plan to complete this business on Thursday, or are we going to work on Friday and Saturday, as so often recommended?

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further, it is the intention to keep the schedule as set forth on the Whip Notice for this week. I do not anticipate that we will require either a Friday or a Saturday session. It is the intention of the leadership, beginning in June, to have sessions on Friday and possibly on Saturday.

Mr. HALL. Mr. Speaker, I appreciate that forthright answer.

Mr. MAHON. Mr. Speaker, if the gentleman will yield further, the other body has manifested an interest in the urgent supplemental and that is one of the reasons we want to move on it in order to permit the other body to also take timely action on this matter.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### REFERRAL OF EXECUTIVE COMMUNICATION NO. 528

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that Executive communication No. 528, which was referred to the Committee on Interior and Insular

Affairs on April 5, 1971, be rereferred to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

#### SWEARING IN OF THE HONORABLE WALTER FAUNTROY, REPRESENTATIVE FROM THE DISTRICT OF COLUMBIA

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, the swearing in today of Congressman WALTER FAUNTROY is a historic occasion for the House of Representatives and the District of Columbia.

For the first time in almost 100 years the District of Columbia has an elected Representative in Congress. This is a major step toward removing the blot of disenfranchisement which afflicts more than 700,000 citizens of the Nation's Capital.

Congressman FAUNTROY will have a vote in the committees to which he is assigned, and it is expected that he will have a very crucial vote on the Committee on the District of Columbia, but let us hope the time will come soon when he and other Representatives of the District will be able to cast votes on legislation that is before the House as well as the Senate. Only then will the citizens of the District have full enfranchisement as far as Congress is concerned.

We are particularly fortunate in having as our new colleague a person with a lifelong commitment to social and economic justice and full equality for all our citizens. He exemplifies the committed, dedicated, informed legislator which the Congress and the District of Columbia need.

I know that Congressman FAUNTROY will serve ably and well, giving voice to to aspirations of the people of the District of Columbia and of all Americans. We are indeed fortunate to be able to welcome Congressman WALTER FAUNTROY, to the House of Representatives.

#### CONGRATULATIONS TO THE NEW REPRESENTATIVE FROM THE DISTRICT OF COLUMBIA

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIKVA. Mr. Speaker, today is an important landmark in restoring democracy to the 800,000 inhabitants who reside in the Capital of our democracy. The addition of WALTER FAUNTROY as a Delegate to the Congress will give the residents of Washington, D.C., a voice in the place where their destiny is determined. These residents and all of us who express concern about our democracy are fortunate that the voice of WALTER FAUNTROY is loud, clear, and deeply committed to making our Union more perfect and our democracy more representative. As one who serves on the District of Columbia Committee, I can only add that his colleagues on that committee

await his participation eagerly. We need the credentials of a Member who has passed muster with the people whose lives we affect so specifically and parochially with the decisions we make.

#### CONGRATULATIONS TO THE NEW REPRESENTATIVE FROM THE DISTRICT OF COLUMBIA

(Mr. LINK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINK. Mr. Speaker, I join my colleagues in the House and on the District of Columbia Committee in welcoming to the House our newest Member, the Reverend WALTER E. FAUNTROY.

The gentleman from the District of Columbia comes to the Congress with an impressive background that qualifies him well for discharging the duties of the office he assumes today.

The election of a delegate by and from the District of Columbia is a further important step toward the goal of home rule for the District of Columbia.

#### NO ONE IS FOR WAR

(Mr. ABERNETHY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ABERNETHY. Mr. Speaker, I do not know of anyone in this country, even the bravest of our citizens, who favors war. I hear some Senators and Congressmen say, "I am against the war." Well, we are all against war. But these Members, many of whom have become candidates for the Presidency—armchair generals, who sit in this and the other body—have about as much capacity in my judgment to run the war and the country as some of those who constantly criticize everything that is done in this Nation.

This is not a bad country. This country is made up primarily of good people. While I respect the service rendered this Nation in the Vietnam war by those who are now demonstrating in front of the Capitol, I do not respect the manner in which they are registering their complaint against the war. They are not impressing anyone but themselves. And they are not helping anyone but the enemy.

This kind of conduct is not going to get us out of the war, neither is the conduct of the current armchair generals and candidates for President. Hanoi hears with glee every criticism they make of the President's direction of the war. Neither I nor the Nation is impressed with these "instant" candidates for the Presidency. This is the earliest a presidential campaign has ever been inaugurated. Those who think they are running for President are dividing this Nation over the war when we all should be pulling together. I think by the time the conventions meet next year those who are now running for President will be long forgotten.

The plan of our President to get us out of Vietnam is working. In spite of the armchair generals and obstructionists here in the Congress, we will soon be out, with honor. We could be out much sooner

if these obstructionists who think they are running for President would invoke a moratorium on their mouthing criticisms.

Let us all try pulling together behind the President for a while. Just let us try.

#### A TRIBUTE TO THE LATE BOB CHIPERFIELD

(Mr. MORGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORGAN. Mr. Speaker, all of us who were here in the years following World War II, which were the years of the Greek-Turkish aid program, the Truman doctrine, the Marshall plan, the beginning of the military assistance program were saddened to hear of the passing of Bob Chiperfield on April 9, during the Easter recess.

Bob Chiperfield served on the Committee on Foreign Affairs from 1939 until he retired from Congress in 1962, and was chairman of the committee during the 83d Congress, 1953-54. He was the last Republican chairman of the committee.

Those of us who were privileged to serve with Bob Chiperfield on the Committee on Foreign Affairs recognized his qualities as a patriot and a statesman. During the critical years after World War II, he recognized the dangers that our country faced and gave his wholehearted support to our Presidents, both Democrat and Republican, in their efforts to meet this danger.

I can remember his saying one day during a meeting of the committee that it was easier to oppose foreign aid than to support it and that his position as chairman of the Foreign Affairs Committee did not win him any votes.

He recognized, however, that he was in a better position to know the facts and to understand the issues than others were, and that he had an obligation to do what was in the best interest of our country.

Bob Chiperfield came from a distinguished family. His father served as a Member of the House of Representatives before him and had served with distinction during the First World War and as a member of the bar of the State of Illinois.

Those of us who knew Bob Chiperfield thought of him primarily as a kind and gentle person. He was always considerate of the rights and the feelings of others. He was not one who struggled for headlines. He never tried to advance his own interests at the expense of others.

In addition to his service as chairman, he was the ranking minority member of the Committee on Foreign Affairs during most of the decade of the 1950's and my relations with him both officially and personally were most satisfactory. I always had the feeling that he wanted to do what was right and that his word was his bond.

I was sorry when he decided not to run for reelection in 1962. The committee, the Congress and the country suffered a loss when he left public service.

All of us who knew him regret his passing and extend our sympathy to his

wife and his son and daughter. They can take comfort in the fact that he rendered distinguished service to his country and that he occupied a place in the hearts of all of us who knew him.

#### RIO GRANDE CITY, TEX., HIGH SCHOOL STUDENT COUNCIL

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DE LA GARZA. Mr. Speaker, I would very much appreciate your indulgence and that of my colleagues in sharing for a few moments with you a recent experience of a group of youngsters from my district.

I speak of the Student Council of Rio Grande City High School, Starr County, Tex. This great group of typically American youngsters made a short visit to Washington this past weekend. Now I know there is very little unusual about this. Many school groups come to Washington during the course of a year. Let me, therefore, respectfully give you a few of the reasons why this was an unusual trip. This is not a very prosperous area; few of the youngsters are from families which are well-to-do; but this is part of the unusual aspect of the trip. All of the youngsters worked to secure all of the funds for the trip, and let me tell you, they did not leave a stone unturned in getting the money.

These boys and girls worked in the stores and shops in the area after school and over the weekends; they cleaned yards; they washed cars; they cleaned houses, washed and ironed clothes; they even made and sold tamales. It was private initiative and free enterprise at its best.

I am very proud of the fact that the youngsters had the wholehearted support of their families, the school officials and teachers, the civic leaders and merchants of the community.

Here they had, I am sure, a great time. Everyone was most kind and generous to them and I personally offer my appreciation to all who helped make this a memorable trip for them, from a very kind bus driver to the President of the United States.

Everyone was impressed with their demeanor, their politeness, the typically south Texas respect for their elders, for law and order, and the very special love for their country. They in turn caught their enthusiasm.

I would very respectfully offer my most sincere appreciation to the President of the United States for granting these youngsters a very generous part of his so busy schedule.

In addition to visiting the President in the rose garden with these youngsters and taking the very special tour of the White House, I was privileged to have them visit my office and to tour the Capitol with them. They also toured the FBI, visited some of the more famous monuments of the city, were interviewed on television, took the boat ride to Mount Vernon and went to the circus. On Sunday each attended his own choice of a place of worship, and Sunday afternoon

I saw them off at Dulles Airport for their trek back to south Texas.

Mr. Speaker and my colleagues, we were all very happy with the visit of these great young Americans. I know their families and all who participated in this endeavor are proud of them. Let me assure you that I personally was very proud of them; indeed, all of Texas is proud to have this type of ambassadors.

#### THE AMERICAN RED CROSS—AN OUTSTANDING JOB IN MISSISSIPPI

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, I rise to commend the American Red Cross for the excellent job they did following the killer tornados that struck the Mississippi Delta on February 21. We are all familiar with the fact that the Red Cross provides food and clothing for disaster victims. But in the case of the tornado victims in my congressional district and the State of Mississippi, the Red Cross really went beyond the call of duty.

Mr. Speaker, the Red Cross provided money for many of the tornado victims even to replacing their eyeglasses and false teeth. In those cases where the victims did not have the necessary funds to pay for the utility connections for their temporary housing, this was also provided.

I for one am proud of the American Red Cross and thank them for the outstanding job they did in my home State.

#### PROOF ASKED FOR FBI TAPPING TELEPHONES

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, 2 weeks ago, on April 5, the distinguished majority leader, the gentleman from Louisiana (Mr. Boggs), made the announcement on the floor of this Chamber that the telephones of the Members of the Congress have been tapped by the FBI. In talking with reporters after this announcement, the gentleman from Louisiana (Mr. Boggs) indicated that he would furnish proof positive that his own office telephone had been tapped. As of today, to the best of my knowledge, the gentleman has failed to point out this proof positive that he referred to.

Because of the seriousness of the majority leader's statement, I believe that it is both imperative and pressing that the gentleman furnish this proof positive for the edification of all Members.

I respectfully request that the gentleman furnish this proof here in this Chamber as permanent record, now or as soon as possible hereafter.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. Boggs) laid before the House the follow-

ing communication from the Clerk of the House of Representatives:

APRIL 14, 1971.

The Honorable the SPEAKER,  
U.S. House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 11:45 a.m. on Wednesday, April 14, 1971, said to contain a message from the President transmitting the annual report for fiscal year 1970 of the National Endowment for the Arts and the National Council on the Arts.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS, Clerk,  
U.S. House of Representatives.  
By W. RAYMOND COLLEY.

**ANNUAL REPORT FOR FISCAL YEAR 1970 OF THE NATIONAL ENDOWMENT FOR THE ARTS AND THE NATIONAL COUNCIL ON THE ARTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

*To the Congress of the United States:*

In recent years, the arts have come to play an increasingly important role in American life—and not as the exclusive province of a few great art centers, but in the daily lives of thousands of communities, both large and small, throughout the country.

This heightened appreciation of the arts and of America's artists has been an immensely enriching experience for us all, both individually and as a Nation. For the arts are more than a form of entertainment, or a way of filling up leisure hours. They provide an indispensable means through which the imagination can be freed, and through which we can gain new perceptions and heightened understanding. They contribute beauty and grace to our lives. They inspire us to see things in new ways. They help us to a fuller appreciation of the infinite wonder of man and his world.

The extent to which America's artistic heritage is being enriched and extended should be a source of great pride to this Nation and its people. And the extent to which its enjoyment is becoming more broadly available should be a source of great satisfaction.

Throughout the United States, poets, painters and sculptors are now at work in our schools; symphony orchestras are reaching new and larger audiences; touring companies are bringing theatre, opera, and dance to communities which, until now, have not experienced these art forms at first hand. All this is being accomplished through programs funded by the Congress, and carried out by the National Endowment for the Arts and the fifty-five councils that are now at work in every State and Territorial Jurisdiction.

I therefore take particular pleasure in transmitting to the Congress the Fifth

Annual Report of the National Endowment for the Arts.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1971.

**COMMUNICATION FROM THE CLERK OF THE HOUSE**

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

APRIL 14, 1971.

The Honorable the SPEAKER,  
U.S. House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 11:45 a.m. on Wednesday, April 14, 1971 said to contain a message from the President transmitting the Annual Report of the Administrator of the National Credit Union Administration for calendar year 1970.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS, Clerk,  
U.S. House of Representatives.  
By W. RAYMOND COLLEY.

**ANNUAL REPORT OF THE ADMINISTRATOR, NATIONAL CREDIT UNION ADMINISTRATION FOR CALENDAR YEAR 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee in Banking and Currency:

*To the Congress of the United States:*

In accordance with Title I, Section 3(e) of the Federal Credit Union Act, as amended, I am pleased to transmit the Annual Report of the Administrator, National Credit Union Administration for calendar year 1970.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1971.

**COMMUNICATION FROM THE CLERK OF THE HOUSE**

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

APRIL 15, 1971.

The Honorable the SPEAKER,  
U.S. House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:30 p.m. on Thursday, April 15, 1971, said to contain a message from the President transmitting the Annual Report of the World Weather Program.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS, Clerk,  
U.S. House of Representatives.  
By W. RAYMOND COLLEY.

**ANNUAL REPORT OF THE WORLD WEATHER PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The SPEAKER laid before the House the following message from the Presi-

dent of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

*To the Congress of the United States:*

Through the World Weather Program, the nations of the world are combining their efforts to gain new knowledge of the global atmosphere, provide better weather forecasts and warnings to all countries, and assess the damage man has inflicted upon the earth's atmosphere.

I am pleased to report that the program is making significant progress which will enhance the comfort, health, safety and economic well-being of men everywhere:

—Satellite technology is being used with increasing effectiveness to gather global information for earlier, more accurate predictions and warnings of hazardous weather.

—New stations are being established for long-term measurement of atmospheric change.

—Computers have been programmed to determine the effect of pollution upon the atmosphere.

—A major international experiment in the Atlantic Ocean is being prepared under the Global Atmospheric Research Program. During the past year many nations, including the United States, have indicated their support of this tropical experiment and have made tentative commitments to provide ships, aircraft, satellites, and other observing facilities. Linked with an increased computer capability to assess and integrate results, this experiment should be an important step toward attaining a true understanding of the global atmosphere.

The scientific understanding which will be developed by the World Weather Program is critical to the solution of environmental problems which are of immense concern to all nations.

Senate Concurrent Resolution 67 of the 90th Congress recognizes the importance of vigorous U.S. participation in the World Weather Program. In accordance with that resolution, I am transmitting this annual report, describing the most significant activities of the program and the planned participation of Federal agencies in the program for the coming fiscal year.

RICHARD NIXON.

THE WHITE HOUSE, April 15, 1971.

**BUDGET FOR THE DISTRICT OF COLUMBIA FOR FISCAL YEAR BEGINNING JULY 1, 1971—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-15, PART II)**

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

*To the Congress of the United States:*

I am transmitting to the Congress the budget for the District of Columbia for the fiscal year beginning July 1, 1971.

This budget presents the District government's plans and programs to meet the highest priority needs of the city. Consistent with the objectives of the Reorganization Plan #3 of 1967, this budget is the product of full, intensive deliberations by both the Mayor and the City Council.

My review of the proposed fiscal year 1972 District budget approved by the District of Columbia Council indicates that its appropriation requests do not provide for the full year costs of programs which have been approved by the Council for partial year funding in fiscal year 1971. These costs were included in the Mayor's budget proposals submitted to the City Council, but were eliminated during Council review.

Under the District budget approved by the Council, such important programs as implementation of the new court reform legislation and expansion of the Washington Technical Institute and Federal City College are not funded after June 30, 1971. Furthermore, the budget requests do not provide for the fiscal year 1972 costs of the pay raises granted during fiscal year 1971 and which are currently in effect.

In view of these omissions, the District budget approved by the City Council does not present to the Congress a complete statement of the budget requirements of the District for fiscal year 1972. I have therefore modified the fiscal year 1972 District budget request to include the full year costs—totalling approximately \$31 million—of programs and pay raises which have been or will be initiated in fiscal year 1971 by supplemental appropriation requests. I feel this is clearly the only fiscally responsible course of action and is in accord with the budgetary practices and standards which have been established for Federal agencies.

The proposed fiscal year 1972 District expenditure requests I am transmitting today will require over \$90 million from revenue sources which are not now authorized. To help balance these D.C. budget requests, I have requested a \$27 million increase in the Federal contribution to the city, and the Mayor has proposed over \$53 million in new local taxes which require Congressional approval. If these revenue proposals prove to be unacceptable to the Congress, I do not believe that the District's budget should be balanced solely by a slash in expenditure requests. I am sure that a more suitable resolution of issues can be arrived at through minor expenditure adjustments and consideration of other revenue sources.

Last year the Congress completed appropriation action on the District's annual budget request prior to enactment of supporting D.C. revenue legislation. Because of the need to balance expenditure requests with available revenues, the result of this Congressional timing was that the D.C. appropriation requests were substantially reduced because of the lack of needed revenues.

This is neither an effective nor an efficient way to review the city's fiscal requirements, and I urge that the Congress act promptly on the D.C. revenue proposals prior to the final appropriation action on the fiscal year 1972 D.C. budget requests.

RICHARD NIXON.

APRIL 19, 1971.

#### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day.

The Clerk will call the bill on the Consent Calendar.

#### GIVING THE CONSENT OF CONGRESS TO THE ADDITION OF LAND TO THE STATE OF TEXAS, AND CEDING JURISDICTION TO THE STATE OF TEXAS OVER A CERTAIN PARCEL OR TRACT OF LAND HERETOFORE ACQUIRED BY THE UNITED STATES OF AMERICA FROM THE UNITED MEXICAN STATES

The Clerk called the bill (H.R. 1729) giving the consent of Congress to the addition of land to the State of Texas, and ceding jurisdiction to the State of Texas over a certain parcel or tract of land heretofore acquired by the United States of America from the United Mexican States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Texas, who I am sure is interested in this bill, if this will close out the Chamizal business, or will we be confronted with more legislation in this connection?

Mr. WHITE. Mr. Speaker, if the gentleman will yield, this will close out the jurisdiction on this matter. This follows the precedents used in previous years when land was ceded from Mexico to the United States. This will close out the jurisdictional matter with respect to the Chamizal.

Mr. GROSS. We are not likely to be confronted with more legislation on this subject of the Chamizal, are we?

Mr. WHITE. I do not anticipate any. There is a continuing project there, but otherwise there is no major new legislation I know of.

Mr. GROSS. And the road or the superhighway has been built and everything is fine now as between the Mexican Government and the U.S. Government?

Mr. WHITE. The road has not been fully constructed; no. That will be constructed in the future, but as far as I know there will be no new major legislation.

Mr. GROSS. But the road will be built, this superhighway that is expected to expedite traffic to the racetrack and a few other things. Is that correct?

Mr. WHITE. Eventually that road will be built for the convenience of the entire community.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill.

There being no objection, the Clerk read the bill as follows:

H.R. 1729

A bill giving the consent of Congress to the addition of land to the State of Texas, and ceding jurisdiction to the State of Texas over a certain parcel or tract of land heretofore acquired by the United States of America from the United Mexican States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the parcel or tract of land lying adjacent to the territory of the State of Texas, which was acquired by the United States of America by virtue of the Convention Between the United States of America and the United Mexican States for the Solution of the Problem of the Chamizal, signed August 29, 1963, is declared to have become a geographical part of the State of Texas and shall be under the civil and criminal jurisdiction of said State, without affecting the ownership of said land.

SEC. 2. The addition of land and the ceding of jurisdiction to the State of Texas shall take effect upon acceptance by the State of Texas.

Mr. WHITE. Mr. Speaker, I respectfully ask the unanimous consent of the House for the approval of H.R. 1729, a measure which is highly important to complete the orderly transfer of a small parcel of land—193 acres—from the United Mexican States to the United States of America. A similar bill was approved by the House in the 91st Congress, but failed to reach the Senate committee in time for action prior to the end of Congress.

In 1963, the United States concluded with Mexico the historic Chamizal Treaty, which settled a century-old dispute over the international boundary, which had been affected by changes in the channel of the Rio Grande. The settlement of that dispute involved transfers of land both to and from the United States. The 193 acres received from the United Mexican States is surrounded entirely by the city of El Paso, except along the new boundary where it borders Mexico. However, attorneys for the city of El Paso and for the International Boundary Commission, United States and Mexico, requested that I introduce this legislation to remove any doubts as to the civil and criminal jurisdiction of the State of Texas over the newly acquired territory. The precedent for such necessity was found in the act of February 6, 1940 (54 Stat. 21), which was enacted in connection with lands acquired by the United States from Mexico under the convention of February 1, 1933. My bill is patterned after the 1940 act. The letter from the Attorney General quoted in the report two other precedents for this type of legislation.

The State of Texas, also recognizing the necessity of clarifying legislation as to the criminal and civil jurisdiction over the area, has passed its own legislation accepting the area as a geographical part of the State of Texas and under the civil and criminal jurisdiction of that State. The State Legislature of Texas approved senate bill 571 of the 61st legislature, and it was signed into law June 12, 1969.

Mr. Speaker, State and Federal officials feel that this legislation is necessary to complete the orderly development of our border area at El Paso. Our Government has developed extensive border crossing facilities in the area, the El Paso Independent School District has laid plans for developing a large high school and vocational school in the area, and this Congress approved, in 1966, the establishment of the Chamizal National Memorial on 55 acres of the land, under legislation which I introduced.

It is highly important that none of these projects be delayed through any legal doubts of the sovereignty over the area involved. This legislation will assure that, without affecting ownership of any of the land involved, it will be legally a geographical part of the city of El Paso, the county of El Paso, and the State of Texas.

I will greatly appreciate the unanimous consent of this body to the approval of H.R. 1729.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

#### AMENDING SECTIONS 320 AND 321 OF THE IMMIGRATION AND NATIONALITY ACT

Mr. EILBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1534) to amend sections 320 and 321 of the Immigration and Nationality Act.

The Clerk read as follows:

H.R. 1534

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraphs (1) and (2) of section 320(a) of the Immigration and Nationality Act are amended to delete the word "sixteen" and substitute in lieu thereof the word "eighteen".*

*SEC. 2. Paragraphs (4) and (5) of section 321(a) of the Immigration and Nationality Act are amended to delete the word "sixteen" and substitute in lieu thereof the word "eighteen".*

The SPEAKER. Is a second demanded?

Mr. DENNIS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. EILBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, under existing law, the age for automatic acquisition of U.S. citizenship by children, by operation of law through the naturalization of a parent or parents, is 16 years. Children, between the ages of 16 and 18, can acquire that status through judicial naturalization proceedings commenced by the parent or parents on behalf of the children.

This bill would change the critical age of the acquisition of citizenship by children from age 16 to 18. The present law which requires a petition for naturalization through judicial proceedings on behalf of children between the ages of 16 and 18 is burdensome, time consuming, and without any apparent useful purpose.

Mr. DENNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Pennsylvania has correctly stated the purpose of this bill which, I may add, restores the law to the status which it formerly occupied. At one time derivative citizenship could be acquired through parents up until the age of 18. Then for some reason it was reduced to 16. This bill changes it back to 18, whereas today between the ages of 16 and 18 a judicial proceeding is required.

The Departments are in favor of this bill, and the minority has no opposition.

I might point out some question has been raised by some people that this may not be altogether consistent with the proposal to reduce the voting age to 18 years, because if one is now old enough to vote at 18 the question may arise why he should be entitled to derivative citizenship from his parents at age 18. It is perhaps not entirely consistent, but there seems no serious objection raised by anybody to this measure which, as I say, restores the law to where it formerly was.

I support the measure, along with the gentleman from Pennsylvania.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House suspend the rules and pass the bill, H.R. 1534.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to revise and extend their remarks and include extraneous matter on the bill, H.R. 1534.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### AMENDING SECTION 312 OF THE IMMIGRATION AND NATIONALITY ACT

Mr. EILBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1535) to amend section 312 of the Immigration and Nationality Act.

The Clerk read as follows:

H.R. 1535

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso contained in paragraph (1) of section 312 of the Immigration and Nationality Act (8 U.S.C. 1423) is amended by striking out "or to any person who, on the effective date of this Act, is over fifty years of age and has been living in the United States for periods totaling at least twenty years" and by inserting in lieu thereof the following: "or to any person who, on the date of the filing of his petition for naturalization as provided in section 334 of this Act, is over fifty years of age and has been living in the United States for periods totaling at least twenty years".*

The SPEAKER. Is a second demanded?

Mr. DENNIS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. EILBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 1535 is to exempt any alien over 50 years of age, and who has been living in the United States for 20 or more years at the time an application for naturalization was filed, from the requirement of an understanding of the English language.

Section 312 of existing law precludes the naturalization of a person who cannot demonstrate an understanding of the English language, including an ability to read, write, and speak words in ordinary usage in the English language. An exception to this prohibition is made in favor of those who are physically unable to meet the literacy requirements.

An additional exception is applied to those who, on December 24, 1952, were over 50 years of age and had been living in the United States for at least 20 years. Such persons qualify for naturalization, notwithstanding an inability to understand, read, write, or speak simple English.

The only individuals who can now qualify for the exception on the basis of age and length of residence must be at least 68 years of age and must have been living in the United States for at least 38 years. Other elderly, longtime residents who had not yet reached age 50 years or had not had the required 20 years of residence in 1952 do not qualify for the exemption and will not qualify for it on a future date under existing law. These worthy residents may be fully qualified for citizenship in every other respect but are ineligible because of their illiteracy. Many have made significant contributions to the welfare of the country, are the parents of native-born children many of whom have been sacrificed for their country in military service, and would be an asset to the citizenry of the United States. Nevertheless, although literate in their native tongue and, through foreign language media, fully aware of political, foreign, and domestic matters affecting the United States, are not privileged to achieve the status of citizenship solely by reason of their illiteracy in the English language.

The persons involved are, for the most part, not those who deliberately chose to remain ignorant of our language. Rather, they represent persons who gravitated to communities in which their native language was spoken almost exclusively, and who, in raising families and earning livelihoods, had little or no opportunity to attend school or otherwise learn English. They have now reached the age where school attendance is practically impossible or, where possible the ability to learn no longer exists. Nevertheless, that handicap offers no valid reason for denying them the opportunity, if otherwise qualified, to become American citizens.

It must be remembered that from the beginning of the Republic until 1906 no law of the United States required a candidate for citizenship to understand the English language. From 1906 to 1940, the only literacy requirement was

the ability to speak simple English. Not until 1940 did the naturalization statutes demand an ability to read and write, in addition to speaking the language. There is no basis upon which it can be properly assumed that those who were granted citizenship, although lacking the ability to read and write English, have made poorer citizens or contributed less to this country than those naturalized at a time when such abilities had to be shown. Nor is there room for questioning the quality of the citizenship of those completely illiterate in the English language who nevertheless have qualified for naturalization under the 50/20-year exemption. Sound consideration and equity, and the welfare of the country, demand that the long-time resident who, since December 24, 1952, has reached age 50 years and has been living here for 20 years or more should be recognized as deserving of citizenship as much as his neighbor who met the identical prerequisites as far back as December 24, 1952.

Such a step would be consistent with the liberal and enlightened legislation enacted by the Congress in recent years providing under certain conditions for the suspension of literacy tests as a prerequisite to registration and voting, and making inapplicable a State literacy test requirement to anyone who has completed the sixth grade in a school in which the classroom language is other than English.

The primary intent of this last provision was to enable Spanish-speaking Puerto Ricans to register and vote although they could not pass an English literacy test. While different considerations entered into the enactment of such legislation, the provisions nevertheless represent the policy of this Government to recognize that a non-English-speaking citizen is as fully qualified and capable of exercising the franchise, and otherwise exercising rights of citizenship, as is a citizen literate in English.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield to me?

Mr. EILBERG. I am happy to yield to the gentleman.

Mr. DE LA GARZA. Mr. Speaker, it is my privilege today to address these remarks to my colleagues in the House of Representatives in support of the bill under consideration. This proposal is identical to legislation I have introduced in this and in the 89th, the 90th, and 91st Congress. Twice this bill has been approved by the House of Representatives, only to fail of passage in the Senate. The need of enactment has, if anything, increased.

If enacted into law, H.R. 1535 would amend the first proviso contained in paragraph (1) of section 312 of the Immigration and Nationality Act—8 U.S.C. 1423; 66 Stat. 239. That provision of existing law grants an exemption to applicants for naturalization from the requirement of understanding the English language, including the ability to read, write, and speak it, in order to qualify for naturalization, if they were over 50 years of age and had been living in the United States for periods totaling at least 20 years on December 24, 1952, the

effective date of that act. The bill we are considering today would amend the foregoing by extending the exemption to applicants for naturalization who have attained that age and have completed such a period of residence in the United States as of the date of filing the petition for naturalization. Hence, the bill would have the effect of eliminating the "cut-off" date.

Mr. Speaker, it was the spirit and intent of the Congress in enacting the original law that those aliens who had been in the United States for extended periods and had matured beyond middle age should be exempted from the obligation of learning to read, write, and speak the English language. Precisely because the previous reason is a sound one, it is even more proper today that this provision of the Immigration and Nationality Act should be modernized by bringing it up to date. If this bill becomes law, it would be particularly of benefit to those persons who, because of family obligations, the need and urgency of making a living, and also perhaps the unavailability of schools and teaching facilities, have been unable to acquire the ability to speak, read, and write English. This is particularly true in the outlying or rural areas.

No possible harm could come to the United States from the enactment of this measure. It would permit the blessings of citizenship to be bestowed upon elderly, long-time residents who would, in every way, be otherwise required to comply with all the safety, security, and protective requirements of our naturalization law.

In most cases these residents' children are U.S. citizens, and have served in the Armed Forces. These children have fought and many have died for their country. My bill would give their parents a pride in this country and permit them to share with their friends and relatives the noble status of U.S. citizenship. Accordingly, I strongly urge that this bill be promptly enacted as being in the best interests of the country and its citizenry. I urge, Mr. Speaker, that my colleagues support this bill.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. EILBERG. I am happy to yield to the gentleman.

Mr. HALL. Mr. Speaker, do I understand the intent of this legislation is to exempt any alien from the requirement of literacy, if he is 50 years of age or older and has resided in the United States for 20 years?

Mr. EILBERG. That is correct.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, in his original statement, which I respect and appreciate, he referred to the liberal and, I believe, forward-looking recent legislation in the form of amendments to the Immigration and Nationality Act. Is it not true that as a result of the most recent amendments to that Immigration and Nationality Act which have occurred since I have been a Member of this body, that we now have a longer waiting list and more difficulties with certain countries' waiting lists in providing vacancies for admission to the United States for

the purpose of naturalization than at any time in the past?

Mr. EILBERG. Mr. Speaker, there are waiting lists with regard to some of the countries, but this has no connection, in my opinion, with the bill before us.

Mr. EILBERG. We are dealing with people who have been in this country for a period of 20 years but who are illiterate in the English language. This merely calls for an extension of the previous law.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I think the gentleman is exactly right, except it elucidates a point about "liberal and forward looking immigration and nationality legislation." My point is that we are doing this here on the floor of the House under suspension of the rules, with very few people present. However, it would allow additional people the privilege of naturalization and the franchise who cannot read the ballot, is that not correct?

Mr. EILBERG. That is correct. As I said in my opening statement, the idea of people not being able to understand and speak and write English is not a recent situation in American history. This has been the case with reference to many people since the beginning days of our country.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, the gentleman from Missouri being of Scotch and Irish extraction can speak a bit of Gaelic and well remembers that we are the melting pot of the world. But this, again, as the gentleman pointed out to me before when I was trying to make a point, is not the point involved.

The ballots were not printed in other languages at that time under the liberalized Immigration and Nationality Act.

There is some question of logic about whether people—whether they are in a given community or isolated, whether they are disabled—and I understand they are excepted, or people who live in certain communities and actually cannot or do not make the effort to escape therefrom or to simply learn, just do not learn to read and write the English language after 20 years at the age of 50 to speak or comprehend or understand or to sufficiently read the ballot on which they are voting. There is a real question in my mind about whether we should liberalize the Immigration and Nationality Act and especially to do it under a suspension of the rules.

Mr. EILBERG. I might add to the observation of the gentleman from Missouri, as I am sure he well knows, I suppose all of the States, certainly in my State of Pennsylvania, there are people who cannot read and write, and in that case he may obtain an affidavit when he registers to vote to the effect that he requires assistance and that assistance will be made available to him.

It seems to me that answers the gentleman's question.

Mr. HALL. I thank the gentleman from Pennsylvania for his answer, but to me that opens up the door of political potpourri in Pandora's box, and in view of the "liberalization" and the "crows that have come home to roost," based upon the last amendments to the Immigration and Nationality Act, I, for one, am op-

posed to this legislation being considered, especially under a suspension of the rules.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Iowa.

Mr. GROSS. What in the world have these people been doing in this country for 20 years? Have they been living in cells? Have they been incarcerated where they could not find anyone with whom to converse in order to learn the English language?

Mr. EILBERG. Certainly in my district there are communities where people cannot speak English or write in English but where they live together. Frequently, they come to this country and they are very busy working earning a living and they never do get the opportunity to go to school or to learn to read and write. Yet, they are very fine people. I have people like this in my own district.

Mr. GROSS. I respect the statement of the gentleman from Pennsylvania, but it is hard for me to believe that a person who has lived in this country and is seeking citizenship would not make for himself or herself the opportunity to learn enough of the English language to speak and read and write.

I just cannot conceive that this is possible or that this legislation is necessary. I am opposed to this bill.

Mr. EILBERG. I will state in response to the gentleman from Iowa that this was the law until 1962, and all we are asking here is for an extension of that law.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from New York.

Mr. RYAN. Mr. Speaker, I would like to make two points in response to the gentleman from Missouri.

No. 1, there is no literacy test required for voting in the United States today by virtue of the action of the Congress. In 1970 in extending the Voting Rights Act of 1965, we enacted a nationwide ban on literacy tests for voting.

No. 2, this bill merely proposes to extend the present law. Under the present law, if an alien was 50 years of age and had lived in the United States for 20 years as of December 24, 1952, he would have been eligible for naturalization without passing a literacy test. This bill advances that date to exempt an alien over 50 years of age who has lived in the United States for 20 years at the time of filing an application for naturalization.

In other words, if an alien is 50 years old and has lived for 20 years in the United States, at the time of filing his petition for naturalization, he shall not be required to pass an English language literacy test.

Mr. Speaker, there is a very humanitarian purpose behind this legislation, and that is to permit those aliens who wish to be citizens, yet are barred by the literacy requirement, to do so after they have lived in the United States for 20 years and are 50 years old. There are many people in this country who have come from foreign lands seeking freedom and opportunity. They have made major

contributions to our national life; but for one reason or another, and usually it is a psychological matter, they find it very difficult to take and pass a literacy test. This legislation is consistent with the purpose that we had in mind when we abolished the literacy test for voting, and we should do no less for the small number of deserving people involved under this bill.

Mr. DENNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the immigration and naturalization law provides that in order to qualify for naturalization as an American citizen the applicant must have an understanding of the English language, including the ability to read and write, and speak words in ordinary usage in the English language.

What we are talking about here strictly, I must say, is not literacy. You have to be literate in some language to be admitted to this country, as I understand it, but to qualify for citizenship you have to have a comprehension of the English language such as I have just read from the statute.

This bill poses the question whether or not it is good policy to waive that requirement, which this bill does, in the case of an individual who is at least 50 years of age, and who has lived in this country at least 20 years, but who does not have the ability to read and understand English.

Reference has been made to the fact that this is already permitted under the present law if you were 50 years of age, and had been living here for 20 years on December 24, 1952. But this Congress is not responsible for that. It is perfectly plain that unless we pass this bill here, which is open ended and which says that from now on this requirement shall be waived for all applicants who attain the age of 50 years and who stay here 20 years, that quite soon there will be no one left whom this exception applies to; they will phase themselves out in the passage of time.

So you really have the question here whether you think that they ought to have some understanding of the English language in order to qualify for American citizenship. That is really the question before the House.

I would like to point out that the requirements are not very strict. The understanding of the English language required by the statute is further defined as follows:

That the requirements of this section relating to ability to read and write shall be met if the applicant can read or write simple words and phrases to the end that a reasonable test of his literacy shall be made and that no extraordinary or unreasonable conditions shall be imposed upon the applicant; . . .

And that is all he has to do; and the law further provides, and this is not waived in the bill, that he must have "a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States."

It is a little difficult for me to see—if he has not acquired the rudimentary knowledge of English which this statute requires—how he can possibly have the

knowledge necessary to qualify as having a knowledge and understanding of the fundamentals of American history and government.

Really, the only question here is whether you think it is a reasonable requirement that anybody who wants to be a citizen should have a rudimentary knowledge of English or whether you think he ought to be excused because of the fact that he has attained the age of 50 years and has been living around here for 20 years, and has not learned. It seems to me that in the past there was much more of an excuse for this type of measure than there is today. Many immigrants might have had a tough time, perhaps, but today I think you can learn English in 20 years, if you have a desire and any reasonable mental ability. I do not think that it is an unreasonable requirement that you should have that.

We are considering now a bill which lays down the terms to apply in the future, and, for the reasons stated, I just do not think the bill is a good bill and I am opposed to it.

Mr. ANNUNZIO. Mr. Speaker, we have under consideration today two bills which would make minor amendments in the naturalization provisions of the Immigration and Nationality Act. The provisions of these bills have been endorsed by both the Departments of State and Justice during this and the past two Congresses, and were passed by the House during the 91st Congress. The fact that no action was taken by the Senate can be explained only by the press of business with which the last Congress concluded. These are not controversial provisions. Their effect, which could only be favorable, would extend to a very limited number of persons. They involve no money.

The first of these bills, H.R. 1534, would change from 16 to 18 years the cutoff age for automatic acquisition of U.S. citizenship by children through the naturalization of their parents. Section 320 of the Immigration and Nationality Act now provides that a child born outside the United States of a citizen parent and an alien parent may derive naturalization from the alien parent only if that parent is naturalized before the child is 16, and the child himself establishes permanent residence in this country prior to his 16th birthday. Section 321 contains similar provisions for children born outside the country of two alien parents: derivative naturalization is automatic only for children who are now under 16 when their parents are naturalized.

The bill currently under consideration would, as I have said, raise the cutoff age for automatic derivative naturalization from 16 to 18. This was the law under the Nationality Act of 1940, prior to its amendment by the Immigration and Nationality Act of 1952, and there would seem to be no logical reasons for its change. In the words of the House Judiciary Committee report:

It is believed that the present law is burdensome, time consuming, and without any apparent useful purpose.



We have passed draft and voting laws recognizing 18 as the beginning of maturity; there is no reason why our naturalization laws should not reflect the same principle. Further, the illogicality of the law as it now stands is underlined by section 322, which provides that a child between 16 and 18 may acquire citizenship through the naturalization of a parent through judicial naturalization proceedings instigated by that parent. The net effect of H.R. 1534 would simply be to make 18, rather than 16, the oldest age at which such derivative naturalization would be automatic.

The second bill under consideration, H.R. 1535, would exempt any alien who is over 50 years of age and has been living here for a minimum of 20 years at the time of his filing for naturalization from the English literacy requirement as a prerequisite for naturalization. I sponsored H.R. 5929, which is identical to H.R. 1535, and this legislation represents no change in current policy, but merely the extension of a deadline which has become obsolete with the passage of time. Section 312 of the Immigration and Nationality Act contains an identical waiver for any person who was over 50 and had lived here for 20 years or more as of December 24, 1952. However, 18 years have passed since then and, as a representative of the Department of Justice's Immigration and Nationality Service testified before the House Judiciary Committee:

Those who could claim the exemptions today would have to be at least 68 years of age and have lived in this country for as much as 38 years. Those who reached age 50 or who completed the 20 years of residence after 1952 remain ineligible for the exemptions, even though they may now be over age 60 and have lived here for as much as 30 years. We know of no reason why the policy expressed in the 1952 legislation should not apply to the latter group. We believe that failure to afford similar treatment to them deprives them, without apparent reason, of an opportunity for citizenship. Accordingly, we favor the relief which the proposed legislation would afford.

I am in complete agreement with this statement—there is no apparent reason why this policy should be linked with the date of the enactment of that legislation. H.R. 1535 would make the waiver under question open ended by requiring that a person meet the age residency requirements at the time of his petition for naturalization.

Mr. Speaker, I also want to take this opportunity to commend the distinguished chairman of the House Subcommittee on Immigration and Nationality, Hon. Peter W. Rodino, Jr., of New Jersey, who authorized H.R. 1534 and H.R. 1535, for his wisdom and foresight in expediting action on this much-needed legislation. I urge the passage of these two bills today by the House, and action as promptly as possible by the Senate.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 1535, a bill to amend section 312 of the Immigration and Nationalization Act. This bill is similar to a measure I sponsored which passed the House on December 4, 1967, but did not become law because of the failure of the Senate to act. This change is still greatly

needed to obtain equity for many deserving persons, and I am happy the House is acting on it early in the 92d Congress.

Section 312 which was amended by Public Law 82-414 provided that aliens who were 50 years old and who resided in this country for 20 years, as of the effective date of this act, could become naturalized citizens without meeting the requirement of being able to read, write, and speak the English language.

It happened that the effective date of that act was December 24, 1952. Thus any alien born before December 24, 1902, and who lived in this country for at least 20 years could have the benefit of this waiver.

This arbitrary date has created a great inequity in law. Many long-time resident aliens who have lived here for 30 or more years, but who were not 50 years old as of December 24, 1952, are arbitrarily denied the waiver. I think it is only fair that these long-term residents of our country who wish to take a full part in the affairs of their adopted homeland be given the same opportunity for citizenship as those who arrived here before them and who took advantage of this waiver because of the prior act of Congress dated December 24, 1952, which since that date has become an arbitrary cutoff. Today's 20-year alien resident must be 68 years old to qualify for this waiver. If in 1952, 50 years of age was appropriate, then I think it is still appropriate today. The present cutoff date merely perpetuates an inequity that has no logical basis for being.

In view of these factors, I strongly urge that the House act favorably on this legislation which I originated in 1966.

Mr. EILBERG. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania that the House suspend the rules and pass the bill (H.R. 1535).

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were yeas 192, nays 84, not voting 156, as follows:

[Roll No. 55]

YEAS—192

Abzug	Buchanan	Donohue
Adams	Burke, Mass.	Dow
Addabbo	Burlison, Mo.	Dulski
Anderson,	Burton	Edwards, Ala.
Calif.	Byrne, Pa.	Edwards, Calif.
Andrews,	Carey, N.Y.	Eilberg
N. Dak.	Carney	Erlenborn
Aspinall	Chisholm	Esch
Barrett	Cleveland	Eshleman
Begich	Collier	Evans, Colo.
Bell	Collins, Ill.	Fisher
Bergland	Conable	Flood
Blester	Conte	Flowers
Bingham	Conyers	Foley
Blatnik	Culver	Ford,
Boggs	Daniels, N.J.	William D.
Boland	Danielson	Forsythe
Brasco	de la Garza	Frenzel
Brooks	Dellenback	Frey
Broomfield	Dent	Fulton, Pa.
Brotzman	Derwinski	Gallagher
Brown, Ohio	Dingell	Garmatz

Gaydos	Madden	Ruppe
Giaino	Mahon	Ryan
Gibbons	Matsunaga	Sarbanes
Gonzalez	Mazzoli	Saylor
Gubser	Melcher	Scheuer
Gude	Metcalfe	Schneebell
Hamilton	Mikva	Selberling
Hanley	Minish	Shipley
Hansen, Idaho	Mink	Shoup
Harsha	Minshall	Skubitz
Hathaway	Mitchell	Slack
Hawkins	Mollohan	Staggers
Hechler, W. Va.	Monagan	Stanton,
Helstoski	Moorhead	J. William
Hicks, Wash.	Morgan	Steed
Hogan	Mosher	Steiger, Ariz.
Holifield	Moss	Stokes
Horton	Myers	Stratton
Hosmer	Nedzi	Taylor
Hungate	Nelsen	Terry
Jacobs	Nix	Thompson, N.J.
Johnson, Calif.	O'Konski	Tiernan
Karth	O'Neill	Ullman
Kastenmeier	Patten	Van Deerin
Keating	Pelly	Veysey
Kee	Pepper	Vigorito
King	Perkins	Waldie
Kluczynski	Pickle	Whalen
Kyros	Pike	White
Leggett	Pirnie	Whitehurst
Link	Poage	Wiggins
Long, Md.	Price, Ill.	Williams
Lujan	Pucinski	Wilson,
McClary	Quillen	Charles H.
McCloskey	Rees	Winn
McCormack	Reid, N.Y.	Wright
McDade	Reuss	Wyatt
McDonald,	Robison, N.Y.	Wylie
Mich.	Roe	Wyman
McEwen	Roncalio	Yates
McFall	Rooney, N.Y.	Yatron
McKay	Rostenkowski	Young, Tex.
McKevitt	Roush	Zablocki
McKinney	Roybal	Zwach

NAYS—84

Abbutt	Gettys	Natcher
Abernethy	Griffin	Nichols
Archer	Gross	Passman
Baker	Hagan	Patman
Belcher	Haley	Poh
Bennett	Hall	Powell
Bevill	Hammer-	Randall
schmidt	schmidt	Roberts
Bow	Henderson	Rogers
Burke, Fla.	Hull	Rousselot
Burleson, Tex.	Hunt	Ruth
Byrnes, Wis.	Hutchinson	Satterfield
Caffery	Ichord	Scherle
Camp	Jarman	Schmitz
Carter	Johnson, Pa.	Scott
Cederberg	Jonas	Sikes
Chamberlain	Jones, N.C.	Smith, N.Y.
Chappell	Kuykendall	Springer
Colmer	Landgrebe	Stephens
Crane	Landrum	Stuckey
Daniel, Va.	Latta	Sullivan
Davis, Wis.	McClure	Thompson, Ga.
Dennis	McMillan	Thomson, Wis.
Devine	Martin	Waggonner
Dorn	Mathis, Ga.	Wampler
Downing	Miller, Ohio	Watts
Duncan	Mills	Zion
Fountain	Mizell	
Fuqua	Montgomery	
Galifianakis		

NOT VOTING—156

Abourezk	Celler	Findley
Alexander	Clancy	Fish
Anderson, Ill.	Clark	Flynt
Anderson,	Clausen,	Ford, Gerald R.
Tenn.	Don H.	Fraser
Andrews, Ala.	Clawson, Del.	Frelinghuysen
Annunzio	Clay	Fulton, Tenn.
Arendt	Collins, Tex.	Goldwater
Ashbrook	Corbett	Goodling
Ashley	Corman	Grasso
Aspin	Cotter	Gray
Badillo	Coughlin	Green, Oreg.
Baring	Davis, Ga.	Green, Pa.
Betts	Delaney	Griffiths
Biaggi	Dellums	Grover
Blackburn	Denholm	Halpern
Blanton	Dickinson	Hanna
Bolling	Diggs	Hansen, Wash.
Brademas	Dowdy	Harrington
Bray	Drinan	Harvey
Brinkley	duPont	Hastings
Brown, Mich.	Dwyer	Hays
Broyhill, N.C.	Eckhardt	Hébert
Broyhill, Va.	Edmondson	Heckler, Mass.
Byron	Edwards, La.	Hicks, Mass.
Cabell	Evins, Tenn.	Hillis
Casey, Tex.	Fascell	Howard

Jones, Ala.  
Jones, Tenn.  
Kazen  
Keith  
Kemp  
Koch  
Kyl  
Lennon  
Lent  
Lloyd  
Long, La.  
McCollister  
McCulloch  
Macdonald,  
Mass.  
Mailliard  
Mann  
Mathias, Calif.  
Mayne  
Meeds  
Michel  
Miller, Calif.  
Morse  
Murphy, Ill.  
Murphy, N.Y.  
Obey  
O'Hara

Pettis  
Peyster  
Podell  
Preyer, N.C.  
Price, Tex.  
Pryor, Ark.  
Purcell  
Quile  
Rallsback  
Rangel  
Rarick  
Reid, Ill.  
Rhodes  
Riegle  
Robinson, Va.  
Rodino  
Rooney, Pa.  
Rosenthal  
Roy  
Runnels  
St Germain  
Sandman  
Schwengel  
Sebelius  
Shriver  
Sisk  
Smith, Calif.

Smith, Iowa  
Snyder  
Spence  
Stafford  
Stanton,  
James V.  
Steele  
Steiger, Wis.  
Stubblefield  
Symington  
Talcott  
Teague, Calif.  
Teague, Tex.  
Thone  
Udall  
Vander Jagt  
Vanik  
Ware  
Whalley  
Whitten  
Widnall  
Wilson, Bob  
Wolff  
Wydler  
Young, Fla.

Mr. Rarick with Mr. Young of Florida.  
Mr. Fraser with Mr. Rangell.  
Mrs. Green of Oregon with Mr. Pettis.  
Mrs. Runnels with Mr. duPont.  
Mr. St Germain with Mr. Smith of California.  
Mr. Stubblefield with Mr. Whalley.  
Mr. Blanton with Mr. Peyster.  
Mr. Cabell with Mr. McCollister.  
Mr. Cotter with Mr. Kemp.  
Mr. Meeds with Mr. Thone.  
Mr. Brinkley with Mr. Fish.  
Mr. Kazen with Mr. Goldwater.  
Mr. Vanik with Mr. Spence.  
Mr. Purcell with Mr. Stanton.  
Mrs. Griffiths with Mr. Sandman.  
Mr. Symington with Mr. Dellums.  
Mr. Udall with Mr. Badillo.  
Mr. Preyer of North Carolina with Mr. Lent.  
Mr. Dowdy with Mr. Hillis.  
Mr. Denholm with Mr. Riegle.  
Mr. Edwards of Louisiana with Mr. Goodling.  
Mr. Flynt with Mr. Ware.  
Mr. Eckhardt with Mr. Sebelius.  
Mr. Harrington with Mr. Mathias of California.  
Mr. Steiger of Wisconsin with Mr. Robinson of Virginia.

numbers of people visiting them. Clergymen, business, and students interested in ending the war should contact their friends, family and colleagues in other parts of the country and urge them to express their opposition to the war to their Congressmen.

But for those who do not heed my words, I urge that their actions be governed by self-control. Implicit in the right of expression is the assumption that it will be carried out in a prudent and orderly manner. If we are to maintain the great range of freedom of expression that we have enjoyed during our history as a Nation, we must exercise judgment and care in presenting our position. Furthermore, if our stated purpose is to gather support for our cause and demonstrate the necessity for our withdrawal from Indochina, then we must also conduct ourselves in a way which will elicit the kind of support we need to end this unjustifiable war.

In effect, each one of us must be emissaries of peace and reason, not violence. If we are to enlist the people of this Nation in our effort to end the war, then we must exhibit the self-control which the people of this Nation demand from any group which calls for a change in policy. The burden of proof for the legitimacy of our position rests with the people of the antiwar movement. Consequently, we must carry out the activities of the week in a way which will reflect credit on the position we hold so emphatically.

This week there will be many people flocking to the Capital to express their opposition to the war. We have already accomplished much in mustering support for a withdrawal of U.S. troops from Indochina. Our actions this week should be governed by one principle: Actions speak louder than words, and the actions of the week should be such that they will not detract from what has already been accomplished.

I am calling on all those who plan to participate in the week's activities to express themselves, but to express themselves peacefully, not violently. Any incidents which occur that violate the responsibility we have to demonstrate within the law and within the limits of good judgment can only delay the ultimate goal of an end to the war.

TRIBUTE TO IGOR STRAVINSKY

(Mr. HUNGATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include relevant extraneous matter.)

Mr. HUNGATE. Mr. Speaker, I would like to call to the attention of the House a tribute to the great composer, Igor Stravinsky.

STRAVINSKY'S WAY WITH WORDS  
(By Adele Z. Silver)

Igor Stravinsky, who died day before yesterday at the age of 88, relished words almost as much as he relished music, though he stubbornly denied he had any gift for them.

We was wrong, and uncharacteristically modest, about his writing. A dozen or so years ago, Stravinsky and a young American conductor, Robert Craft, embarked on a writing venture that has charmed and instructed untold readers, and has recorded for musical

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs.

Mr. Abourezk with Mr. Mailliard.  
Mr. Annunzio with Mr. Anderson of Illinois.  
Mr. Biaggi with Mr. Hastings.  
Mr. Byron with Mr. Keith.  
Mr. Celler with Mr. Gerald R. Ford.  
Mr. Delaney with Mr. Grover.  
Mr. Edmondson with Mr. Bob Wilson.  
Mr. Fascell with Mr. Price of Texas.  
Mr. Evins of Tennessee with Mr. Betts.  
Mr. Rooney of Pennsylvania with Mr. Rhodes.  
Mr. Rodino with Mr. Frelinghuysen.  
Mr. Podell with Mr. Schwengel.  
Mr. Murphy of New York with Mr. Wydler.  
Mr. Miller of California with Mrs. Reid of Illinois.  
Mr. Macdonald of Massachusetts with Mr. Morse.  
Mr. Wolff with Mr. Steele.  
Mr. Teague of Texas with Mr. Broyhill of Virginia.  
Mr. Sisk with Mr. Del Clawson.  
Mr. Hanna with Mr. Don Clausen.  
Mr. Hays with Mr. Rallsback.  
Mr. Howard with Mr. Widnall.  
Mr. Lennon with Mr. Floyd.  
Mr. Anderson of Tennessee with Mr. Teague of California.  
Mr. Alexander with Mr. Collins of Texas.  
Mr. Hébert with Mr. Arends.  
Mr. Whitten with Mr. Blackburn.  
Mr. Mann with Mr. Clancy.  
Mr. O'Hara with Mr. Harvey.  
Mr. Rosenthal with Mr. Halpern.  
Mr. Roy with Mr. Findley.  
Mr. Green of Pennsylvania, with Mr. Corbett.  
Mr. Fulton of Tennessee with Mr. Talcott.  
Mrs. Grasso with Mrs. Dwyer.  
Mr. Gray with Mr. Stafford.  
Mr. Clark with Mr. Shriver.  
Mr. Casey of Texas with Mr. Dickinson.  
Mrs. Hicks of Massachusetts with Mrs. Heckler of Massachusetts.  
Mr. Smith of Iowa with Mr. Michel.  
Mr. Jones of Tennessee with Mr. Kyl.  
Mr. Jones of Alabama with Mr. Ashbrook.  
Mr. Brademas with Mr. Bray.  
Mr. Corman with Mr. Clay.  
Mr. Drinan with Mr. Diggs.  
Mr. Murphy of Illinois with Mr. Coughlin.  
Mr. Long of Louisiana with Mr. Mayne.  
Mr. Koch with Mr. McCulloch.  
Mr. Baring with Mr. Snyder.  
Mr. Andrews of Alabama with Mr. Broyhill of North Carolina.  
Mr. Ashley with Mr. Brown of Michigan.  
Mr. Aspin with Mr. Vander Jagt.  
Mr. Pryor of Arkansas with Mr. Quile.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to revise and extend their remarks and include extraneous material on the bill just passed, H.R. 1535.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SELF-CONTROL URGED UPON THOSE COMING TO THE NATION'S CAPITAL TO VOICE DISSENT

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, as the war drags on in Southeast Asia, taking the lives of our men, draining our resources, and demoralizing the spirit of the Nation, sentiment against the war continues to grow. More and more Americans are expressing their opposition to the war in a responsible and reasonable way. Americans from every walk of life are beginning to utilize the channels of dissent to which they have a unique access. I believe that this kind of public opinion, rendered by citizens who feel genuinely and sincerely disturbed about the events in Southeast Asia should be encouraged to continue that expression of their views.

However, to descend on Washington in the hope of changing people's mind about the war is largely a wasted effort. The majority of people who come to Washington are from the Northeast section of the country and they direct their efforts toward Congressmen from the Northeast section of the country. Furthermore, they concentrate on Congressmen who are for the most part antiwar and need not be swayed by large

historians the way Stravinsky's extraordinary mind worked.

Six of their books are in print, and there is probably a seventh volume in the making now, for the two friends talked and made music together even during Stravinsky's long last illness. What these books have that recommends them to musicians and non-musicians alike is an uncommon vividness, a force of personality and freshness of language, a candor and wit, that are the direct results of the intelligence, vigor, and warmth that Stravinsky and Craft shared.

Stravinsky's life, career, and ideas about music and his world are the subjects of all six books. They are: "Conversations with Igor Stravinsky" (1959), "Memories and Commentaries" (1960), "Expositions and Developments" (1962), "Dialogues and a Diary" (1963), "Themes and Episodes" (1966) and "Retrospectives and Conclusions" (1969).

Like so many other men who have made an impact on modern culture, Stravinsky was a Russian of the upper classes, well-educated and remarkably free of sentimentality. He lost his Russian property in the war and the revolution and became one of those gifted wanderers who peopled Europe after the first World War; he knew and worked with Diaghilev, Nijinsky, Picasso, Debussy.

When he came to the United States in 1939, his career included Chaplin and Disney and W. H. Auden. It was a long-bursting energetic life, and he apparently was able, under Craft's sympathetic questioning, to remember a good bit of it.

Of his first piano teacher: "She was an excellent pianist and a blockhead—a not unusual combination. Her aesthetics and her bad taste were impregnable." On his older cousins 70 years ago in St. Petersburg: "I still resent the way they despised me because of their superior age, and I am even now a little triumphant that I have outlived them all."

On other composers: "The nature of Beethoven's talent and work are more 'human' and more comprehensible to me than are, say, the talents and works of more 'perfect' composers like Bach and Mozart; I think I know how Beethoven composed, though I do not understand how a man of such powers could lapse so frequently into such banality."

On conductors: "The conductor who impressed me most was Gustav Mahler. I attribute this in part to the fact that he was also a composer. The most interesting conductors are composers for they are the only ones who can have a really new insight into music itself." On his favorite piece of music from a younger composer: "Le Marteau sans Maitre' by Pierre Boulez." On theory in musical composition: "Hindsight. It doesn't exist."

On age: "Eighty-seven years can feel like, as of course they are, an incurable disease. My perimeter of pleasure has shrunk, my memories taunt me. At least I do not dwell on the future."

#### TEXTILE IMPORTS

(Mr. NICHOLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, the question of textile imports continues to be a major problem for textile plants throughout the Nation. In the South alone, over 50 plants have closed in the past 2 years. During 1970, 30,000 persons lost their jobs.

Alabama has been particularly hard hit. This year three Alabama plants, two in the small town of Roanoke, have been forced to close because Japanese imports continue to flood our country. The un-

employment in Roanoke is now estimated at over 25 percent. I am sure the story is much the same in other cities throughout our country.

The Alabama State Senate, in its wisdom, has passed a resolution asking the Congress of the United States and the President to take firm action which will strengthen the textile industry in the face of increasing imports from Japan. I would like to submit this resolution, introduced by Senators E. C. Foshee, Joe Fine, Robert Wilder, and Gene McLain, for study by my esteemed colleagues.

#### SENATE OF ALABAMA—RESOLUTION 16

Whereas, Within the last several years the situation in the American textile industry has become increasingly acute and particularly so in the Southern states where the production of cotton and the manufacturing of cotton products constitute the very life blood of this area; and

Whereas, Hundreds of Alabamians have lost their jobs or are onto short time manufacture and the foreign competitors who flood our market and force thousands of our citizens completely out of work and market their textiles and apparel under conditions that are illegal in the State of Alabama and in the United States; and

Whereas, The government of Japan has offered a most unsatisfactory proposal to restrain, unilaterally, its textile and apparel exports to the United States; and

Whereas, The Japanese proposal has been rejected by the President of the United States, by the Governor of Alabama, by many members of the Congress, including the Senators and Representatives from Alabama, by the American Textile Manufacturers Institute, by the Alabama Textile Manufacturers Association, by numerous newspaper editorials and by many others; and

Whereas, The textile markets of the United States are virtually wide open to foreign imports while many of the major exporters to this country tightly protect their own markets against our textile exports; and

Whereas, The American textile industry pays its employees approximately two dollars an hour more than the industry of Japan, with the gap being even wider between this country and some other Asian Nations; and

Whereas, The Alabama Legislature and the people of Alabama are not willing to see these terribly unfair conditions continue to weaken one of their most important industries which together with its supply and related industries over the years have been good, responsible corporate citizens; and

Whereas, These unfair conditions largely have been created by a combination of policies of our Federal Government. Now, therefore;

Be it resolved by the Legislature of Alabama, both houses thereof concurring, That the Legislature of Alabama respectfully requests the President of the United States and the Congress of the United States to do all in their power through legislative and administrative action to see that order is restored to the chaotic international textile and apparel situation.

Be it further resolved, That the Legislature of Alabama expresses to the Alabama Congressional Delegation and to other members of the Congress, who continue to work for a solution to this problem, deep appreciation for their dedication to this vital effort.

Be it further resolved, That Copies of this resolution be sent to the President of the United States, to each member of Alabama's delegation in the Senate and in the House of Representatives of the United States Congress, to the Secretary of Commerce, to the Secretary of State and to the Clerks of the respective Houses of the United States Congress.

I hereby certify that the above is a true, correct and accurate copy of Senate Joint Resolution No. 16 by Messrs. Foshee, Fine, Wilder and McLain, adopted by the Legislature of Alabama on April 8, 1971.

McDOWELL LEE,  
Secretary of Senate.

#### SIEGE ON WASHINGTON BY ANTI-WAR DISSIDENTS

(Mr. HUNT asked and was given permission to address the House for 1 minute, to revise and extend his remarks.)

Mr. HUNT. Mr. Speaker, the siege on Washington by various groups of anti-war dissidents begins today and, despite the aim of the Government to keep all public lands open and accessible to all persons, it seems that the leaders of these groups will urge their followers to set up encampments.

Mr. Speaker, it was because of the blight on the landscape left by Resurrection City in 1968 adjacent to the Lincoln Memorial that H.R. 1035 was initiated in the 91st Congress. In its report on the legislation, the House Public Works Committee stated:

Clearly, access to these buildings and grounds cannot be limited, for any extended period, to any individual citizen or group of citizens, great or small, however lofty their aims may be or however idealistic their purpose.

According to the RECORD of June 11, 1969, H.R. 1035 went on to be approved by the overwhelming vote of 327 for and 51 against.

Because of the very urgent need for this legislation, the Honorable WILLIAM J. SCHERLE, of Iowa, introduced on April 7 a bill identical to the measure passed by the House in the 91st Congress. Today, the gentleman from Ohio, the Honorable CHALMERS P. WYLIE, and I are introducing another identical bill for the purpose of emphasizing this urgency and to urge that the House Public Works Committee give all deliberate speed to reporting the bill again so that this House will be on record as to its position on the use of publicly owned land in the District of Columbia for unauthorized and unlawful encampments. Inasmuch as it is reported that Justice Department officials are giving a fresh look at a possible Rock Creek Park encampment, I would strongly urge the administration to stand firmly behind the Interior Department which has already denied a permit for this purpose.

Mr. Speaker, the antiwar groups that will be in this city for the next few weeks exercising their rights of speech and assembly must not be permitted to do so in a manner that will deny the rights of others who do not feel the same way. Should the law be violated, those responsible must be dealt with promptly and without bias. That is the only way the rights of all will be preserved.

#### LAW OFFICERS PAY TRIBUTE TO A GREAT AMERICAN

(Mr. MYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MYERS. Mr. Speaker, Mr. J. Edgar Hoover, the Director of the Federal Bu-

reau of Investigation, has been subjected lately to a great deal of unwarranted criticism. Much of this has been motivated by purely political reasons and none of it has come from anyone who has actually worked in the law enforcement profession. The National Sheriffs' Association is the official voice of America's 3,067 sheriffs and their many thousands of deputy sheriffs. In addition, the NSA numbers among its members many other American law enforcement administrators and practitioners at every level of jurisdiction. America's sheriffs have shown their support of Mr. Hoover in the form of a resolution that has been sent to the President of the United States and to the Attorney General. The resolution follows:

At the direction of the entire Executive Board of the National Sheriffs' Association, we are writing to express not only our Association's confidence in Director J. Edgar Hoover, but also our unqualified endorsement and support of the FBI and its Director.

The nearly 23,000 members of the National Sheriffs' Association are both shocked and sickened by the recent barrage of distorted criticisms and unsubstantiated charges that have been hurled at the FBI and at Mr. Hoover.

It has been our honor to work shoulder to shoulder with the dedicated men and women of the FBI in the arena of action against crime. We know the high standards of honesty, efficiency, and fair play which they represent; we recognize the outstanding caliber of leadership under Mr. Hoover since 1924, and we admire the richly deserved reputation of excellence which they have earned in service to the American people.

Individually and as members of one of America's foremost law enforcement organizations, we are proud to stand with Mr. Hoover and his associates against those individuals who unjustifiably subject him to attack.

This statement was signed by Michael N. Canlis, president, and by Ferris E. Lucas, executive director, on behalf of the entire executive board of the National Sheriffs' Association.

#### THE CASE OF LT. WILLIAM CALLEY

(Mr. ERLNBORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERLNBORN. Mr. Speaker, the conviction by the Army court-martial of Lt. William Calley has generated a great amount of protest. Each protest seems to be based on one or the other of the two following propositions:

First, Lieutenant Calley was an Army officer, taught to fight and kill, who was given orders and obeyed them as any good soldier should; or

Alternatively, Lieutenant Calley should not be punished because the war is immoral; and, if Calley is guilty, so are the Army and political leaders of this Nation.

Let me state as simply as possible my reaction to these two propositions.

Those who hold to the first proposition have failed to read or to understand or believe the testimony. After a proper trial, it was found that first, no such order to kill civilians was given; second, no hostile enemy action was encountered that day; and third, Lieutenant Calley

admitted lining up and shooting unarmed civilian men, women, children, and babies.

If this country, on the basis of that evidence, were to hold to the view that this was only what any soldier should do, we would be no better than barbarians. The Army has never taught, nor tolerated, the murder of helpless civilians.

As to the second proposition, the morality or immorality of this war needs a much larger basis for discussion. Many who raise the question, I suspect, would have done so with equal vehemence had the verdict turned in favor of Lieutenant Calley; and they blind themselves to a distinction which is clear to most of us—that there is a difference between war and murder, between shooting armed enemies and shooting unarmed civilians.

That our Government still knows war from murder is proved by the fact that Lieutenant Calley is not the first soldier, but more nearly the 40th, to be convicted of killing civilians in Vietnam.

Calley's actions were not typical of Army policy, much less so exemplary as to qualify him for a medal, as one of my congressional colleagues contends.

The morality of individual acts of war have been in controversy for years. There has never been any argument, however, about the morality or legality of killing defenseless and unresisting civilians. The day we as a nation condone this will be the day we forfeit any claim to moral leadership. Those who protest the Calley verdict should bear this in mind.

#### HEARING SET ON JUVENILE JUSTICE INSTITUTE

(Mr. KASTENMEIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KASTENMEIER. Mr. Speaker, as chairman of Subcommittee No. 3 of the Committee on the Judiciary, I wish to announce that a public hearing will be held on April 28, at 10 a.m., in room 2226 Rayburn House Office Building, on H.R. 45, by Mr. RAILSBACK; H.R. 46, by Mr. MIKVA; H.R. 47, by Mr. BIESTER; and identical bills, to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice. This hearing will supplement the hearings held in the 91st Congress on H.R. 14950 and a number of identical measures.

The subcommittee will hear testimony from a number of juvenile judges and from a representative of the American Parents Committee, Inc.

#### DEFENSE OF J. EDGAR HOOVER AND THE FBI

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 15 minutes.

Mr. HOGAN. Mr. Speaker, in recent weeks J. Edgar Hoover and the FBI have come under attack on various fronts.

As an FBI employee myself for 10 years I find these attacks both irresponsible

and reprehensible. The charges which have been made against Mr. Hoover are of such a serious nature that most people would hesitate to publicize them without absolute assurance of their accuracy.

Apparently, this fact has not swayed some Members of this body and the other body in releasing their charges to the press. Despite the fact that these charges are, at best, based on hearsay evidence and have been categorically denied by the FBI, the Department of Justice, and the White House, the attacks continue.

I was pleased that President Nixon dealt with this matter so forcefully in his interview before the American Society of Newspaper Editors convention. His vote of confidence in Mr. Hoover was greeted with thunderous applause.

Mr. Speaker, I include an excerpt of his remarks in the RECORD at this point:

#### EXCERPT OF REMARKS BY PRESIDENT NIXON

Question: J. Edgar Hoover very recently seems to have become one of the favorite whipping boys of many of the prominent Americans.

The PRESIDENT. I am glad to have somebody else there for a change.

Question: Is there any chance that the criticism might hasten his retirement?

The PRESIDENT. No. I think the criticisms, particularly when they are unfair, as many of them have been, and malicious, as many of them have been—and I haven't discussed Mr. Hoover's retirement with him; he has not brought it up with me. But if I know Mr. Hoover, such unfair and malicious criticism would tend to have exactly the opposite effect: not to hasten his retirement but to have him dig in.

I can only say this, that with regard to Mr. Hoover, I would ask the editors of the nation's papers to be fair about the situation. He, like any man who is a strong man, an able man, who has led this Bureau for so many years, has made many enemies. But we can also be thankful that in the F.B.I. he has developed an organization which is recognized throughout the world as the best law enforcement agency in the world.

He has been non-political. He has been non-partisan. And despite all of the talk about surveillance and bugging and the rest, let me say I have been in police states and the idea that this is a police state is just pure nonsense. And every editorial paper in the country ought to say that.

Question: Earlier this week, I think speaking in Detroit, the Vice President said that he felt the Director should remain on the job as long as he is physically and mentally sound.

Is that more or less your attitude?

The PRESIDENT. Well, Mr. Cormier, I am not going to discuss the situation with regard to Mr. Hoover's tenure in office when the matter has not been raised with me, either by me or by him.

I will only say at this time that I believe it would be most unfortunate to allow a man who has given over 50 years of dedicated service to this country to go out under a cloud, maligned unfairly by many criticisms.

Now, I don't mean that some criticism of him, of me, of anybody, is not justified. But he is taking a bad rap on a lot of things and he doesn't deserve it.

Question: I would like to get back to Mr. Hoover and the FBI. Is there any credence to the complaints by some Congressmen, as far as you know, that they are under surveillance by the FBI?

The PRESIDENT. Well, Mr. Risher, let me answer that question in terms of what I know, because I checked this personally. I was in the House, I was in the Senate, and I am very jealous of the right of Senators and Congressmen and every citizen, actually, not

to have surveillance when he is engaged in public activities. Particularly, I can assure you, that there is no question in my mind that Mr. Hoover's statement that no telephone in the Capitol has ever been tapped by the FBI is correct. That is correct.

The case you referred to, the Dowdy case, did not involve the tapping of a Congressman's telephone.

The second point I should make is this: Let's get the whole business of surveillance and the rest into some perspective. First, when we talk about police states, there are 205 million people in this country.

Did you know even the Nation's editors, sophisticated as you are, that over the past two years there were only 300 taps by the FBI through court orders?

Do you know what was accomplished from those taps? There were 900 arrests and 100 convictions, and particularly convictions in the important area of narcotics where millions and millions of dollars worth of narcotics that otherwise would have gone to the young people of America were picked up? That was why those taps were carried on.

Now let's talk about the other area where I think Mr. Risher is more concerned about. They say what about the taps not made by court orders but are made by the national security? I checked that, too. The high, insofar as those taps are concerned, were in the years 1961, 1962 and 1963. In those years, the number of taps was between 90 and 100. Now, in the two years that we have been in office—and get this number—the total number of taps for national security purposes by the FBI, and I know because I look not at the information but at the decisions that are made—the total number of taps is less, has been less, than 50 a year, a cut of 50 percent from what it was in 1961, '62 and '63. As far as Army surveillance is concerned, once we saw what happened to the Democratic National Convention, that had even been carried to the surveillance of Adlai Stevenson, who later became a Senator, we stopped them.

I simply want to put that all in perspective by saying this: I believe the Nation's Press has a responsibility to watch Government, to see that big brother isn't watching.

I don't want to see a police state. I argued the right of Privacy Case in the Supreme Court and I feel strongly about the right of privacy. But let's also remember that the President of the United States has a responsibility for the security of this country and a responsibility to protect the innocents from those who might engage in crime or who would be dangerous to the people of this country.

In carrying out that responsibility, I defend the F.B.I. in this very limited exercise of tapping.

One final point: You talk about police state. Let me tell you what happens when you go to what is really a police state.

You can't talk in your bedroom. You can't talk in your sitting room. You don't talk in the bathroom. As a matter of fact, you hear about going out and talking in the garden? Yes, I have walked many times through gardens in various places where I had to talk about something confidential, and you can't even talk in front of a shrub. That is the way it works.

What I am simply saying is this: There are police states. We don't want that to happen to America. But America is not a police state, and as long as I am in this Office, we are going to be sure that not the FBI or any other organization engages in any activity except where the national interest or the protection of innocent people requires it, and then it will be as limited as it possibly can be. That is what we are going to do.

#### IPU RESOLVES INTERNATIONAL CO-OPERATION IN ILLEGAL DRUGS CONTROL

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I want to report a dramatic international advance in the control of the illegal production and traffic of dangerous drugs. I have just returned from the Inter-Parliamentary Union meeting at Caracas, Venezuela, where representatives of parliaments of 53 participating nations unanimously accepted a resolution which I sponsored calling for international co-operation in the control of traffic in illegal drugs. Significantly enough, the delegations of France, Thailand, and Turkey joined me in sponsoring this resolution and it was adopted unanimously.

In pressing for adoption of this resolution I called upon my fellow IPU delegates to recognize that we can no longer tolerate the illegal production and international traffic of dangerous drugs and if we want to solve the drug problem we have all got to quit dawdling and start working together. Their unanimous endorsement of the resolution was a highly gratifying development of significant importance in the war against illegal drug abuses. So important did the Council consider this problem, that it was voted to keep it on the agenda for the fall meeting and to circularize the members with a questionnaire to provide suggestions for action in this field.

I include here the text of my statement to the Council which was followed by unanimous acceptance of my resolution by the Inter-Parliamentary Union:

INTERNATIONAL CONTROL OF ILLEGAL NARCOTICS  
(Statement of U.S. Representative JOHN S. MONAGAN, Democrat of Connecticut, at the Inter-Parliamentary Union Meeting at Caracas, Venezuela, April 17, 1971)

Control of illegal production and illegal export of dangerous narcotic drugs is a problem of international dimensions that we parliamentarians ignore at our peril. Although these drugs are usually grown or produced in rural areas of the world, they are quickly transported to the heavily populated cities where they are sold for high prices and wreak their destructive havoc on human lives. Countries, both large and small, know of the debilitating effects of narcotics, and yet are not taking effective action to prevent their traffic and use. International cooperation is urgently needed to achieve effective control over this pervasive problem. As representatives of Parliaments of the international community, we must make it clear that we can no longer tolerate the illegal production and traffic which allow substances originally intended to alleviate pain and suffering themselves to become causes of human misery and social decay.

Although there are several kinds of narcotic drugs in illicit use today, opium and the psychotropics are largely responsible for the present crisis. The psychotropic substances include chemically produced stimulants, depressants, and hallucinogens; amphetamines, barbiturates, and LSD, among others. They can bring about hallucinations and even addiction, and because they are relatively inexpensive and easy to acquire they are in high demand.

At the U.N. sponsored Convention on Psychotropic Substances recently held in Vienna, an international treaty for control of the production and importation of psychotropics was signed by representatives of twenty of the seventy-one countries present. The treaty now awaits ratification by forty governments before its provisions can be enforced. Unfortunately, however, ratification may take some time. In spite of this, the signing of the treaty represents a significant international effort to deal with the increasing problems of involving psychotropics.

The narcotic which undoubtedly creates the most serious state of dependence and is most frequently misused is opium, in any of its various forms. Opium, which is derived from the opium poppy, is grown primarily within a zone extending from the Turkish Anatolian Plain to the Yunnan Province in China. For commercial purposes, the raw opium is converted into a morphine base, and is later synthesized into its most intense and dangerous form, heroin. Although legal production and export of raw opium and its by-products is entirely controlled in theory and to some extent in fact by the Single Convention on Narcotic Drugs of 1953, adopted under United Nations auspices, in actuality, the diversion of opium into the illegal market continues to be a major problem which has not been effectively reached by this convention.

Actually, the opium problem consists of three parts: the demand, illicit supply and illegal traffic. Demand for illegal narcotics, although a problem familiar to many countries, cannot really be handled on an international level. Instead, each country must try to educate and treat its citizens who are tempted to use and abuse narcotic drugs. The problems of supply and traffic are both of tremendous international concern, and it is upon these problems that we, as representatives of the Parliamentary governments of the world, must focus our attention.

There are approximately two million drug users and addicts in the world, and the United States has the largest single number of heroin addicts—The National Institutes of Health estimates 250,000. Every year that number increases. The numbers are also increasing steadily in Western Europe, Iran, the Far East, and South East Asia. South America, although it grows cocaine on its western coast and has recently begun to cultivate opium poppies, is not yet disturbed by a serious domestic narcotics problem. Any country, however, even a South American state, may be next, and may soon find itself with a high percentage of its population incapacitated by drugs. Since no country is immune, it is imperative that we forge a strong instrument of international cooperation and work collectively to conquer this overwhelming problem.

Controlling the supply of narcotics is difficult. The opium poppies are grown in underdeveloped areas of the world where labor and land are cheap. Harvesting is tedious. After the poppy pods fall to the ground, each one must be individually lanced by hand, and after the "gum" has dried, it must be collected by hand. Approximately five and one-half hours of labor are needed to produce one ounce of raw opium. That labor, however, is highly rewarding. The farmer, for instance, often receives a price for his illegal opium, almost twice as much as he would receive on the legal market. After it is collected, the opium is converted into a morphine base, ten pounds of raw opium yielding one pound of morphine base. From the farm nearly all of the morphine base travels, by land or sea, to Marseilles, where it is turned into heroin. In Europe, the wholesale price for heroin is \$142.00 an ounce, but by the time the heroin reaches New York, it is worth, on the retail market, \$6,232.00 an

ounce in its pure form. In the illegal market, the price of the raw opium equivalent will have increased nearly 10,000 times between the farm and New York City. The farmer who grew the original poppies makes proportionately little from his illegal transaction. It is the traffickers, experienced in the art of smuggling, who make the greatest profits.

A number of alternatives to opium cultivation have been suggested to the producing nations, of which the most usual is substitution of other crops. But crop substitution alone will not solve the problem, for the farmer who gives up the production of opium poppies will not be satisfied by the profit he can make on another more prosaic crop. Many substitute crops would earn more income than opium for the amount of labor required, but no other crop brings as large a profit for the amount of land it uses. In order to make crop substitution appealing to a farmer in an underdeveloped area, the government would have to pay him crop subsidies, and few governments are in a position to make such a financial commitment to their backward areas. Certainly the more rapidly the areas concerned are developed economically, the less incentive there will be for the cultivation of opium.

Another way to control the supply of opium is for the local governments simply to forbid its cultivation, except in certain restricted areas and under close control. However, such a limitation of production is often impossible to enforce. The poppies are frequently grown and harvested by primitive, even tribal peoples, in underdeveloped areas of the world. In some countries, the national governments are not strong enough to control the activities of the local farmers.

Turkey is one country which has been cooperative in the control effort. Three years ago, poppies were grown in 27 provinces; for the planting season of 1971-1972, the government has limited poppy-growing to four provinces. The government has also been buying up the crop within each of the regulated provinces; still, the farmers have been turning in less than their whole crop, and peddling the rest for double or triple the legal price. It is expected and hoped that the new coalition government will continue the plan for the reduction of the opium crop, and will continue to cooperate with the United Nations and the International community in the control of opium cultivation. In addition, the United States has advanced \$1 million of a \$3 million loan to Turkey to be spent partly on a crop substitution program, partly on police cars, weapons, helicopters and the training of specialized police.

Mexico and the United States have agreed to participate in "Operation Cooperation", an effort designed to control drug trafficking across their 1,900 mile frontier. In addition, the United States has contributed \$1 million in technical assistance to Mexico, to help eliminate harvesting of and trafficking in drugs.

In order to decrease the amounts of dangerous drugs entering the United States, the United States Customs Bureau has expanded its activities. The number of customs officers has been increased; and the searches for drugs have been made more comprehensive and more effective. Drug seizures, for instance, increased 88 percent between 1969 and 1970. The Customs Service, which records having stopped 9,389 narcotic smuggling attempts during 1970, confiscated 346.87 pounds of heroin in that year, an increase of 66.18 percent over 1969. Despite the efforts of our Customs Service, the amount of illicit drugs entering the country is increasing.

The United States is spending substantial sums on the drug problem. In the fiscal year 1971, our country allotted \$135.6 million for the control of drug abuse. Of this amount,

\$46.6 million is for law enforcement; \$53.4 million for treatment and rehabilitation of drug abusers; \$12.4 million is for educational and training purposes; and \$23.2 million for research.

In addition to caring for its own problem, however, the United States has sought to assist other countries in controlling this problem as well. At the present time, we have agreements with Turkey, Mexico, and most recently with France, a country which has become greatly concerned about its own drug abuse problem. On February 27, 1971, a French-American agreement was signed which formalized the cooperation between the two countries in the war on drug traffic.

Throughout the world, existing laws which regulate trafficking have been enforced, particularly against non-citizen transients. Iran, for instance, has executed over forty people since 1969 for trafficking. Over 500 American citizens are serving time in foreign jails for possession of or trafficking in narcotics. The small-time smugglers, in many cases, students, are not the key to the problem, however. The problem lies with the wholesalers. Identification and confiscation of wholesale shipments of illegal drugs require the greatest amount of international cooperation. The large quantities of morphine base which travel from the Far and Middle East to European heroin producing factories, and from there to European countries or west to the United States, where prices for illegal heroin are the highest in the world, must be intercepted and confiscated so that the people of our various nations will not suffer addiction and even death from this dangerous substance.

International cooperation offers the only hope for solving the supra-regional problems of drug abuse. A country which, at the moment, happily considers itself free from the destruction caused by dangerous narcotic drugs, may unfortunately not be free for long. Once this disease strikes, it spreads rapidly, ravaging the minds and bodies of its victims, and affecting the lives of innocent family members and friends.

I believe it vital that the representatives of so many of the Parliaments of the world, exert influence on their respective governments in an effort to recognize and control the cultivation and production and manufacture of, and traffic in narcotics and dangerous drugs and to support the plans now being considered by the United Nations for a plentipotentiary conference, to be convened early in 1972. At this conference, amendments designed to strengthen the Single Convention on Narcotic Drugs of 1961, proposed by the United States and other governments, would be considered and should be accepted. I also urge members of the Inter-Parliamentary Union to encourage their respective governments to contribute to the recently established United Nations fund for drug abuse control. The United States has already contributed \$1 million of a \$2 million pledge. If the international control of narcotic drugs is to be possible, however, more countries must assert their interest and support by contributing to this universally beneficial project. Surely, with the committed cooperation of our respective governments, in all these particulars, this social disease, so serious now, can be promptly checked and eventually cured.

In view of the seriousness of drug abuse and the threat it poses to societies of all nations, I urge that the Council, acting under Article 15, paragraph 14 of the Statutes, adopt the draft resolution which we are pleased and grateful that the French, Thai and Turkish delegations have joined us in sponsoring. By taking this action we will be asserting the importance of this international problem and underscoring the urgency with which Parliaments should act on it.

#### AMERICAN PRISONERS OF WAR HELD BY NORTH VIETNAM

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BARRETT. Mr. Speaker, on March 26, 1964, 7 years and 24 days ago, the first American serviceman was captured by North Vietnamese forces. Since that time, over 1,500 of our military personnel have been listed as either missing in action or as prisoners of war. We know that approximately 150 of these men have been held prisoners or have been missing for 5 years; an additional 300 have been missing for almost 4 years.

Throughout this period of time the North Vietnamese have consistently failed to abide by the Geneva Convention for the Treatment of Prisoners of War. It has repeatedly and flagrantly violated four points contained in the agreements. The Communists are breaking elementary rules which civilized countries are expected to follow in their dealings with prisoners of war.

We are only too aware of the inhumane treatment that our people are receiving at the hands of the North Vietnamese. I am proud to say that I cosponsored the resolution designating the week of March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action" to forcefully register our protest over that treatment. Our concern, however, should not stop there; Americans everywhere must arouse world opinion to bring pressure to bear on North Vietnam to correct these conditions.

#### ANALYSTS SEE END TO DECLINE OF INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, when the Congress voted to remove the 4¼-percent ceiling on long-term Government bonds early last month, many of us warned that the action might well contribute to a slowdown in the trend toward lower interest rates.

In recent days, there have been disturbing signs that interest rates are leveling out at a very high point rather than declining as many of the experts had predicted. At one point, short-term Treasury bills had declined to interest rates as low as 3.3 percent. For many weeks, these short-term rates had hovered around 3½ percent.

But last week, the short-term rates had skyrocketed above 4 percent and there are indications that they will go even higher, costing the American taxpayers millions of dollars in added interest charges.

Even more discouraging has been the lack of improvement in the long-term bond markets. In fact, there have been a number of increases in the long-term market with most corporate issues currently averaging around 7½ percent—much too high to stimulate the type of economic recovery the Nation so badly needs. The Daily Bond Buyer, in its issue

of April 16, listed six corporate bond issues sold between April 13 and April 15. The lowest interest rate paid was by Texas Electric Service—7.37 percent on \$25 million of Aaa bonds. Rockland Electric paid 7.875 percent; Montana Power 7.50 percent; General Telephone of Ohio, 7.70 percent; Washington Water Power, 8.32 percent; and Union Electric, 7.47 percent.

Mr. Speaker, even more important is the fact that only a small fraction of the widely ballyhooed interest rate decreases have gone to the consumer. What few declines have been recorded have invariably been for prime customers of the commercial banks and other very large borrowers. Right here in Washington, D.C., lending institutions are advertising "competitive" mortgages for 7½ percent—only about 1 percentage point below the record highs recorded in 1969 and early 1970. Interest charges on credit cards, automobile loans, and consumer loans also remain at extremely high levels despite the announcements of decreases in the prime lending rate.

The Washington Sunday Star describes the situation this way:

The decline of interest rates is coming to an end, financial analysts believe.

They predict the cost of borrowing will stabilize for a while, then gradually rise later this year.

Mr. Speaker, the Nation badly needs lower interest rates if it is to stimulate the economy and put people back to work. We also are in desperate need of lower interest rates and a more plentiful supply of money for local governments and school districts which have been forced to postpone many of the projects in recent years because of the prolonged period of tight money and high interest rates.

Unfortunately, there are apparently some politicians and monetary managers who are willing to allow interest rates to bottom out at unconscionably high levels. This Nation cannot accept the concept that the average homeowner is getting "reasonable rates" when he is charged 7½ and 8 percent for a mortgage. We cannot accept the theory that interest rates are reasonable when major utilities and other corporations are paying 7½ and 8 percent on high-quality bond issues.

Much of the propaganda and public relations excitement about recent interest rate decreases have been designed to delude the American public into believing that the administration was pursuing low interest policies. The American public is not getting the 5¼-percent interest rate and I expect that very few corporations are on these secret lists of "prime" borrowers. The 5¼-percent prime rate—that has been trumpeted by the banks and the administration spokesmen—is a fake rate which goes only to a handful—the favored few—and not to the great mass of American consumers.

Mr. Speaker, I hope the administration will start taking steps which will once again push interest rates down—particularly in consumer areas. Unfortunately, this administration's ill-timed decision to seek removal of the 4¼-percent ceiling on long-term Government

bonds was a psychological blow against the trend for low interest rates. It was a high level statement of policy—and belief—that interest rates would not decline and that we would have a permanent policy of high interest rates. This psychological impact has been felt throughout the economy and has contributed greatly to the slowdown in the decline of interest rates which is now being so widely recorded. The administration made a most serious mistake when it made this announcement in February and pushed it through the Congress in March. I hope that the administration will do everything in its power to reverse this mistake and to prevent further miscalculations which are so costly to the American public.

Mr. Speaker, I place in the RECORD a copy of an article by Lee Cohn which appeared in the Washington Sunday Star with the title, "Decline of Interest Rates Appears To Be Near Halt." I also place in the RECORD, a copy of an article in the Washington Post of Sunday, April 18, with the title, "Interest Rates Climb for Bonds."

The articles follow:

[From the Washington Sunday Star, Apr. 18, 1971]

#### DECLINE OF INTEREST RATES APPEARS TO BE NEAR HALT

(By Lee M. Cohn)

The decline of interest rates is coming to an end, financial analysts believe.

They predict the cost of borrowing will stabilize for a while, then gradually rise later this year.

If the economy gains momentum in 1972, as expected, interest rates may climb more rapidly and the availability of credit may tighten, according to the experts.

#### CREDIT SQUEEZE

But few if any of them anticipate a return to the record high rates and extreme credit squeeze that plagued home buyers, state and local governments, businesses and other borrowers in 1969 and early 1970.

The expected rate increase could hurt President Nixon politically. However, if the escalation is moderate and occurs in a climate of vigorous economic recovery, the "tight money" issue may be blunted in the 1972 election campaign.

Interest rates reached the highest point in more than a century shortly before mid-1970. In one of the great turn-arounds of financial history, they have declined sharply and almost steadily since then.

Now there are signs that rates are at or near another turning point and the next basic movement will be upward.

#### CREDIT DEMAND CURTAILED

Rates have dropped because the economic slump has curtailed demand for credit, and because the Federal Reserve has expanded the supply in an effort to revive the economy.

Rates will stabilize and then rise, mainly because the economic recovery is increasing the demand for credit, and because the Federal Reserve is shifting to slightly firmer policies, according to the experts.

Short-term interest rates are most sensitive and often foreshadow trends. Rates on three-month Treasury bills, for example, hit a peak around 8 percent in early 1970, dropped to about 3.2 percent last month, then edged above 4 percent early last week.

This key rate declined to 3.8 percent at the end of the week and seasonal influences may lower it further during the next several weeks, but then it is expected to rise gradually.

Rates on intermediate-maturity Treasury notes climbed to about 8 percent last spring, then dropped below 5½ percent and recently have risen fractionally.

High-quality corporation bond rates soared above 9½ percent in mid-1970, declined below 7 percent earlier this year and now are above 7½ percent.

#### PRIME RATE DROPS

Rates on high-grade tax-exempt bonds issued by state and local governments topped 7 percent in mid-1970, dropped to about 5 percent and have remained near that level recently.

The prime rate—the minimum interest charged by banks on loans to corporations—rose to 8½ percent in June 1969, stayed there until March 1970, then plunged to 5¼ percent last month.

Rates on home mortgages and consumer loans move slower than rates in bond and money markets. They have followed the market rates down, but the declines have been smaller, and do not yet show signs of rising.

The Federal Reserve influences short-term rates, such as those on Treasury bills, most directly. Purchases and sales of Treasury securities in the open market by the Federal Reserve increase and reduce the supply of money and credit in the banking system, and thus in the economy.

Federal Reserve policy apparently started shifting to a firmer stance, for domestic and international reasons, immediately after the April 6 meeting of its open-market committee.

Domestically, the narrowly defined money supply—currency and checking accounts—had expanded at an annual rate of 8.6 percent in the first quarter of this year.

#### FEARS OF INFLATION

Such rapid monetary growth would be inflationary if long continued, the money managers fear, so they are trying to slow the rate of growth to a "moderately expansive" 5 or 6 percent.

This slowdown is expected to raise short-term interest rates, although they may decline for several weeks as a result of seasonal factors.

Internationally, the Federal Reserve apparently feels it must nudge short-term rates higher to discourage big flows of money to Europe, where rates are higher. Heavy outflows have weakened the dollar abroad.

Although short-term rates in the United States are expected to rise, they still are abnormally low, in relation to long-term rates. Therefore, analysts believe, there still is room for long-term rates on bonds and mortgages to decline slightly.

Another reason for this expectation is the Federal Reserve's effort to minimize the impact of its policy tightening on long-term rates. The money managers want to hold these rates down to encourage housing and expenditures by state and local governments, two sectors considered crucial to an economic recovery.

But long-term rates cannot decline much further, according to analysts, because the economy is pulling out of its slump.

As the economic recovery proceeds, demand for credit to finance business inventories and plant expansion should pick up. With the Federal Reserve limiting growth of money and credit, increased demand will raise rates.

Another important factor expected to raise rates is the big deficit in the federal budget, which will compel the Treasury to borrow heavily.

Despite these upward pressures, analysts do not expect interest rates to rise sharply this year.

#### NO BOOM IN SIGHT

Only a moderate economic recovery—not a boom—is in sight, so demand for credit should not become overwhelming. And the Federal Reserve does not plan to tighten

money and credit drastically, because a severe squeeze might halt the economic upturn and boost unemployment.

Thus, long-term interest rates are expected to fluctuate within a narrow range for gradually later in the year and perhaps more rapidly in 1972.

If the decline of interest rates is ending, rates are setting into a higher pattern than has prevailed through most of U.S. history.

Corporate bond rates, for example, ranged from 4 to 5 percent in the early 1960s and in most other normal periods. If the current decline lowers them only to about 7 percent, and then they rise again, borrowers will have to become accustomed to a new and higher "normal" range.

Many analysts believe the definition of normal rates is indeed changing. Credit needs in the years ahead will be so much larger than in the past, they predict, that rates never again will drop to the old levels.

[From the Washington Post, Apr. 18, 1971]

#### INTEREST RATES CLIMB FOR BONDS

Interest rates climbed in most areas of the bond market Friday the investment banking firm of Salomon Brothers reported.

Among government issues, Treasury bills were up 4-100 basis points; one-to-three-year bonds were off 3-32; three-to-seven-years were off 5-32; and seven-years and over were off 1-32.

Federal funds were quoted at 4½ bid and 4¾ asked.

On the corporate side, industrials were off ¾ and utilities were off ¼. Analysts said the heavy corporate calendar next week may have exerted a depressing influence on prices.

Offerings scheduled for next week include a \$200-million Kennecott Copper issue and a \$100 million province of Ontario issue.

Trading was very quiet in the municipal market.

The 60 corporate bonds followed by the Associated Press were mixed.

#### THE SHIFTING BALANCE OF MILITARY POWER

(Mr. SATTERFIELD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SATTERFIELD. Mr. Speaker, seven members of the President's Blue Ribbon Defense Panel which filed its report on July 1, 1970, submitted a supplemental statement dealing with matters not addressed by the full report.

Their supplemental statement submitted September 30, 1970, and released by the Department of Defense March 12, 1971, "identifies and discusses trends which if continued will result in the United States becoming a second-rate power incapable of assuring the future security and freedom of its people." One of the seven is Lewis F. Powell, Jr., a personal friend, constituent, and an outstanding member of the bar. His keen and inquiring mind, and his ability to render penetrating objective analysis are well known. He typifies the caliber of individual who joined in this supplemental report. Indeed one cannot consider the list of those who signed it without being impressed.

It is significant that these seven members, during the course of their investigations perceived so clearly the alarming course we are pursuing in dealing with our present and future military defense capability and the obvious dangers inherent in the current policies which dictate its direction.

The importance of this report, which follows, cannot be overemphasized. I urge my colleagues to read it.

#### THE SHIFTING BALANCE OF MILITARY POWER PREFACE

The Blue Ribbon Defense Panel, appointed by the President and the Secretary of Defense in July 1969, submitted its Report on July 1, 1970. Members of the Panel reserved the right to submit supplemental statements on areas not addressed by the Panel's Report. This is submitted, pursuant to that reservation, by the Panel members named below.

The statement which follows deals with the balance of strategic military power at a time when the convergence of a number of trends indicates a shifting of this balance against the United States. In the course of the Panel's study during the past year, it became increasingly clear to the undersigned that if these observable trends continue the United States will become a second-rate power incapable of assuring the future security and freedom of its people.

The President and the Secretary of Defense are fully aware of the trends which cause deep concern, and have brought these to the attention of the Congress and the public in formal reports and addresses. Yet much of the public remains uninformed and apathetic. This supplemental statement is submitted with the hope that it will contribute to public discussion and in the end to the informed public understanding which is essential in a democracy.

Now a word about the scope of this statement: It does not purport to be an exhaustive assessment of the comparative military capabilities of the U.S. and the Communist superpowers, as this can best be done by intelligence experts. Nor does it address directly the specific defense and foreign policy issues which must be resolved by the Administration and the Congress. Rather, the statement deals generally with the disquieting trends which affect adversely the strategic posture and influence of this country; with the continuing buildup of Soviet and Red Chinese nuclear capabilities, including an apparent Soviet preemptive strike capability; with the vital issue of technological supremacy; and with attitudes on the domestic front which tend to inhibit the needed public debate and thoughtful reexamination of defense policies and priorities.

It is hoped that this statement will help stimulate this debate and reexamination, with a resulting wider public understanding that the balance of military power is shifting against the United States, and that the first duty of the national government is to "provide for the common defense" of our country. (Preamble to U.S. Constitution.)

William Blackie, Peoria, Illinois; George Champlon, New York, New York; William P. Clements, Jr., Dallas, Texas; John M. Fluke, Seattle, Washington; Hobart D. Lewis, Pleasantville, New York; Wilfred J. McNeil, New York, New York; Lewis F. Powell, Jr., Richmond, Virginia; Members, Blue Ribbon Defense Panel, September 30, 1970.

#### SUMMARY

The principal points in the accompanying Statement may be summarized as follows. (This Summary is necessarily incomplete and reference should be made to the full Statement for the views of the authors):

The Converging Trends. The convergence of a number of trends indicates a significant shifting of the strategic military balance against the United States and in favor of the Soviet Union. (The principal threat to U.S. security for the 70's is the Soviet Union, and this paper is addressed primarily to that threat. By the late 70's and beyond, the most menacing country in the world may be Red China.) These trends include: (1) the growing Soviet superiority in ICBM's; (ii) the

Soviet commitment of greater resources than the U.S. to strategic offensive and defensive weapons, with the continued deployment thereof; (iii) the possibility that present U.S. technological superiority will be lost to the Soviet Union; (iv) the convincing evidence that the Soviet Union seeks a preemptive first-strike capability; (v) the rapidly expanding Soviet naval capability; and (vi) the mounting hostility of segments of the public towards the military, the defense establishment and "the military-industrial complex," without due recognition that sustained irresponsible criticism could undermine and weaken the only forces which provide security for the U.S.

A Second-Rate Power. If these observable trends continue the U.S. will become a second-rate power incapable of assuring the future security and freedom of its people. Neither the facts concerning these trends nor the ultimate danger is generally understood by the public, which for the most part remains uninformed and hence apathetic.

A Soviet World Order. Since World War II a degree of world order has been maintained by the dominance of U.S. strategic military strength. This American preserved world order is now disintegrating, as doubts arise as to our will and strength to preserve it. There is reason to believe that the Soviet Union envisions a new era which it will dominate, employing superior military power and the threat of its use to achieve long-cherished political, economic and even military objectives.

The End of U.S. Superiority. In a dramatic shift in the balance of power, largely unnoticed by the public, the quarter century of clear U.S. strategic superiority has ended. The Soviet Union has moved significantly ahead of the United States in ICBM's, the principal weapons system of the nuclear age. The U.S. retains, for the time being, a substantial edge in the smaller, short-range SLBM's launched from Polaris submarines. Yet, the Soviet Union has a major submarine construction program which by 1973-74 could nullify this advantage. The U.S. subsonic B-52 bomber force still outnumbered the Soviet strategic bombers by a three to one margin, but both nations recognize the relatively obsolete character of this weapons system.

There are, of course, other elements in the equation of strategic military power. In some of these—such as MIRV and Poseldon—the U.S. is ahead of the Soviet Union. In others—such as strategic defense against missiles (ABM's) and against bomber attack—the Soviets are significantly ahead.

But however one may view the balancing, no informed person now denies that the period of clear U.S. superiority has ended. The Soviet SS-9 ICBM force alone is capable of delivering a megatonnage of nuclear warheads several times greater than that of the entire U.S. force of ICBM's and SLBM's.

A Soviet First-Strike Capability. Our planners in the 60's assumed that if both superpowers had an adequate retaliatory capability neither would prepare for or risk a first strike. The evidence is now reasonably conclusive that the Soviet Union, rejecting this assumption, is deploying strategic weapons systems designed for a first-strike capability. This evidence includes: (1) the continued Soviet production and deployment of ICBM's after having attained a clear numerical and megatonnage advantage; (ii) the emphasis on SS-9's designed as counter-force weapons capable of destroying U.S. hardened missile silos; (iii) the development of MRV with warheads also designed as counter-force weapons, and of MIRV by 1971-72; (iv) the development of a fractional orbital missile which significantly minimizes warning time; (v) the construction of a Y-class atomic powered submarine SLBM launching fleet capable, with no effective warning, of destroying our national command centers and much of our B-52 bomber force; and (vi) the con-



tinued Soviet emphasis on strategic defense systems against both missiles and bombers—an emphasis without parallel in this country.

The characteristics of these offensive and defensive weapons systems, which the Soviets continue to expand, are consistent only with a preemptive strike capability. Such a weapons mix and volume are not required for effective retaliation.

**A Challenging Soviet Navy.** The Soviet navy, modern and rapidly expanding, is now challenging U.S. naval superiority in every category except aircraft carriers. This Soviet naval buildup is a major element in the shifting balance of military power.

Retreat from the Threat of the 70's. The situation which our country faces is without precedent. As we enter the 70's, the strategy of American superiority has given way to the concept of deterrence by maintaining an assured retaliatory capability. But there is no longer any certainty that our nuclear deterrent will remain credible to a Soviet Union which apparently seeks a preemptive strike capability, and which is moving rapidly into the role of the world's dominant military power. Red China, bitterly hostile to the U.S., also is acquiring a significant ICBM capability. It is not too much to say that in the 70's neither the vital interests of the U.S. nor the lives and freedom of its citizens will be secure.

Yet, many of our most influential citizens respond to this unprecedented national peril, not by a renewed determination to assure an adequate national defense, but rather by demands for further curtailment of defense measures which can only increase the peril.

**Cutback in Defense Spending.** Although the President has submitted for FY 1971 a "bare bones" defense budget, reflecting the largest single cutback since the Korean War, public and political pressures are mounting for even more drastic reductions. As U.S. defense spending goes down, the trend of spending by the Soviet Union continues steadily upward. Its total military funding about equals that of the U.S., although its gross national product is barely half that of this country. The mix of Soviet spending is especially meaningful. Without the drain of a Vietnam War or public pressures to curtail defense funding, Soviet expenditures in dollar equivalents on strategic offensive and defensive weapons significantly exceed those of the U.S.

**Threat to Technological Superiority.** U.S. qualitative superiority in weapons, due to its advanced technology, has afforded a decisive advantage over the past years. This advantage is now being eroded away, as the U.S. falls behind the Soviet Union in the support of R&D and in the training of scientists and engineers. There is an ever present risk of disastrous technological surprise in major weaponry where an open society is in competition with a closed Communist society. We are neglecting, by inadequate support and planning, to minimize this risk.

**Negotiations—Trap or Opportunity?** Since the end of World War II repeated attempts have been made by the U.S. to negotiate limitations on the "arms race." Negotiations for sound enforceable limitations should be continued and hopes are now high for the success of the current SALT talks. But the total experience of negotiating with Communist nations suggests the utmost caution and the need for the most critical analysis of the possible consequences of any proposed terms. Not only is the security of this country at stake, but it is possible that a limitations agreement as to strategic weapons could have the effect of neutralizing the U.S. as a strategic power, leaving the Soviet Union and Red China relatively free to employ their superior tactical capabilities wherever this seems advantageous.

**Hostility Towards the Military.** At this critical time, when the balance of military

power is shifting, it is uniquely unfortunate that public hostility toward national defense and the military is at an unprecedented level. This attitude reflects a broad spectrum of opinion from honest pacifists and dissenters over Southeast Asia to New Leftist revolutionaries. But the base is sufficiently broad, and the voices supporting various aspects of it sufficiently powerful, to have a profoundly adverse effect upon almost every aspect of national defense. In a democracy, national defense suffers when there is inadequate public understanding and support. It may be fatally undermined when a significant segment of public opinion is not merely negative but irresponsibly hostile.

**A Viable National Strategy.** Unless the American people wish to accept irrevocably the status of a second-rate power—with all of the probable consequences—the only viable national strategy is to regain and retain a clearly superior strategic capability. This can be accomplished by reversing the trends identified above, and by eschewing agreements which freeze the U.S. into a second-rate status. The margin of our overall strategic strength must be sufficient to convince the most reckless aggressor that, even after a surprise first strike, the capability to retaliate will in fact survive and be adequate to impose unacceptable destruction on the aggressor nation. This course of action is not incompatible with continued negotiations for arms limitations. Indeed, it will significantly enhance the chances of negotiations being genuinely fruitful without constituting a trap.

**The Consequences of Second-Rate Status.** Basic Communist dogma contemplates the employment—over such time spans as may be necessary—of the entire arsenal of pressures against the U.S. as the strongest democratic power. Despite discord among Communist states, there has been no amelioration of this doctrinal goal. Throughout the past quarter century, when the Soviet Union was relatively weak strategically, it precipitated or supported crisis upon crisis—directly or through puppets and satellites—designed to extend its influence and to create disarray within the U.S. and the Free World.

It is irrational to think, with the balance of military power shifting in its favor, that the policies of the Soviet Union will be less hostile, disruptive and imperialistic.

The consequences of being second rate, even if national survival is not threatened, could be seriously detrimental to the most vital diplomatic and economic interests of this country.

**Weakness—The Gravest Threat to Peace.** The road to peace has never been through appeasement, unilateral disarmament or negotiation from weakness. The entire recorded history of mankind is precisely the contrary. Among the great nations, only the strong survive. Weakness of the U.S.—of its military capability and its will—could be the gravest threat to the peace of the world.

The Blue Ribbon Defense Panel's assigned mission, though broadly defined, was related primarily to the organization and functioning of the Department of Defense and the Armed Services. The Panel was not requested to consider matters of national policy such as strategic posture, force levels, weapons systems and defense spending.

But one cannot spend a year studying the defense structure of this country without considering the vital questions of national defense policy. In the course of this study, it became increasingly clear that the balance of strategic military power is continuing to shift against the U.S.

In his Foreign Policy Report, President Nixon said:

"The overriding purpose of our strategic posture is political and defensive: to deny other countries the ability to impose their will on the United States and its allies under

the weight of strategic military superiority. We must insure that all potential aggressors see unacceptable risks in contemplating nuclear attack, or nuclear blackmail, or acts which could escalate to strategic nuclear war, such as a Soviet conventional attack on Europe."<sup>1</sup>

If observable trends continue—in this country and abroad—there is grave doubt whether this purpose can be attained for the 1970's and beyond. The warning by Secretary Laird that the U.S. could be "in a second-rate strategic position . . . by the mid-1970's" appears to be fully justified.<sup>2</sup> Indeed, if these trends continue, the U.S. will become a second-rate power incapable of assuring the future security and freedom of its people.

#### TRENDS WHICH ENDANGER U.S. SECURITY

The trends which are combining to shift the strategic balance of power in favor of the Soviet Union include:

1. The Soviet deployment of types and numbers of offensive and defensive nuclear strategic weapons which threaten the security of this country.

2. The Soviet commitment of greater resources than the U.S. to strategic offensive and defensive weapons and weapons systems.

3. The Soviet commitment of greater manpower and resources than the U.S. to military-related research and development (R&D), thus threatening to end U.S. technological superiority.

4. The evidence that the Soviet Union seeks a preemptive first-strike capability.

5. The Soviet deployment of a fleet capable of challenging the U.S. fleet.

6. The abandonment by the U.S. of its former policy of maintaining strategic superiority.

7. The state of mind of much of the U.S. public which tends to inhibit necessary defense measures and even the full and rational discussion of the need for such measures.

8. The tendency of many to attack and criticize, whether justified or not, the military, the defense establishment, and "the military-industrial complex," without due recognition that sustained irresponsible criticism could undermine and weaken—at a critical time in history—the only forces which provide security for the U.S. and the free world.

It is appreciated, of course, that opinions differ as to the extent and significance of these trends. Some will think these views do not appropriately weigh such counter trends as may exist. But national defense policies in the nuclear age should be formulated conservatively, based on the most realistic assessment of potential enemy capabilities.<sup>3</sup> It is imprudent, indeed even reckless, to formulate such policies on the basis of subjective judgments as to Soviet and Red Chinese intentions rather than their known military and technological capabilities.<sup>4</sup>

Where the issues are the security of our country, the preservation of the values of a free society, and possibly the life or death of tens of millions of our people, responsible government cannot afford to run the risk of miscalculation on the optimistic side. The lessons of history abundantly teach that nations do not survive by trusting other nations to be rational or by setting examples of unilateral restraint in self defense.

#### THE GENERAL WORLD POSTURE

Genuine peace, the professed goal of all mankind, is as remote today as at any time since World War II.

#### *The Asian Continent*

On the Asian continent, the war in Southeast Asia drags on. Communist aggression continues in South Vietnam and Laos, and now threatens the national existence of Cambodia. With Red China building a military road across northern Laos directed to

Footnotes at end of article.

ward Thailand, apprehension mounts in that ancient kingdom.

North Korea, reckless and arrogant, attacked an American ship and plane with impunity and constitutes a threat so serious that some 60,000 American troops remain in South Korea 17 years after the tenuous armistice there.<sup>5</sup>

Despite internal convulsions, Red China maintains the world's largest ground forces and is acquiring a significant nuclear capability. Its despotic regime harbors and promotes the most virulent hatred of America.<sup>6</sup> Its ambitions within Asia—beyond Taiwan—remain obscure, although already it has conquered Tibet, conducted border incursions against India, and indicated a continuing covetousness toward Southeast Asia.

Some think the greatest threat to peace in Asia lies along the Soviet-Chinese border where ancient hostilities have been exacerbated. However this may be, Asia is a continent of discord and unrest with military strength mounting in the four Communist powers. There is no peace or prospect of it.

#### *The Middle East*

The situation in the Middle East, in terms of possible escalation into major confrontation, appears to be even more serious. A state of undeclared but active war existed between Israel and its Arab neighbors until the August 1970 cease fire. Although the Arab states have an implacable hatred of Israel they are incapable of waging modern war without the weapons, technicians and economic support provided by the Soviet Union.

The strategic significance of the Middle East is profound. The petroleum resources there are vital to the economic well being of much of the Free World. Effective control of these resources—at least to the extent of being able to deny them to the Free World—is an obvious Soviet strategic objective. Perhaps a less obvious objective is the reopening and control of the Suez Canal. This waterway, as important to the Soviet Union as the Panama Canal has been to the U.S., would provide the cheapest and most effective transportation route between the Soviet heartland in Europe and the Soviet far east. The critical importance of this sea link is evident in relation to a possible U.S.S.R. confrontation with Red China.<sup>7</sup> These strategic considerations explain the willingness of the Soviet Union to incur the gravest risks of escalation. In addition to building up United Arab Republic and Syrian capabilities, the Soviet Union has deployed in the UAR some 100 Mig 21-J's and a substantial number of SAM-3 sites, all operated by Soviet personnel.<sup>8</sup>

The cease-fire plan appeared initially to afford an opportunity for negotiations. But this hope was dashed, perhaps irretrievably, by Soviet and UAR duplicity in deploying SAM's within the agreed truce zones.<sup>9</sup>

In view of Israeli-Arab hostility and Soviet ambitions in the Middle East, including its desire to out-flank NATO in the Mediterranean, there is no prospect of genuine peace in this explosive area.

#### *Western Europe*

The situation in Western Europe, the area of our most vital interest, remains relatively precarious beneath the superficial aura of peace. The Berlin Wall and the Iron Curtain still stand. NATO forces, including some 300,000 Americans, are confronted by a larger and better equipped Soviet force. This cold-war type confrontation, without precedent in history in terms of duration and scale, has lasted more than two decades with no end foreseeable.<sup>10</sup> One has to visit Allied bases in West Germany to comprehend even dimly the tenseness and tragedy of hundreds of thousands of armed men facing each other night and day, with air crews alert, ground units in position, command posts staffed, and the flight of every aircraft monitored.

Berlin, that indefensible symbol of freedom which we nevertheless are committed to defend, remains surrounded by Communist forces which periodically block or harass access routes by land and air. Berlin has assumed crisis proportions a number of times in the past. No one can be sure that the future will be different.

#### *Other areas*

The foregoing are the more visible and active danger areas in a troubled world, but ruptures of peace could come anywhere. A war was concluded in Africa earlier this year with heavy loss of life and infinite human suffering. There are few stable governments in either Africa or South America, where plots and revolutions and terroristic activities are commonplace. Cuba, now an armed and erratic Communist power, is a major base for subversion, the export of revolution, and possibly for Soviet naval operations.

#### *Communists have common objective*

It is true that the solidarity of the international Communist movement has been fractured. The friendship between the Soviet Union and Red China has dissolved. Even the boasted unity of the Warsaw Pact members depends nakedly upon the military might of the Soviet Union and its openly avowed "right" to employ this might against any recalcitrant member.<sup>11</sup>

But this disunity among Communist powers does not necessarily enhance the chances of peace for the Free World. The hate propaganda of both the Soviet Union and Red China against the United States exceeds that leveled against each other. Each has always proclaimed that the principal enemy is "imperialistic America." The Marxist dream of unity among Communist countries may have faded, but the Marxist purpose of communizing the world remains the goal of every Communist party.

This, in briefest summary, is the disordered state of the world at the beginning of the 1970's. Rational persons, familiar with the lessons of history, would hardly choose this time to undermine our own military forces either by irresponsible criticism or unilateral reductions in defense capabilities.

#### *World order maintained by United States*

Since World War II a degree of world order has been maintained almost solely by the dominance of U.S. strategic military strength. But for this strength and our will to assert it to preserve freedom, few doubt that the Soviet Union would have imposed Communist regimes on a number of other countries. It had the ambition to subjugate Greece and much of Western Europe just as it did the Eastern European satellites. But for American military strength there also would have been Communist incursions and aggressions—beyond those we have experienced—in Asia, Africa and even in this hemisphere.<sup>12</sup>

This world order which we have attempted to preserve has been precarious and far from effective in many instances. But at least the principal objectives have been attained. The freedom and independence of Western Europe and the opportunity of the countries there to restructure themselves economically were assured. Many nations around the world, including the emerging new nations in Africa, were encouraged to pursue courses of non-alignment. The prospect of worldwide Communist domination—a likely one in the absence of American deterrence—was not a realizable goal. But most important of all, a fragile peace was preserved between the great powers and there was no employment of nuclear weapons.

#### *A new era—Communist world order?*

This American preserved world order is now disintegrating. We no longer have the power to preserve it. Nor do we appear to have the will, as a new neo-isolationist fever dims the perception of our people. The Communists everywhere applaud this end of an era, and

even many in our country seem to welcome it.<sup>13</sup>

Whatever one's views on this point may be, the critical question now is what sort of world order will exist in the years ahead. There is every reason to believe that the Soviet Union envisions the new era as one which it will dominate, employing its military power and the threat of its use to promote and attain its own imperialistic objectives.

#### *Second best in a troubled world*

Thus, as we enter the 1970's America is confronted with an inherently unstable world situation in which "little wars and revolutions" can escalate and major wars develop on short notice. We face a world in which the military balance of power is shifting from the West to the East, and the world order sustained by dominant American power is fading away. In the most optimistic view, a precarious order will continue as the two superpowers maintain an uncertain balance of deterrence. A less optimistic view, and one supported by the weight of the evidence, is that the United States will become a "second rate" power subordinate to manifest Soviet military superiority. In that case, the world order of the future will bear a Soviet trademark, with all people upon whom it is imprinted suffering Communist repressions.<sup>14</sup>

#### *THE END OF U.S. MILITARY SUPERIORITY*

The facts set forth in the Reports of the President and the Secretary of Defense, mentioned above, clearly foreshadow the end of U.S. military superiority.<sup>15</sup> This was predetermined by decisions made in the 1960's, which resulted in the reduction, post-ponement and abandonment of strategic defense measures and weapons systems. These decisions reflected the budgetary priorities of the Vietnamese war as well as a desire to de-escalate the strategic arms race by an example of self-imposed restraint.

In any event, the U.S. is now face-to-face with the fruits of this unilateral strategic arms slowdown.

#### *Soviet missile superiority*

The Soviet Union has attained for the first time a superior strategic capability—where it counts the most—in ICBM's. The U.S. froze its ICBM's at 1,054 in the mid-60's when the Soviets had less than 250 ICBM's. While we imposed a limitation on additional strategic weapons, the Soviets pressed forward to overtake and pass us. Intelligence estimates indicate that they now have over 1,250 operational ICBM's, and will have about 1,300 by the end of 1970.<sup>16</sup>

More than 275 of the operational Soviet ICBM's are SS-9's, each capable of delivering 25 megatons as compared to the one megaton payload of the U.S. Minuteman Missile.<sup>17</sup> The major portion of the remainder of the Soviet ICBM's are SS-11's and SS-13's, each capable of a payload as large as that of Minuteman.<sup>18</sup>

More serious than the numerical superiority is the substantial megatonnage advantage enjoyed by the Soviet Union. The enormous payloads of the SS-9's have a destructive capacity incomparably greater than any U.S. missile; they have a wider margin of error; they are effective against hardened missile silos as well as population and industrial centers; and their launch vehicle is capable of far more extensive MIRV systems than any U.S. missile.

Although the U.S. has frozen the number of its ICBM's at 1,054, we have commenced to deploy Minuteman III with MIRV warheads. This is a significant qualitative advance in missile technology. The Soviets are believed already to have deployed MRV's in some SS-9's,<sup>19</sup> and they have recently tested what appears to be a MIRV system for the SS-11 missile, indicating an early capability comparable to Minuteman III.<sup>20</sup>

The qualitative lead of the U.S. in MIRV's and guidance systems may prove to be short

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lived in view of Soviet success and the scale of its effort. The Soviet Union's advantage in numbers and megatonnage of missiles also seems certain to increase, as it continues to construct and deploy ICBM's at a rate that could result in a force more than double that of the U.S. by the mid-70's.<sup>21</sup> At that level of superiority, the Soviet Union would have the capability of effectively destroying both the U.S. ICBM and bomber forces as well as our cities.<sup>22</sup>

#### *Polaris—A vital but limited response*

The U.S. is fortunate to have its Polaris force, consisting of 41 atomic powered submarines capable of launching a total of 656 missiles (SLBM's). As in the case of ICBM's, we froze the number of Polaris submarines in the mid-60's and no new ones are authorized.

We have commenced the conversion from Polaris to the Poseidon configuration, increasing the size and range of the SLBM warheads. The Defense Department projects the ultimate conversion of 31 submarines, although only eight have been authorized by the Congress.

The U.S. superiority in this category of strategic weapons is also being challenged. The Soviet Union is now engaged in a priority construction program for its Y-class atomic powered submarine which is superior in some respects to Polaris. Ten of these submarines are believed to be operational, each with 16 SLBM's, and the Soviet Union is producing as many as eight to ten new vessels per year in two shipyards. By 1974-75, if this program continues, the Soviet Union will have some 50 Y-class subs with a missile capability greater than our present Polaris force.

Y-class submarines are already patrolling the U.S. coast. Their deployment constitutes an ever-present threat to the survivability of our national command headquarters, to most of our major cities, and increasingly to the bomber element of our deterrent.<sup>23</sup>

Balancing the two SLBM forces against each other is not meaningful without considering the relationship of other strategic weapons systems and their survivability following a preemptive strike. If, as indicated above, the Soviet ICBM force attains the capability of destroying or neutralizing our ICBM and bomber forces, the only remaining retaliatory strategic weapon system would be Polaris.

But is it prudent, by tolerating an increasing Soviet ICBM superiority together with a rapidly expanding SLBM capability, to risk the security of the U.S. on a single retaliatory system which we do not plan to enlarge (except qualitatively) and which has definite limitations? Of our 41 Polaris submarines, a significant number are always in port and nonoperational. This means that at any given time our Polaris "assured retaliation" is considerably less than the specified total capability. Soviet strategists may conclude, as their ABM system is extended and improved, that—following a massive preemptive first strike—the damage potential of our SLBM response would be an acceptable risk.

Moreover, there can be no assurance that the presently assumed invulnerability of Polaris will continue.<sup>24</sup> As the Senate Armed Services Committee has said: "We cannot assume that our Polaris system will be the first weapon in history to remain invulnerable."

#### *Strategic bombers*

The third element of the U.S. strategic force consists of about 550 B-52 bombers, as compared with some 200 Soviet strategic bombers. Although a vital weapons system for many years, the subsonic and obsolescing B-52's are approaching the end of their effectiveness as a major strategic system. Both the U.S. and Soviet Union are gradually minimiz-

ing their reliance upon existing strategic bombers. In assessing the strategic balance of power for the 70's, one must discount the role and significance of these aircraft.<sup>25</sup>

#### *The misleading "numbers game"*

There is a pervasive public misunderstanding as to the comparative strategic capabilities of the U.S. and the Soviet Union. This may well result in major part from the widespread practice—among some of the media and among others who minimize the need for national defense measures—of treating nuclear warheads as if they were fungible. This has sometimes been referred to as the "numbers game," namely, the mere counting of warheads without analysis of megatonnage, range, accuracy, survivability and reliability of delivery.

The typical presentation of comparative strength simply totals "the number of warheads deliverable by the U.S. and Soviet strategic systems." An example, which made first-page news, was a tabulation taken from The Strategic Survey showing the U.S. capable of delivering 4,235 nuclear warheads as against only 1,880 by the Soviet Union.<sup>26</sup> The tabulation apparently added together all ICBM's, SLBM's and each warhead which U.S. and Soviet bombers are capable of carrying. Thus, a single bomb or one air-to-ground missile on a B-52 was equated with a Soviet 25-megaton ICBM.<sup>27</sup> This simplistic type of comparison creates the illusion of abundant security, if not U.S. over-kill capability.

It would be difficult to conceive of a better way to mislead the public than to present—without precise definition and analysis—comparative figures of this kind. Those who present such distortions contribute to the confusion rather than enlightenment of our people.

If one wished to make a dramatic comparison indicating precisely the opposite result, the basis could be deliverable megatonnage rather than numbers of warheads. The 300 Soviet SS-9's, expected to be operational by the end of this year, will be capable of delivering 7,500 megatons with a destructive capability several times greater than the total warhead capacity of our entire ICBM and SLBM forces. While such a comparison would be far more meaningful than the "numbers game," it also would be an oversimplified presentation of vastly complex relationships and components of strategic military power.

#### *Other weapons systems*

There are, of course, aircraft carriers and other tactical means (by fighter bomber aircraft and short-range missiles) of delivering nuclear warheads. This is not the place to discuss or balance these out in detail.<sup>28</sup> But analysis of the comparative numbers, types and probable employability of these weapons in a time of national or international peril is not reassuring.

The available tactical means of delivery do significantly augment the U.S. strategic forces. It must be remembered, however, that the Soviet and Warsaw Pact tactical forces deployed against NATO possess overall capabilities superior to those of NATO.<sup>29</sup>

This tactical superiority is fortified by the rarely mentioned Soviet intermediate range ballistic missile force (IRBM), a type of weapons system we no longer possess. The Soviet Union has deployed more than 700 IRBM's targeted against Allied and U.S. military forces and the cities of Western Europe. Following a preemptive first strike, with these and shorter range missiles, there would be little American or Allied retaliatory capability remaining there. Indeed, in view of the threat of certain destruction of much of Western Europe posed by Soviet IRBM's, one may question whether NATO would be willing to employ tactical nuclear weapons even against a Soviet attempt to overrun Western Europe with conventional forces.

In short, if the U.S. no longer possesses

the strategic superiority which has been the ultimate "shield" protecting the European democracies, the tactical imbalance against the West could result in profound new military and political problems.

#### *A Soviet first-strike capability*

Our planners in the 60's assumed that if both super-powers had an adequate survivable retaliatory capability neither would risk a first strike. They further assumed that the Soviet leadership would be content with this "balance of deterrence," especially if—by freezing our own program—we permitted the Soviet Union to attain a rough parity of strength. Little consideration appears to have been given to the possibility that the Soviets would not "buy" such a rational program, but rather would seek a capability to neutralize the effectiveness of our retaliatory response.

It now appears that the Soviet Union is developing just such a capability. It is producing and deploying offensive nuclear weapons with the capability, when sufficient are deployed, to destroy the ICBM and bomber elements of our retaliatory forces. At the same time, the Soviet Union is pressing ahead with an anti-ballistic missile system designed to provide a strategic defense against such U.S. retaliatory missiles as might survive a first strike.

It is to be remembered that, with the possible exception of our obsolete B-52 force, our strategic weapons are designed primarily for retaliation against enemy centers of population. They are not designed as counter-force weapons and with their limited warheads are not an effective weapon for destroying Soviet ICBM's in hardened silos. This is in accord with America's irreversible commitment never to make a first strike, and to rely—as a deterrent—on having enough operational missiles after an enemy strike to destroy its population centers.

This entire theory becomes untenable if the enemy develops (i) an offensive first-strike capability against our means of delivering retaliatory missiles and (ii) a defensive capability of protecting much of its heartland from such U.S. missiles (e.g. Polaris) as survive the preemptive strike.

The evidence is reasonably conclusive that the Soviet Union is planning precisely these capabilities. This is not to say that a preemptive first strike is intended, but rather that weapons systems which are needed only for such a purpose are being deployed:

SS-9 missiles. These missiles, with 25-megaton warheads capable of destroying American ICBM's in hardened silos, are designed as a counter-force, preemptive strike weapon. Warheads of this size are not needed for retaliation against even the largest city. The Soviets are continuing to produce and deploy these monster missiles.

SS-9 with MRV. This multiple reentry vehicle contains a cluster of three warheads each capable of delivering five megatons. Our MIRV warheads for Minuteman III are pigmies by comparison, delivering only 200 kilotons, and are designed—not as counter-force weapons—but to penetrate ABM defenses of enemy cities.<sup>30</sup>

SS-11's buildup. The Soviets also are continuing to produce and deploy SS-11's, despite having attained missile superiority over the static U.S. force. They have now tested what appears to be a MIRV system for their SS-11's, which—when deployed—will escalate the ratio of superiority.

Soviet ABM deployment. The Soviet Union is committing large resources to strategic defense systems, both against missiles and bombers.<sup>31</sup> The Moscow population and industrial area are already protected by the Galosh system, with 67 launchers for multi-stage missiles with megaton warheads.<sup>32</sup> The Soviets are also deploying at about half-a-dozen points around the Soviet Union giant "Henhouse" radars for ballistic missile de-

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fense acquisition and tracking. As the radar installation is the long lead time component, it is possible that the Soviets are extending their Galosh ABM system to protect many other areas. They are some five years ahead of the United States in this vital element of strategic power.<sup>33</sup> To the extent that Soviet cities and industrial areas are protected (while ours remain unprotected), the credibility of our retaliatory threat diminishes.

**FOBS.** The Soviets are developing a fractional orbital nuclear weapons system designed to minimize warning time.<sup>34</sup> This weapon is consistent with a first-strike strategy, as it virtually precludes the possibility of enough warning to fire our missiles or get our bombers off the ground.

**Soviet SLBM's.** The Y-class submarines described above will have the capability of eliminating most of our B-52 bomber force.<sup>35</sup> Also these SLBM's will constitute a grave threat to Washington, D.C., and to our national command centers.

It is clear from the foregoing and other evidence that the Soviets never have accepted the assumption upon which American strategic planning has been based. The structure of both their offensive and defensive forces strongly indicates that they have planned—and are moving to achieve—a first-strike capability of destroying our urban centers and neutralizing our retaliatory weapons except such Polaris submarines as happen to be on station.<sup>36</sup>

In contemplating what risks responsible officials and members of Congress are willing to assume on behalf of the American people, it is well to remember that we have no defense whatever against Soviet ICBM's and SLBM's which now have the capability of killing perhaps half of our population—more than 100 million people—by a surprise first strike.

#### *Soviet "blue water" navy*

The weapons described above relate to the Soviet Union's strategic nuclear capability. The growing Soviet Navy is a threat of a different kind, and yet it confirms Soviet intentions to be the world's dominant military power.

For centuries, both under the Czars and more recently under Communist rule, Russia was a land power with limited capability at sea. Virtually landlocked, it was not a maritime power in a "blue water" sense. This has changed strikingly in recent years, as the Soviet Union has now achieved a challenging naval capability. It has the largest conventional submarine fleet; it is moving rapidly to overtake the U.S. in ballistic missile submarines; it has by far the strongest force of surface-to-surface missile-launching ships; and it leads the U.S. in numbers of cruisers, destroyer escorts and patrol boats. Only in aircraft carriers—presumably considered by the Soviets to be vulnerable to missile-launching vessels and aircraft—has the Soviet navy failed to challenge the U.S.

More important than numbers is the quality of the vessels. Although our carrier force is formidable indeed, the U.S. has failed to maintain a balanced navy of modern surface ships. The majority of our fleet vessels are more than 20 years old, many with obsolescing weapons and equipment. By contrast, most of the Soviet fleet is relatively new and modern,<sup>37</sup> often with vessels of greater speed, fire power and more advanced electronics than comparable vessels in the U.S. fleet.<sup>38</sup>

The Soviet naval buildup, like its strategic missile deployment, is a major element in the shifting balance of military power. Although not itself a direct threat to the continental United States (except the submarines), the new and growing Soviet naval strength affects adversely the diplomatic and economic position of the United States throughout much of the world. It also threat-

ens an historic American policy, namely, freedom of the seas.

The U.S., traditionally a sea power, has extensive worldwide commitments. These range from the defense of U.S. states (Hawaii and Alaska), and its territories and bases, to the protection of American citizens and investments in scores of countries. These commitments also include treaty obligations to our allies, and the supplying of U.S. Armed Forces abroad. Our extensive international trade is essential to the continued prosperity of our people. U.S. commitments in all of these respects can be fulfilled only by maintaining control of the seas, now being increasingly challenged by Soviet naval power.

For some three centuries the British navy preserved freedom of the seas and fostered international trade. There were also other naval powers, including the U.S., Japan, Germany, France and Italy. All of this has changed beyond recognition in a dramatic shift of sea power. All of these navies (except that of the U.S.) have ceased to exist as blue water fleets. England has dismantled its great bases around the world, and the vacuum thus created is being filled by the Soviet Union. The Indian Ocean and the Mediterranean east of Malta are already dominated by Soviet naval power. There are no limits to the seas in which the Soviet navy now operates, as demonstrated by its naval maneuvers.<sup>39</sup>

In the new era—in which a Soviet world order is envisioned by its Communist rulers—this navy will increasingly endanger the most vital diplomatic, military and economic interests of the U.S.

#### *Retreat from the threat*

The situation which our country faces is without precedent. For a few years following World War II our national security was complete and unchallenged. In the early 50's the Soviet Union became a nuclear power and, with gradual but increasing momentum, it undertook to challenge American superiority. But we enjoyed marked advantages in our industrial base, our technology, and in the sheer number and quality of strategic weapons. In the 60's our complacency in this respect became so great, and our preoccupation with the Vietnam war so distracting, that we neglected our strategic posture.

As a result, we enter the 70's confronted by (i) a superior Soviet offensive missile capability, (ii) a marked Soviet advantage in defensive missile capability, (iii) a menacing Soviet fleet, and (iv) with respect to all of these, a Soviet commitment and momentum which is quite unmatched in this country. We are also confronted, as Red China orbits its first satellite, with the certainty of a new and growing ICBM capability from that irrationally hostile nation.

Within a span of less than two decades we have moved from complete security to perilous insecurity.

Yet, the response of the public generally, much of the media and many political leaders ranges from apathy and complacency to affirmative hostility—not against the potential enemies which threaten us—but toward our own military establishment and the very concept of providing defense capabilities adequate to protect this country and its vital interests. The state of public opinion is such that some responsible leaders, fully familiar with the threat, believe it is futile to seek adequate defense funding. Thus, we respond as a nation—not by appropriate measures to strengthen our defenses, but by significant curtailments which widen the gap.

In short, the mood of the people and much of the Congress is almost one of precipitous retreat from the challenge. This challenge. This paradox in response to possible national peril is without precedent in the history of this country.

#### **THE CUTBACK IN DEFENSE SPENDING**

It is in this mixed climate of euphoria and retreat that a major retrenchment in America's defense effort has been deemed necessary. The defense budget proposed for FY 1971, totaling \$71.8 billion in proposed expenditures, reflects the largest single cutback in defense spending since the Korean War.<sup>40</sup> Yet a significant portion of our political and intellectual leadership is demanding even more drastic reduction.

#### *Difficult budgetary decisions*

In addition to the public malaise, it must be recognized that the Administration and the Congress are confronted with extremely difficult budgetary decisions. The problems include (i) pressing and escalating domestic needs, (ii) inflationary costs, (iii) the continued drain of the Vietnamese war, and (iv) the imperative necessity of a budget more nearly in balance after years of deficits.

Quite apart from public and political pressures, there is an obvious need for some restructuring of national priorities as well as the effecting of all possible economies. The impact of all of these pressures centered on the defense budget, which the Secretary of Defense describes as a "bare bones" one. It is also recognized as "traditional," pending to some extent the outcome of the SALT talks and affording time for a more penetrating analysis by the new administration of defense needs, options and priorities.

#### *Inadequate funding*

As understandable as the resulting budget may be, at entails the assumption of defense risks which seem unjustified.<sup>41</sup> The \$71.8 billion dollars proposed for FY 1971 is \$9.8 billion below the Johnson administration budget proposal for FY 1970, and constitutes 7% of estimated gross national product—the lowest percentage since FY 1951. This proposed funding would constitute 34.6% of the total federal budget, the lowest commitment to defense since FY 1950.<sup>42</sup>

#### *Greater Soviet effort*

There has been no comparable restraint exercised by the Soviet Union either with respect to overall defense spending or the funding of its strategic programs. On the contrary, the trend of Soviet defense spending continues steadily upward. Its total military funding about equals that of the U.S., although its gross national product (GNP) is barely half that of this country. If expenditures on the Vietnam war are excluded, the total Soviet effort substantially exceeds that of the U.S. But the mix of the spending is especially meaningful in view of its effect upon the strategic balance of power. The Soviet Union is spending significantly more than the U.S. in the buildup of its strategic offensive and defensive weapons.

The results of this greater Soviet effort are now reflected in their dramatic gains in ICBM's, SLBM's and other advanced weapons systems. If we continue to permit the Soviet Union to outdistance the U.S. in defense effort, it is inevitable that the security of this country will be endangered. As Secretary Laird has warned:

"Time and again in our past history our nation has paid a heavy price for allowing its armed forces to dwindle to levels that proved to be too low to discourage or to counter aggression."

In view of the crescendo of demands for further reductions in defense spending, we may be well along the road to reliving this past history.

#### **THE THREAT TO TECHNOLOGICAL SUPERIORITY**

There are three disturbing trends in defense funding: (i) the magnitude of the overall reduction, (ii) the unfavorable balance between Soviet spending on strategic forces as compared to our effort, and (iii) a similar unfavorable balance in the critical area of research and development (R&D).

Footnotes at end of article.

Of these, perhaps the last is the cause for greatest concern.

#### *Soviet challenge to U.S. technology*

The U.S. has enjoyed a clear technological superiority over the Soviet Union and all other countries until recently. It has been this qualitative superiority, rather than the size of forces or numbers of weapons, which has enabled America to deter major war and protect the Free World during the past quarter of a century. This superiority is today being successfully challenged by the Soviet Union.<sup>45</sup>

In addition to talented leadership and the necessary industrial base, the essential ingredients of a vital and competitive technology are skilled manpower and adequate R&D funding.<sup>46</sup> The U.S. is falling behind the Soviet Union in both of these respects.

#### *More graduate engineers*

As of 1969, the Soviet Union was believed to have about 550,000 full-time R&D scientists and engineers, as compared with about 540,000 in the U.S. But the Soviet Union is graduating annually a substantially greater number of engineers than the U.S., and its technically trained manpower base is projected steadily to outdistance that of the U.S.<sup>47</sup>

#### *Greater funding of R & D*

Comparative funding data for military-related R&D (including space/atomic energy) in the Soviet Union and the U.S. reflects a similar disparity. Soviet annual funding for this purpose is now estimated at about \$16 to \$17 billion as compared with U.S. funding of about \$13 to \$15 billion. Again, the trend is also adverse as the Soviet military R&D effort during the 1960's increased by about 60% while that of the U.S. increased 30%.<sup>48</sup>

Secretary Laird has pointed out that "the Soviet Union is devoting more effort to military-related R&D than is the U.S.," with its rate of such expenditures increasing "about 10-13% annually" while comparable U.S. expenditures "remain relatively constant."<sup>49</sup>

#### *Threat to minuteman*

In relating our need for the most advanced technology to the Soviet threat, Dr. Foster has testified that by early 1974 the Soviet Union, if it continues its ICBM production and deployment, will be able "completely to overwhelm the present Minuteman portion of our deterrent."<sup>50</sup> He stated that the Safeguard program (ABM) should improve the survivability of a significant fraction of the U.S. land-based missiles. But the long-range survivability of an adequate number of our ICBM's cannot be assured without a more extensive and effective ABM system than has been proposed. The critical necessity of providing alternative measures is now a priority task of R&D.<sup>51</sup> Dr. Foster cited this problem as one example of the frightening way in which advancing technology obsolesces both offensive and defensive weapons and even entire weapons systems. Indeed, he states a "major restructuring of our strategic forces may be necessary to insure survivability."<sup>52</sup>

#### *Lead time—a free society handicap*

The problem of "lead time" in weapons development is particularly acute in competition between an open and a closed society. The time span between initial R&D and deployment may range from five to fifteen years, depending upon complexity and rapidity of new developments requiring changes or redesigning. In a Communist state, where secrecy is both an obsession and a way of life, the development of a new weapon may be concealed—even from our most intensive intelligence efforts—until testing begins or often until the completed weapon is displayed in Red Square. This gives the Soviet Union and Red China at least a five-year time advantage in developing

new weapons systems. If a major technological breakthrough should catch us by surprise the results could be catastrophic.<sup>53</sup>

#### *Hope of survival—Technological superiority*

There is no way completely to guard against the possibility of some dramatic and concealed technological advance in weaponry. But this risk is minimized directly in proportion to the extent we maintain an overall superior technological base and a more effective R&D effort than any other nation.

It is precisely here that recent trends create serious doubts as to the future security of this country. The United States can never match its potential enemies in land armies or in numbers of tactical weapons. Our only hope of survival is to maintain clear weapons superiority. This simply cannot be achieved by permitting our industrial and technological manpower bases to erode and by inadequate emphasis on R&D.

No subject in the entire spectrum of defense problems deserves a higher priority of thoughtful and urgent attention.<sup>54</sup>

#### *NEGOTIATIONS—TRAP OR OPPORTUNITY*

One of the reasons assigned for the "transitional" budget proposed for FY 1971 is the hope that the present Strategic Arms Limitation Talks (SALT) will be fruitful. Some political leaders have urged even greater restraint than that reflected in the reduced budget, arguing—despite all experience to the contrary—that the Soviets might be influenced favorably by our example.

#### *The object of SALT*

There are obvious reasons for seeking to halt the escalation of nuclear weapons. The logic of the situation—at least on the surface—calls for a "freeze," which seems such a facile and popular solution. In simplest terms, the object of SALT is to agree upon a limitation—and perhaps a gradual reduction—of strategic nuclear weapons. An effective agreement to this end which does not leave either side at the mercy of the other, which does not in itself alter the balance of power, and with procedures to assure compliance, would be welcomed by most of the world. SALT therefore deserves the most careful attention, as all avenues toward a more peaceful world must be explored.

#### *Disarmament talks—Record of failure*

But whatever the hopes and opportunities of SALT may be, there is no precedent in history of effective disarmament being accomplished by agreement between major powers with divergent national interests. Nor has U.S. experience been reassuring. There is nothing new about our seeking disarmament through negotiation. This has been the most consistent element in American foreign policy since the beginning of the nuclear age. Few seem now to remember the U.S. offer to prevent an atomic arms race by delivering its stockpile to the United Nations—an offer rejected by the USSR. Periodically since then various efforts to slow or halt the arms race by negotiation have been frustrated in every instance by the intransigency of the Soviet Union.

It is true that three negotiations have been successful in the sense that limited agreements were reached on important issues. Yet none of these agreements has slowed the pace of the Soviet armaments or its manifest quest for superiority. Indeed, we may have magnified and perhaps even misconstrued the significance of such agreements.<sup>55</sup>

#### *Communist concept of negotiation*

All Americans would like to think—despite the absence of convincing evidence—that the Cold War is over and we have indeed entered a new era of negotiation. Our desire for peace is so strong and our national inclination to assume reciprocal friendliness and rationality so genuine, there is danger that we may assume without justification a similar spirit on the part of the Soviet leaders.<sup>56</sup>

But it is prudent to remember that the Communist concept of negotiation is radically different from ours. They view it as a component of conflict, with the objective of gaining an advantage without conceding anything. The classic description of the Soviet approach is as follows:

"Soviet officials do not converse with foreigners: they compete. There is no searching for understanding in conversation as we understand it in the West, no effort at accommodation of the mind, not even the slightest hint or suggestion that the Soviet Union has ever done anything that was in any way wrong or even unwise, imprudent or intolerable. Their idea of give and take in a talk is simple: You give, they take."<sup>57</sup>

Few American diplomats have had greater experience in attempting to negotiate with Communists than Dean Acheson. Writing his autobiography with the sober perspective of time, he said:

"What one must learn (from our experiences) is that the Soviet authorities are not moved to agreement by negotiation—that is, by a series of mutual concessions calculated to move parties desiring an agreement closer to an acceptable one."<sup>58</sup>

#### *Humiliation and futility*

The dreary and frustrating record of negotiating with Communists abundantly documents the foregoing views.<sup>59</sup> One need not go back to the disillusionments of Yalta and Potsdam, to the exasperating negotiations over Berlin, or to the recurrent disarmament talks which have foundered on the Soviet determination to take all and give nothing. The past failures are legion and recent experience affords little basis to expect anything different. Seventeen years of humiliating effort have failed to produce a negotiated settlement of the Korean War, and the mockery in Paris has now continued for nearly two and one-half years. It will be said that the Soviet Union has not been a direct party to the Panmunjon and Paris talks. Yet no one familiar with the realities of world power and politics doubts that the Soviets could make these discussions meaningful whenever they so desire.<sup>60</sup> Rather, they continue to support the aggression in Southeast Asia and the threat of aggression in Korea, while the "peace" talks are exploited for Communist propaganda.

The most recent example of the unwisdom of relying upon USSR assurances is its role in sabotaging the Middle East cease fire by supporting, if not participating in, the violation thereof by the UAR.<sup>61</sup>

#### *Trap for the unwary?*

This is the historical framework in which all negotiations with Communist powers should be viewed. We must continue to hope and to strive for a genuine change of attitude and for some constructive results. In the nuclear age, every opportunity to negotiate and to improve channels of communication must be pursued. But there is always the danger of fatal concessions or even of a deliberate trap.

The Soviet Union has been an unpredictable and aggressive power, certainly for the past 30 years.<sup>62</sup> It has acted with stealth, surprise and ruthlessness—when it attacked Poland in concert with Nazi Germany; when it subjugated its allies, Hungary and Czechoslovakia; and when it moved to deploy missiles in Cuba.

The Soviet Union has been making a massive effort, out of all proportion to its own resources or any external threat, to acquire and extend strategic nuclear superiority over the U.S. Its record of feverish military preparation is unequalled since Hitler—determined upon conquest—structured his Wehrmacht for World War II. The Soviet Union has shown an almost paranoiac hostility toward America and "capitalist imperialism," evidenced by its consistently hostile conduct in every arena of international affairs and by its

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pervasive anti-American propaganda for a quarter of a century.

Only the reckless or the naive would negotiate with such an adversary except with the greatest caution and skepticism. Likewise, we would indeed risk the security of our country if defense planning and funding are predicated on assumptions or hopes as to the willingness of the Soviet Union to agree to mutually fair and enforceable disarmament.

As President Nixon well said, "we cannot trust our future to the self-restraint of countries that have not hesitated to use their power even against their allies."<sup>52</sup>

#### *Strategic implications of a "freeze"*

It is possible that the Soviet Union sees SALT as an opportunity to assure indefinitely for itself, by agreement, a position of military superiority. This would be accomplished if we were foolhardy enough to agree to an arms limitation which left the U.S. vulnerable to a Soviet first-strike capability or which otherwise undermines the credibility of our capacity effectively to retaliate. But one may assume that U.S. negotiators will not commit such egregious folly.

There may be a less visible danger. The Soviet Union could strengthen its overall military and political position by an agreement which freezes strategic capabilities at some level of specified parity. Even if it be assumed that the result would be genuine strategic parity<sup>54</sup>—rather than the freezing of the present Soviet advantages—the consequences could still be profound in terms of total military power and diplomatic influence.

The Soviet Union is appreciably stronger than the U.S. in tactical forces and weapons. Moreover, the Soviet Union has some 700 IRBM's deployed within convenient range of defenseless Western European cities and NATO forces. The Soviet tactical forces—capable of overrunning much of the land mass of Europe, Asia and Asia Minor—have been restrained for the past quarter century by the "shield" of the U.S. superior strategic nuclear forces. If this shield is neutralized by agreement, what restraints will then exist against Communist non-nuclear aggressions?

If such a neutralization occurs, the implications are disturbing and far reaching. Will the Soviet Union be emboldened to employ its superior tactical capabilities, secure in the knowledge of an agreed strategic stand-off? Will the posture of NATO forces thereby become so untenable that the countries of Western Europe deem it prudent to move into the orbit of Soviet influence? Or, to forestall such an unwelcome move, will the U.S. find it necessary substantially to augment our NATO tactical forces? What will be the effect upon U.S. influence and interests in other friendly countries around the world?

These and related questions bring the SALT negotiations into sobering perspective. One may doubt, without in any way denigrating the importance of SALT, whether such questions have received the public discussion and scrutiny which they so manifestly deserve.

#### THE HOSTILITY TOWARD THE MILITARY

One of the trends in this country—perhaps the most fundamental one—which causes concern is the increasing public hostility toward "the military." This is not the place for a full discussion of this gravely disquieting problem. Some aspects of it are alluded to in the body of the Panel Report, and a brief reference is made above to the effect on defense funding. But the consequences of a largely hostile or even an apathetic public are not limited to reduced military spending. The entire structure of our defense edifice suffers when there is inadequate public understanding and support. It may be fatally undermined where public

opinion is not merely negative but aggressively hostile.

#### *Revolution on the campus*

Already this level of hostility exists on the college campus and the virus is spreading. There is a widespread revulsion to the Vietnamese war and resentment of the draft, with its disruption of life plans. It is understandable, and in accord with our best traditions, that the young people who are asked to serve in the military forces should be concerned and skeptical. They have every right to ask why, to debate the assumptions and judgments with respect to defense needs, and to disagree with them. This right is acknowledged and should be zealously defended.

But there are militant and revolutionary minorities on many campuses who abuse this and other rights in their desire to destroy American institutions. A favorite tactic is forcibly to deny free speech to all who entertain different views, relying not on reason and rational discussion but on coercion and violence. Examples of this fascist-minded conduct are legion. They have demeaned the life and quality of education on some of the most prestigious campuses of this country.<sup>55</sup>

#### *The hostility gains support*

The greatest cause for concern is not that a few thousand New Leftist revolutionaries are on the move. Rather, it is that they—and their lawless conduct—are tolerated and often supported by a broad base of otherwise responsible students, faculty and even college administrators and trustees.<sup>56</sup> Many of the tactical "causes" of the New Left have acquired a broad appeal. Foremost among these is the crusade against the Armed Services, the Defense Department and—the favorite whipping boy of all—the "military-industrial complex."<sup>57</sup>

We have witnessed all too frequently the disheartening spectacle of avowed revolutionaries being accorded respectability by many fellow students and faculty members as well as by the national publicity so generously provided by the media. Among the most popular campus speakers are these leftists whose goal—in accord with Communist objectives—is to disarm America.

A movement of this magnitude does not remain confined to the campus. It has widened rapidly to engulf a significant segment of opinion makers in this country. Most of those who now participate in the criticism certainly do not go as far as the leftist extremists. Many remain well within the limits of legitimate comment and criticism. But the outcry against "the military" is now orchestrated with frightening unanimity—not only on the campus but by much of the media, in the theater and arts, and widely among some politicians. We may have reached what amounts to a subtle form of censorship by consensus. Few are willing to speak out in defense of the military, and even fewer in support of increased defense funding. The public figures who have the courage to present a "different viewpoint" are predictably assailed as "warmongers" and "jingoists."

One has to go back to the days of McCarthyism to find such intolerance and repression of rational discussion of issues of the gravest national import.<sup>58</sup>

#### *The consequences*

The short-range consequences already are becoming apparent. Marked success has been attained in slandering the ROTC, in driving military recruiters from the campus, in denying recruiting opportunities to defense-related industries, and in some curtailment of university-based military-related research and development. The number of draft dodgers and deserters, encouraged not merely by revolutionaries but by many who consider themselves respectable citizens, is a cause for increasing concern.<sup>59</sup>

Other predictable consequences of this hostility include the adverse effect (1) on

the general recruiting and retention of military personnel; (ii) the number and quality of applicants for the service academies; and (iii) on the morale and esprit of the Armed Services of our country, both at home and abroad.

There also will be an inevitable weakening of the American concept of civilian orientation of the military. Some of the institutions and practices which are prime targets of the New Leftists tend significantly to perpetuate educated civilian influence on our military affairs and establishment. One would have thought that those who distrust "the military" would be zealous to strengthen—rather than undermine—this wholesome influence.

In its broadest scope, the result of the widening public alienation from the military will be the weakening of the defense of our country and freedom everywhere. This is precisely the end desired by the revolutionaries.

#### *The role of responsible dissent*

It should be made clear at this point that no thoughtful person suggests that the military, or any aspect of national defense, is above criticism. The role of responsible criticism and dissent is vital to the health of a democracy, and for the reasons pointed out by President Eisenhower there must ever be a vigilant public overseeing of the defense establishment. This is necessary to assure the civilian control prescribed by law. It is also necessary because, in a troubled world with nuclear weapons and huge defense requirements, national security is too important to leave to the military, to Congress, to the Executive Branch or indeed to any single segment of our society. An appropriate national defense posture, adequate but not excessive, is a matter of the most urgent national concern, and every aspect of it should be subjected to the widest and most thoughtful scrutiny and inquiry.

But it is one thing to exercise responsibly these attributes of democracy. It is quite something else—by resort to irrational abuse and indiscriminate criticism—to destroy the effectiveness of the only instrumentality which protects from foreign aggression the freedoms we all cherish.

#### A VIABLE NATIONAL STRATEGY

Unless the American people wish to accept the status of a second-rate power—with all of the probable consequences—the only viable national strategy is to regain and retain a clearly superior strategic capability. This can be accomplished by reversing the trends identified above, and by eschewing agreements which freeze the U.S. into a second-rate status. The margin of our overall strategic strength must be sufficient to convince the most reckless aggressor that, even after a surprise first strike, the capability to retaliate will in fact survive and be adequate to impose unacceptable destruction on the aggressor nation. This course of action is not incompatible with continued negotiations for arms limitations. Indeed, it will significantly enhance the chances of negotiations being genuinely fruitful without constituting a trap.

#### *The requisite resources*

It will be said that domestic needs should have priority and that we cannot afford to continue an "arms race" with the Soviet Union. The truth is that this country can and must meet both its domestic and defense requirements. If we fail in either, there is little future for America as we know it or for our cherished freedoms.<sup>60</sup>

The U.S. has all of the requisite resources, except perhaps the will. The Soviet Union has a gross national product only half that of this country. It lacks a comparable industrial and technological base, and it has a backlog of domestic demands which—suppressed as they may be—vastly exceed those of this country. Indeed, in terms of consumer goods and standard of living the So-

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viet Union is at least a half century behind the U.S. In any contest to establish and maintain a superior military capability, we have an overwhelming advantage in the necessary resources.

#### Need for public understanding

But in our free democracy, as contrasted with a totalitarian regime, the ultimate defense posture is determined by the will of the people. It is here we suffer a serious disadvantage, especially at a time of disillusionment with international responsibilities and a greater concern with pressing domestic needs. The only hope of minimizing this disadvantage is to assure a wider public knowledge of the facts and an understanding of the probable consequences of second-rate military status.

#### THE CONSEQUENCES OF SECOND-RATE STATUS

The American people must be reminded that basic Communist dogma contemplates the employment—over such time span as may be necessary—of the entire arsenal of pressures against the U.S. as the strongest democratic power. Despite discord among Communist states, there has been no amelioration of this doctrinal goal. Throughout the past quarter century, when the Soviet Union was relatively weak strategically, it precipitated or supported crisis after crisis—directly or through puppets and satellites—designed to extend its influence and to create disarray within the U.S. and the Free World. Throughout this time it waged, as did Red China, massive political warfare against the United States, including subversion and propaganda as well as economic and diplomatic pressures. Nor did the Soviet Union hesitate to employ techniques of military blackmail.

It is irrational to think, with the balance of military power now shifting dramatically in its favor, that the policies of the Soviet hierarchy will be less hostile, disruptive and imperialistic.

A recent study of Kremlin policy noted the Soviet effort to achieve nuclear superiority, and commented:

"Presenting the world with a clear cut superiority in numbers of nuclear weapons may appear to some leaders in the Kremlin a feasible political means for consolidating its own alliances and disintegrating the opposing forces. Such a major shift in the worldwide balance of power may also heighten the risk of confrontation, with vast costs in the present and unforeseeable dangers in the future."<sup>1</sup>

As our country ponders its future course, drifting as we are into a position of inferiority or possibly even freezing that status by agreement, our people—as well as responsible officials—should consider the capability of the U.S. to respond in the types of situations which are likely to arise in the 70's and beyond, and which may include: (i) a Soviet-inspired and supported war against Israel; (ii) some other form of Soviet take-over of the Middle East, with its coveted oil reserves; (iii) a new confrontation over the status of Berlin; (iv) extension of the Brezhnev doctrine to selected non-Communist countries; (v) another Cuban-type crisis, perhaps in Latin or South America if not again in Cuba; (vi) nuclear blackmail over issues affecting our vital interests; (vii) the disruption, by force or other sanctions, of the international trade upon which the economic well being of our people depend; (viii) intensified levels of subversion to the point of threatening our internal security; and (ix) outright aggression against allies—in Western Europe or elsewhere—whom we are committed to defend.

It is difficult to believe that the proud and responsible people of this country would knowingly tolerate a national strategy which could invite these types of situations, leaving us virtually helpless to respond effectively. Certainly there would be no conscious tolera-

tion by a majority of our people of defense weakness which threatens national security and freedom itself.

#### WEAKNESS—THE GRAVEST THREAT TO PEACE

The most ominous danger of being second rate in the nuclear age is that it multiplies the chances—not of peace—but of nuclear war. Soviet or Red Chinese overconfidence or miscalculation in the employment of, or threat to use, their power may trigger such a war inadvertently or place the United States in a posture from which there could be no retreat.

The road to peace has never been through appeasement, unilateral disarmament or negotiation from weakness. The entire recorded history of mankind is precisely to the contrary. Among the great nations, only the strong survive.

Weakness of the U.S.—of its military capability and its will—would be the gravest threat to the peace of the world.

#### FOOTNOTES

<sup>1</sup> U.S. Foreign Policy for the 1970's, Report to the Congress by President Nixon, Feb. 18, 1970, p. 122. (Referred to herein as the President's Report.)

<sup>2</sup> Defense Report for Fiscal Year 1971, by Secretary Laird before the House Subcommittee on Defense Appropriations, Feb. 25, 1970, p. 1. (Referred to herein as the Laird Report.)

<sup>3</sup> It should be remembered here that in recent years intelligence provisions frequently have understated these capabilities. Laird Report, *supra*, pp. 34, 101.

<sup>4</sup> The folly of relying on assumptions as to intentions, rather than upon known capabilities, is documented by countless military surprises down through history. Pearl Harbor is a classical example. More recent examples involving the Soviet Union include the Cuban Missile Crisis and Czechoslovakia. See Senator Henry M. Jackson, Senate Speech, July 9, 1969.

<sup>5</sup> Plans to withdraw 20,000 American troops are opposed by the South Korean government. As indicated in a recent on the scene report "there is no real peace in Korea today." N.Y. Times, article by Philip Shabecoff, June 24, 1970.

<sup>6</sup> Mao Tse-tung recently issued a fresh indictment against the U.S., calling for a "protracted peoples' war" against American "imperialism," and concluding: "People of the world, unite and defeat the U.S. aggressors and all of their running dogs!", N.Y. Times, May 21, 1970.

<sup>7</sup> The Suez Canal has other strategic significance. The Soviet Union continues to supply North Vietnam by sea. Soviet ships from Black Sea ports now require nearly 40 days to reach Vietnam by sailing around Africa.

<sup>8</sup> See The Military Balance 1970-71, The Institute for Strategic Studies, London, p. 45.

<sup>9</sup> See editorial comment, The New York Times, September 20, 1970. The Soviet Union also shared responsibility for Syria's brief but dangerous intervention in Jordan's September 1970 civil war.

<sup>10</sup> The recent Soviet-West German non-aggression pact may result in some surface lessening of tension, but as long as Soviet ground, air and missile forces are maintained in Eastern Europe, with the capability of overrunning and destroying Western Europe, there can be no assurance of peace and freedom.

<sup>11</sup> The Brezhnev doctrine, announced as justification of the invasion of Czechoslovakia. In commenting on this proclaimed right of aggression, the New York Times said: "This reliance on force and contempt for law must raise fears that some day Moscow will decide that the sovereignty and territorial integrity of non-Communist nations is also being interpreted" in a way which justifies Soviet intervention. New York Times editorial, Sept. 28, 1968.

<sup>12</sup> Only U.S. superior military strength frustrated the Soviet plan to install strategic missiles in Cuba, although history may record that U.S. concessions assured an unmolested Communist regime and base in Cuba.

<sup>13</sup> C. L. Sulzberger, foreign correspondent of The New York Times, recently commented on the "neo-isolationism" in this country, and noted that "U.S. influence is being slowly squeezed out" of Western Europe, the Middle East and Southeast Asia. New York Times Service, Richmond Times-Dispatch, July 24, 1970.

<sup>14</sup> This paper addresses primarily the Soviet threat which is clearly paramount for the 1970's. There is no thought of minimizing the threat of Red China, the leadership of which is so implacably hostile to the U.S. and to a lesser extent the Soviet Union. It is possible that in the long run Red China is more likely to rupture peace than any other nation.

<sup>15</sup> See also Mr. Laird's address of April 20, 1970, at the Annual Luncheon of the Associated Press, N.Y. Times, April 21, 1970; and data reported in *The Military Balance 1970-1971*, published by The Institute for Strategic Studies, London, 1970.

<sup>16</sup> President's Report, p. 120 and Secretary Laird's Report, p. 35. See *The Military Balance*, *supra*, p. 6, which reports about 1300 operational ICBM's in July 1970. Intelligence estimates of the number of ICBM's actually deployed are extremely accurate. But estimates of production rates (and hence future operational strength) have consistently erred on the low side. See Laird Report, p. 34.

<sup>17</sup> Secretary Laird's Report, p. 35. The Soviets are continuing to produce SS-9's at a rate of about 50 per year, and will have some 300 by the end of this year. See Laird, Address of April 20, 1970, *supra*. The Institute for Strategic Studies, based in London, publishes annually *The Military Balance* (cited *supra*) and a complementary publication entitled *The Strategic Survey*. Although there are variations in detail as to types and numbers of weapons, the data published by The Institute for Strategic Studies generally corroborates the unclassified information of the U.S. Defense Department.

<sup>18</sup> See *The Military Balance*, *supra*, p. 6, which credits the Soviet Union with 800 SS-11's, with deployment continuing.

<sup>19</sup> The distinction between MRV and MIRV is that in the former the multiple separate warheads are not independently guided to targets.

<sup>20</sup> Secretary Laird estimated last February that if the Soviets follow a "High Force-High Technology" approach they will probably have their first "MIRV's by mid-1971 and a very formidable hard target kill capability (by MIRV's) by the mid-1970's." Laird Report, p. 104. The recent Pacific testing of multiple reentry vehicles on improved SS-11 missiles indicates the Soviets are significantly ahead of this schedule.

<sup>21</sup> See Laird Report, p. 103. Secretary Laird recognized that this cannot be a firm estimate at this time.

<sup>22</sup> See Dr. John S. Foster, Director of Defense Research and Engineering, Statement before Subcommittee of House Armed Services Committee, March 9, 1970, p. 9 *et seq.*; Laird Report, pp. 48, 49, 103, 104. See also *The Strategic Survey of 1969*, *supra*, pp. 30, 31 where the "new and more accurate guidance systems" are discussed, and the conclusion reached: "The whole future of land-based ICBM's has been called into question (by this improved accuracy), since it begins to seem possible that no amount of protection for ICBM silos can compensate for the improvements in accuracy now in prospect." This judgment by The Strategic Survey applies primarily to the vulnerability of U.S. missiles.

<sup>23</sup> See Secretary Laird's Report, pp. 39, 40 and 50.

<sup>24</sup> A technological breakthrough in the underwater detection and tracking of submarines could give the first nation to achieve it a decisive advantage. See Interview with Dr. John S. Foster, Jr., Air Force/Space Digest, July 1970, pp. 31, 35. It has been suggested that such a technological breakthrough may be achieved by "sensing devices that could reveal every submarine in the oceans to detection." See news report on a Pre-Pugwash Conference on New Technology and the Arms Race, Racine, Wisconsin. The Washington Post, Sept. 9, 1970, p. A-3.

<sup>25</sup> The U.S. has plans for a test model of a new supersonic bomber (B-1). A force of such bombers capable of long distance air-to-ground launches would add flexibility and diversity to our deterrent capability, and also would be useful in limited, non-nuclear confrontations. Such bombers must be designed, however, to operate from numerous smaller and dispersed airfields to minimize vulnerability from ICBM's and SLBM's.

<sup>26</sup> The Strategic Survey of 1969, *supra*, p. 28. It is not suggested that the Survey itself was misleading. The tabulation which received the wide press publicity was only one of many tables in the Survey, which also included a great deal of relevant data on megatonnage, accuracy and survivability.

<sup>27</sup> Of the total warheads assigned to the U.S. 1,853 represent the optimum load of our B-52 force, while 450 were assigned to Soviet strategic bombers. A similar distortion of SLBM's apparently was included in the tabulation, assigning 1,328 warheads to Polaris submarines.

<sup>28</sup> This Statement addresses broadly the strategic balance of power and does not discuss comparative tactical or general force capabilities. Secretary Laird's Report, and especially the appendices, indicate the superiority of the Communist powers in non-nuclear military power. See also the publications of The Institute of Strategic Studies, *supra*.

<sup>29</sup> Gen. Andrew J. Goodpaster, Supreme Allied Commander in Europe, has warned that "the balance of security there is shifting in favor of the Soviet bloc." He stated that the Warsaw Pact forces "form a concentration of military power that exceeds anything the world has previously seen. These Soviet forces far exceed anything that is required solely for defense." Richmond Times-Dispatch, September 16, 1970.

<sup>30</sup> William Beecher, writing in the N.Y. Times, Oct. 28, 1969, assumes a 100 kiloton warhead on our MIRV, and states that the Soviet MIRV warhead is 50 times more powerful than our MIRV. The Strategic Survey for 1969, *supra*, p. 29, assumes a 200 kiloton warhead on MIRV's. See also Laird Report, p. 102, as to Soviet MIRV.

<sup>31</sup> As a part of this protection, the USSR has deployed the most elaborate radar warning and counter-measure systems. It also has devoted a greater effort than the U.S. to advanced fighter interceptor aircraft (the Foxbat, for example) and to ground-to-air missiles, with larger defense forces in these categories than the U.S.

<sup>32</sup> *The Military Balance 1970-71, supra*, p. 7

<sup>33</sup> Although critics in this country doubt the feasibility of an ABM system, one must assume the Soviets would not be spending billions on such a system unless they had full confidence in its effectiveness. Dr. John S. Foster, Jr., and many qualified U.S. scientists, have no doubt that an effective ABM system is within the competency of existing technology. See interview with Dr. Foster published in Air Force/Space Digest, July 1970, p. 31 *et seq.* See evidence marshalled by Sen. Henry M. Jackson in his ABM debate speeches to the Senate on Aug. 6 and 11, 1970. A major component of the ABM system, the Spartan missile, successfully intercepted an ICBM over the Pacific in a test on August 28, 1970.

<sup>34</sup> President Nixon's Report, *supra*, p. 125.

<sup>35</sup> Secretary Laird has stated that by the

mid-70's the Soviets will probably have "a submarine force capable of destroying most of our alert bomber and tanker force before it can be airborne." Secretary Laird's Statement, pp. 50, 105. The Defense Department confirmed for the first time on April 23, 1970 that Y-class Soviet submarines, with 16 nuclear missiles are patrolling our Atlantic Seaboard. N.Y. Times, April 24, 1970. Secretary Laird reports that as of April 1970 the Soviets had over 200 operational launchers on nuclear submarines for submerged launch SLBM's, plus 70 launchers on diesel submarines. Laird's address, *supra* p. 11.

<sup>36</sup> Senator Jackson recently informed the Senate that "there is no doubt that their (the Soviet's) program, if continued, will produce a first-strike capability unless the U.S. takes appropriate counter measures." Senate Speech, Aug. 5, 1970.

<sup>37</sup> The Soviets have been more innovative than the U.S., having pioneered in gas turbine propulsion, in developing a variety of surface-to-surface missile-launching ships, and possibly in new techniques of ASW.

<sup>38</sup> Nor have the Soviets neglected the support elements for world-wide naval operations. They have tankers, supply and maintenance vessels, supported by an impressive merchant marine fleet. They also have emphasized, more than any other nation, oceanographic studies and surveys. Their trawlers—used extensively for intelligence purposes—regularly patrol our coasts.

<sup>39</sup> In April 1970 Soviet maneuvers, described by U.S. Navy spokesmen as the "biggest in history," involved some 200 warships. Associated Press story, April 23, 1970.

<sup>40</sup> Laird Report, *supra*, p. 21.

<sup>41</sup> Secretary Laird warned that in defense funding and in the deferral of decisions on vital defense measures "we are literally at the edge of prudent risk." Address of April 20, *supra*, p. 5.

<sup>42</sup> Laird Report, *supra*, p. 22. The detailed facts and figures are set forth in the Reports of the President and the Secretary of Defense mentioned above. These include a comparison which indicates the neglect of strategic funding (after adjusting for inflation) since the beginning of the Vietnamese war. The FY 1971 defense funding is only \$3.8 billion, or 7% above the 1964 level of defense spending prior to the Vietnamese war. As the cost of that war has been running at more than \$25 billion per annum, it is evident that strategic spending—for the defense of the country—has been curtailed sharply.

<sup>43</sup> It is difficult to know exactly what the Soviet Union is spending on defense. The statements above reflect estimates published by various sources. See Department of Defense Posture Statement, Jan. 15, 1969; Library of Congress studies; and Stanford Research Institute Studies. Mr. Laird has said that "the Soviet Union, as far as offensive strategic weapons systems, is outspending the U.S. in the ratio of three to two converted to dollars." Press conference, Feb. 18, 1969. See also address of Sen. Henry Jackson, U.S. Senate, Aug. 6, 1970.

<sup>44</sup> Laird Report, *supra*, p. 33.

<sup>45</sup> Testimony of Dr. John S. Foster, Jr., Director of Defense Research and Engineering, before a subcommittee of the House Armed Services Committee, 91st Congress, March 9, 1970. See also the Reports of the President and the Secretary of Defense, *supra*.

<sup>46</sup> Other essentials to the development and deployment of advanced weapons systems relate to procurement and defense planning, contracting and testing. These and related matters are discussed in the body of the Panel's Report.

<sup>47</sup> See Foster, *supra*, p. 28.

<sup>48</sup> See Foster, *supra*, p. 30 *et seq.* Dr. Foster points out that total R&D spending, both civilian and military, is still greater in the United States, but the trend is unfavorable even with the addition of our non-military-related effort.

<sup>49</sup> See Laird's Report, *supra*, p. 66.

<sup>50</sup> Foster, *supra*, pp. 9, 10.

<sup>51</sup> Alternative systems under consideration include (i) the mobile basing of Minuteman-type missiles, and (ii) an undersea long-range missile system (ULMS's) with submarines capable of launching missiles of ICBM range. Dr. Foster, *supra*, p. 12. Secretary Laird's Statement, pp. 48, 49. The Soviets may already be well ahead of the U.S. in developing a mobile ICBM. The Strategic Survey for 1969, *supra*, at p. 29, states: "A mobile ICBM has certainly been under development for some time, and the Soviet Union has claimed that it is already operational."

<sup>52</sup> Foster, *supra*, p. 14; Laird Report, *supra*, p. 49.

<sup>53</sup> Science and Technology, Tools for Progress, report of the President's Task Force on Science Policy, April 1970, p. 38: "Technology will not stand still; on the contrary it will likely move more rapidly. The penalty for technological surprise can be enormous."

<sup>54</sup> Other problems related to technology and R&D have been identified in the main body of the Panel's Report.

<sup>55</sup> The first of these, the Test Ban Treaty of 1963, halted nuclear testing in the atmosphere. The Soviets only agreed to this at a time when their test program, involving high-yield weapons with both offensive and defensive (ABM) capabilities, was well ahead of America's. We had previously been duped during the late 50's into the cessation of testing similar weapons on the specious theory that the Soviets might follow a good example. The second agreement was the United Nations' ban on the use of outer space for military purposes, an agreement which the Soviet Union appears already to have violated in spirit. The third of these limited agreements is the Nonproliferation Treaty, recently approved, which leaves a number of non-signing nations free to develop nuclear weapons.

<sup>56</sup> One may recall the disillusionment after the hopes engendered by the "spirit of Geneva" and "the spirit of Camp David" were dashed by Soviet duplicity.

<sup>57</sup> James Reston, New York Times, Dec. 8, 1960, p. 46.

<sup>58</sup> Acheson, *Present at the Creation*, W. W. Norton & Co., N.Y., 1969, p. 729.

<sup>59</sup> Past negotiations have occurred when the overwhelming weight of bargaining power lay on our side of the table. Now, when the U.S. is relatively weaker, and when the issue is the future security of our country, it is prudent to be skeptical as to the genuine mutuality of any agreement acceptable to the Soviet Union.

<sup>60</sup> The competition between the Soviet Union and Red China for dominant influence in smaller Communist countries does complicate the situation, making it less likely that either will take the lead in exercising an ameliorating influence.

<sup>61</sup> Although the full extent of Soviet participation in this violation may not yet be known, press reports and commentators indicate that "the Kremlin broke its word, lied to the United States and double crossed the developing peace." See, for example, Roscoe and Geoffrey Drummond, Richmond Times-Dispatch, Sept. 10, 1970; Joseph Alsop, The Washington Post, Sept. 21, 1970; and Evans and Novak, The Washington Post, Sept. 21, 1970.

<sup>62</sup> In addressing the Senate on July 9, 1969, Sen. Henry M. Jackson said that "an increasing number of informed western analysts assess the Soviet Union (today) as a dangerous and unpredictable opponent."

<sup>63</sup> The President's Report, p. 111.

<sup>64</sup> "Parity" is inherently a theoretical—not a realistic—concept, as there are too many variables both as to the quality and characteristics of various weapons and the circumstances under which they might be employed.

<sup>65</sup> The New York Times described the New



Leftist revolutionaries as "the new Fascists of our generation." Editorial, Dec. 17, 1969. See also New York Times editorial of June 10, 1970. Stewart Alsop has observed that the campus "is in danger of becoming intellectually a closed society." Newsweek, May 18, 1970.

<sup>66</sup> Alexander M. Bickel, *The Toleration of Violence on the Campus*, The New Republic, June 13, 1970, p. 15 *et seq.* Fred M. Hechinger, Education Editor of the New York Times has stated that: "The politicizing of the campus . . . has moved the universities to the brink of disaster." N.Y. Times, July 19, 1970. See also Dr. Nathan Pusey, *infra*.

<sup>67</sup> As indicated in the Panel's Report, corporations which depend in major part on defense contracts are among the least profitable of all corporations. Indeed, many corporations deliberately refuse or avoid defense business. See George E. Berkley, *The Myth of War Profiteering*, The New Republic, Dec. 20, 1969.

<sup>68</sup> President Nathan Pusey, Baccalaureate address at Harvard University, New York Times, June 10, 1970. See also Dr. Pusey's Annual Report for 1968-69.

<sup>69</sup> It is estimated that some 25,000 to 30,000 draft dodgers have sanctuary in Canada, with an elaborate organization for getting them there. Stewart Alsop, Newsweek, July 20, 1970. Already some politicians and advocates of "peace at any price" are urging amnesty for these draft dodgers.

<sup>70</sup> President Nixon has said: "If we are less strong than necessary . . . there will be no domestic society to look after." The President's Report, Feb. 18, 1970, p. 10.

<sup>71</sup> *New Trends in Kremlin Policy*, Center for Strategic and International Studies, Georgetown University, Aug. 1970, p. vi.

#### TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

During the decade 1960-70, the American National Red Cross, supported by voluntary contributions, spent \$145,974,200 for disaster services. In ministering to sufferers of Hurricane Camille alone, \$21,110,000 was expended.

#### FBI—POLITICAL WHIPPING BOY

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DEVINE. Mr. Speaker, last Wednesday in the other body the junior Senator from Maine made a startling revelation. The FBI, of all things, has been "spying" on public meetings, mass public meetings, in fact.

The very thought of this situation boggles the mind. Thousands of people are gathered for the expressed purpose of conveying to the Government their concern about a matter. Speakers with various backgrounds and motives are vying for the attention of the TV, movie and still cameras and the many reporters from the different news media. Some even have aides passing out copies of their remarks to reporters to insure their every word attracts attention. Many of them crowd around the news media rep-

resentatives offering to be interviewed and anxiously trying in every way possible to attract attention.

Even a number of the spectators are moving around constantly in an effort to stay exposed to the cameras in the hopes their presence will be recorded at the meeting.

Into this throng walks a clean-cut young man—an FBI agent.

He is recognized. Immediately the speaker stops speaking. Spectators by the thousands cover their faces and flee. In a matter of moments this lone FBI agent has completely repressed this gathering of citizens exercising their constitutional rights to freedom of speech and freedom of assembly.

This horror must be stopped.

This is one of the Senators, who I am sure you all know wants to be President of these United States, says the way to do it is to create a Domestic Intelligence Review Board "to supervise the activities of all agencies of Government in this field."

Now I am sure the Senator has had enough experience with Government boards to know they function in a most cumbersome fashion. By the time such a board gets around to acting the FBI could repress public gatherings all across the country.

I think, Mr. Speaker, I have the solution. Let us quickly enact into law a prohibition against any employee of the FBI attending any public gathering. Think what a relief this will be to all the churches across the country, to the PTA, the Boy Scouts, the American Legion, the directors of the annual Fourth of July celebrations, the sponsors of the St. Patrick Day observances, and other similar gatherings.

Of course, we will have to go a step further. Some of those FBI agents are smart—some of them will take to reading the newspapers and watching the news programs on TV and filing intelligence reports from them. So we will also have to make it a violation of Federal law for any FBI employee to read a newspaper or watch television.

And while we are at it we most certainly must prohibit FBI personnel from sitting in the gallery of either the House of Representatives or the Senate. Think of all the spying they could do up there in the gallery. And to make certain we are totally protected from their spying we must make it a crime for any member of the FBI to ever have a copy of the CONGRESSIONAL RECORD. Just think of all the intelligence reports an enterprising FBI agent could compile from the RECORD.

Then, Mr. Speaker, there are a couple other avenues we have to close to make certain the FBI stops its repressive spying. We all know the FBI works very closely with other law enforcement agencies. Some of these policemen assigned to control the crowds, to protect against pickpockets, to guard against violence are bound to talk to their FBI friends. So we must make it a Federal crime for any member of a law enforcement agency to be present at any public gathering.

Now Mr. Speaker, there is one phase of this problem which I am not quite cer-

tain I have solved. A lot of Americans think it is their patriot duty, even privilege, to furnish the FBI information about subversive and criminal activities. But I do not know how we can pass a law to forbid a plain citizen from going to a public gathering—I am sure the Supreme Court would frown on such a law. But perhaps we could make every person attending any public gathering sign an oath that he will not at any time discuss with any FBI agents what was said or done at this meeting.

There is, of course, the possibility that some FBI agent will go to court and contest this law. FBI agents, after all, are citizens. But I am certain the junior Senator took this into account last Wednesday before he made his speech implying that FBI agents should not be allowed to attend public gatherings. After all, he is one of the foremost protectors of the rights of all, so I am sure he must have already found through research that FBI agents can legally be denied their right to attend public meetings, and if they like, to take notes. It really would be a shame to exclude FBI agents from the struggle against pollution, however; for I know several who are actively involved in combating this menace to our society, involved through action, not rhetoric.

Mr. Speaker, the junior Senator from Maine also raised the question of invasion of privacy in his speech last Wednesday. I will agree with him the privacy of some people was invaded—the privacy of those individuals named in the FBI report which the Senator made public to all the world. Of course, the local news media did not publicize the names of all the persons mentioned in the FBI report. Neither the Evening Star nor the Washington Post made any reference to the information contained in the FBI report about Rennie Davis, one of this Nation's most notorious rabble rousers who has been convicted in the Federal court in Chicago for conspiracy to violate the Federal antiriot law. His presence alone as a speaker at the Earth Day Rally on April 22, 1970, was ample reason for the FBI to be present. The FBI report devoted more space to his activities and comments than any one else, but the Senator and the two leading local newspapers somehow missed this.

But we must do something to protect persons named in FBI reports from having their privacy invaded by ambitious politicians and newspapers which act as fences for stolen documents and spread this confidential information over the entire world. I therefore propose, Mr. Speaker, that the FBI be required to prepare all its reports in code so that future leaks of these reports cannot be used to invade the privacy of our citizens.

#### YOUTH APPRECIATION WEEK

(Mr. JONAS asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. JONAS. Mr. Speaker, we all share the concerns expressed in our society regarding the views, habits, and actions of

today's youth. It is not my intention today to enumerate and recite the specific differences which separate the generations. I would suggest that the "gap" may not be as wide as some indicate, nor is it as unbridgeable as some suggest.

Furthermore, I would propose that more constructive efforts be made to minimize existing misunderstandings—to seek a common ground, and an atmosphere of mutual respect necessary for our society to meet the challenges of a changing world.

To this end, I am happy to call attention to the dedicated efforts of a group within our society which has been building bridges of understanding between adults and youth for nearly two decades. Optimist International, a mens' service club organization and dedicated to serving and providing opportunities of service to youth have, since 1954, sponsored Youth Appreciation Week—the second week in November of each year.

Since its modest beginning in North Carolina by a small group of Optimists in the winter of 1954, Youth Appreciation Week has grown to become an important activity in communities served by a large majority of the 3,000 Optimist clubs. Its stated objectives are:

To recognize the accomplishments of youth in the home, school, church, and community;

To promote more active participation by members of families in the interest and activities involving the family as a unit; and to encourage parents to rededicate themselves to the responsibilities of parenthood;

To encourage organizations and other groups to publicly show their respect for youth;

To encourage the news media to recognize the accomplishments and contributions of youth through regular and special features;

To provide the proper environment for youth, including opportunities for participation in recreational and social activities;

To focus attention on the influence religion and morals have on the lives of youth and to encourage youths to actively participate in spiritual activities;

To encourage a greater interchange of ideas between adults and youth leading to a broader understanding of each other's problems.

In the 16 years since the beginning of this observance, Governors of many of our States and mayors in hundreds of communities—large, medium and small—throughout the United States, proclaimed the second week in November as Youth Appreciation Week.

Contrary to the popular viewpoint that the news media tends to ignore the good qualities of young people, broadcast and printed response to Youth Appreciation Week has been overwhelming. Well that it should be—for there has never been a more urgent need for publicizing the positive accomplishments and the good citizenship records of a majority of our youth. Youth Appreciation Week, through its observance, is more than just another superficial, publicity-related program. It does not project a "pollyanna" image of good little boys and girls

marching in adult-dictated lockstep into adulthood. It projects the image of bright young men and women with plans for tomorrow, taking the route of work, school, community service, developing meaningful ideas—successfully battling handicaps, overcoming obstacles.

For this continues to be the true image of the majority of our youth today as it has been in past years. We must be mindful of this perspective as we view the bizarre reports of the youthful extremists.

Therefore, I am today offering a resolution which authorizes the President of the United States to proclaim the second week of November of each year as Youth Appreciation Week. It is my belief that the observance of this week, with appropriate activities in communities throughout our country, can be of beneficial assistance in bridging the gap between our generations.

The resolution reads as follows:

**SUGGESTED JOINT RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF AN ANNUAL YOUTH APPRECIATION WEEK**

Whereas, a vast majority of the youth of our nation are constructive, responsible citizens, vitally concerned with the present and the future, willing and desirous to act in service and to the benefit of all mankind, and Whereas, these actions and achievements of our youth, too often, are overlooked by the adult community in the hurried pace of today, and

Whereas, greater understanding between our generations will require acknowledgement of the constructive actions and responsible characteristics of our young people, now therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the seven day period beginning on the second Monday in November in each year is hereby designated as Youth Appreciation Week, and the President is requested to issue annually a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

**SETTING THE RECORD STRAIGHT ON CONSUMER MATTERS**

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HOLIFIELD. Mr. Speaker, I want to set the record straight on certain matters related to consumer legislation and investigations by the Committee on Government Operations. Several Members have expressed to me their concern that our committee may be neglecting or downgrading consumer affairs on the basis of allegations made by Ralph Nader and reported in the press. Mr. Nader sent a letter which was delivered to my office on Friday, March 19, about 6:30 p.m., after it had been distributed to the press. Without consulting me or waiting to hear both sides of the issue, he charges me with bad faith and improper motives in regard to certain internal committee actions.

Mr. Nader is a dedicated young man who has been doing great work for the consumer. He seeks no profit for himself, possibly not even glory, but he does seek publicity; for he knows that without publicity his power and influence will be small. Mr. Nader has been an effec-

tive advocate because of his single-mindedness in pursuing an issue, but in this case that narrow perspective led him to an erroneous conclusion. It is that the only factors which influence an organizational decision are those which concern him. This is why, undoubtedly, Mr. Nader ran to the press with his hand-out attacking me for not organizing the Committee on Government Operations in the way which he would prefer. It appears that Mr. Nader not only wants to be an expert on consumer affairs but an expert on the organization of the committees of Congress.

I have served in the U.S. House of Representatives continuously for 28 years. My record in support of progressive legislation for the consumer, the worker, the small businessman, minorities—for the less privileged in our society—speaks for itself. I was fighting in Congress for the public interest before Mr. Nader was out of grade school. So, I need not explain or justify my congressional actions to Mr. Nader. However, I believe I owe an explanation to my colleagues, some of whom are understandably confused by Mr. Nader's charges and possibly by editorials and letters written by persons interested in consumer affairs.

The first point I want to make clear to Members of the House is that the Committee on Government Operations will hold hearings and report on consumer legislation early in this session. The hearings were announced long before Mr. Nader dashed off his letter to the press. In fact I met with the Speaker early in February at which time a public announcement was made about hearings on consumer legislation. The hearings are scheduled to commence April 27, 1971.

The Members will recall that last year our committee reported out a consumer bill—H.R. 18214. It was sponsored by Mr. ROSENTHAL and cosponsored by 24 other Members including myself. As then acting chairman of the Committee on Government Operations, I requested a hearing on the bill before the Rules Committee. I appeared before the committee with other Members, including the gentleman from New York (Mr. ROSENTHAL), and argued strongly that a rule be granted on the consumer bill. A motion to grant the rule was defeated by a tie vote, as the Members may recall. The consumer bill, H.R. 18214, died with the 91st Congress.

Now we are in the 92d Congress, and as far as I am concerned, as far as my committee is concerned, and as far as the Speaker and the majority leadership is concerned, consumer legislation is a high priority matter. I introduced H.R. 16 on January 22, 1971, the second day of the 92d Congress. H.R. 16 is a new bill embodying the basic provisions of the predecessor bill, with improving amendments recommended last year in committee. The low number of the new consumer bill signifies the promptness with which I moved to get it into the legislative hopper.

I should note that there are several consumer bills which have been referred to the Committee on Government Operations. My bill calls for an independent Consumer Protection Agency and an Office of Consumer Affairs in the Executive

Office of the President. Several other members of the committee are proposing a bill which would make the Federal Trade Commission, rather than a new independent agency, the primary source of consumer protection. We will hold hearings on these several measures, right after the Easter recess, as I mentioned earlier. I am confident that constructive consumer legislation will be reported out in a timely way.

The next point that needs clarification is our committee's internal organization for handling legislation and investigative matters of consumer interest. The main point to keep in mind here is that the Committee on Government Operations divides its workload through subcommittee assignments. All departments, agencies and other Federal Government instrumentalities are divided up among the subcommittees for purposes of legislative oversight and investigative jurisdiction within the terms of our committee charter. As the Members know, the Committee on Government Operations is charged, among other things, with examining the operations of the Federal Government at all levels to determine economy and efficiency. Our jurisdiction, it should be understood, is oriented toward Government operations, not toward the private sector or non-Government activities as such. There are other committees of the Congress which have legislative jurisdiction in these fields.

In the field of consumer affairs, our committee acquires legislative jurisdiction primarily because we are asked to create a new organization or function of government. Our investigative jurisdiction derives from the fact that there are agencies of government which involve consumer interests or affairs; and if and when a new Consumer Protection Agency is established, our committee will have jurisdiction to monitor its work.

The Members should understand that the Committee on Government Operations never has had a Subcommittee on Consumer Affairs, but through its several subcommittees, has done some outstanding work of interest to consumers. For example, the Subcommittee on Intergovernmental Relations, chaired by the gentleman from North Carolina (Mr. FOUNTAIN) has been very active in monitoring the Food and Drug Administration and the operations of other departments and agencies within its assigned jurisdiction which vitally affect consumer interests. Preparatory to the development of a consumer agency bill, the Special Studies Subcommittee also conducted important investigations in this field.

Since I have been charged with abolishing a subcommittee which never formally existed, I believe it will be helpful if I explain, in rather precise detail, the sequence of events attending this whole matter.

In the 90th Congress, in view of the developing interest in consumer legislation, Chairman Dawson of the Committee on Government Operations constituted what he termed a special consumer inquiry as a component of the Subcommittee on Special Studies. Mr. Dawson himself chaired the Special Studies Sub-

committee in the 90th Congress. A member of that subcommittee, the gentleman from New York (Mr. ROSENTHAL) was made the head of the special inquiry unit.

In an organizational sense, perhaps this was overly complicated, since there was confusion in the press and elsewhere as to who constituted the chairman of which group. Mr. ROSENTHAL was an active leader of the consumer inquiry, and he received much favorable press attention. He was not the chairman of a subcommittee, but because of the unusual arrangement within the Special Studies Subcommittee, it was widely believed that Mr. ROSENTHAL's group was itself a subcommittee. An outgrowth of the Rosenthal investigations and hearings was a bill to establish a Department of Consumer Affairs.

In the 91st Congress, the gentleman from Connecticut (Mr. MONAGAN) became chairman of the Special Studies Subcommittee. The Special Consumer Inquiry was not formally reconstituted by Chairman Dawson, but consumer affairs was carried as a subject matter within that subcommittee's assigned jurisdiction. Mr. MONAGAN had an arrangement by which special studies, in two particular situations, were to be directed, respectively, by the gentleman from New Jersey (Mr. GALLAGHER) in the field of governmental activities affecting invasion of privacy, and by Mr. ROSENTHAL in the field of governmental activities involving consumer affairs. This was an arrangement between the chairman of a subcommittee and two of its members. It was as you can well understand, a rather awkward arrangement because three members of a single subcommittee appeared to be chairmen of separate subcommittees when in fact there was but one Subcommittee for Special Studies.

Early in 1969, Mr. ROSENTHAL and others introduced a bill—H.R. 6037—to establish a Department of Consumer Affairs. After much study and consideration, this proposal was shaken down into one for an independent Consumer Protection Agency—H.R. 18067—which Mr. ROSENTHAL introduced with a number of cosponsors including myself. The bill was assigned for hearings to the Subcommittee on Executive and Legislative Reorganization under the chairmanship of the gentleman from Minnesota (Mr. BLATNIK). That subcommittee received and handled all legislation involving reorganization plans and bills, and H.R. 18067 was assigned to the Blatnik subcommittee for that reason. Mr. ROSENTHAL and I both were members of that subcommittee and we participated in hearings on the bill.

The Committee on Government Operations reported out H.R. 18214, a "clean bill" substitute for H.R. 18067, on July 30, 1970. It was this bill, as I mentioned earlier, which was held up in the Committee on Rules and expired with the 91st Congress.

In the 92d Congress I became chairman of the Committee on Government Operations. Mr. BLATNIK resigned from the committee to take the chairmanship of the Committee on Public Works. The Subcommittee on Military Operations, which I formerly chaired, was combined with the Subcommittee on Execu-

tive and Legislative Reorganization and is now termed the Subcommittee on Legislation and Military Operations. That subcommittee will hold hearings and report out a consumer agency bill.

When and if the Congress completes action on this bill and it becomes law, then the Consumer Protection Agency will be assigned to a subcommittee for purposes of legislative oversight and investigation. In the meantime, the Members may be assured that the Committee on Government Operations will continue to monitor, and investigate as required, the operations of the Federal Government.

It should be clear to the Members from this recital that there is no justification whatever for charges that the Committee on Government Operations is letting down the consumer, or that its chairman is indifferent to consumer affairs, or that he has "sold out" to interests opposing a consumer protection agency, as Mr. Nader alleges or implies. For the sake of orderly procedure and efficient conduct of committee business, we have to keep the number of our subcommittees within reasonable limit, to channel legislation to the subcommittees of assigned jurisdiction, and then when legislation is enacted creating a new agency, to assign oversight and investigative responsibility to the appropriate subcommittee. This is the way I have gone about organizing the internal activities of the Committee on Government Operations, because it makes sense, it accords with efficient practices and procedures, and it will end some unnecessary confusion about who is chairman of what subcommittee.

#### AN ALTERNATIVE FOR WELFARE REFORM—IN SUPPORT OF H.R. 6004

(Mr. ULLMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ULLMAN. Mr. Speaker, when I introduced my Rehabilitation, Employment Assistance, and Child Care Act of 1971, I explained why it, rather than the administration sponsored family assistance plan, pointed out the true road toward welfare reform. I emphasized that the essential ingredient of a real reform is to ensure that welfare is limited to those that are in need and cannot help themselves; that those who can help themselves need not welfare but work, both for their own sake and for society's sake. The welfare system undermines the spirit of independence; and welfare reform must foster and encourage it, not weaken it.

That essential ingredient—the commitment to fostering the spirit of independence—has been my blueprint in drafting the bill. In brief, the bill provides that all applicants for welfare will be screened by the U.S. Department of Labor to determine whether or not they are employable. Only those who are found to be incapable of employment and incapable of being trained for employment will be eligible for welfare; all the employables will be ineligible for welfare and become a Federal responsi-

bility. The bill provides for a new Federal Child Care Corporation to provide quality child care both to enable mothers to go to work and to assist in the development of the children. It provides training and job opportunities both in the public and the private sector, through a public service employment program and through tax incentives to businessmen, so that all those found employable can actually be placed in jobs. The bill has a single over-riding purpose—to limit the welfare rolls to those who cannot provide for themselves and their families, and to provide opportunities for self-help to those who can.

There are few in this Chamber or in this country that would disagree with this objective but, as we all know, agreement on objectives does not necessarily mean agreement on the means for implementing that objective. The President's message on welfare reform sent here over 18 months ago spoke eloquently of work incentives and moving people from welfare to workfare—but the bill that he sent us provided work disincentives instead of work incentives and provided for a doubling of the welfare rolls rather than for the reduction that we all want to see.

It is easy, Mr. Speaker, to praise your own bill and to promise that it will lead us straight to the Promised Land and then to laugh at the promises made by supporters of another bill. The welfare problem that we have today is matched in its size only by its complexity; it did not appear at the stroke of a pen nor will it disappear by the enactment of a law. But it is a problem which has been exacerbated by existing law and we must be sure that any new laws that we enact point in the direction of its solution and not away from it. I want to examine in some detail why my bill does this and why the administration bill are completely different—I believe the answers in my bill point us in the right direction while the administration bill, even as it is being modified in the Committee on Ways and Means, does not.

There are, I would say, three critical questions to which we need to address ourselves when we think of welfare reform in terms of fostering the spirit of independence: What do we do with people who are in need but are able to work? How can we help the needy get jobs? And what do we do about those who are working full-time but are still in poverty? The answers to these questions in my bill and in the administration bill continue or even accentuate the errors of the past.

First, what should be our approach to the needy family in which the mother is able to work, either with or without training? Under present law that mother is eligible for welfare; after she is receiving her welfare checks she may, subject to the vagaries of State law, be referred to the Department of Labor and, if that Department finds her a job which she refuses to take, she then can be disqualified from welfare. The administration bill continues the same system of welfare first and jobs second. My bill has the opposite approach—those who are

employable are not eligible for welfare. They become the responsibility of the Department of Labor and never get into the welfare system. We have tried the system of putting people on welfare and then trying to get them off; it hasn't worked in the past and I have no reason to believe it will work in the future.

The administration bill contained some improvement in the present system; it made referral to the Labor Department a matter of Federal rather than State law and the committee has gone a step further by having payments to persons referred to the Labor Department made by that Department rather than HEW. This may sound as though it is like my bill in that employables become a responsibility of the Labor Department—but it is not for two very important reasons: first, those referred to the Labor Department still get welfare checks under welfare rules and probably made out by the welfare agency unless the Labor Department sets up a duplicate payment unit. Second, those referred to the Labor Department are really not the employable at all, they are those that are required to register under a set of rules in the bill. For example, a woman with three children in a community with no child care facilities available, is sent to the Labor Department—but she cannot be sent to a job. The result will be that the Labor Department will set ever new records in what it now calls "holding"—welfare recipients for whom it can do nothing except give them a check. Whether welfare checks come from one department or another makes no great difference—they undermine the spirit of self-sufficiency just as much whether they are signed "Labor" or "HEW."

Under my bill, the employables do not get welfare checks. If they cannot be placed in jobs or in training for which a wage is paid, they are put into training carrying a training allowance which is based on the average weekly wage in that State. The training allowance is related to what they will earn after training—not to the welfare check. Further, if the Labor Department finds itself paying allowances to people that it cannot train for a job, it must report immediately to the Congress and request the necessary funds to increase the number of public service jobs.

Let me turn now to what we do for the needy who are employable. The administration bill for all practical purposes repeats existing law by directing the Labor Department to run a training program and HEW to provide child care. There are a few changes in the details of the provisions but the structure remains the same—the same as the present system under WIN which has provided neither training nor child care. The committee has improved the bill by providing some commitment to public service employment but even with this improvement the approach is inadequate, to say the least.

If present law and the administration bill are inadequate, what do we need to do? First and most important we need to do something about child care. The lack of adequate child care is the greatest single obstacle to the employment of the

women on welfare; the provision of quality child care is the most productive investment that we can make not only in providing employment opportunities but also in providing opportunities for children to break out of the cycle of dependency. The present system of providing child care has simply not done the job. We have a shortage of care and yet HEW is unable to spend the money that they request and have had appropriated. What is lacking is not money—but the ability, energy, and dedication to get the job done. That is why my bill establishes an entirely new mechanism—a Federal child care corporation—with the single task of assuring that this vital need is met. Child care will be supplied free to the poor, thus not only enabling them to get work but also providing a valuable in-kind subsidy; it will be available on a sliding fee scale to those earning above the poverty level.

Second, we must not just establish another training program. We tried that in the 1967 amendments which established the WIN program. We must instead insure that all Federal and federally assisted training and employment programs give priority to those in need; then, we must build on to the existing programs, not just add one more categorical program to the too many programs we have already. But training programs are no use if they do not lead to jobs—where there are no jobs, we must create them. We must create job opportunities in the private sector and my bill does this through a system of tax incentives for employers who hire the needy and retain them in employment. My bill also provides new jobs in the public sector through a public service employment program which is expanded as the need for it increases.

In addition, my bill provides for a work expense allowance as strong incentive to go to work. The cost of transportation and other outlays that must be made to hold down a job are real, and can act as an important deterrent to seeking a job. This allowance is limited to a flat \$60 per month, and its disbursement will be strictly controlled. The employer will, in effect, act as the controller by reporting the number of days that the employee actually works during the month to the Federal Government before payment is made. If the employee does not show up full time for work, he will not get his full expense allowance. If the absenteeism of an employee runs to excess, he will receive none of his work expense allowance.

So far I have concentrated on what my program and the administration's program do for what is essentially the existing AFDC category—the families in need with no father present in the home or with the father unemployed. The administration bill not only does not reduce this welfare population, it adds to it; in fact, it more than doubles it by putting those who are regularly employed onto the welfare rolls. This is, it is true, a real change from the present system—but it is, I insist, a change in the wrong direction. We do not solve the welfare problem, we cannot foster the spirit of self-reliance, by multiplying the number of those we place in dependency. Under the

administration's original proposal, every family of four which earned less than \$3,920 a year would have been eligible for a welfare check; under the revisions being considered in the committee that a four-person family could earn about \$4,300 before the welfare check was cut off. I do not have figures on how many people in each State will be put on welfare by this provision; but I ask each of you to find out what percentage of the population in your State will be eligible for welfare checks if this proposal is enacted—and if you get the answer, the proposal will not be enacted.

The answer to the problem of those who work but are nonetheless poor is not to put them on welfare. What we want to do is to encourage self-sufficiency and not dependency—we do not do that by putting the working poor on welfare—but we also do not do it by refusing to recognize their problem. My bill recognizes the problem but not through welfare checks. Instead, it provides a work expense allowance so that the poor do not have to use their earnings for the costs of going to work; so that they do not have to pay a penalty for working. Second, it provides free child care for the working poor—this is both a valuable addition to their earnings and a valuable assistance to the development of their children. Third, it recognizes that those who work to achieve self-support are not to be treated as wards of the State who cannot look after themselves, it therefore authorizes those who work, to get the cash equivalent of the food stamp bonuses that they would otherwise be entitled to.

So far I have talked about welfare reform as it affects the individual on welfare and the best approaches to limit the welfare rolls to those who are incapable of self-support. But the welfare crisis is not only a multitude of human problems; it is also a crisis affecting Federal, State, and local finances and a problem in Federal-State relationships. Under present law, the States and the Federal Government share the cost of the AFDC program and the Federal Government bears the entire cost of the food stamp program. Under the administration's bill, as modified by the committee, the Federal Government would bear the entire cost of the first \$2,400 a year payment to a family of four—and the State would bear the entire cost of any additional payment including any payment in lieu of the food stamp bonus. In other words, as far as Federal action is concerned, we will double the welfare payment in Mississippi and cut it in half in New York.

I do not think that we should federalize and turn the food stamp program over to the States at the same time. The proper division of responsibility between the Federal and State governments is not in payments above or below a certain amount—it is in the functions that they should fulfill. Under my bill the States remain responsible, with a Federal cost sharing, for those who cannot help themselves—the Federal Government will take over full responsibility for all those that are found employable. The condition of the economy and the pro-

vision of jobs has long been recognized as a Federal responsibility and I believe the time has come to implement that responsibility by recognizing the Federal responsibility for all those who are able to work. Welfare for those who cannot work should remain, as it always has been, a State and local responsibility. Recognizing that the fiscal relief for the States that will come from this assumption of Federal responsibility will take some time; my bill provides for interim revenue sharing to help the States and cities meet their immediate fiscal crisis.

Welfare reform is a goal that unites us all; no one likes the present system. There is almost as much agreement that those who are able to work should, and that welfare should be paid only to those who cannot help themselves. But agreement on generalities does mean agreement on specific legislative proposals because the question is which legislative proposal will really implement the generality. I ask you to look at what is in the bills, not just at what people say about them. If you examine the reality and ignore the rhetoric, I think that you will find my bill, the Rehabilitation, Employment Assistance and Child Care Act of 1971 will move us in the direction of meaningful reform; the administration proposal will not.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. HICKS of Massachusetts (at the request of Mr. O'NEILL) for April 19 to 22, 1971, on account of official business.

Mr. SHRIVER (at the request of Mr. GERALD R. FORD), for the week of April 19, on account of official business.

Mr. CORBETT (at the request of Mr. GERALD R. FORD), for today and the balance of the week, on account of a death in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BOGGS, for 60 minutes, Thursday, April 22, 1971.

(The following Members (at the request of Mr. McKEVITT) to revise and extend their remarks and include extraneous material:)

Mr. COLLINS of Texas, for 30 minutes, April 20.

Mr. MILLER of Ohio, for 15 minutes, April 20.

Mr. HOGAN, for 15 minutes, today.

Mr. McCLOSKEY, for 15 minutes, today.

Mr. HOGAN, for 60 minutes, April 22.

(The following Members (at the request of Mr. SEIBERLING) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. DENT, for 30 minutes, on April 20.

Mr. GAYDOS, for 30 minutes, on April 20.

Mr. PRYOR of Arkansas, for 60 minutes, on April 21.

Mr. CORMAN, for 60 minutes on May 3.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN in two instances and to include extraneous matter.

(The following Members (at the request of Mr. McKEVITT) and to include extraneous matter:)

Mr. PEYSER in 10 instances.

Mr. BROOMFIELD in 10 instances.

Mrs. DWYER in five instances.

Mr. GUBSER.

Mr. VANDER JAGT.

Mr. WHALEN.

Mr. HUNT.

Mr. SPRINGER.

Mr. SCHMITZ in four instances.

Mr. McKEVITT in two instances.

Mr. FREY.

Mr. WYMAN in four instances.

Mr. LUJAN.

Mr. ESCH.

Mr. PIRNIE in two instances.

Mr. HOSMER in four instances.

Mr. REID of New York.

Mr. GUDE.

Mr. McEWEN.

(The following Members (at the request of Mr. SEIBERLING) and to include extraneous matter:)

Mr. BYRON in 10 instances.

Mr. FISHER in six instances.

Mr. ULLMAN in 10 instances.

Mr. JAMES V. STANTON.

Mr. ABBITT.

Mr. JACOBS.

Mr. EILBERG.

Mr. HUNGATE in two instances.

Mr. HEBERT in two instances.

Mr. ANDERSON of California.

Mr. RYAN in four instances.

Mr. VAN DEERLIN.

Mr. JOHNSON of California in three instances.

Mr. VANIK in two instances.

Mr. CELLER.

Mr. SLACK.

#### SENATE CONCURRENT RESOLUTIONS REFERRED

Concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 15. Concurrent resolution pertaining to the printing of additional copies of part I of the hearings before the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary; to the Committee on House Administration.

S. Con. Res. 18. Concurrent resolution authorizing the printing of additional copies of Senate Report 91-1548, entitled "Economics of Aging: Toward a Full Share in Abundance"; to the Committee on House Administration.

#### ADJOURNMENT

Mr. SEIBERLING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 20, 1971, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS,  
ETC.

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

553. A letter from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting the 1971 Annual Report of the Board, pursuant to section 201(c) of the Social Security Act, as amended (H. Doc. No. 92-87); to the Committee on Ways and Means and ordered to be printed.

554. A letter from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting the 1971 Annual Report of the Board, pursuant to section 201(c) of the Social Security Act, as amended (H. Doc. No. 92-88); to the Committee on Ways and Means and ordered to be printed.

555. A letter from the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund transmitting the 1971 Annual Report of the Board, pursuant to section 201(c) of the Social Security Act, as amended (H. Doc. No. 92-89); to the Committee on Ways and Means and ordered to be printed.

556. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting plans for various works of improvement prepared under the Watershed Protection and Flood Prevention Act, as amended, none of which involves a structure providing more than 4,000 acre-feet of total capacity, pursuant to section 5 of the act; to the Committee on Agriculture.

557. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Federal Crop Insurance Act, as amended; to the Committee on Agriculture.

558. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation for the Department of Agriculture for the food stamp program, Food and Nutrition Service, for fiscal year 1971, has been further reapportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

559. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report on the value of property, supplies and commodities provided by the Berlin Magistrate for the first two quarters of fiscal year 1971, pursuant to section 820 of Public Law 91-668; to the Committee on Appropriations.

560. A letter from the Assistant Secretary of the Interior, transmitting certification that an adequate soil survey and land classification has been made on the lands in the Jensen Unit, Initial Division, Central Utah project, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

561. A letter from the Deputy Assistant Secretary of Defense (Installations and Logistics), transmitting a report of Department of Defense contracts for military procurement negotiated under the authority of 10 U.S.C. 2304(a) 11 and 16, for the period July to December 1970, pursuant to 10 U.S.C. 2304 (e); to the Committee on Armed Services.

562. A letter from the Director of Civil Defense, Department of the Army, transmitting a report on property acquisitions of emergency supplies and equipment for the quarter ended March 31, 1971, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

563. A letter from the Acting Administrator of General Services, transmitting amend-

ments to the long-range disposal plan and to the draft of proposed legislation previously submitted to authorize the disposal of amosite asbestos from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

564. A letter from the Acting Administrator of General Services, transmitting an amendment to the long-range disposal plan which accompanied the previously submitted draft of proposed legislation to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

565. A letter from the Commissioner of the District of Columbia transmitting a draft of proposed legislation to amend the act entitled "An act to regulate the employment of minors within the District of Columbia"; to the Committee on the District of Columbia.

566. A letter from the Secretary of Health, Education, and Welfare, transmitting the Annual Report of the Department of Health, Education, and Welfare for fiscal year 1970; to the Committee on Education and Labor.

567. A letter from the Chairman, President's National Advisory Council on Supplemental Centers and Services, transmitting the third annual report of the Council; to the Committee on Education and Labor.

568. A letter from the Assistant Administrator for Legislative and Public Affairs, Agency for International Development, Department of State, transmitting a report comparing the fiscal year 1970 economic assistance program as presented to Congress with the actual program implemented during the fiscal year, pursuant to section 634(d) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

569. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to establish a revenue sharing program for rural development; to the Committee on Government Operations.

570. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize the payment of the expenses of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes; to the Committee on Government Operations.

571. A letter from the Secretary of the Interior, transmitting copies of all laws enacted by the Legislature of the Virgin Islands in its 1970 regular and special sessions, pursuant to section 9(g) of the Revised Organic Act of the Virgin Islands of the United States; to the Committee on Interior and Insular Affairs.

572. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

573. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend certain laws relating to Indians; to the Committee on Interior and Insular Affairs.

574. A letter from the Secretary of the Interior, transmitting copies of proposed extensions of two concession contracts for the provision of accommodations, facilities, and services for the public in Grand Canyon (North Rim) National Park, Ariz., Bryce Canyon and Zion National Parks, Utah, and Cedar Breaks National Monument, Utah, for the year ending December 31, 1971, pursuant to 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

575. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary

of the Interior to employ aliens in a scientific or technical capacity; to the Committee on Interior and Insular Affairs.

576. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for financing the economic development of Indians and Indian organizations, and for other purposes; to the Committee on Interior and Insular Affairs.

577. A letter from the Chairman, Indian Claims Commission, transmitting a report on the final conclusion of judicial proceedings in docket No. 13-N, *James Strong, Elmer B. Simonds, William Robert Warren, Margaret Arvold, Julia Potter, Betty Ann Nordwall, Stanley A. Nordwall, Edwin Carl Lerke, Jr., et al., as the representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, Plaintiff v. The United States of America, Defendant*, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

578. A letter from the Chairman, Indian Claims Commission transmitting a report of the final conclusion of judicial proceedings in docket No. 18-G, *Red Lake Band, et al., Plaintiffs, v. The United States of America, Defendant*, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

579. A letter from the Acting Chairman, Indian Claims Commission, transmitting a report on the final conclusion of judicial proceedings in docket No. 27-C, *The Delaware Tribe of Indians, Plaintiff, v. The United States of America, Defendant*, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

580. A letter from the Administrator, Environmental Protection Agency, transmitting the environmental impact statement for the draft of proposed legislation submitted February 17, 1971, to control the generation and transmission of noise detrimental to the human environment, and for other purposes, pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969; to the Committee on Interstate and Foreign Commerce.

581. A letter from the Attorney General, transmitting his Annual Report for fiscal year 1970; to the Committee on the Judiciary.

582. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend titles 5, 10, and 32, United States Code, to authorize the waiver of claims of the United States arising out of certain erroneous payments, and for other purposes; to the Committee on the Judiciary.

583. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according to certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

584. A letter from the Tulsa Regional Solicitor, U.S. Department of the Interior, transmitting a copy of the decision on appeal in the matter of the heirship determination of Pelagie Gonvil Franceour de Aubri, deceased halfbreed Kaw allottee, pursuant to 82 Stat. 1420; to the Committee on the Judiciary.

585. A letter from the Tulsa Regional Solicitor, U.S. Department of the Interior, transmitting a copy of the decision on appeal in the matter of the heirship determination of Basil Joncas, deceased halfbreed Kaw allottee, pursuant to 82 Stat. 1420; to the Committee on the Judiciary.

586. A letter from the Tulsa Regional Solicitor, U.S. Department of the Interior, transmitting a copy of the decision on appeal in the matter of the heirship determination of James Joncas, deceased halfbreed Kaw allottee, pursuant to 82 Stat. 1420; to the Committee on the Judiciary.

587. A letter from the Tulsa Regional Solicitor, U.S. Department of the Interior, transmitting a copy of the decision on appeal in the matter of the heirship determination of Josephine Gonvill Pappan, deceased half-breed Kaw allottee, pursuant to 82 Stat. 1420; to the Committee on the Judiciary.

588. A letter from the Acting Chief Commissioner, U.S. Court of Claims, transmitting copies of the opinion and findings of fact in the case of *Stephen H. Clarkson v. The United States*, pursuant to 28 U.S.C. 1492 and 2509, and House Resolution 1216 of the 90th Congress; to the Committee on the Judiciary.

589. A letter from the national director, Boys' Clubs of America, transmitting a annual report and financial statement of the Boys' Clubs of America, pursuant to Public Law 988, 84th Congress; to the Committee on the Judiciary.

590. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting plans for various works of improvement prepared under the Watershed Protection and Flood Prevention Act, as amended, each of which involves at least one structure which provides more than 4,000 acre-feet of total capacity, pursuant to section 5 of the act; to the Committee on Public Works.

591. A letter from the Administrator, Environmental Protection Agency, transmitting the comments of Federal agencies and departments on the legislative proposals of the Environmental Protection Agency for water pollution control, pursuant to section 102(2) (c) of the National Environmental Policy Act of 1969; to the Committee on Public Works.

592. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report of the proposed transfer of research and development funds appropriated to NASA in fiscal year 1971 to the construction of facilities appropriation, for the construction of an addition to the Data Reduction Center, Ames Research Center, Moffett Field, Calif., pursuant to section 3 of the NASA Authorization Act, 1971; to the Committee on Science and Astronautics.

593. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a copy of the Commission's report on Fundamental Nuclear Energy Research—1970, supplementing the Commission's 1970 Annual Report; to the Joint Committee on Atomic Energy.

#### RECEIVED FROM THE COMPTROLLER GENERAL

594. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Student Loan Insurance Fund for fiscal year 1969; Office of Education, Department of Health, Education, and Welfare (H. Doc. No. 92-90); to the Committee on Government Operations and ordered to be printed.

595. A letter from the Comptroller General of the United States, transmitting a report on improvements being made in the controls over Government testing equipment acquired by contractors, Department of Defense; to the Committee on Government Operations.

596. A letter from the Comptroller General of the United States, transmitting a report that improved financial administration and revision of fees are needed in the consular services program of the Department of State to the Committee on Government Operations.

597. A letter from the Comptroller General of the United States, transmitting an assessment of the impact of the Teacher Corps program at the University of Miami, administered by the Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

598. A letter from the Comptroller General of the United States, transmitting a report on measures needed in the Departments of the Army and Navy to insure compliance with contract specifications in construction of military facilities; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

[Pursuant to the order of the House on April 7, 1971, the following report was filed on April 15, 1971]

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 5208. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; with amendments (Rept. No. 92-124). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on April 7, 1971, the following report was filed on April 15 1971]

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 6479. A bill to provide for the licensing of personnel on certain vessels (Rept. No. 92-125). Referred to the Committee of the Whole House on the State of the Union.

[Submitted April 19, 1971]

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 5066. A bill to authorize appropriations for fiscal years 1971, 1972, and succeeding fiscal years to carry out the Flammable Fabrics Act, as amended; with amendments (Rept. No. 92-126). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California:

H.R. 7463. A bill to protect seals from being pursued, harassed, or killed; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BARING:

H.R. 7464. A bill to amend the Vocational Rehabilitation Act to increase the minimum State allotments provided for therein; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 7465. A bill to amend the Internal Revenue Code of 1954 to require the consent of the taxpayer concerned before a person who prepares a taxpayer's income tax return may use or disclose for other purposes any information furnished for the preparation of such return; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 7466. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 7467. A bill to amend article 52 of the Uniform Code of Military Justice to require the concurrence of all members of a court-martial to convict any person of violating a punitive article under such code; to the Committee on Armed Services.

H.R. 7468. A bill; National Public Employee Relations Act; to the Committee on Education and Labor.

By Mr. EDWARDS of California:

H.R. 7469. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, opera-

tion, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. EVANS of Colorado:

H.R. 7470. A bill to incorporate Retired Enlisted Association, Inc.; to the Committee on the Judiciary.

By Mr. GALIFIANAKIS (for himself, Mrs. ABZUG, Mr. ADAMS, Mr. BOGGS, Mr. TEAGUE of California, and Mr. WHITEHURST):

H.R. 7471. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H.R. 7472. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs, produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

H.R. 7473. A bill to provide for the mandatory civil commitment of certain narcotic addicts, to provide for more facilities for treating, supervising, and controlling narcotic addicts, and for other purposes; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 7474. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 7475. A bill to amend the Internal Revenue Code of 1954 to allow a deduction, not in excess of \$600, for amounts paid to support a parent of the taxpayer who is totally disabled, blind, or 65 or more years of age; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 7476. A bill to amend the Wagner-O'Day Act to extend the provisions thereof to severely handicapped individuals who are not blind, and for other purposes; to the Committee on Government Operations.

H.R. 7477. A bill to protect ocean mammals from being pursued, harassed, or killed; and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 7478. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. HUNT (for himself and Mr. WYLIE):

H.R. 7479. A bill limiting the use of publicly owned or controlled property in the District of Columbia, requiring the posting of a bond for the use of such property, and for other purposes; to the Committee on Public Works.

By Mr. KEE:

H.R. 7480. A bill to suspend Federal financial assistance to the National Railroad Passenger Corporation until the Congress has approved the basic system of intercity rail passenger service designated by the Secretary of Transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 7481. A bill to amend the Rail Passenger Service Act of 1970 to require the Secretary of Transportation to include a route from Norfolk, Va., to Cincinnati, Ohio via Portsmouth, Petersburg, Lynchburg, and Roanoke, Va., and Bluefield, Welch, Iaeger,

Williamson, and Kenova, W. Va.; to the Committee on Interstate and Foreign Commerce.

H.R. 7482. A bill to provide an additional period of time for review of the basic national rail passenger system; to postpone for 6 months the date on which the National Railroad Passenger Corporation is authorized to contract for provision of intercity rail passenger service; to postpone for 6 months the date on which the Corporation is required to begin providing intercity rail passenger service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7483. A bill to amend the Rail Passenger Service Act of 1970 to reduce the amount a State, regional, or local agency may be required to reimburse the National Railroad Passenger Corporation for certain rail passenger service provided by the Corporation; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH (for himself and Mr. EILBERG):

H.R. 7484. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords; to the Committee on Ways and Means.

By Mr. PATTEN (for himself, Mr. DRINAN, and Mr. COLLINS of Illinois):

H.R. 7485. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. PEYSER (for himself, Mr. SCHEUER, Mr. Dow, and Mr. GOLDWATER):

H.R. 7486. A bill to repeal section 15 of the Urban Mass Transit Act of 1964, to remove certain limitations on the amount of grant assistance which may be available in any one State; to the Committee on Banking and Currency.

By Mr. RANGEL:

H.R. 7487. A bill to amend the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H.R. 7488. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; and for other purposes; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 7489. A bill to provide for the development of federally owned minerals; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, and Mr. LONG of Louisiana):

H.R. 7490. A bill relating to the construction of an oil pipeline system in the State of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, and Mr. KOCH):

H.R. 7491. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHEUER:

H.R. 7492. A bill to amend the Foreign Assistance Act of 1961 to provide for interna-

tional drug control assistance; to the Committee on Foreign Affairs.

By Mr. THOMSON of Wisconsin:

H.R. 7493. A bill to provide a Bureau of Adult, Vocational, and Technical Education in the Department of Health, Education, and Welfare, and to provide for an Associate Commissioner in such Department to manage such a Bureau; to the Committee on Education and Labor.

By Mr. VANIK:

H.R. 7494. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. WINN:

H.R. 7495. A bill to encourage States to establish abandoned automobile removal programs to provide for tax incentives for automobile scrap processing; to the Committee on Ways and Means.

By Mr. WYLIE (for himself and Mr. HUNT):

H.R. 7496. A bill to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to improve the protection of the right of privacy by defining obscene mail matters, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7497. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to improve the procedures by which the Postal Service may prevent the use of the mails to obtain remittances of money or property for obscene and other indecent matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROOMFIELD:

H.J. Res. 554. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. GUBSER:

H.J. Res. 555. Joint resolution designating the square dance as the national folk dance of the United States of America; to the Committee on the Judiciary.

By Mr. JONAS:

H.J. Res. 556. Joint resolution providing for the establishment of an Annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mr. WYATT (for himself and Mr. EVINS of Tennessee):

H. Con. Res. 265. Concurrent resolution; Joint Committee on Executive Impoundment of Funds; to the Committee on Rules.

By Mr. BROTZMAN (for himself and Mr. SPENCE):

H. Res. 386. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

114. By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, relative to setting aside additional acres from production; to the Committee on Agriculture.

115. Also memorial of the Legislature of the State of South Carolina, relative to the continuation of price supports and other aid programs to tobacco farmers; to the Committee on Agriculture.

116. Also, memorial of the Legislature of the State of South Carolina, relative to requiring that credit cards contain the addresses of persons to whom issued; to the Committee on Banking and Currency.

117. Also, memorial of the Senate of the State of Oklahoma, relative to maintaining sufficient armed forces in South Vietnam to insure release of American servicemen held as prisoners of war; to the Committee on Foreign Affairs.

118. Also, memorial of the Legislature of the State of Kansas, relative to the proposed reorganization of the functions of the Department of Agriculture; to the Committee on Government Operations.

119. Also, memorial of the Legislature of the State of New Mexico, relative to the transfer of vacant and unreserved public domain lands in New Mexico to the State; to the Committee on Interior and Insular Affairs.

120. Also, memorial of the Legislature of the State of Idaho, relative to regulations of the Department of Transportation classifying farm vehicles as commercial vehicles; to the Committee on Interstate and Foreign Commerce.

121. Also, memorial of the Senate of the State of Ohio, relative to the inclusion of the Ohio cities of Cleveland, Columbus, Toledo, Dayton, Cincinnati, Akron, and Youngstown in the Railpax system; to the Committee on Interstate and Foreign Commerce.

122. Also, memorial of the Legislature of the State of Connecticut, ratifying the proposed amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

123. Also, memorial of the Legislature of the State of Idaho, ratifying the proposed amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

124. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to allowing greater immigration to the people of Ireland; to the Committee on the Judiciary.

125. Also, memorial of the Legislature of the State of Michigan, ratifying the proposed amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

126. Also, memorial of the Legislature of the State of Mississippi, relative to declaring an official "Week of Concern" for American prisoners of war and those missing in action in Vietnam; to the Committee on the Judiciary.

127. Also, memorial of the Legislature of the State of Nevada, relative to amending the Constitution of the United States to prevent Congress from taxing interest in State evidences of indebtedness; to the Committee on the Judiciary.

128. Also, memorial of the Legislature of the State of Nevada, relative to bankruptcy laws; to the Committee on the Judiciary.

129. Also, memorial of the Senate of the State of New Jersey, relative to the taxation of New Jersey citizens who work in Pennsylvania by the Commonwealth of Pennsylvania; to the Committee on the Judiciary.

130. Also, memorial of the Legislature of the State of New Mexico, relative to the bombing of the U.S. Capitol; to the Committee on the Judiciary.

131. Also, memorial of the Legislature of the State of New Mexico, relative to law enforcement on Indian lands; to the Committee on the Judiciary.

132. Also, memorial of the Legislature of the State of Arkansas, relative to research in disposal or useful utilization of organic wastes; to the Committee on Public Works.

133. Also, memorial of the Senate of the State of Alabama, relative to textile imports; to the Committee on Ways and Means.

134. Also, memorial of the Legislature of



the State of New Mexico, relative to Federal-State revenue sharing; to the Committee on Ways and Means.

135. Also, memorial of the Legislature of the State of North Carolina, relative to textile imports; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 7498. A bill for the relief of Marco Viscogliosi; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 7499. A bill for the relief of Ricardo Musci, Carmala Musci, and Giovanna Musci, husband, wife, and minor child; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 7500. A bill to provide for the placement of Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, when retired, on the retired list in the grade of general; to the Committee on Armed Services.

By Mr. ARENDS:

H.R. 7501. A bill to provide for the placement of Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, when retired, on the retired list in the grade of general; to the Committee on Armed Services.

By Mr. O'NEILL:

H.R. 7502. A bill for the relief of Mariano Gerbaudo; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 7503. A bill for the relief of Giovanni Gusella; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 7504. A bill for the relief of Rafael Rueda-Lopez; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 7505. A bill for the relief of John Alexander Staine and his wife, Georgiana Melba Staine; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 7506. A bill for the relief of Tan J. I. Kie Sioe; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

57. By the SPEAKER: Petition of the Board of Commissioners, Salt Lake City, Utah, relative to clemency for Lt. William L. Calley, Jr.; to the Committee on Armed Services.

58. Also, petition of W. Grant Kilbourne, Pocatello, Idaho, relative to the price of imported sulfur from Canada; to the Committee on Ways and Means.

## SENATE—Monday, April 19, 1971

The Senate met at 11 a.m. and was called to order by Hon. JOHN V. TUNNEY, a Senator from the State of California.

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

Eternal Father, we thank Thee for this new day resplendent in the beauty of springtime, for work to do and strength with which to do it.

In these perilous days, we pray for a fresh anointing of the Divine Spirit in all our human endeavors. Spare us from mere idolatry of the past or from the chronic fondling of ancient myths. But help us to recover our pristine purpose and the early idealism of "one Nation under God with liberty and justice for all." Make us amenable to new ideas that are right. Give us a hospitality of mind and magnanimity of spirit toward those with whom we differ. Make us unafraid of the sacrificial way which is noble and good.

O Lord, grant Thy higher wisdom to our leaders and to the people which enables us to sort out the mixed motivations, to identify the partial truths from the whole truth, and to commit ourselves only to that which is holy and righteous. By Thy grace enable us to dwell together in the unity of the spirit and the bonds of peace.

In Thy holy name, we pray. 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., April 19, 1971.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN V. TUNNEY, a Senator from the State of California, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,  
President pro tempore.

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

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

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

(For nominations received today, see the end of Senate proceedings.)

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, April 15, 1971, be dispensed with.

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

#### THE STATUS OF APPROPRIATIONS LEGISLATION IN THE SENATE

Mr. MANSFIELD. Mr. President, now that the Easter recess is behind us and we are moving into the second quarter of the calendar year, we might take a look at where we stand in the legislative program. To date, 86 measures have been passed, including such items as a social security increase, unemployment assistance, Appalachian regional development, and the constitutional amendment on the 18-year-old vote.

With the help of the leadership on both sides of the aisle and the cooperation of the entire membership, major bills have been cleared about as fast as they have been reported and the calendar is up to date. Looking ahead, it would be my hope that this tempo can be maintained.

We can move no faster on the floor, of course, than bills and resolutions emerge from the committees which, I know, are hard at work. I would note, particularly, in the latter connection legislation which is keyed to the Federal budget. A great proportion of the Senate's work derives from that source. It is to be hoped that

authorization and appropriations bills, therefore, will be sent to the calendar by the committees as early as possible in the legislative year. Insofar as these measures are concerned, the timing obviously depends not only on the action of the House and the Senate committees but on that of the departments and agencies and the executive offices of the President.

Since we have yet to see a regular appropriations bill reach the Senate floor, and it is April 19 with the fiscal year beginning July 1, I think it is a good time to note that between 1964 and 1970, only six regular appropriations bills out of 73 became law prior to the beginning of the fiscal year for which they provided funds. In the 91st Congress, none were enacted prior to July 1. In some cases, enactment did not take place until we were 6 months or more into the fiscal year.

As has been noted time and again, there is, clearly, a need for procedural remedies in this situation and they are needed not only in the Congress. The distinguished senior Senator from Washington (Mr. MAGNUSON), for example, has for many years urged a change in the Federal fiscal year to equate it with the calendar year and to reorganize the congressional work accordingly. The matter has been raised on the floor and in caucuses. The joint leadership has encouraged consideration of the Magnuson and other new approaches.

It is to be hoped that appropriate committees will give this question attention during the current year. Whether from a commission, a Senate committee or special committee or a joint congressional committee, there is a serious need for specific and comprehensive recommendations—for legislation—to adjust the fiscal year to accord with the realities of the current budgetary process.

Responsibility for the delays in the authorizing-appropriating process rests in all branches of the Government. A substantial proportion of each year's budget—as much as 30 percent of the nontrust fund appropriations—depends on new authorizing legislation. That legislation, in turn, more often than not is