

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 7 January 1969

25X1 1. [redacted] Worked out with Robert Michaels, Staff
25X1 Assistant, House Appropriations Committee, plans for his visit to some
25X1 [redacted]

25X1 2. [redacted] William Woodruff, Assistant Chief
Clerk, Senate Appropriations Committee, informed me that Senator Russell
wanted to be certain that his Subcommittee received an Agency roundup
briefing before we briefed the Senate Foreign Relations Committee. Woodruff
wanted to be informed as soon as we had any indication that the Foreign
Relations Committee wished to schedule a briefing. He said Senator Russell
would be preoccupied with the Senate Rules debate next week (13-17 January)
but might like an Agency briefing the following week (20 - 24 January). In
any event however the Senator would want to be sure that his Subcommittee
heard from the Agency before we appeared before Senator Fulbright's
Committee.

25X1 3. [redacted] Met with Representative F. Edward
Hebert (D., La.) and advised him that [redacted] has
25X1A not filed the application for employment furnished him at the time of inter-
view and that we are now putting his file on the inactive list. Mr. Hebert
agreed that the file should not be kept open any longer and expressed
appreciation for our assistance in this case. [redacted]

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25X1A In conversation, Mr. Hebert advised that he will be returning to New Orleans
in March for an eye operation which will take him out of circulation for some
three months. For the first time in recent months, he seemed somewhat
optimistic about improving his eyesight.

25X1 4. [redacted] Met with Mr. J. R. Blandford, Chief Counsel,
25X1 House Armed Services Committee, and completed the appropriate documenta-
tion on two projects for which Secrecy Oaths had not been signed.

25X1 5. [redacted] Met with Mr. Frank Slatinshek, Counsel, House
Armed Services Committee, and briefed him on the security control systems
utilized in the protection of sensitive information and completed the appro-
priate Secrecy Oath. Mr. Slatinshek has recently been designated by the
Chairman to attend CIA Subcommittee briefings.

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25X1 6. [redacted] In response to his call, met with Mr. George Norris, Counsel, House Armed Services Special Subcommittee on Seapower, who requested a brief rundown on the current picture and forecast, both political and economic, of the country of Liberia. Chairman Charles Bennett (D., Fla.) is currently reviewing registration of commercial vessels and has noted in particular the disproportionate amount of tonnage flying the Liberian flag. DD/I has been advised.

25X1 7. [redacted] Spoke to Representative Michael Feighan, (D., Ohio), concerning the private bills for [redacted] 25X1A [redacted] which he had introduced in the last Session but which died at the end of the Session. Feighan said he would be glad to reintroduce the bills.

25X1 8. [redacted] Informed Roy Carlson, Administrative Assistant to Representative Julia Hansen (D., Washington), that [redacted] 25X1A [redacted] would be interviewed by our recruiter on 13 January. See Journal of 6 January.

25X1 9. [redacted] J. Sourwine, Senate Internal Security Subcommittee, called and said he understood that the Agency has prepared a study on Communist influence in radical student activities on a worldwide basis. He asked if it would be possible for him to read the study, and if so, if we could provide a briefer to brief him on the subject as his Subcommittee is planning to hold hearings on this subject during this session. I told him I would look into it and be back in touch with him.

25X1 10. [redacted] Bill Woodruff, on the staff of the Senate Appropriations Committee, called and said he had been going over some of our reserve letters for Senator Russell. In connection with the 16 December 1968 letter, he would like a breakdown of the figures for Vietnam and Laos. With respect to the 23 December letter, he would like further clarification regarding the sensitive project involved. He would like this information sometime tomorrow. I contacted [redacted] who is working on this. 25X1A

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25X1

11. [redacted] met with Mr. Robert Michaels, House Appropriations Committee staff, who advised after a final check with Mr. William Woodruff, Senate Appropriations Committee, that although Mr. Woodruff will not be able to get away from the city for at least two to three weeks longer, that he (Mr. Michaels) can be away from the Committee this week after Wednesday morning but will be unable to travel at a later date in the foreseeable future. The DD/S&T have been advised.

Also received from Mr. Michaels a receipt for classified documents forwarded to the Chairman on 23 December.

[redacted]

JOHN M. MAURY
Legislative Counsel

cc:
O/DDCI
Ex/Dir-Compt
EA/DDP
DD/I
DD/S&T
DD/S
Mr. Houston

25X1A

[redacted]
Mr. Goodwin
OPP
Item 3 - FBIS
Item 4 - DD/OCS

CONFIDENTIAL

Journal - Office of Legislative Counsel
Friday - 3 January 1969

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25X1 4. [redacted] In connection with Senator Ernest F. Hollings' (D., S.C.) earlier call to [redacted] OLC, for information on the World Anti-Communist League, accompanied [redacted] the Taiwan analyst of OCI, to a meeting with Senator Hollings and Michael Joy, his Legislative Assistant. Senator Hollings' interest stems from an invitation to attend a conference in Taiwan on 23 January in which the League is involved.

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25X1A The briefing went well, with Senator Hollings complementing [redacted] on his detailed knowledge of the subject. I stressed that the Government's position with respect to the World Anti-Communist League was not within the Agency's province. Mr. Joy had contacted Mr. Hart, of State Department, whose information and evaluation was similar to that given by [redacted]. Senator Hollings was grateful for our help and determined it to be in his best interest to decline the invitation.

25X1 5. [redacted] At the request of Garner J. Cline, Staff Director, Subcommittee on Immigration and Naturalization, furnished to him the name of [redacted] as the person in Radio Liberty to whom he could write a "thank you" letter.

25X1A

25X1 6. [redacted] Talked to Frank McNamara, House Committee on Un-American Activities, concerning the Committee's request for [redacted] to appear before the Committee. I noted that Chester Smith, General Counsel of the Committee had made the original request. McNamara was unaware that the request had been made and expressed some doubt that [redacted] could provide information of value to the Committee. He also stated that because of the lack of appropriations and a Committee agenda that he thought it unlikely that [redacted] could appear before the Committee prior to February. McNamara will check with Smith on this.

25X1A

25X1 7. [redacted] Met with Mr. Robert Michaels, House Appropriations Committee staff, who advised that neither he nor Mr. Woodruff, Senate Appropriations Committee, were able to set a time for possible travel to [redacted] next week. I will recheck with Mr. Michaels on Monday.

25X1A

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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 3 January 1969

25X1

1. [redacted] Fran Hewitt, on the staff of the Senate Appropriations Committee, called to say that he had a considerable amount of classified material to be destroyed and asked if we would assist (as we have in the past) by making our incinerator facilities available for this purpose. I told Hewitt we would be happy to cooperate with him and would make arrangements with him for this to be done next week.

25X1

2. [redacted] Jay Sourwine, on the staff of the Senate Special Subcommittee on Internal Security, called to say he wanted to be quite clear regarding our position on the [redacted] case.

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[redacted]

25X1C

25X1

3. [redacted] Attempted to see Mr. M. Albert Figinski, Chief Counsel, Senate Improvements in Judicial Machinery Subcommittee, in connection with Senator Tydings' letter to the Director on the Agency's cooperation with the U.S. courts on computerized translation of court reporter's notes. Mr. Figinski was unavailable and I will try to contact him Monday morning.

~~CONFIDENTIAL~~

SECRET

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25X1

8. [redacted] FI Staff, advised that a former staff agent has an appointment with a Member of Congress in the leadership to obtain his endorsement for a position with the new Administration. [redacted] is bringing this to the attention of the DDP and it was recommended that the Member of Congress be advised of the former Agency employment either directly by the individual or by this office.

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9. [redacted] In connection with recent legislation enlarging the scope of the Department of Defense dependent schooling program to include kindergarten instruction, spoke with Dr. Anthony Cardinale, Director for Dependents Education, Office of the Deputy Assistant Secretary of Defense, who advised that the funds for the program were appropriated in P. L. 90-580 and that the approval of the appropriation constituted approval of the program as reflected in the hearings on the DOD appropriations for fiscal 1969. This information was passed to [redacted] DDS.

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11. [redacted] Talked with Mr. Chester Smith, General Counsel, House Committee on Un-American Activities, and indicated that we were available to begin discussions with the HCUA staff regarding a possible appearance by [redacted] before the Committee in executive session. Mr. Smith said, since the Committee will have a new chairman and be reorganized, he would prefer to delay this until around the 15th of January. He will contact us at that time. It was agreed that if [redacted] should become anxious to make any public pronouncement before that time we would so advise the Committee.

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12. [redacted] Met with William Woodruff, Senate Appropriations Committee staff, and briefed him on the substance of a recent bulletin item having to do with the Soviet defense budget. Additional material on this is being prepared by OSR and will be made available to Woodruff at a later date.

SECRET

Senate Unit Defies Tradition, Leaves Aid Sum Up to Au

By FELIX BELAIR Jr.
Special to The New York Times

WASHINGTON, Dec. 16—The Senate Appropriations Committee defied tradition today and voted its approval of a foreign aid money bill whose level would be fixed by Senate and House conferees now considering the authorizing legislation. The committee adopted without change a total of \$2.13-billion recommended only an hour earlier by its Foreign Operations Subcommittee for the substantive economic and military aid programs in the current fiscal year ending June 30.

But the figure was arrived at in the interest of speed and subject to an understanding that it would be lowered before

coming to the Senate floor to whatever figure the conferees on the authorizing legislation may produce tomorrow.

It thus appeared that the appropriation on which the Senate would be asked to act would be about \$1.75-billion—about the same as Congress appropriated last year.

Conferees for the Senate and House reached tentative agreement earlier in the day on an authorization of \$1,644,525,000 for all economic aid categories. This was about \$561-million less than had been requested by President Nixon for helping less developed countries.

Authorizing legislation sets spending ceilings and fixes policies. Appropriation measures actually provide the money.

Traditionally, the Senate Appropriations Committee does not begin its markup process until both legislative branches have adopted the compromise agreement reached by conferees on the differences between the House and Senate versions of the authorizing legislation.

Eye on Recess

It was clear that the Appropriations Committee action was an effort to complete the appropriations agenda in time for the usual Christmas recess. President Nixon warned in a news conference recently that he would call Congress back into extra session the day after Christmas unless it completed all money bills and several legislative projects urged by the Administration.

The \$2.13-billion appropriation bill took the full committee less than an hour to approve. The subcommittee, headed for the first time this year by Senator Gail McGee, Democrat of Wyoming, held a single meeting on the bill earlier in the afternoon and completed its recommendations in two hours.

As ordered reported to the Senate, subject to the ceilings fixed by conferees on the authorizing legislation tomorrow, the money bill provided about \$1.7-billion of economic aid and about \$375-million for military aid grants. Also included in the measure was \$75-million to provide a reserve fund for the newly authorized Overseas Private Investment Corporation. This reserve fund was con-

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Authorization Conferees

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te enterprise initia-
Federal supplies for
g investment guar-
ram operated by the
r International De-
oney amounts ap-
economic aid pro-
the Senate Appro-
panel were \$486.4-
re than provided in
passed appropriation
but the group stripped
on from the military-

aid section of the House
measure.

This cutback included a total
disallowance of the \$54.5-mil-
lion voted in the House for a
down payment on a squadron
of F-4-D jet fighter planes for
Nationalist China. A further
cut of \$25-million in general
military aid funds by the Sen-
ate committee would have cut
the total for the purpose to
\$325-million.

But the panel then put back
into the money bill a \$50-mil-
lion House provision for addi-
tional military assistance to South
Korea. This item had been ap-
proved by the House but the
was stricken in the Senate au-
thorization measure.

REMEMBER THE NEEDiest!

McIntyre	Scott	Thurmond
Murphy	Smith, III.	Tower
Fackwood	Spong	Williams, Del.
Pastore	Stennis	Young, N. Dak.
Pearson	Stevens	
Prouty	Talmadge	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—5

Cook, for.	Metcalf, for.
Saxbe, for.	Mansfield, against.
Magnuson, for.	

NOT VOTING—10

Anderson	Mundt	Tydings
Cooper	Russell	Williams, N.J.
Jackson	Sparkman	
Miller	Symington	

So the amendment of Mrs. SMITH of Maine was rejected.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1969

Mr. NELSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3016.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Economic Opportunity Act Amendments of 1969".

TITLE I—EXTENSION OF AUTHORIZATION

SEC. 101. For the purpose of carrying out programs under the Economic Opportunity Act of 1964 for which there are no separate authorizations of appropriations in such Act, there are hereby authorized to be appropriated \$1,563,000,000 for the fiscal year ending June 30, 1970, and such amount as may be necessary for the fiscal year ending June 30, 1971.

SEC. 102. Sections 161, 245, 321, 408, 615, and 835 of the Economic Opportunity Act of 1964 are each amended by striking out "1967" and by inserting in lieu thereof "1969". Section 523 of such Act is amended by striking out "June 30, 1968, and the two succeeding fiscal years" and by inserting in lieu thereof "June 30, 1969, and the three succeeding fiscal years".

TITLE II—SPECIAL WORK AND CAREER DEVELOPMENT PROGRAMS

SEC. 201. Title I of the Economic Opportunity Act of 1964 is amended redesignating part E as part F, by renumbering section 161 (as amended by section 102 of this Act) as section 171, and by inserting after part D the following new part:

"PART E—SPECIAL WORK AND CAREER DEVELOPMENT PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 161. The Congress finds that the 'Operation Mainstream' program aimed primarily at the chronically unemployed and the 'New Careers' program providing jobs for the unemployed and low-income persons leading to broader career opportunities are uniquely effective; that, in addition to providing per-

sons assisted with jobs, the key to their economic independence, these programs are of advantage to the community at large in that they are directed at community beautification and betterment and the improvement of health, education, welfare, public safety, and other public services; and that, while these programs are important and necessary components of comprehensive work and training programs, there is a need to encourage imaginative and innovative use of these programs, to enlarge the authority to operate them, and to increase the resources available for them.

"SPECIAL PROGRAMS

"SEC. 162. (a) The Director is authorized to provide financial assistance to public or private nonprofit agencies to stimulate and support efforts to provide the unemployed with jobs and the low-income worker with greater career opportunity. Programs authorized under this section shall include the following:

"(1) A special program to be known as 'Mainstream' which involves work activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age, physical condition, obsolete or inadequate skills, declining economic conditions, other causes of a lack of employment opportunity, or otherwise, to secure appropriate employment or training assistance under other programs, and which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, the rehabilitation of housing, the improvement of public facilities, and the improvement and expansion of health, education, day care, and recreation services;

"(2) A special program to be known as 'New Careers' which will provide unemployed or low-income persons with jobs leading to career opportunities, including new types of careers, in programs designed to improve the physical, social, economic, or cultural condition of the community or area served in fields of public service, including without limitation health, education, welfare, recreation, day care, neighborhood redevelopment, and public safety, which provide maximum prospects for on-the-job training, promotion, and advancement and continued employment with Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement.

"(b) The Director is authorized to provide financial and other assistance to insure the provision of supportive and follow-up services to supplement programs under this part including health services, counseling, day care for children, transportation assistance, and other special services necessary to assist individuals to achieve success in these programs and in employment.

"ADMINISTRATIVE REGULATIONS

"SEC. 163. The Director shall prescribe regulations to assure that programs under this part have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, availability of in-service training and technical assistance programs, and other policies as may be necessary to promote the effective use of funds.

"SPECIAL CONDITIONS

"SEC. 164. (a) The Director shall not provide financial assistance for any program un-

der this part unless he determines, in accordance with such regulations as he may prescribe, that—

"(1) no participant will be employed on projects involving political parties, or the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

"(2) the program will not result in the displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

"(3) the rates of pay for time spent in work-training and education, and other conditions of employment, will be appropriate and reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant; and

"(4) the program will, to the maximum extent feasible, contribute to the occupational development and upward mobility of individual participants.

"(b) For programs which provide work and training related to physical improvements, preference shall be given to those improvements which will be substantially used by low-income persons and families or which will contribute substantially to amenities or facilities in urban or rural areas having high concentrations or proportions of low-income persons and families.

"(c) Programs approved under this part shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement.

"(d) Projects under this part shall provide for maximum feasible use of resources under other Federal programs for work and training and the resources of the private sector.

"PROGRAM PARTICIPANTS

"SEC. 165. (a) Participants in programs under this part must be unemployed or low-income persons. The Director, in consultation with the Commissioner of Social Security, shall establish criteria for low income, taking into consideration family size, urban-rural and farm-nonfarm differences, and other relevant factors. Any individual shall be deemed to be from a low-income family if the family receives cash welfare payments.

"(b) Participants must be permanent residents of the United States or of the Trust Territory of the Pacific Islands.

"(c) Participants shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employment benefits.

"EQUITABLE DISTRIBUTION OF ASSISTANCE

"SEC. 166. The Director shall establish criteria designed to achieve an equitable distribution of assistance among the States. In developing those criteria, he shall consider, among other relevant factors, the ratios of population, unemployment, and family income levels. Of the sums appropriated or allocated for any fiscal year for programs authorized under this part not more than 12½ per centum shall be used within any one State.

"LIMITATIONS ON FEDERAL ASSISTANCE

"SEC. 167. Programs assisted under this part shall be subject to the provisions of section 131 of this Act.

"AUTHORIZATIONS

"SEC. 168. For the purpose of carrying out programs under this part, there are hereby authorized to be appropriated \$110,000,000 for the fiscal year ending June 30, 1970, and such amount as may be necessary for the fiscal year ending June 30, 1971."

One of the most fateful issues before us as a people at the present time is whether or not we should proceed with the construction of an ABM system. It is an exceedingly complex issue, to which there is no easy answer.

Last summer we engaged here in the Senate in a long and thorough debate of the issue. When the roll was finally called, we found ourselves evenly divided.

I do not regard this vote as a final Senate pronouncement on the issue. Even if it had been more decisive, it would be proper, in my view, to reexamine the issue at a later date.

I do not believe, however, that now is an appropriate time for such a reexamination. Due to the press of business upon us as the holiday season approaches, we simply cannot reopen our deliberations in the depth which our responsibilities require. Under the circumstances, I have decided to vote against today's amendment.

This vote should be interpreted for what it is and no more. I voted last summer against the administration's proposal to move ahead with construction of the Safeguard system. I stand on my vote, but I also feel we should abide at this time with the result of last summer's rollcall. My vote today, therefore, is directed against the timeliness rather than the substance of today's amendment. I simply do not believe that it would be proper to reopen the underlying issue at this time.

SAFEGUARD IS NO SAFEGUARD

Mr. McGOVERN. Mr. President, the Safeguard hard-point ABM is a system of many weaknesses. Not the least of these is the missile site radar, or MSR, which is so inadequate as to invalidate the entire system.

All four major Safeguard components are carried over from the Sentinel and Nike-X city-defense systems; none are suitable for the hard-point defense mission. Let us consider the missile site radar as an example. It is possible for the Soviet Union to mount an inexpensive reliable attack on the MSR's which would render the entire Safeguard system inoperable.

Because of its high cost—current estimates run at about \$165 million per copy—it is impractical to build more than one MSR for each Minuteman ICBM farm. An MSR is necessary for all ABM interceptions. Because of its short range, there is no overlap between MSR's. Thus, destruction of a Minuteman farm's MSR would leave that farm without ABM protection. Destruction of all 12 of Safeguard phase 2's MSR's would render the entire system inoperable.

Let us assume the Safeguard ABM system will be 70 percent effective. Even allowing for multiple interceptor firings at a single Soviet warhead, this is a generous assumption of ABM system effectiveness under ideal test conditions. In the context of a real-life heavy sophisticated surprise attack, it is extremely generous.

The following three estimates of Soviet offensive missile capability are based on official Pentagon statements. If, in fact, the Soviet capability is not as great as the Pentagon claims, our ICBM's are not

seriously threatened and we do not need Safeguard. If the Soviet missile capability is as good or better than the Defense Department claims, Safeguard will not help us, as I shall now demonstrate.

First, let us assume Soviet missile accuracy will be such that a 5-megaton warhead will have a 95-percent probability of destroying a hardened ICBM silo. Since an MSR is only one-tenth as "hard" as a silo, a one-half megaton warhead will have a 95-percent probability of destroying an MSR.

Second, let us assume 20 percent of the Soviet warheads will malfunction at some point.

Third, let us assume the Soviet SS-9 missile is capable of carrying a single 20- to 25-megaton warhead, or three 5-megaton independently targetable MIRV warheads. From this it can be extrapolated that an SS-9 could carry 10 one-half megaton warheads and have some payload left over for penetration aids.

Applying standard statistical procedures to these three assumptions, one can calculate that an attack by 8 one-half megaton warheads would leave a 13-percent probability of MSR survival. An attack by 16 warheads reduces the probability of 1.8 percent; 20 warheads reduce it to a negligible 0.7 percent.

Dr. Foster of the Defense Department has estimated the cost of a single warhead SS-9 at \$30 million. Based on this, a 10-warhead MIRV SS-9 might cost \$35 million. Thus, the cost of destroying an MSR would be two SS-9 missiles, or about \$70 million. The entire 12-MSR Safeguard system, which will cost at least \$12 billion, can thus be rendered inoperable by 24 SS-9's costing a total of \$840 million.

So each dollar we spend on Safeguard can be neutralized by a Soviet expenditure of 7 cents. Safeguard is a poor investment indeed.

Several alternative proposals have been suggested, some of which offer some hope of economical and effective hardpoint defense. But none of these have any major components in common with Safeguard. Therefore, if we eventually decide to build an effective ABM defense, all money spent on Safeguard deployment will have been wasted.

The PRESIDING OFFICER. The question is on agreeing to the Smith-Cooper-Hart amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COOK (when his name was called). On this vote I have a live pair with the Senator from Iowa (Mr. MILLER). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. SAXBE (when his name was called). On this vote I have a live pair with the Senator from South Dakota (Mr. MUNDT). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. MAGNUSON (after having voted in the affirmative). On this vote I have a live pair with the Senator from Georgia

(Mr. RUSSELL). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. METCALF (after having voted in the affirmative). On this vote I have a live pair with the Senator from Washington (Mr. JACKSON). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Maryland (Mr. TYDINGS). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I also announce that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

On this vote, the Senator from New Jersey (Mr. WILLIAMS) is paired with the Senator from Alabama (Mr. SPARKMAN). If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Alabama would vote "nay."

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

Mr. GRIFFIN. I announce that the Senator from Iowa (Mr. MILLER) is necessarily absent.

The Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Kentucky (Mr. COOPER) would vote "yea."

The respective pairs of the Senator from Iowa (Mr. MILLER) and that of the Senator from South Dakota (Mr. MUNDT) have been previously announced.

The result was announced—yeas 36, nays 49, as follows:

[No. 235 Leg.]
YEAS—36

Bath	Hart	Moss
Brooke	Hotelke	Muskie
Care	Field	Nelson
Church	Fishes	Pell
Cranston	Inouye	Percy
Easton	Javits	Proxmire
Ellender	Kennedy	Randolph
Fulbright	McChesney	Ribicoff
Goodell	McCarthy	Schweiker
Gore	McGovern	Smith, Maine
Gravel	Mondale	Yarborough
Harris	Montoya	Young, Ohio

NAYS—49

Aiken	Cannon	Griffin
Allen	Carson	Gurney
Allott	Curtis	Hansen
Baker	Dodd	Holland
Beaman	Dole	Hollings
Bennett	Dominick	Hruska
Bible	Eastland	Jordan, N.C.
Boegs	Ervin	Jordan, Idaho
Burdick	Fannin	Long
Byrd, Va.	Fong	McClellan
Byrd, W. Va.	Goldwater	McGee

satellites. Since the function of the U.S. satellites in space is to monitor preparations around the Soviet ICBM sites, it is clear that we would be in a dangerous situation if the Soviets achieve an effective way to counteract our intelligence-carrying satellites.

To sum up the Soviet capabilities, the Soviets are devoting 70 percent of their military budget to strategic forces. Secretary Laird says that they are outspending the United States at the ratio of \$3 to every \$2 which we spend. In 1968, the Soviets passed the United States in expenditures for research and development. In fiscal 1970, the United States will spend about \$15 billion for R. & D. The consensus of experts on the Soviet economy is that in the same period the U.S.S.R. will spend between \$15 and \$20 billion for research and development.

SOVIETS GOALS

In closing, the question remains, then, as to why the Soviets are putting on such a tremendous push in weapons development. Up to this point, I have said little about Soviet intentions. Our military planners must plan on the basis of their capability. We must plan to meet the Soviet capability not only at the present time, but 5 years from now. Historically, the United States has repeatedly underestimated the Soviet intentions and capabilities on critical offensive items such as Soviet development of the A-bomb, H-bomb, and advanced jet engines, long-range turbo prop bombers, airborne intercept radar and large-scale production of enriched fissionable material. At the same time, the Soviets have never displayed any serious interest in bilateral arms control agreements which would include effective on-site inspection.

But in the long run, in the light of such developments, it would be folly not to consider them as expressions of the Soviet drive for world domination.

The Soviets have always proclaimed that they would triumph over the West and they continue to prepare for that outcome. As recently as April 21, Gen. Alexei Yepishev, Head of the Main Political Administration of the Soviet Defense Ministry, laid down the party line for all to follow. Yepishev is a close friend of Brezhnev and he wrote in the official journal of the Soviet Communist Party Central Committee. His article clearly expresses the highest policy sanction.

Echoing the speeches of Khrushchev, Yepishev declared that "The imperialists are hypocritically preparing for new world war", and he warned:

A third world war, if imperialism is allowed to start one, would be the decisive class conflict between two antagonistic social systems.

He said that such a conflict would "guarantee the construction of socialism and communism." Finally, he said:

Such a war would be a continuation of the criminal reactionary aggressive policies of imperialists. . . . From the side of the Soviet Union, it would be a legal and justified counter-action to aggression.

I submit that this is the voice of the Soviet Union that has been preparing

for war, that has continued a tough drive to achieve strategic military superiority. In view of such an attitude, it would be folly not to consider the deployment of the Safeguard ABM System to be essential to our Nation's security.

I hope the amendment of the distinguished Senator from Maine will be defeated.

Mrs. SMITH of Maine. Mr. President, I hope there will not be a motion to table this amendment, for that would confuse the issue. Instead, I would ask the Senate to do the clear-cut and direct thing by clearly voting this amendment up or down on the merits, rather than on a parliamentary maneuver that merely confuses the issue.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

Mr. STENNIS. Mr. President, just to make certain that everyone understands—and I shall not make a motion to table—this amendment would strike out all the money in the bill, including research and development, except funds for personnel. The Senator from Maine has explained that point, but other Senators have since come into the Chamber.

This is a sweeping amendment that takes out everything except personnel, as the Senator has related. I hope the amendment will be defeated.

Mrs. SMITH of Maine. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mrs. SMITH of Maine. Is it not clear that there is research and development money, a classified item but a substantial part of the \$212 million for the Nike-X advance development?

Mr. STENNIS. Nike-X?

Mrs. SMITH of Maine. Advance development.

Mr. STENNIS. The Senator's amendment would not cover that.

Mrs. SMITH of Maine. That is already in; so there is a substantial part of the \$212 million available that is in the bill for research and development.

Mr. STENNIS. Yes, that was a part of the old program. That could be used. But I mean to say the amendment would take out all the research and development money for 1970.

Mrs. SMITH of Maine. It takes out all the research and development money on Safeguard, but not on other developments.

Mr. STENNIS. That is right. It takes out the R. & D. on Safeguard, but not on the old Nike program.

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

Mr. STENNIS. I yield.

Mr. HART. Is it correct to say that the amendment eliminates the money for Safeguard?

Mr. STENNIS. That is correct.

Mr. HART. There is in the bill, however, money for other advanced antiballistic missile concepts?

Mr. STENNIS. That was the point I was making. It takes out the R. & D. money for Safeguard.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

Mr. STENNIS. Mr. President, I yield to the Senator from Wisconsin.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, before the vote is taken on the pending amendment, I should like to make a special and personal plea to all members of the Appropriations Committee that after the disposition of the pending bill, they meet downstairs in room S-128 with the distinguished chairman of the Appropriations Committee, the Senator from Louisiana (Mr. ELLENDER), to consider the disposition, finally I would hope, of the HEW appropriation bill and the transportation appropriation bill.

I make that plea because if we do not do something of that nature, we are not going to have any business to transact when we come in tomorrow morning. We have the mistletoe hanging over our heads. And we have the threat of a callback if we are not finished by Christmas eve. I would like to get out by Christmas eve. With the concurrence of the Appropriations Committee on the Senate, I think we can make it before that date.

I think the plea will be taken to heart. Anyone whom I can see personally, I will ask to go there, and I hope that the chairman will do the same with respect to anyone whom I do not see.

Mr. MAGNUSON. Mr. President, that is perfectly all right. However, we have the whole HEW appropriations bill finished at this time. There are two items which have been in some conflict. With respect to the so-called Whitten amendment, we have some other language. The Senator from Mississippi was perfectly willing this afternoon to finish that matter and have a time limitation. However, because of the way the Defense bill went and the executive session, he had to be up here and the Senator from Louisiana had to be up here. So, we got everything ready.

We thought that we could meet at 9 o'clock in the morning and have 1 hour in which to finish the matter. However, it is perfectly all right with me if we do it tonight.

As long as we have to be here, we can meet tonight and get the matter completed, if it is agreeable with the chairman of the committee.

Mr. MANSFIELD. It is very agreeable with him and also with the Senator from Mississippi.

Mr. MAGNUSON. Then, I made my usual request. When we finish action on the pending bill, everybody on the full committee will please report down in the salt mines.

Mr. MCINTYRE. Mr. President, I would like to make a brief statement in explanation of my vote on today's ABM appropriations amendment.

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favorably on the ABM, SALT talks began and are now in progress.

I know the President feels his hand would be vastly strengthened in the SALT talks if we acted favorably here on the ABM appropriation. I think those who desperately want the SALT talks to proceed—and I am one of them—should be in the position of supporting the appropriation on ABM and should oppose the amendment by the distinguished Senator from Maine.

As I say, I think it is essential to the continued success, or any degree of success, or anticipated success, on our part in the SALT talks, that we do this, because it puts us in the right kind of strategic position for us to be able to deal with the Soviets on this matter.

I would like to again express my great esteem for the Senator from Maine. I cannot think of anyone I would rather not oppose on an amendment, but I ask the Senate to approve this appropriation to proceed with the ABM.

Mr. THURMOND. Mr. President, the most important weapon the Pentagon can develop, in my judgment, that would act as a deterrent to a nuclear war is an antiballistic missile system. This is not a weapon that will send a missile across the ocean and kill people and destroy property. It is purely a defensive weapon.

If the Soviets—and they are the threat to the United States and the free world today—should send missiles over here and we have an ABM system, we will be thankful that we do have a system to intervene those missiles. If the Soviets do not send missiles over here, then we have deterred such an attack and can be even more thankful.

Mr. President, I regret that I am on the opposing side from my distinguished leader on the Armed Services Committee, the distinguished and beautiful Senator from Maine, but I hope the Senate in this case will follow the committee and approve the ABM system.

I had prepared an hour and a half speech, but I have boiled it down to 14 minutes.

What does the Safeguard system do?

First. The Safeguard protects our ICBM's, thereby guaranteeing to an aggressor that the United States would retain the power of retaliation if attacked.

Second. The Safeguard posture avoids the suggestion that we may be preparing for a first strike, as might happen if our posture appeared to be that of protecting our cities against retaliation.

Third. It provides early warning and area defense of our bomber bases, by protecting against a FOBS strike coming from the south. The FOBS is the fractional orbital bombing system, a satellite, which the Soviets have tested.

Fourth. It provides an increased protection against Soviet increased deployment of submarine-launched ballistic missiles.

Fifth. It protects against the accidental firing of a few missiles by the Soviets.

Sixth. It will be relatively cheaper in the initial phases, giving time to work out any bugs before full deployment.

Seventh. It gives the President time to see whether the Soviets are serious about

negotiations, while not delaying protection.

Eighth. It provides reasonable protection against the capability the Chinese will have by the mid-1970's.

Ninth. It gives the United States a protection which is similar to the protection which the Soviets have had for 6 years.

Tenth. It helps to reestablish the symmetry of the strategic balance. The Soviets have increased their offensive capability. They have more ICBM's in being and under construction than we do, and they are beginning a rapid build-up of nuclear submarines.

Objections have been raised to this program. Critics have raised the point that it will not work. I will simply say that the parts have all been tested, except the perimeter acquisition radar, and all the component parts have been tested individually, with the exception of that particular one.

Some critics say it costs too much. My answer to that is that the cost as given here, \$779.4 million and in the military construction bill, which includes \$14.1 million, is less than \$800 million. This is less than 1 percent of the military budget, and it is less than 10 percent of the amount we spend on welfare.

Some critics say it will escalate the arms race. My answer to that is that the Soviets have it and they did not think it would escalate the arms race.

Some critics say we have the submarines that can launch ballistic missiles and the B-52's if the ICBM's are destroyed, and we do not need the ABM. My answer is that we need a mix of systems and we must not rely on any one system.

Some critics say we can rely on an ICBM deterrent. My answer to that is if the ICBM fails to deter, there is no option then but a nuclear war.

Some critics say that it will delay arms control. My answer to that is that the Soviets asked for arms control talks when the ABM was announced. In other words, the more powerful we are militarily the nearer we will come to getting arms control than if we are weaker militarily or we do not have the ABM.

Some critics say the Soviets have good intentions. My answer to that is that we must plan for capability, not intentions, although I do not subscribe to the belief that the Soviets have good intentions. My answer to that is that we must plan for capability, not intentions, although I do not subscribe to the belief that the Soviets have good intentions, because there is nothing to show they have changed their goal of world domination.

I would remind the Senate of something of the Soviet capability. If we ever had any doubts about the Soviet desire for power, the past year or so should have cast those doubts away, because the age of U.S. strategic superiority has passed. The age of parity has passed. In the past few months, the Soviets have dramatically stepped up their production and deployment of offensive weapons. Listen to this: At the present time, the Soviets have 1,140 ICBM's; we have 1,058. Within the time frame of 5 years, necessary to get the Safeguard ABM in operation, the Soviets will have

the capability of deploying 2,500 ICBM's. In 5 years, the U.S. plans to have 1,056 ICBM's.

Whether the Soviets will exercise their capability to produce 2,500 ICBM's in 5 years is beside the point. We cannot afford to second-guess about intentions. It is noteworthy that the Soviets did not stop at parity, as many predicted.

Moreover, the Soviets have been concentrating production on the super-size SS-9 offensive missiles, capable of carrying up to a 25-megaton warhead or three warheads of 10 megatons each. One megaton is equivalent to 50 times the explosive power of the bomb dropped on Hiroshima. The Secretary of Defense says that the Soviets now have 200 SS-9's and will have 500 within the time frame we need to get our ABM deployed.

At the present time, the Soviets are building one Polaris-type submarine a month. At this rate, the Soviets have the capability to exceed the 656 U.S. Polaris missiles by the end of fiscal year 1971. In addition, the Soviet Navy has a 2-to-1 nuclear advantage over the U.S. Navy in attack submarines. The most effective weapon against a nuclear submarine is the attack submarine. The U.S. position is even worse when we consider that nearly half of our attack submarines are of World War II construction, while almost all the Soviet attack submarines have been built within the past 14 years.

At the present time, the Soviets are testing the FOBS, or the fractional orbital bombing system. If the same vehicle with refinements is launched at a different angle, then the FOBS can become a full orbital bomb. The United States has rejected the development of such a system.

At the present time, the Soviets have 700 medium and intermediate range ballistic missiles deployed against targets in NATO countries. The United States has no MRBM's or IRBM's deployed against the Soviet Union. Because of our commitments to NATO, any assessment of the strategic balance must take into the equation the MRBM's and IRBM's. The combined total of ICBM's, IRBM's, MRBM's and SLBM's is 2,750 for the Soviet Union as against 1,710 for the United States.

At the present time, the Soviets have had an ABM system in operation for 6 years. The Soviet ABM is now in its third generation of improvement. Each time it has been carefully evaluated and tested before the new deployments were authorized. I cannot believe that the Soviets would continue to deploy system after system in their ABM defenses if their ABM was, in the words of one critic, "A bunch of junk." I think that the Soviet scientists and military experts who actually had the opportunity to test and evaluate the equipment on the spot would be in a better position to judge the effectiveness of the equipment than those who have only guesses to go by.

There are indications that the Soviet Union has gone beyond anti-ballistic-missile defenses and are testing anti-space defenses designed to immobilize

One crucial element in the fragile structure of these deliberations has been the relationship between Soviet offensive forces, on the one hand, and the Safeguard response to their rapid proliferation, on the other. In this connection, the planned deployment of Safeguard is the President's trump card in the effort of our negotiators to bring a halt to the seriously destabilizing continued build-up of Soviet offensive power. For if Safeguard conveys any message to the Soviet Union it is this: "We are not prepared to sit by while you continue to deploy offensive missiles. We are determined to protect our deterrent force. The extent of the protection we require is related to the size and nature of your forces. The limits you place on your offensive forces will determine the limits we are able to place on our defensive deployments." That is what Safeguard says to the Soviets.

Safeguard, then, is a central element in the SALT talks. Without it, not only would our capacity to arrive at limits on offensive power be seriously diminished, but our effort to control ABM itself would be hopelessly frustrated. For it is almost certainly the case that the Soviets, like ourselves, must prepare for the day when the Chinese are capable of launching nuclear weapons at their homeland. The Soviets appreciate this fact; their record on ABM is clear. They have consistently favored defensive systems, in their military doctrine and their public pronouncements. They have deployed a system around Moscow. They are engaged in extensive research and development with a view to improving their present ABM capability. And they possess an extensive network of surface to air missiles that could well form the basis for an upgraded system with significant capabilities to intercept some ballistic missiles.

Our efforts to constrain these developments—to contain them within stabilizing limits—are postulated on a concrete, visible and limited deployment of our own. Without Safeguard as a base system indicating our requirements, the talks might well end without established parameters to guide the future development of defensive systems for protection from emerging nuclear powers.

The situation we face today is very different from the circumstances that surrounded the debate in the Senate on the military authorization bill this summer. I trust that even those Senators who opposed Safeguard in August will recognize that our commitment to it is an inextricable part of our negotiating posture in Helsinki. To withdraw now the support that was approved in August would not only weaken catastrophically our position in the talks, it would encourage the Soviets in the belief that delay and procrastination will enable them to capitalize on the hesitancy to maintain our military position in the strategic balance.

Those Senators who are today considering whether to deny the President a system he considers essential to our position in the SALT talks—or to substantially cut the funds for Safeguard and delay it further—must recognize that, in so doing, they must bear responsibility for any failure in Helsinki or Vienna that might result from the collapse of our position there. For this is what is at stake—quite apart from the strategic importance of Safeguard in the event that the talks fall for other reasons.

Many opponents of Safeguard were arguing this summer that we must take care not to prejudice the opportunity for a successful round of arms negotiations. We were urged to treat the Soviet Union gingerly—to refrain from a deployment that would create ill-feeling on the eve of the talks. I can find nothing in the history of negotiations with the Soviets that suggests they are influenced by anything other than their calculation of advantage. They are not subtle. They do not determine their military posture by

reference to vague conceptions of "good will." They neither give nor expect to receive gestures of kindness. What more convincing proof of this view could I bring to bear than to point out that their unprecedented build-up of strategic nuclear forces remains unabated since the summer, and since the talks in Helsinki began in November? Not a single Soviet program has been slowed down. On the contrary, there are grave indications that they have in the development stage weapons that will take them far beyond the parity some claim they seek.

All across the board the latest intelligence is bleak: in submarines of the Polaris type and their associated missiles, in land-based missiles with enormous megatonnage and improving accuracy, in the development of ABM systems the Soviets are pursuing an aggressive and generously funded program of expansion. In some areas they are developing multiple systems designed for the same operational mission presumably with the intention of selecting among prototypes in order to deploy the most effective version.

If the Soviets genuinely desire a stabilization of the strategic balance they will negotiate limits in the SALT talks that are responsive to the requirements, for strategic stability. While we must hope that they fully intend to do so, we must recognize the grave consequences of leading them to believe that they need not negotiate—that rather than abandon their continuing offensive deployments they can trust to our reluctance to make the necessary sacrifices to insure our own security.

These disturbing developments, coupled with the delicate state of the negotiations in Helsinki, force us to view the decision to deploy Safeguard in a new light. No longer is the issue one in which the international implications are tangential; they are direct. They are immediate.

A weakening today of the decision made in the Senate in August would undermine the President in Helsinki and strengthen those voices in the Kremlin that have been promoting the unrestrained expansion of Soviet strategic power. This vacillation would be a clear indication to the Soviets that we lack the will and resolve to provide for our own defense. Such an "on-again, off-again" approach to fundamental questions of strategic posture, far from eliciting reasonable and mutually desirable concessions from the Soviets, encourages their intransigence in anticipation of the next "off-again".

Mr. TOWER. Mr. President, during the course of the ABM debate I pointed out that the longer the debate continued and the longer it took to get an authorization and subsequent appropriation, we could expect some appreciation in cost. This is a matter that was brought up by the distinguished Senator from Oregon a moment ago. I think it is easily explained. I think the delay in getting the appropriation bill passed accounts for some of the increase in the long-range cost. It does not, however, affect the amount of money that presently appears in the appropriation bill. It does not mean 1 more dime will be appropriated.

I ask unanimous consent to have printed in the RECORD at this point a detailed analysis of the matter of increased cost, which amounts to about 6 percent.

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

The latest formal cost estimates on Safeguard transmitted to Congress were ones giving information as of 30 June 1969. These were sent to the Senate and House Appropriations and Armed Services Committees

in mid-October as one of the Department of Defense, quarterly, Program Status Reports, sometimes called "Selected Acquisition Reports." That Program Status Report on Safeguard carried \$4.185 B as the Department of Defense cost of Safeguard. This cost included the total funding requirement for Research, Development, Test and Engineering (RDT&E), military construction (MCA), and procurement and checkout (PEMA) as of 30 June 1969. These were the estimated costs for RDT&E, PEMA and MCA for the seven-year period FY 68 thru FY 74, the time when the final Phase 1 site would be ready.

Later in testimony to the House Appropriations Committee on 17 November, the Secretary of Defense presented a tabular listing entitled "Selected Acquisition Report on 34 Major Weapon Systems, June 30, 1969, Cost Summary" which showed this same figure for the Safeguard. Department of Defense costs.

The next Program Status Report on the Safeguard program is now in its final stage of review by the Department of Defense and will show the program costs updated to be as of 30 November 1969. It will be forwarded very shortly to the Chairman of the Armed Services and Appropriations Committee. The Report will show a cost increase over the earlier Safeguard reports. The total increase will be \$277 M to \$4462 M total; or a percentage increase from the earlier reported total of about 6½ per cent. This increase is brought about by three things.

a. First, the largest is the inflation that has occurred. In this regard, estimates of the 30 June report were based on the price levels as of 31 December 1968. The new Program Status Report has been updated to a 31 December 1969 level so that it will be in agreement with the budget and authorization submissions for FY 71 now being prepared. Approximately \$136 M of the \$277 M is due to this price level change, or 3½ per cent of the earlier reported total program investment costs.

b. Second, the Department of Defense has held back on major commitments for construction and procurement until after passage of the authorization and appropriation bills. This has necessitated delaying the final Equipment Readiness Dates of the Phase 1 SAFEGUARD complexes by 3 months. Completion of deployment of the second site complex is now delayed from the earlier scheduled July 1974 to October 1974. In other words, it has stretched out the deployment and the period over which our production/engineering base is maintained. This stretchout has caused an increase of \$55 M or 1¼ per cent of the earlier reported total program investment costs.

c. Finally, and the second largest, the DOD has continued analysis and refinement of the estimates prepared at and shortly after the March 14 announcement of the SAFEGUARD program. Certain changes in the estimates of several line items have been brought about by this further estimation and study and a few necessary design changes have been made. These together account for \$86 M of the increase, or about 2 per cent of the earlier reported total investment costs.

d. In summary then the total cost increase shown in the next Program Status Report will be one of about 6½ per cent: of which nearly 3½ per cent or half is due to inflation; 1½ per cent due to stretchout; and, 2 per cent due to design and estimate changes.

Mr. TOWER. Mr. President, I would like to associate myself with the remarks of the distinguished Senator from Mississippi (Mr. STENNIS). I think one of the major features of the debate had before was that if we passed favorably on the ABM, it would delay prospect of the SALT talks. That has been disproven by the fact that not too long after we acted

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

Funds obligated under continuing resolution for Safeguard as of October 31, 1969

R.D.T. & E.....	\$210.2
Procurement	29.3
O. & M.A.....	9.5
Military personnel.....	3.4
Total	252.4

Mr. ELLENDER. Mr. President, the distinguished Senator stated that there has been money allocated for Project Safeguard.

Mr. STENNIS. Yes.

Mr. ELLENDER. I wonder whether the Senator would put the authority for that in the RECORD. If I recall correctly, under the 1969 act, the money was provided for Sentinel for meeting the protection of our cities. Safeguard is an entirely new program to protect the missiles themselves. I trust that the Senator will place in the RECORD the legal authority for having obligated the funds under the continuing resolution for the Safeguard system, when the money was provided in 1969 for the Sentinel.

Mr. STENNIS. A quick answer there is that I just referred to the fact that we could have both sites under that 1969 money. The Sentinel money was in broad, general language for a missile system of an anti-ballistic-missile type. I will get the book and page number for the Senator. I believe that he has raised a good point. It is not unusual for language as broad as this to be interpreted as being subject to the continuing resolution.

Mr. ELLENDER. Then the Senator will have that printed in the RECORD?

Mr. STENNIS. Yes; if not this evening, I will place it in the RECORD at the earliest possible time.

Mr. President, during the ABM discussion last summer, some concern was expressed about the fact that the Army as a matter of law could proceed and acquire real estate for the phase 1 portion of Safeguard since authority and funds were enacted in fiscal year 1969 for this purpose. The Senator from Virginia (Mr. SPONGE) expressed to be some concern over this matter. Insofar as I am concerned, the Safeguard program approved in the authorization bill for fiscal year 1970, and in the appropriation bill, represents an intent that the Army should not proceed beyond phase 1 insofar as site acquisition is concerned.

The Army has furnished a fact sheet, dated December 12, 1969, which in effect states that other than surveying and site investigations, there will be no action on phase 2 real estate sites.

In other words, until Congress specifically authorizes phase 2, there will be no real estate acquisition for these sites.

Mr. President, I ask unanimous consent to have the fact sheet printed in the RECORD.

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

PHASE 2 SITE SELECTION ACTIVITIES

1. Plans for the phased Safeguard deployment announced by the President on 14 March 1969 provided for the selection and acquisition of all twelve sites, although construction and deployment was to be under-

taken only for the two Phase 1 sites near Grand Forks AFB, North Dakota, and Malmstrom AFB, Montana. The acquisition of all twelve sites was planned to avoid undue delay in the program in case it became necessary to move ahead rapidly with one of the Optional Phase 2 deployments.

2. As the Deputy Secretary of Defense testified before the Senate Armed Services Committee on 13 May, the approval of acquisition of land for the twelve sites had been requested as a part of Phase 1. At that time, however, Secretary Packard stated "... I would not propose that it be used unless the Phase 1 request is approved by the Congress." Similarly, on 22 May the Secretary of Defense testified to the House Appropriations Committee that he had on his own initiative "... held up all construction work on ABM sites and any further acquisition of land for these sites, pending Congressional decision on this program."

3. The Army suspended all action toward survey or acquisition of all sites, including those of Phase 1, until Congressional action on the FY 70 Authorization Bill. Following such action on 3 October, the Army submitted real estate acquisition reports covering the sites at Grand Forks AFB, North Dakota, and Malmstrom AFB, Montana. These submissions were preliminary to final survey and engineering activities at these sites. However, in submitting these reports, the Army stated that no action to acquire land in these areas will be taken until enactment of the FY 1970 Defense Appropriation Act. On-site survey, exploratory excavation and engineering has been underway since 9 October 1969 on the Phase 1 sites only.

4. The Army will continue to withhold any survey and selection of Phase 2 sites until after Congressional action is completed on the FY 1970 Defense Appropriation Bill. The Army then proposes to conduct preliminary surveys and site investigations as necessary to make tentative selection of appropriate locations for each of the remaining Phase 2 sites.

a. Safeguard sites will generally be in remote locations, outside metropolitan areas.

b. However, in the case of the site for defense of the National Command Authority (NCA) in Washington, D.C., the Safeguard capability must be provided close to the city to give protection to the NCA. At the present time, no final nor tentative Safeguard site in the Washington area has been chosen nor have the field surveys been conducted which would be a necessary prerequisite to selection. If a site is later approved for the Washington area, it will consist of a Missile Site Radar and a Spartan and Sprint missile field. The Sprint must be located reasonably close to the site defended; in this case, the NCA. The Spartan can be located in a second field at a much greater distance from the site to be protected.

5. Final selection of any Phase 2 site and submission to the appropriate committees of Congress of a real estate acquisition report covering the site will be dependent upon approval by the President of a Phase 2 deployment requiring that site. In any case, however, acquisition of land will be withheld pending Congressional authorization of the additional deployments involved.

Mr. STENNIS. Mr. President, I invite the Senate's special attention to the fact that the Senator from Washington (Mr. JACKSON), a very valuable member of the Armed Services Committee, was planning to be here today and had timely and forceful remarks prepared for that purpose.

However, the Senator was called home on account of the passing of a very close and dear relative and could not be with us today.

I therefore ask unanimous consent to have his remarks printed in the RECORD.

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

STATEMENT BY SENATOR JACKSON

Mr. President, last August the Congress voted to authorize Phase I of the Administration's plan to proceed with deployment of the Safeguard ABM system. The affirmative vote in the Senate followed more than a month of vigorous debate during which a wide range of issues were subjected to thorough, if not always dispassionate, discussion.

I need hardly remind you that the vote to approve Safeguard was a narrow one. But after extensive hearings in the Armed Services and Foreign Relations Committees, and an exhaustive national debate, Safeguard was incorporated into our national strategic posture on August 6. From that day to this the extensive planning effort that has gone on in the Department of Defense on our strategic posture, and the extremely complex and difficult planning that led to a U.S. position in the Strategic Arms Limitation talks, have proceeded on the assumption that we are committed to a limited and phased deployment of ABM defenses. After much delay—which was not without cost—one major uncertainty affecting our planning was resolved.

One of the many issues surrounding the decision to deploy Safeguard that concerned a number of Senators had to do with the effect of an initial deployment on the talks now underway in Helsinki. It was my view then, and it remains my view now, that the only way to approach the negotiation of limits on ABM and other strategic systems was to place in the President's hands a concrete program demonstrating our determination to provide for the defense of our land-based missiles, our bomber bases and the national command authority in Washington.

What incentive would the Soviets have had to consider seriously limitations on their offensive forces if we were to refrain from undertaking a limited, defensive deployment capable of frustrating any advantage that might result from their proliferation of SS-9 missiles? And why should they entertain limitations on their efforts to develop an ABM capability if we were to unilaterally abandon our own efforts?

So our preparation for the Helsinki talks assumed a firm commitment to Safeguard as a phased, flexible deployment, consistent with President Nixon's intention to make an annual review taking account of the threat, technical developments, and the diplomatic context, including the SALT talks.

I am pleased at the early indications that the negotiations in Helsinki have indeed been serious and business-like. These are perhaps the most complex negotiations in the long and often discouraging history of the effort to limit armaments, and I am certain that we all welcome the constructive atmosphere that has attended their opening.

But the crucial consideration in these talks—and the fact that makes them so complex—is the difficulty of negotiating an agreement on strategic armaments in a situation where every element of our respective deterrent forces is related to every other element—where no single system can be considered in isolation. Thus our ABM defenses are critically related to Soviet offensive deployments, to the extent, size and accuracy of their ICBM force, to multiple warhead technology and to present and future missile intercept systems.

It is this array of interrelated systems that has determined the nature of the SALT talks—in which we and the Soviets have been building toward identifying areas in which accommodation is possible in the interests of stabilizing our respective deterrent forces.

fiscal year 1970 all of the funds that were authorized for appropriation in the military procurement legislation as passed by the Senate and finally enacted into law. The amount of these funds is \$759.1 million, consisting of \$345.5 in procurement, \$400.9 million in research and development, and \$12.7 million for construction and test facilities at Kwajalein. Other appropriation items for personnel and O. & M. bring the total to \$779.4 million.

I would point out, Mr. President, that of the \$345 million in procurement funds only about \$600,000 will be spent for missile parts which are for certain long-lead components. The remaining funds are to procure the various radars, training equipment for phase I and to provide the required production base support.

Mr. President, as the Senate knows, the ABM matter was probably the hardest fought issue on the floor of the Senate of the entire procurement authorization debate.

I appreciate the earnestness, sincerity, and thoroughness of everyone who voted on that important matter. Whichever way they voted I respect them, of course, just as much and admire them for their earnestness and for the way they went into the matter. That certainly includes the distinguished Senator from Maine (Mrs. SMITH). She and I had a long consultation, not only on this matter but also on many other matters. I appreciate very much the contribution she made to the debate. I told her once that she scared half the life out of me at one time. There is no need to go into all the details here.

Mr. President, I shall not take the time to repeat the various arguments of this debate which are already a matter of record, including the secret session which has been reviewed for security deletions and printed.

I do, Mr. President, however, wish to impress on the Senate a few thoughts which I consider to be in the form of new matter. Some of these points, Mr. President, update the material of our previous debate.

It is an undisputed fact that the Russian threat to our own second-strike nuclear capability is continuing to develop. Last May, Mr. Laird advised the Congress of the Russian missile program, the principal element of which is the SS-9, an ICBM with a 25-megaton warhead. The Russian program of development, construction, and deployment is continuing for the SS-9 program. There is no doubt about that.

In terms of the threat to America the SS-9 system can have only one objective—to destroy this country as we now know it. The purpose of the ABM system, of course, is to provide some degree of protection beginning in the mid-1970's for our land-based nuclear deterrent.

Mr. President, I can appreciate the reluctance of Members to vote funds for weapon systems which are most likely to protect foreign countries, rather than our own. The purpose of the ABM, however, Mr. President, is to protect our homeland—to protect our own people. The ABM, I am confident, will provide a significant degree of protection and I might add, Mr. President, even if the Safeguard system is subject to all the weaknesses its

critics indicate, it will be better than no system of protection at all.

Mr. President, as we all know, the SALT talks which have already begun between United States and Russia are of critical importance to the present, as well as future generations of all countries. We all hope and pray that some meaningful result will be produced which will enable the United States and Russia, as well as other countries, to divert their resources to peaceful pursuits, rather than continue an arms race which could result in the mutual incineration of our civilization as we know it. These talks, however, will be long and hard. We must have a discipline in terms of policy on the part of the Congress and the Executive which will enable the President, whoever he might be, to know that he can rely on a solid homefront.

No one is going to follow those talks with any more concern and interest than I shall follow them. I think that, if at all possible, somewhere, sometime, and sometime soon, I hope it is going to be absolutely necessary for the so-called great nuclear powers to get some kind of understanding and basic agreement that will give some control and have a measure of certainty with respect to being able to detect a possible violation.

One of the most significant issues in the SALT talks is the anti-ballistic missile matter. I urge in the strongest possible terms that the Senate not pull the rug from under President Nixon in the SALT talks by refusing to approve the appropriations for the Safeguard system.

Incidentally, Mr. President, I would point out to the Senate that under the authority of the continuing resolutions already enacted there has been obligated as of October 31, 1969, a total of \$252.4 million for the Safeguard system; that is, of the money that is in this appropriation bill. Many of these are already obligated under the continuing resolution we passed. A continuing resolution authority, Mr. President, permits the military departments, as well as other agencies of the Federal Government, to obligate moneys at the previous year's level of effort in anticipation of the funds to be appropriated for fiscal year 1970. When the appropriation is finally approved the funds already obligated under the continuing resolution are taken out of the final appropriation. This means that \$252 million in effect has already been spent out of fiscal 1970 funds.

Let me interject, Mr. President, that I personally do not like the entire continuing resolution concept. This device has become necessary, however, in view of the lateness of the appropriations acts if the Government is to continue to operate.

If all the funds were to be denied there will be the problem of finding the \$252 million elsewhere in the appropriations bill to meet these obligations.

Mr. President, there have been a number of factors on which opposition to the ABM system have been based. Some people believe we will not need it, others do not believe the system is technically workable. Another belief is that in view of the many domestic problems we now

have—the city crisis, runaway inflation, and the like, that too great a proportion of our Federal funds are being used for national defense. Mr. President, with respect to the reductions in the Defense funds over the course of just 1 year, I think the facts should speak for themselves and should be quite briefly reviewed.

The original Defense budget submission for fiscal year 1970 by President Johnson was \$80.6 billion. This was subsequently reduced in two steps by President Nixon to \$75.2 billion. The Defense appropriations bill as passed by the House was \$69.9 billion. The bill before the Senate today is \$627 million below the House, or only \$69.3 billion. Mr. President, these are remarkable figures. From an original request of \$80.6 billion, the Defense budget has been reduced to \$69.3 billion. This represents a reduction of over \$11 billion, or about 14 percent. It can be fairly stated, therefore, Mr. President, that the Defense budget this year has probably been the most carefully scrutinized of the various appropriations before the Congress.

I say that as a member of several subcommittees on Appropriations. This year, we beat all of them in scanning the military items that run into big money. But, they will always run into big money. The Armed Services Committee and the Appropriations Committee have already scanned this ground. My prediction is that the new budget submitted will already have a great deal of scanning done by the Department of Defense. I am not saying it will be as low as the figure in the bill now, but in my judgment, it will be far below what the first one was last year.

I hope that next year there can be even—and I think there should be—further reductions and as one Senator I intend to use every effort to determine where greater savings can be made without critically affecting our defense program.

Let me make clear that I am not promising to stand for the total amount that is less than this bill, because we do not know what we will run into.

At this juncture, Mr. President, in view of the cuts that have already been made in the overall Defense budget and in view of the critical need for the Safeguard system, I urge the Senate to support the President in the position he took, and the Congress in its former position took, to provide funds for an ABM system that is aimed at protecting the American people.

Mr. President, I emphasize again that this debate has been very fine this year on all major military items, especially this one. Everyone had a chance. I respectfully say that this matter has had its day in court. A decision has been made. There is only one thing we can do now and that is to move forward. I trust that there will be the necessary votes in the Senate and that the vote will come early.

Mr. President, I ask unanimous consent to have printed in the Record the first of the funds obligated under the continuing resolution for Safeguard as of October 31, 1969.

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opportunity to apply some of the resources, which all of us know not to be limitless to waging an all-out fight against the real threat which is reflected in the inadequate housing, insufficient education and the failure of effective medical delivery. We know the litany. It is a litany we recite frequently at luncheon clubs and when we go on campuses. But the test of our willingness really to begin this kind of war—a war that should be infinitely more exciting than all-out war against an enemy—the only way we can launch that kind of war, is to direct more of the resources internally.

I thank the Senator from Maine for giving us another chance to direct this element of our total resource away from the construction and away from the research on a system of doubtful value, against a threat of uncertain measure, to the real target and the real threat—that which is within our walls.

Mrs. SMITH of Maine. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mrs. SMITH of Maine. Mr. President, I thank the distinguished Senator from Michigan for joining me in sponsoring this amendment.

I also join him in expressing our very, very deep sorrow with respect to Senator COOPER's mother, a woman 91 years of age, who has been keenly interested in all that has been going on here, and I am sorry that he has to be away for that reason.

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

Mr. HART. I yield.

Mr. FULBRIGHT. Mr. President, I wish to associate myself especially with the reasons the Senator from Michigan has expressed so eloquently for supporting the Senator from Maine. I think he has stated it extremely well. His point of calling attention to the report of the commission headed by Milton Eisenhower and the statement of John Gardner is extremely well made. I agree that this is the last chance before we go down a road which is very likely to end up costing us anywhere from \$20 to \$50 billion, which will be wasted on another one of these missiles which proves to be ineffectual and useless.

I wish to join the Senator from Maine in the report and the Senator from Michigan in the reasons he has given for supporting the Senator from Maine.

Mr. YOUNG of North Dakota obtained the floor.

Mr. ELLENDER. Mr. President, will the Senator yield without losing his right to the floor?

Mr. YOUNG of North Dakota. I yield.

Mr. ELLENDER. Mr. President, I regret that I am unable to handle this part of the bill for the committee. As is well known, I spoke against the ABM when we had extended debate on it. However, I would vote for funds for the ABM if they were limited to research and development on the missile. But this is not the situation, for procurement funds are included. It is not my purpose again to debate the issue, but I ask the distinguished Senator from North Dakota and the distinguished Senator from

Mississippi to take part in the debate, since they are both in favor of the ABM and I am opposed to it.

I expect to vote with the distinguished Senator from Maine.

Mr. YOUNG of North Dakota. Mr. President, I usually find myself in an uncomfortable position when I am on the side opposite to that of the Senator from Louisiana. He is always very effective on the floor.

Mr. President, I rise in opposition to the amendment offered by the Senator from Maine and other Senators.

I do not intend to take the time of the Senate to discuss the merits of the proposed Safeguard ABM system. That matter was more than adequately discussed during the debate on the authorization bill. Basically, the issues today are the same as they were then.

However, there are several points I would like to call to the attention of the Senate. The Soviet Union is continuing to increase its deployment of offensive weapons, especially the large SS-9 ICBM. They are continuing with their flight test program of the multiple reentry vehicles. We also have evidence that the Soviets are developing a new strategic bomber aircraft.

In September the Chinese Communists had two nuclear tests—one on the 22d, which was their first underground test. It is my understanding that this test was a surprise to the Intelligence Community. On the 29th they tested a 3-megaton device in the atmosphere. These events tell us two things: First, China is continuing its nuclear development program; and, second, we must remember that we just do not know what is going on inside Communist China and the Soviet Union.

Mr. President, I ask unanimous consent to have included in the RECORD at this point a colloquy between Chairman RUSSELL and the Secretary of Defense on December 9, 1969, on these matters.

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

SOVIET UNION AND CHINA

Chairman RUSSELL. It is my understanding that the Soviet Union is continuing to increase its deployment of its large SS-9 ICBM. I wish you would comment on this matter, and especially its deployments over and above the number you discussed when you appeared before the subcommittee last June.

Secretary LAIRD. Since June we have seen indications of continued deployment above the more than 230 [deleted] SS-9 launchers which I noted at that time. The best information that I have at this time is that there have been approximately [deleted] additional starts, but exactly when these starts occurred, I cannot tell you with high confidence. We hope to have better information by the end of the month. I view this continuing deployment with concern.

I also note that the Soviets are continuing flight tests of multiple reentry vehicles. The purposes of the Soviet development of multiple reentry vehicles for their large SS-9 is still not clear. The yield and accuracy of these warheads is such that they could pose a serious threat to U.S. ICBMs if we took on steps to counter them. I do believe that the Soviet multiple reentry vehicle program could lead to another round in the strategic arms race if they continue

on their present course. This fact has a direct influence upon the strategic arms limitations talks which have recently begun in Helsinki, Finland, with the Soviet Union.

Chairman RUSSELL. Have there been any further significant developments in the Soviet Union or China since your last appearance? You failed to mention the new Soviet bomber. Please comment on this development.

Secretary LAIRD. I would be happy to, Mr. Chairman. Among the developments in the Soviet Union which cause particular concern are, first, their continuing flight-testing of multiple reentry vehicles which I have already commented upon, and second, their continuing development of their ABM technology.

Regarding the new bomber, the Soviets are believed to have begun flight tests of a new medium bomber. The program is expected to follow a cycle similar to that of other medium bombers. The aircraft is expected to be in the 200,000-pound class. Like Blinder, it will probably have a stand-off air-to-surface missile. Its combat payload will probably be between that of the FB-111 [deleted] pounds and the AMSA [deleted].

The two nuclear tests by China in September are also of interest. The first, on September 22, took us by surprise because it was their first underground test. We cannot be sure as to the purpose of that test. The second, on September 29, was in the atmosphere, and was in the 3-megaton range. These tests indicate that the Chinese are continuing their nuclear development program and are reminders that we cannot afford to ignore the long-range threat of a nuclear-capable Communist China.

Mr. YOUNG of North Dakota. Mr. President, we have representatives of our Government in Helsinki participating in talks with the Soviet Union on the limitation of strategic weapons that seem to be making progress. I share the hope of every Member of this body that these talks will lead to a satisfactory limitation on the deployment of strategic weapons. However, I can think of nothing that would weaken the position of our representatives more than the adoption of the pending amendment. Mr. President, it is my hope that the pending amendment will be rejected by a sizable majority in order that the representatives of the Soviet Union will know that we are willing to do whatever is necessary to maintain an adequate strategic nuclear capability.

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

Mr. YOUNG of North Dakota. I yield.

Mr. SPONG. Mr. President, the amendment of the Senator from Maine seeks to amend certain figures appropriated for deployment of the ABM. I believe the same figures appear on pages 5 and 6 of the committee report. I am concerned in clarifying just one point. I would like to know if any money provided in this bill will be used for acquisition of land for any sites other than the two sites in North Dakota and Montana?

Mr. YOUNG of North Dakota. No; no money could be used to purchase sites except these two. These are pilot projects and no money will be spent for other sites.

Mr. SPONG. I thank the Senator.

Mr. STENNIS. Mr. President, as the Senate already knows, the Defense appropriations bill would appropriate for

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arguing it gives Russia the capability to knock out American strategic missiles in a first strike.

The local American response, these officials argued in winning congressional approval of the Safeguard antiballistic missile system this year, is to build missiles to protect some of our Minuteman ICBMs. Then they could retaliate if Russia ever attacked the United States first, providing the deterrent to any first strike.

At the same time, Pentagon officials said the multiple MIRV warheads destined for our Minuteman and Poseidon missiles were not big or accurate enough to threaten Russian ICBMs. The American MIRV, the argument went, is basically for blowing up Soviet cities, not hard targets. Therefore, Russia need not build an ABM to protect its missiles.

The Ryan testimony indicates the Air Force is working on an improved version of MIRV which, like the SS-9, could be viewed by the Russians as a first strike weapon.

ACTION-REACTION

This is the kind of action-reaction phenomenon that Sen. Jacob K. Javits (R-N.Y.) and other Senate critics warned about in opposing the plunge into MIRV and ABM.

"Is not the SS-9 the Soviet Union's riposte to our MIRV development?" Javits asked Deputy Defense Secretary David Packard in Senate Disarmament Subcommittee hearings March 26.

"Are we not witnessing here that every time we take a step or every time they take a step," Javits continued, "there is a correlative step accelerating the arms race and that, therefore, there is a great advantage in having one of the parties at some point when they are reasonably secure, if only for six months or a year, saying, 'This is it. We are ready to stop now . . . ?'"

Packard distinguished between the big Soviet SS-9, with hard-target capability, to American city-busting MIRV's and said the two superpowers had achieved "a hopefully stabilized level" conducive to arms talks.

HARD TARGETS

When asked earlier this year what the Pentagon meant when it said it wanted to increase missile accuracy against hard targets, a spokesman for Laird cited such things as steel mills—not missile silos.

The Ryan statement goes beyond improved accuracy by asserting the Air Force is out to increase the explosive power of its warheads as well. Accuracy and yield are the key to first strike ability—also called counterforce.

Former Vice President Hubert H. Humphrey and other political leaders have portrayed MIRV as a menace to the nuclear balance of terror between the U.S. and Russia.

The argument of the MIRV critics is that once one side figures the other can knock out its missiles in a sneak attack, it will be tempted to fire first.

An Air Force spokesman, when asked for elaboration on the Ryan statement, declined comment. Several disarmament leaders, when queried, said the Air Force statement confirms their fears about MIRV.

Soviet strategists are bound to give the testimony close reading as they prepare their positions for the SALT talks.

The military contention is that the U.S. Air Force must hedge the nation's strategic bet by continually working on weapons improvements. To do less would be irresponsible, said one military official when asked about the improved MIRV.

He said the Soviet Union has not taken such steps as putting bombers on airborne alert, indicating Russian leaders have no worries about the U.S. striking first. The military line is that doves in this country are unjustifiably concerned about MIRV.

A MIRV accurate and big enough to knock out a hardened ICBM site could be used to destroy any remaining missiles after a nation attacked the U.S. first. Therefore, military officials argue, an improved American MIRV is not necessarily a first-strike weapon.

The Air Force has awarded Singer-General Precision Inc. of Little Falls, N.J., a \$3.9-million contract to work on improved guidance for MIRV warheads under a broad program called Technology C.

Mr. HART, Mr. President, I rise in support of the amendment of the distinguished senior Senator from Maine (Mrs. SMITH), the ranking minority member of the Senate Armed Services Committee.

We all understand, with deep regret, the reason that occasions the absence of Senator COOPER. We trust that the news with respect to the serious illness in his family is less alarming than that which occasioned his absence, but I am sure he would want me to express his appreciation to the distinguished Senator from Maine as well as my own.

Initially, Senator COOPER and I had favored an amendment which would strike only the deployment funds for Safeguard; namely, \$345,500,000. However, on consultation with the Senator from Maine, I am persuaded of the soundness of her position. If the Safeguard ABM will not serve its purpose—or purposes, because the mission of the system blows north, east, south, and west from day to day and from month to month—then let us not devote further millions to this particular system.

The bill before us, without the \$769,600,000 which would be struck by this amendment, will still provide ample funds for further research, development, test, and evaluation on anti-ballistic-missile systems. The Senate report on page 6 points out that \$12,700,000 has already been appropriated for research and development facilities at Kwajalein, and \$1,400,000 for planning. Additionally, on page 114, the report outlines the provision of funds for Nike-X advance development; the amount is classified but I am told it is substantial. On page 134 is an item of \$71,700,000 for strategic technology—Defender—a related item for other anti-ballistic-missile systems.

Thus, there is ample provision in this bill, without the funds for Safeguard, to continue research against the possibility that we might one day need seriously to consider deploying an anti-ballistic-missile system. By eliminating funds specifically earmarked for Safeguard, we in no way impair the security of the United States, and, in a time of severe fiscal problems, we permit ourselves to take stock before undertaking the expenditure of still more funds on unneeded programs. This is very much to be desired, particularly when we are reminded so forcefully, as we have been in the past few days, of the urgent need to realign our spending priorities and redirect our national preoccupation.

Mr. President, the Senator from Oregon has ably cautioned us about the direct economic implications. The Senator from Maine, and the long debate of last summer, have made clear the fact that the Safeguard system is of doubt-

ful value. In the intervening months, I hope it has become increasingly clear that there is a much graver threat to America's security and survival than the possibility of a further deployment in Russia or Timbuktu of an anti-ballistic-missile system.

In his interview on the CBS-TV program "Face the Nation" yesterday, Dr. Milton Eisenhower, Chairman of the President's Commission on the Causes and Prevention of Violence, observed that our society is in at least as much danger from internal forces as from any combination of external forces. Dr. Eisenhower was not speaking of the threat of violent overthrow by political subversives. He was talking about the accelerating deterioration of our society through continuing neglect of basic human needs—in housing, in education, and health care, a neglect that will continue as long as this Government continues to preoccupy itself with the external threats it perceives to be greater, and continues to pour billions of dollars into wasteful and unnecessary items like the Safeguard ABM. Another highly respected Republican, John W. Gardner, chairman of the Urban Coalition Action Council, warned last Tuesday of the same misallocation of priorities and of national preoccupation. He said:

Not only must Mr. Nixon propose social programs adequate to our needs, but when the legislation goes to Congress, he must fight as hard for it as he fought for the ABM and Judge Haynsworth.

Mr. President, we are truly two faced in the ways in which we view our priorities and the manner in which we deal with them. When faced by a clear and present danger of destruction of our society through neglect of basic human needs we grudgingly propose half-loaf solutions or none at all; but when we are faced with the less clear possibility of a threat from without—the suggestion, in the face of most of the evidence, that the Soviet Union might be planning a first strike against the United States, we assume the worst and rush to spend billions on weapons programs which cannot begin to do the job of countering the imagined threat.

Mr. President, the time is now to correct this split-level thinking. If we do not, historians, noting the ruins of 20th century American society, will add it to the long list of great nations which fell because of preoccupation with external threats and neglect of internal weaknesses.

When we became so intent on protecting our "way of life" from external forces we forgot our main task, the constant enrichment and improvement of the quality of American life, without which "our way of life" becomes a concept without meaning.

Let us remember that when history reports the fall of nations that were great and center stage, 19 of 21 of them fell not because the barbarians scaled the walls. They fell because within the walls they failed to do right by each other. Nineteen of the 21 crumbled for neglect at home.

Adoption of the amendment offered by the Senator from Maine gives us an

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which 3 1/2 per cent is due to inflation; 1 1/2 per cent due to stretchout; and, 2 per cent due to design and estimate changes.

3. As I mentioned earlier, we did want you to have this information as early as possible. Also, I should emphasize, however, that this does not change the requested amount for FY 70—the amount carried in the current Authorization Act and Appropriation Requests.

ABM

Mr. GOODELL. Mr. President, this morning an editorial entitled "Senate and SALT" appeared in the New York Times. It states, rightly so, that debate on the nearly \$70 billion Defense appropriations bill offers another opportunity "not to be missed" to examine the arms race.

The question of Safeguard ABM deployment involves many still unresolved issues. As I stated on August 6, the day of the vote on authorizing Safeguard:

If ABM and MIRV go unchecked, we will be in an arms race of proportions unknown in weapons history. We will be racing not only with the Russians and Red China but with ourselves as well.

Today, we are to decide whether to deploy the Safeguard ABM.

No matter what the limited scale of Safeguard which has been proposed, we simply cannot assume that there will be no Soviet response.

I fear what is in store is the inevitable action-reaction cycle.

A natural response to an ABM deployment by the United States would be further Soviet MIRV development and possible deployment.

In turn our own efforts in MIRV capability would increase.

Then will both sides look to deploying land-mobile missiles?

Mr. President, escalating new elements of uncertainty can only weaken the stability of deterrence with resulting peril to the security of our country.

Rather than fill a "deterrent gap" as the Pentagon claims it will, ABM could unleash a weapons race spiraling beyond the possible control by nations.

Mr. President, on August 6 the Senate authorized initial deployment of Safeguard by a vote of 49 to 51, after a 50 to 50 vote to deny deployment.

Now we are being asked to appropriate funds for Safeguard.

Today, we already hear of "cost overruns" for this ABM system. Under the rubric of "cost growth," it is now estimated that phase I of Safeguard will cost \$277 million more than the Department of Defense originally estimated. The Senator from Oregon (Mr. HARTFIELD), who first disclosed the cost increase, has indicated that at this rate, the cost of phase I may now reach over \$13 billion by the target date of 1976. It should be recalled that last May, the Pentagon indicated that the full Safeguard program would cost about \$10 billion.

Beyond spiraling costs for the Safeguard ABM system, we must come back to the basic question of spiraling arms systems.

ABM + MIRV > SALT?

Mr. President, will deployment of Safeguard ABM and the buildup in MIRV from city-target to hard-target capability be so great as to render impossible meaningful control of nuclear weapons at the Strategic Arms Limitation Talks—SALT?

According to October testimony by Gen. John D. Ryan, Chief of Staff, U.S. Air Force, on Defense appropriations requests:

The most important factor in the threat is the changing strategic relationship between the United States and the U.S.S.R. A primary Soviet objective is to overcome the U.S. lead in capabilities for nuclear war. Toward this end, the Soviets have built and are deploying impressive offensive and defensive forces. They will undoubtedly seek further advances in their relative strategic position.

A primary aim of the Soviets is to overcome the U.S. lead in capabilities for nuclear war. They are indeed making impressive gains. Their ICBM force continues to grow at a rapid rate. They continue development of new and improved systems such as multiple reentry vehicles. A fractional orbit bombardment system has been tested. They continue a high priority program to expand their ballistic missile submarine force. Their long-range aviation continues to be maintained at impressive levels.

Now, what are we doing in each of these areas? First, in missiles. In recent years the introduction of Minuteman III into the force has been successively stretched out.

There has been criticism of Minuteman costs based on the fact that early estimates for earlier contemplated programs have been greatly exceeded. This criticism falls to take into account that the program has been a rapidly evolving one keeping pace with technological changes—and that the Minuteman in the field today is a far different vehicle with greater capabilities than the one originally envisioned.

Minuteman III will further improve our missile force by making possible the introduction of Multiple Independent Reentry Vehicles (MIRVs) into operational use for the first time. Flight tests of Minuteman III have been highly successful in meeting test objectives.

With respect to new ICBM developments, we have only the Hard Rock Silo and a small advanced ICBM technology effort underway. We, thus, must rely on Minuteman until well in the seventies.

Regarding MIRV developments, General Ryan added:

We have a program we are pushing to increase the yield of our warheads and decrease the circular error probable so that we have what we call a hard target killer which we do not have in the inventory at the present time.

Mr. President, I shall oppose the funding of Safeguard ABM because of my conviction that we simply must halt this offensive/defensive nuclear weapons escalation; we simply must stop spending for false security.

In view of the arms issues facing us today, I ask unanimous consent that the New York Times editorial "Senate and SALT" and an article entitled "AF Developing A-Weapon for 'Hard Targets'" which appeared in the Washington Post be printed in the Record.

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

SENATE AND SALT

The \$70-billion defense appropriations bill, which provides initial funds for deployment of the Safeguard antiballistic missile (ABM) system, offers the Senate another opportunity to debate the nuclear weapons race, an opportunity not to be missed. The Administration argues that nothing should be done that might weaken the American position in the strategic arms limitation talks (SALT) in Helsinki. Yet there never

has been a moment when full debate has been more vital, whether or not ABM opponents—who failed by one vote in August to halt Safeguard deployment—make a new effort to stop it now.

The American delegation went to Helsinki with instructions to make no substantive proposals, but to settle procedural matters and probe Soviet views. The critical decisions are yet to be made on the position the United States will take when the talks enter their substantive stage in late January or February. Before he makes those decisions, President Nixon should have the advice of the Senate and know that he will find support if he takes some risks to head off a new escalation in missiles.

The crucial decision is whether to freeze strategic missiles immediately at about present levels as a preliminary to negotiated reductions, or to leave some new weapons uncontrolled and to set "limits" on others that would legalize a vast expansion of offensive and defensive delivery vehicles before cut-off.

The issue turns on three weapons: MIRV multiple warheads, the ABM and the Soviet SS-9 intercontinental missile. There is time to halt ABM or SS-9 deployment which, at present rates, could not seriously alter the nuclear balance for several years. But MIRV, which must be halted soon or not at all, probably cannot be stopped without a suspension of ABM and SS-9 deployment.

Deployment of MIRV, which the Pentagon plans to begin in May or June, promises a four- to five-fold multiplication of the 1,700 delivery vehicles in the American strategic offensive missile forces and undoubtedly would lead to an equivalent escalation in Soviet missiles. MIRV can only be halted by a test-ban before deployment. Once deployed, it could only be controlled by on-site inspection more intrusive than either the United States or the Soviet Union would be likely to accept.

That is why the General Assembly's Political Committee voted, 67 to 0—with the U.S., the U.S.S.R. and their allies among the forty abstainers—for a moratorium on all "further testing and deployment of new offensive and defensive strategic nuclear weapons systems" as the SALT talks proceed.

The U.N. appeal undoubtedly is broader than is necessary. A moratorium on the testing and deployment of multiple warheads and on the further deployment of ABM's and SS-9's is urgent, however, if the SALT talks are to halt the arms race before rather than after an enormous new escalation in the missile forces. This is the issue that cries out for Senate debate, whether or not the opportunity is taken to reverse the August ABM vote.

AF DEVELOPING A-WEAPON FOR "HARD TARGETS"

(By George C. Wilson)

The Air Force is working on a new weapon bound to upset arms-control advocates in this country and likely to be viewed by Russia as a potential threat.

Gen. John D. Ryan, Air Force Chief of Staff, indicated his service is developing an improved MIRV missile in testimony released this week by the House Defense Appropriations Subcommittee.

"We have a program we are pushing to increase the yield of our warheads and decrease the circular error probable so that we have what we call a hard-target killer which we do not have in the inventory at the present time," Ryan said.

The term "hard-target killer" connotes a warhead big enough and accurate enough to destroy missiles or command and control centers buried underground.

FIRST-STRIKE WEAPON

Defense Secretary Melvin R. Laird and his Pentagon colleagues have been portraying the Soviet SS-9 ICBM as just such a weapon,

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However, I also feel that we have to be very clear in our own minds about certain things. We should realize that it has long been the practice of the Soviet Union to convey an attitude of cooperation and detente in one place—apparently there seems to be that kind of attitude in Helsinki—and at the same time to play the very dangerous game of brinkmanship with peace without responsibility in another place—the Middle East.

I have made my remarks today so that we may be conscious of the fact that the U.S.S.R. can carry on both kinds of policies and that our policy must be adjusted accordingly.

We cannot allow ourselves to be taken in by a cooperative atmosphere in another policy area so as to jeopardize the security of a very effective and durable ally. The adoption by the Soviet Union of an intransigent position, with which I have confidence the administration thoroughly disagrees—that is the position of the Arab States—should not induce us to make unwarranted concessions.

I think that under the guise of trying to be balanced and fair, we could be taken in.

I have made my remarks today to call the matter to the attention of the Senate.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

The Senate continued with the consideration of the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

Mr. HATFIELD. Mr. President, I rise to support the amendment offered by the distinguished Senator from Maine (Mrs. SMITH). I will be very brief here today because, as my colleague has pointed out, I think that most everyone has made up his mind and each has heard all of the arguments on the ABM question.

However, I should like to introduce a subject that was not involved in the previous debate—something that has come to be recognized as a new term by the Defense Department, called "cost growth." We used to call it "overruns" or the other terms that were given to it. They were meant to indicate that there was a change from the original estimate of a weapons system to the kind of figure we were dealing with when it finally ended up, or when we were making continuing appropriations.

Mr. President, I read from the statement of Mr. Packard, Assistant Secretary of Defense, when he indicated last spring, as appears in the RECORD of December 12, 1969, on page S16601:

Neither the Department of Defense nor the Congress will continue to tolerate large cost overruns which relate to unrealistic pricing at the time of award, or to inadequate management of the job during the contract.

The chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS), on December 1, issued a statement which included 35 weapons programs and the differences which we could expect to find with between the original cost estimate and the current cost, because of any "cost growth."

In the 35 weapons systems, the ABM Safeguard was included. The chart which was released by the chairman indicated that the current estimate for the Safeguard was the same as the original estimate—namely, \$4.1 billion—and that, therefore, there had been no cost growth from the time of the original estimate to the time of the release, which was December 1.

Mr. President, I made some inquiries and I would like to report to the Senate some of the results of those inquiries.

The total cost estimate of the Safeguard ABM system has risen by \$277 million since we last considered this issue. Although the Senate Armed Services Committee reported, as I have said, on December 1, 1969 that there had been no increase in the original \$4,185,000,000 cost estimate, the Pentagon informed me Saturday, after persistent inquiry, that the cost had escalated by this amount.

The Defense Department has claimed that this 6½-percent increase has taken place since its last program status report of June 30, 1969. I do not know why such a cost growth was not reported on December 1, unless an increase of more than a quarter of a billion dollars has taken place in the 12 days since then.

Increasing at a rate of 6½ percent every 5 months, the phase I deployment of the Safeguard system will not cost the taxpayers \$4,185,000,000, as originally claimed, but rather \$13,700,000,000 by its completion in 1976. Such a projection is not at all unrealistic, for recent history has witnessed the cost of weapons systems growing by such proportions.

Further, the Pentagon's \$4.185 billion estimate was only for phase I of Safeguard, or deployment at just two sites. Should we proceed with phase II of the system, the original cost estimate of \$10.3 billion could well rise above \$25 billion. These are the expenditures that are ultimately at stake by our decisions today.

We all know of the financial crisis within our land. All of us are alarmed by seemingly unchecked inflation. During the debate on the tax bill last week, time after time, colleagues have spoken about the absolute need for fiscal responsibility.

For instance, some argued that we could not give a deduction for the medical expenses of those over 65 and not covered by medicare; we could not afford the \$255 million this would have cost us in fiscal year 1970, it was said. But the increase in the ABM during just these past 5 months exceed that, and the total ABM funds in this appropriations bill are more than three times as much.

In explaining the reasons for this cost increase to me, the Pentagon stated that 1½ percent was due to "stretchout," 2 percent was due to "design and estimate changes," and 3½ percent due to inflation. I find this last cause to be somewhat ironic.

All of us would agree that a certain step toward the control of inflation is the reduction of Government expenditures. But the truth is that the most fiscally irresponsible Government spending today is defense spending.

One reason why the cost of weapons systems increases, then, is simply because massive funds are spent for them during this time of economic instability, becoming a primary cause of inflation.

The reasons for not proceeding with ABM deployment at this time have been clearly set forth in the past. Today, in light of this new information, I wish to emphasize only one: We cannot afford it.

Mr. President, I ask unanimous consent that the fact sheet given to me on Saturday by the Pentagon confirming this cost increase be inserted in the RECORD.

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

FACT SHEET

1. Secretary Laird has placed great stress since coming into office on making the Program Status Reports submitted to the Armed Services and Appropriations Committees an accurate reflection of the major weapons system acquisition programs, characteristics, and costs. The last Program Status Report submitted to you with regard to the Safeguard program was as of 30 June 1969, and showed the DOD acquisition, or DOD investment costs, expected for the Safeguard program as \$4185 M. These costs include the DOD RDT&E, PEMA and MCA for Safeguard Phase 1 for the period FY 68 through deployment of the last site.

2. The next Program Status Report on the Safeguard program is now in its final stage of review. It is expected to be forwarded shortly to the Chairmen of the Armed Services and Appropriations Committees. The Report on Safeguard will show a cost increase over the earlier Safeguard reports and we wanted you to have this information as early as possible. The total increase shown in the new report will be \$277 M, or a percentage increase from the earlier reported total of about 6½ percent. This increase is brought about by three basic causes.

a. The largest cause is the inflation that has occurred. In this regard, initial estimates of March and those of the 30 June report were based on the price levels as of 31 December 1968. We have now updated those costs to a 31 December 1969 level so that they will be in agreement with the budget and authorization submissions for FY 71 now being prepared. Approximately \$136 M of the \$277 M is due to this price level change, or 3½ percent of the earlier reported total program investment costs.

b. Then, too, as you realize, we have held back on major commitments for construction and PEMA until after passage of the authorization and appropriation bills. This has necessitated our delaying the Equipment Readiness Dates of the two site complexes by 3 months each. Completion of deployment of the second site complex is now delayed from the earlier scheduled July 1974 to October 1974. In other words, it has stretched out the deployment and the period over which our production/engineering base is maintained. This stretch-out has caused an increase of \$55 M, or 1½ percent of the earlier reported total program investment costs.

c. Finally, and the second largest, we have had certain changes in the estimates of several line items brought about by further estimation and study and a few necessary design changes. These together account for \$86 M of the increase, or about 2 percent of the earlier reported total investment costs.

d. In summary, then, the total cost increase shown in the next Program Status Report will be one of about 6½ percent: of

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tary personnel, which can be used elsewhere.

The basic issue was debated at great length on the authorization bill and ended in a 50-to-50 tie vote.

So this debate is not going to change anyone's mind. If there has been any change of mind, that change has come before this debate.

The purpose of this amendment is the opportunity for those of us who oppose the Safeguard ABM system to register our continuing opposition.

An incidental use will be gained in that the vote will offer an opportunity for some to record their change of mind on this issue in changing their vote from their vote on authorization of the system.

I want to clearly record the fact that I have not changed my mind. In fact, from what I have been told by some working on the Safeguard system—told since the authorization vote—I am all the more convinced that spending funds for the Safeguard ABM system is a tragic waste of funds and resources.

I am confident that the very near future will demonstrate the tragedy of the Safeguard ABM system and in contrast the superiority of a laser defense system.

In short, I simply cannot vote to spend money and resources on what I consider to be a defective system.

THE SOVIET RESPONSE TO SECRETARY ROGERS

Mr. JAVITS. Mr. President, I had meant, during the morning hour today, to make a brief statement on the situation in the Middle East. Since that opportunity was not available to me earlier in the day, I take the liberty of detaining the Senate for a few minutes to make the statement now.

Today's reports of the Pravda article commenting on Secretary Roger's controversial speech of December 9 clearly reveals Soviet intentions with respect to the Middle East—intentions that are most disquieting. While the world looks for a spirit of cooperation and responsibility in the SALT talks, the Soviet Union can hardly make a good impression when it continues to take the low road in Cairo and Damascus, while seeking to appear to take the high road in Helsinki.

Secretary Rogers' speech contained strong overtures to the moderate Arab governments and foreshadowed a tough U.S. stance vis-a-vis Israel's substantive position on the outstanding issues concerning a peace settlement. The major effort by the Nixon administration to go the extra mile to bridge the gap in the Mideast—even at the cost of undermining Israel's position—was motivated, I have no doubt, by a genuine desire to promote peace.

A Soviet diplomatic offensive against the U.S. Middle East policy, which seems now to have been inaugurated, presents a challenge for debate on the international level, which the United States should not forego. The Soviet Union is either preaching to us or scolding us on our policy without itself making any contribution to peace in this area. The whole

world agrees that there is a great danger in the Middle East. But the danger, I feel, is not so much between the great powers as it is in the possibility of the whole area once again plunging into flames with repercussions which no one can predict. While the United States announced a policy of "balance" and sweet reasonableness—a policy which I feel is well-intentioned but misguided—the Soviet Union engages in nothing more than pandering to the most intransigent positions of its radical Arab clients. The exercise is strictly one of seeking to discredit the United States without making any contribution to peace in the area.

Whatever may be the Soviet Union's intentions elsewhere, it obviously intends to play a strictly opportunistic, irresponsible and power-grabbing role in the Middle East.

The U.S.S.R. has now made it clear that its policy in the Mideast is to take a mile every time the United States gives an inch. Secretary Rogers' detailed statement of U.S. differences with Israel has not been paralleled by any Soviet indication of any differences with the unrelentingly extremist position of its Arab clients. In fact, the U.S.S.R. in the few days since Secretary Rogers' speech has aligned itself even more closely—if that is possible—with the straight propaganda line of President Nasser's United Arab Republic, even to the extent of backing the guerrilla movement in the Middle East.

The U.S. concessions in Secretary Rogers' speech have been attacked in Pravda as "tricks" of "Washington propaganda" designed to "split" the Arabs. The new U.S. policy is described as one of "support to the Israeli ruling circles in their aggressive actions, in their stubborn attempts to annex territories."

The U.S.S.R. obviously is seeking to draw the United States into a policy of entrapment there—one of extracting one U.S. "concession" after another—by constantly raising the bidding price. What is at stake is the very survival of Israel. No one can expect Israel to go back to the pre-June, 1967 situation, with Syrian guns firing down its throat from the Golan heights, with Jordanese medium artillery able to interdict the 12-mile waist of Israel and cut the country in two, and with Egypt able to cut the entry to Elath and to mobilize in the Sinai desert.

It is a matter of gravest concern and regret that the Soviet Union continues to pursue such a dangerous and irresponsible policy in the Mideast. It is a real understatement to say that the U.S.S.R. is not proceeding in the Mideast with the spirit of cooperation and responsibility that we have some reason to suspect may be in the offing regarding the SALT talks and other overall U.S.-U.S.S.R. issues. In my judgment, it is time for the Kremlin to realize that if it does want to move—in President Nixon's memorable phrase—from the "era of confrontation to the era of negotiation" it cannot make an exception of the Mideast. The issues are too serious there.

It is clear that the Soviets are not prepared at this time to respond in any

reasonable, just, or responsible manner to Secretary Rogers' high-minded—but in my judgment misguided—effort to place the United States in an "even-handed," "balanced," and intermediary posture in the Mideast. The only visible results thus far have been a strong Soviet reiteration of down-the-line support of the radical Arab position. Also, the Soviets have for the first time expressed overt support for the Arab terrorist guerrilla movement.

In this context, the low-keyed request of Prime Minister Golda Meir to President Nixon, during her recent visit to buy additional defensive arms—hopefully on less onerous terms—assumes a new urgency.

If the United States does not lose its nerve and does not allow itself to be maneuvered into pressing Israel to accept measures which could compromise its security, current radical Arab and Soviet policy will fail, the bankruptcy and total negativism of its premises will be exposed and a new era of opportunity and enlightenment can open in the Middle East. But if Israel loses her viability as a free state—either because we unwittingly encourage her enemies to think they have a chance to wage one last holy war against her, or because our "balanced" policy forces Israel into bankruptcy to maintain her military defense against such a war—it would pose the gravest implications for the United States and for the peace of the world.

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

Mr. JAVITS. I yield.

Mr. MURPHY. Mr. President, I associate myself with the remarks of the Senator from New York and congratulate him for bringing the matter before the Senate today.

I have also been interested in these developments. I have read with great concern the apparent further attempt at appeasement, which is exactly the thing that the representatives of Israel have worried about from the beginning. They were afraid that it would happen in the U.N. They asked to meet with the Arabs.

The Israelis and the Arabs are the ones concerned.

We seem now to be in the position of helping the real troublemakers in providing them with the side entrance, so to speak, so that the real meeting between the Israelis and the Arabs could not take place.

I think this is a great mistake. I think that the attempt is badly taken. And I think that the wisdom of it is very questionable.

I am certain that the position the Senator from New York and the Senator from California have taken from the beginning is a proper position.

I sincerely hope that the remarks the Senator has made today are transmitted forthwith to the Secretary of State so that he will know that some Senators are listening to this and are watching it and are knowledgeable and have some judgment as to the matter.

Mr. JAVITS. Mr. President, I am very grateful to my colleague.

I will yield to no one in my desire for good relations with the Soviet Union.

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pinch was causing a major review of its entire defense establishment. This led to rumors that the Germans were seeking to back out of the program.

But sources close to the project say there is no question that the development program will be completed jointly and that each will pick up half of the cost.

It is possible, they say, that Germany will be allowed to stretch out its annual financial contributions to the program and that there may be other changes on previous agreements such as on patent rights and the exchange of technical information.

Negotiations on these matters began late last summer, but final agreements must be worked out at the defense secretary level, it is said.

The gun-missile system is also experiencing difficulties, with the artillery element rather than the missile causing the trouble.

The 152-millimeter gun tube on the MBT-70, similar to a system being installed on the new American light Sheridan tank and on a modified version of the M-60 tank, can launch a Shillelagh guided missile at targets from 1,500 yards to 3,000 yards away.

The gunner merely keeps the crosshairs of his sight on the target, and this causes corrective signals to be sent to the missile to guide it to the bullseye. But the missiles are expensive, costing \$2,500 to \$3,000 each.

So the system also fires a 152-millimeter artillery round at closer or less vital targets. Instead of a brass cartridge case to hold the powder charge, the gun was designed to use a combustible cartridge case made of the same substance as the propellant but with a different molecular structure.

In some instances this combustible case has not burned completely and when the gun's breech was opened, propellant gas mixed with air and was ignited by the burning residue. This caused a flareback of flame that threatened to ignite other rounds in the tank's turret.

In a few instances, premature explosions are said to have occurred when a new round was inserted while burning specks remained in the chamber.

Army engineers have developed and tested a device to flush the gun tube and breech blocks with jets of carbon dioxide gas. Still more advanced using air or nitrogen gas are on the drawing boards.

Meanwhile, the Army is also trying to develop a more fully combustible propellant case.

But as the United States has wrestled with this problem, the Germans have expressed second thoughts about having missiles at all.

Some German tankers have said that they would rather have a rapid-fire 110-millimeter or 120-millimeter conventional gun without the expense of training and equipping their tank forces with missiles, too.

Tank battles in Germany have traditionally been fought at relatively close range, they say, and the Shillelagh is not very effective close in; it has to fly out a certain distance before it is "captured" by its guidance system and directed to the target.

An American source said that German officials were now talking about the possibility of two versions of the MBT-70, one having a gun only and the other a gun-missile capability.

The Germans have also developed an alternate engine for the tank, but American and German sources tend to agree that the United States engine will probably be used by both.

With development well along, the two countries are negotiating an agreement to cover the production of the tank in each country. Other allies, including Britain, Italy and the Netherlands, have expressed interest and are viewed as potential customers.

A year-long test program is about to get under way in Germany and the United States, also on a joint basis. Each country will use eight pilot models in the tests.

The Army's test and evaluation command is planning joint tests in the deserts around Yuma, Ariz., at the Arctic test center in Alaska, in a nuclear environment in New Mexico, in a chemical warfare setting in Utah, in the hands of engineer troops at the Aberdeen Proving Grounds in Maryland and in the hands of troops at Fort Knox, Ky. Similar tests will be held in Trier, Meppen and Münster-Läger in Germany.

[From the New York Times, Oct. 10, 1967]
BONN SHOWS U.S.-GERMAN TANK; TURRET MALFUNCTION MARS TEST

(By Philip Shabecoff)

BONN, October 9.—The West German Defense Ministry unveiled today in Augsburg a prototype of the Main Battle Tank of the nineteen-seventies.

The demonstration of the tank, which is being jointly developed by West Germany and the United States, indicated that the MBT-70, as it is called, still was not a perfect weapons system.

After 30 minutes of a maneuverability test, smoke began pouring out of the turret. The three-man crew jumped out uninjured and called for fire extinguishers.

Apparently, a valve in the hydraulic system of the turret malfunctioned. The tank could not be used for the rest of the demonstration, and a tank chassis with a turret missing was used to finish the display.

OBSERVERS IMPRESSED

Observers in Augsburg, however, were impressed by the tank, particularly its ability to rise and lower itself on a hydropneumatic system.

Only a few officers and reporters witnessed the demonstration. Tomorrow the tank will be shown to members of the Defense Committee of the Bundestag, the lower house of Parliament.

A spokesman for Bonn's Defense Ministry said that if the MBT-70 met expectations, it would replace by 1972 all the American-made M-48 tanks now used by the West German Army.

He said that if hopes for the tank were realized, the Bundeswehr (armed forces) would have the most technically sophisticated and militarily effective tank conceivable for the nineteen-seventies.

According to German estimates, the MBT-70 will cost \$550,000 to \$580,000 each, based on a production run of 1,500 tanks.

The West German estimates of the development costs run as high as \$750-million, a figure that includes the production of a number of vehicles.

Some members of the German Government have expressed dismay over the development costs, observing that they are two to three times the development costs of the new West German Leopard tank, which is being phased into the Bundeswehr.

Some military experts here have said that the Leopard can do the military job required in the seventies and thus makes the expense of the MBT-70 unnecessary.

The West Germans are reported to have disagreed with the Americans on armaments for the tank, preferring conventional weapons to a missile system. The result was a two-turret system, one turret mounted with a Shillelagh missile launcher and the other with a rapid-fire cannon.

DISPLAY IN WASHINGTON

WASHINGTON, October 9.—The United States Army also displayed today the MBT-70, which it figures is the world's fastest and most sophisticated tank.

"I don't really know what the Russians have," said Maj. Gen. Edwin H. Burba, the top American officer on the two-nation team that has guided development, "but I'd like to place a bet for a month's pay that this is better."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that the Speaker had appointed Mr. STOKES of Ohio, Mr. ASHBROOK of Ohio, and Mr. BELL of California vice, Mr. STEIGER of Wisconsin, excused, as additional managers on the part of the House at the conference asked by the House on the disagreeing votes of the two Houses on the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

The message announced that the House had passed, without amendment, the bill (S. 1108) to waive the acreage limitations of section 1(b) of the act of June 14, 1926, as amended, with respect to conveyance of lands to the State of Nevada for inclusion in the Valley of Fire State Park.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

The Senate continued with the consideration of the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970; and for other purposes.

Mrs. SMITH of Maine. Mr. President, on behalf of myself, the Senator from Kentucky (Mr. COOPER) and the Senator from Michigan (Mr. HART) I send to the desk an amendment, and ask that it be stated.

The legislative clerk read the amendment, as follows:

On page 6, line 25, strike out "\$7,185,841,000" and insert in lieu thereof "\$7,162,641,000."

On page 16, line 4, strike out "\$4,254,400,000" and insert in lieu thereof "\$3,908,900,000."

On page 22, lines 9 and 10, strike out "\$1,600,820,000" and insert in lieu thereof "\$1,199,920,000."

The PRESIDING OFFICER. Does the Senator ask unanimous consent that her amendments be considered en bloc?

Mrs. SMITH of Maine. I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HART. Mr. President, will the Senator yield for the purpose of my asking for the yeas and nays?

Mrs. SMITH of Maine. I am happy to yield.

Mr. HART. I ask for the yeas and nays.

The yeas and nays were ordered.

Mrs. SMITH of Maine. Mr. President, I shall be very brief in speaking in support of this amendment. The issue is clear. The amendment would strike all funds for the Safeguard anti-ballistic-missile system except the funds for mili-

the investment of any further funds can bring positive benefit.

Mr. President, I wish to raise one other consideration regarding this tank. This joint venture with the Federal Republic of Germany was signed in August of 1963. Conrad Adenauer headed the West German Government, the cold war had been intensified by the Berlin Wall, and John F. Kennedy had completed his dramatic visit to West Berlin. No one was think about a European Security Conference, and few questioned the viability of NATO. Above all, relations between the East and the West—and between Moscow and Bonn—were frigid.

Now we are moving into a new diplomatic era. Willy Brandt, during his initial weeks as the new leader of the country, has already opened up innovative foreign policy options in Europe. Bonn and Moscow are having cordial conversations, and even Ulbricht is speaking about new terms for some kind of understanding between the two Germans. All of Europe is in a period of diplomatic flexibility that may possibly mark the cold war's last days on that continent.

Now, of course, I am aware that changes in the international climate come suddenly and are not always dependable. But I wish to point out how radically the present European situation differs from the past. This, of course, is likely to continue into the decade ahead—the decade for which we are building the MBT-70 in partnership with West Germany.

There are some reasons to believe that West Germans have had serious misgivings in the past regarding this project. Newspaper articles from as early as 1967 hint to such developments. I ask unanimous consent they be inserted in the Record at the conclusion of my remarks. In today's world, they may have even more reason to doubt the wisdom of this joint project.

These comments are made only to underscore the fact that our defense posture must always be responsive to the atmosphere of international relations. This is particularly true in such joint projects as the MBT-70. These circumstances only further point out the wisdom of reexamining the future of this program. I trust that such a reexamination, initiated by the debate and agreement last August, will now be intensified by our action today.

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

[From the Washington Post, Oct. 10, 1967]
NEW TANK SHOWN; HELD WORLD'S BEST
 (By George C. Wilson)

The Army yesterday unveiled the new tank it has been building with West Germany and predicted it will be the best in the world "for the next 15 years."

The tank, designated the Main Battle Tank 70, represents the Pentagon's most ambitious attempt yet to inspire a common market of weaponry among NATO allies.

But the political roadblocks in front of the tank look more menacing right now than any natural obstacles the 51-ton vehicle will confront once it becomes operational in the 1970s.

Germany, in revamping its military budget, is expected to trim some of the money

earmarked for the tank. Any cutback on that side of the Atlantic threatens to slow down the whole program because it is a 50-50 project.

The United States so far has spent \$80 million on developing 18 prototypes of the Main Battle Tank. Germany has not yet contributed as much—the Army would not be specific yesterday—but is obligated to kick in an equal share eventually.

The development costs of the tank have outrun original estimates to the point where some German leaders claim the vehicle is taking an inordinate share of the military dollar.

Army project chiefs are hopeful that the technical advances in the tank will overcome such objections. The Pentagon also may work out a delayed payment arrangement with Germany to soften the financial impact.

An actual prototype of the tank is the star attraction at the Association of the U.S. Army three-day meeting, which opened yesterday at the Sheraton Park.

Maj. Gen. Edwin H. Burba, U.S. project manager for the tank, said it will be ahead of any of its competitors in Russia or elsewhere "for the next 15 years." The Army credits the tank with these five major technical advances:

A suspension system that raises or lowers the treads to enable the tank to adjust to the terrain and lower its silhouette; a crew compartment that protects the three men against nuclear radiation and germ warfare poisons; a 152-mm. cannon for ammunition or missiles—the most accurate of any tank; a transmission that enables the tank to go forward or backward at four different speeds, with reverse just as fast as forward; unexcelled armor protection plus kits that enable the tank to run under water.

Allison Division of General Motors is heading the U.S. industry team while its counterpart is the German Development Corp.

Gen. Burba said the Main Battle Tank will replace the M-48 medium tank but will not take over the role of the heavy M-60 tank.

Flanking the Main Battle Tank yesterday were new weapons, which dramatize the impetus the Vietnam war has provided to Army hardware development.

Two of these weapons are helicopters—the AH-1 Huey-Cobra and the AH-56A Cheyenne. The Huey-Cobra is a rework of the UH-1, or Huey, which is the helicopter used now in Vietnam as both a troop carrier and gun ship. The Huey-Cobra has been streamlined and armed with a coordinated weapons system. It will see action in Vietnam this year.

The Cheyenne is the first helicopter built from scratch as a weapons platform. It is now being flight tested, with a production contract expected to be awarded soon. The Cheyenne is designed to fly over 200 miles an hour—faster than any existing helicopter—and carry 16,000 pounds of rockets and other armament. This payload is as much as that of the later B-17 bombers of World War II.

[From the New York Times, Oct. 9, 1967]
U.S.-GERMAN TANK ON DISPLAY TODAY—FAST MISSILE-FIRING MBT-70, CALLED DEADLIEST ARMORED VEHICLE, IN WASHINGTON
 (By William Beecher)

WASHINGTON, October 8.—A futuristic tank with a low, flat silhouette and a gun capable of firing missiles and artillery shells is to be unveiled tomorrow in the United States and West Germany after four years of joint development by the two countries.

Called the Main Battle Tank of the nineteen-seventies, the MBT-70, the armored vehicle has fallen about a year behind schedule and is experiencing serious troubles with its principal weapons system. Development costs have risen so high that Germany is seeking modifications in the agreement un-

der which the two nations have been proceeding on the project.

But American tank experts who are close to the program insist that, despite its problems, the MBT-70 will be the fastest, deadliest and most advanced armored combat vehicle ever devised and promises the allies a decided edge over Soviet armor.

The American pilot model, produced in Cleveland by the General Motors Corporation, will go on display outside the Sheraton Park Hotel here during the annual meeting of the States Army, an organization that supports Army interests.

Germany is expected to show its model, built by a consortium of nine companies, tomorrow as well.

The MBT-70 is regarded with more than usual interest by top Government officials because it represents the most ambitious effort to date by two nations to share equally the costs, technical knowledge and management decisions in developing a major new weapons system.

If the experiment ultimately succeeds, it may well establish the pattern for other big joint development programs, Administration officials say.

With the differences in language, industrial organization, tank doctrine and financial resources, "It's a wonder things have gone as smoothly as they have," one American planner says.

A particularly ticklish problem, for example, developed because American and German industry use a different screw thread in their nuts and bolts.

After considerable negotiation, the two parties agreed in the summer of 1965 that each would use its own screw thread internally on all components designed for the tank. They decided that each component would be interconnected using the metric, or European, screw thread.

The MBT-70, with a maximum speed of about 40 miles an hour, is about a third faster than the United States' principal battle tank, the M-60. It uses an automatic ammunition loader, thus cutting the crew size from four to three.

Its chassis can be raised and lowered about 18 inches, giving it better traction in mud and snow. Infrared and starlight viewing devices enable the gunner to see the enemy at night and in bad weather.

ALL-NEW DEVELOPMENT

An advanced firing computer gives it better kill capability with either its conventional 152-millimeter artillery shells or with its Shillelagh guided missiles.

It has stronger armor, as well as special shielding and ventilation to allow it to move through a nuclear or chemical warfare environment. A new suspension system enables it to absorb shock and to fire more accurately at the enemy while moving over bumpy terrain.

"In the past, we merely added a few improvements over the existing tank and called it a new one," one Army officer said. "This represents the first instance in which we have developed every component from the ground up."

American and German sources agree there is no doubt that the MBT-70 offers significant advances over present tanks. But certain differences remain.

There is the matter of costs, for example. When the program got under way in August of 1963, a rough estimate of the development cost, to be shared equally, was \$80-million.

Later, after careful analysis, the estimate was raised to \$136-million. But technical problems in each country led to costly delays, and earlier this year the estimate was again raised, this time to \$200-million.

PACT CHANGES SEEN

Sources say that German officials insisted this was too much of a burden for Germany to shoulder, coming at a time when its budget

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And finally, the study summarized the more recent OASD (SA) study of the MBT-70's cost effectiveness, and came to conclusions—classified "secret."

Essentially, as the MBT-70 is now constituted, it is amazing that it is seriously considered a viable alternative to meet a partially self-created threat—especially in light of the GAO report and various Pentagon studies.

On September 9 of this year, Deputy Secretary of Defense Packard took the first hopeful step toward bringing this strange episode on weapons development and procurement to an end.

He announced he had asked his design people "to make a complete review of this program to identify what features could be eliminated while still retaining adequate capability, to determine whether further duplicate developments could be eliminated, to assess the remaining technical uncertainties, and to undertake to have this study completed by December of this year.

He then stated:

At that time I will have the opportunity to review the entire program and make a decision on whether we should go ahead, and if so, how.

I have further directed that the expenditures between now and the December review decision date be kept at an absolute minimum consistent with getting the data needed for the decision.

He specified that minimum as \$12 million for R. & D. and promised to put a hold on the \$20 million authorized for production-based support.

Promising to report to the Congress, Packard concluded:

I am not here today to defend the way this program has been handled in the past. I am here to ask you for the opportunity to reorganize this program in a manner which will give our army a superior tank at a cost which can be justified. I will, of course, keep you informed as my review progresses and of the decision we make in December.

Mr. President, based on the foregoing analysis of the trials and tribulations of the MBT-70, it is my frank opinion that the funding of this program should be significantly cut.

I realize, even if the Defense Department were to decide today to terminate the MBT-70, that some funds would be necessary to cover termination costs, and so forth.

The September 2, 1969, GAO study previously referred to says in part:

If decision is made to terminate the MBT-70 program, . . . funds would be required to cover termination costs and development effort on other programs. The \$30 million RDT & E funding level could be used for this purpose.

However, I can find little or no justification for the appropriation of \$20,000,000 for production based support. This item, which would provide funds among other things for additional prototype models, would be throwing good money after bad.

I realize that at this point in time, while we are still awaiting Deputy Defense Secretary Packard's December review, I would perhaps be assuming too great a burden of persuasion to ask the Senate to cut the entire \$20,000,000 for production based support.

Therefore, Mr. President, I send to the desk an amendment on behalf of myself and Senator Hatfield which would cut one-half of the \$20,000,000, that is \$10,000,000, from the budget.

I realize that when considered against the totality of the Defense appropriations bill, \$10,000,000 may seem inconsequential.

But it is not.

Early this session the Congress was asked to fund the MBT-70 at \$44.9 million dollars for R. & D. and \$25.4 million for production based support.

The Senate Armed Services Committee reduced R. & D. authorization to \$30 million, and the Senate House Conference reduced production based support to \$20 million.

The amendment which I along with Senator HATFIELD offer today will reduce production based support by another \$10 million, bringing the total reductions for the MBT-70 program this year to more than \$30 million—a 40-percent reduction from the original request.

Speaking for myself and I think also for Senator HATFIELD, who was the principal cosponsor with me of the original MBT-70 amendment, and is the cosponsor of the instant amendment, I believe Congress will have acquitted itself well if this amendment is adopted.

I would hope that the distinguished acting chairman, Senator ELLENDER, could see fit to accept this amendment as a sound one under the circumstances in which we currently find ourselves.

Mr. ELLENDER. Mr. President, there is a parliamentary problem we have to deal with here. The distinguished Senators from Missouri and Oregon are proposing to reduce an amount that is now in the bill, and following the disposition of that amendment there will be an amendment offered by the distinguished Senator from Maine (Mrs. SMITH) affecting the same figure.

I ask unanimous consent that agreeing to the amendment now being considered will not affect the right of the Senator from Maine (Mrs. SMITH) to amend the same figure.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ELLENDER. With reference to the amendment offered by the Senator from Missouri, I wish to say that this matter was considered by the committee, and in a letter from Mr. Packard to the chairman of the committee, dated December 15, 1969, concerning the MBT-70 tank, in the closing paragraph of the letter, Secretary Packard states:

Of the total funds authorized of \$50 million in the FY-70 Defense authorization (\$30 million for RDT&E and \$20 million for production base support) it is now clear that in any event I will not authorize funding in excess of \$40 million.

The amendment offered by the distinguished Senator from Missouri would reduce that amount from \$50 million to \$40 million. Because of the letter from which I have just quoted, the committee is willing to accept the amendment of the Senator from Oregon.

Mr. EAGLETON. Mr. President, I ask unanimous consent that the entire letter

of the Deputy Secretary of Defense, Mr. Packard, addressed to the chairman of the Committee on Appropriations (Mr. RUSSELL), be printed in the RECORD at this point.

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

THE SECRETARY OF DEFENSE,
Washington, D.C., December 15, 1969.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Appropriations,
U.S. Senate.

DEAR SENATOR RUSSELL: I am responding to your inquiry concerning my review of MBT-70. Both the Department of the Army and Department of Defense staffs are analyzing in depth the MBT-70 and alternative solutions. I am scheduled to receive their findings by the 18th of December.

Based on information to date, I have concluded that I will not approve development of MBT-70 under the current design. By 15 January 1970, I will have made a decision between a new austere version of MBT-70 and other options that are available and should by that date have a report in the hands of your Committee.

It should be noted that this is a joint program under a basic agreement between the governments of the United States and the Federal Republic of Germany. The agreement prescribes that unilateral termination by either nation must be preceded by a 60 day notice of intent to terminate.

Of the total funds authorized of \$50 million in the FY 70 Defense authorization (\$30 million for RDT&E and \$20 million for production base support) it is now clear that in any event I will not authorize funding in excess of \$40 million.

DAVID PACKARD,
Deputy.

Mr. HATFIELD. Mr. President, I am pleased to cosponsor this amendment with the Senator from Missouri to cut \$10 million from the procurement budget of the Main battle tank. The Senator from Missouri has demonstrated extraordinary commitment, zeal, and determination in his continual expression of concern regarding this expenditure of the taxpayers' money. It has been a privilege to work with him as the principle cosponsor of the amendment to the authorization bill and now this amendment regarding the MBT-70.

At the conclusion of the debate on the authorization bill, I stated, regarding the agreement we had reached:

It is our hope that the report will be decisive, so that we can all agree to it; and if it is negative, we hope that we will then be able to reach some agreement as to what our next action should be; but it would not prejudice any of the sponsors of the amendment from taking future action on the appropriation bill.

As the Senator from Missouri has pointed out, the GAO study was negative, confirming our doubts and suspicions. And we have now reached agreement regarding our next action: to cut \$10 million from the procurement budget of the MBT-70, and to then await further review by Secretary Packard.

I, like the Senator from Missouri, remain convinced that the investment of any funds in this program is a mistake, but have agreed to this measure as the most practical action to take at present. Of course, we will continue to watch the future of this tank with the greatest interest, remaining deeply skeptical that

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design configurations into which they put in the best scientific engineering knowhow.

The "designers" referred to in the interview, according to the DOD, are the contractors on both sides, plus the joint engineering agency groups not known to be overly concerned with cost.

General Betts, Army Director of Research and Development, explained the spectacular rise in R. & D. costs in these terms:

For the first estimate we did not have a design. We did not have any really detailed idea of what would go into the tanks so the early estimates were very summary in nature.

The most summary kind of cost estimates have become the hallmark of the MBT-70.

As a recent GAO report on the MBT-70 states:

In 1965 the joint MBT-70 program was estimated to cost \$138 million. The 1968 estimate was \$303 million.

Estimated research, development, test and evaluation (RDT&E) costs for the United States participation increased from \$83.7 million in 1965 to \$178.3 million in 1968, or an increase of 113 per cent. Additional costs, such as turbine development, MBT salary support, and Advance Production Engineering (APE), were not included in the original joint estimate. These costs will be incurred before production starts and will increase the total cost of the MBT-70 development, including RDT&E and APE, by \$440 million (to a total of \$524 million), an increase of 325 per cent.

In addition, \$204.1 million of this amount is programmed for development of the second and third generation MBT pilot models and for ancillary vehicles, advanced component development, and a trainer, none of which were included under the joint program.

The House report also warns of excessive "gold plating." It states:

Designers have placed far more emphasis on high performance than on the need for durable and damage resistant equipment. A continuously high percentage of inoperable weapons has become accepted as routine. The specifications for new weapons too often call for the scientifically possible rather than the militarily practical. Excessive "gold plating" has too often been the practice under which the last five per cent of the performance specified for a new weapon accounts for fifty per cent of the complexity and cost of the weapon.

After a 525-percent increase in R. & D. cost in just 4 years—an increase which has driven the projected per-unit cost of the MBT-70 from \$420,000 to \$720,000—and after continuous technical difficulties that have pushed the production date back at least 5 years from late 1969 to 1974 or 1975, almost everyone recognizes that something is wrong. And most agree that "gold plating" is a major factor.

General Betts describes the line that the Army has been unable to draw in regards to the MBT-70 in an interview in the July 1969 issue of Government Executive:

The most important problem is that we have given it a great deal of capability and that means a very expensive vehicle. The problem is whether we have put more in this vehicle than we require. The toughest question is whether we really need everything that's in this tank.

In an exclusive interview with George Wilson of the Washington Post, Secretary of Defense Laird expressed dismay at the amount of gadgetry which has resulted in expensive breakdowns and repairs on the MBT-70. He wondered if we need all these extravagant MBT-70 devices when the Russians get along well with simpler equipment.

On September 9, 1969, Deputy Secretary David Packard expressed similar doubts, conceding that—

Clearly, insufficient attention had been given to the problems involved: specifically, a number of possible trade-offs and cost effectiveness factors had not been adequately considered.

The House Defense appropriations report is even more specific. In appropriating \$30 million for continued research and development it admonishes:

In its present design, the MBT-70 tank is overly sophisticated, unnecessarily complex and too expensive for a main battle tank. The Committee feels strongly that when this program is re-evaluated in December 1969 serious consideration should be given to the possibility of terminating the international aspect of this joint development program. The most prudent use of the funds provided for the MBT-70 this year could be for the U.S. to design a tank with far less sophistication, a tank that can be produced at about a third of the cost now estimated for the current design.

Mr. President, even if these basic—almost classic—mistakes can be corrected, there is still substantial doubt about the tank's strategic rationale.

As we have seen, the MBT-70 was approved on the basis of expenditure projections far below those which have occurred, and time schedules far better than those met. Once approved, the project gained momentum. It achieved a sort of self-perpetuating justification as the Army deemphasized alternative systems, thus creating a greater need and urgency for a new system than would otherwise have existed.

The Army now justifies the MBT-70 because of the quantitative superiority of tank forces in the Warsaw Pact as compared with NATO. And yet this year's House Armed Services Subcommittee report indicates that the M60A1 tank, which is recognized to be equal or superior to the Soviet tank, is not being produced in quantity. The result is fewer tanks at higher cost—about \$220,000 per unit. Another House Armed Services Subcommittee report states in part:

Since 1959 the M60A1 main battle tank has been the mainstay of the Army armored units in Europe and the Army currently considers this tank equal to or superior to Soviet-designed tanks.

Not only did the Army fail to maintain an adequate production rate of M60A1's during the 1960's, but they slowed down the production line and even closed it in 1967 to produce the M60A1E2, which still cannot be deployed because of deficiencies.

U.S. armored capability was further degraded by the sale of M60A1's to countries other than NATO allies between fiscal year 1964 and fiscal year 1969.

This year the Senate Appropriations Committee concurred in the House reduction of \$20,000,000 for procurement for the M60A1 while recommending \$20,-

000,000 for prototypes of the MBT-70—which at very best is 5 years away from production.

If the threat is as grave as some would have us believe, this reduction is hardly responsible action.

Antitank weapons, which are presumably an important part of our response to the Soviet tank threat, have been downgraded in U.S. defense planning and given low priority in the past.

In the fiscal year 1969 Defense Appropriations hearing, General Miley, Assistant Deputy Chief of Staff for Logistics—Programs and Budget—stated:

The Secretary of the Army postponed the fiscal year 1968 procurement of TOW antitank weapons for higher priority items.

The Dragon antitank weapon was similarly downgraded.

So while the Army failed to produce enough M60A1's, it also failed to push for antitank weapons—a curious pattern of priorities which leads one to question the seriousness of the Soviet tank threat, a threat which is evaluated on pages 29 and 30 of the "secret" portion of the GAO study of the MBT-70.

It is entirely pertinent to ask whether the MBT-70 is truly a necessary and effective means of countering the tank threat in Europe—however that threat is evaluated.

Certainly the GAO raises some relevant questions. Its report points out:

The need for and role of the complex, large, expensive tank in future warfare would appear to warrant assessment.

In the full text of the GAO report, beginning on page 24 of the "secret" material, there is an interesting discussion of the role of the tank which I commend to my colleagues for careful attention.

And yet, in view of the overwhelming doubt, the MBT-70 rolls on. It was funded up to authorized levels by both the House and Senate.

On August 8, Senator HATFIELD and I were joined by Senators MCGOVERN, MONDALE, MOSS, PROXMIRE, and YARBOROUGH in introducing an amendment which would have temporarily delayed further development on the Main battle tank until the Comptroller General had an opportunity to report to the Congress on the practicability and cost effectiveness of the highly complex MBT-70.

A compromise was reached with the distinguished Senator from Mississippi, Senator STENNIS, the chairman of the Armed Services Committee. Our amendment was withdrawn, the chairman requested a study by the GAO, and the committee met again after the completion of the study to decide the future of the tank.

The full GAO report was very useful, and in my opinion, highly critical. It cast doubt over the future role of tanks generally, much less one so expensive and complex as the MBT-70.

The GAO study also discussed an intelligence estimate, dated August 15, 1969, an estimate not available at the time of the first debate, which in my opinion cast further doubts about the future of the threat and the need for an MBT-70 to meet it.

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Looking over the shoulders of Pentagon officials, Stennis cautioned, will be members of his staff, and "where the situation requires a more extensive analysis, the General Accounting Office has been requested to review the data and accumulate such information as may be required."

He feels this in part may force the Defense Department to exercise better stewardship over public funds.

Already scrutinized by GAO, Stennis mentioned, are the SRAM, Condor and Cheyenne programs. Under review are the F111, Poseidon, P3C and Minuteman procurement projects.

The Defense Department has been asked by the committee to improve the quality and scope of its reports. Noting that "growing pains" in the reports were anticipated, Stennis said:

"The Defense Department agreed that there is room for improvement in the reports and were working towards a complete presentation of meaningful data to the committee."

Meanwhile, Proxmire said he believes the "exorbitant" profits contractors are realizing on small purchase contracts, taken in total, "could result in excessive profits exceeding those on major weapons systems."

"The difficulty," Proxmire said, "is that contracts and subcontracts under \$100,000 are not subject to the requirement of the Truth in Negotiations Law for submission of cost or pricing data. The rationale is that on small purchases involving common small items, the government procurement unit can easily keep track of prevailing prices on the item."

He said the GAO report which he received indicated that Lionel-Pacific Inc. of Anaheim, Calif., was awarded 22 contracts from OCAMA between 1967 to 1968. It suffered losses on two contracts but for the rest netted profits ranging from 12.9 to 1,403 per cent.

"The total dollar amount of the 22 contracts was \$88,547 but of that amount only \$25,612 represented costs incurred. All the rest, a total of \$62,935, was profit for an average of 245.7 per cent."

Proxmire said the Renegotiation Board, "which could do much to correct abuses like this, is barred from initiating proceedings on contracts of less than \$1 million."

GAO called the high profits garnered by Lionel Pacific "on some of the procurements we reviewed" largely the fault of "government and prime contract procurement officials" who simply failed to get a realistic price.

It said, "Similar findings were brought to the attention of DoD in a report of the subcommittee for special investigations, House Armed Services Committee, in January, 1968, resulting from its review of small purchases at several procurement activities on the military departments, including the Defense Supply Agency (DSA)."

And GAO told Proxmire that OCAMA is not "effectively" heeding instructions to improve buying practices.

"In our opinion, this demonstrates the continuing need for management officials in DoD and the military services to closely monitor the procurement practices of the military buying activities and to take steps to insure that buyers make every effort to obtain reasonable prices."

Elmer B. Staats, Comptroller General of the United States, said GAO was pursuing its investigations into the "award and administration of contracts for small purchases in DoD, and will examine into the purchases by OCAMA to determine what further action should be taken to achieve reasonable contract prices."

PROJECTED COST OVERRUNS

	Cost	OVERRUNS
Sheridan armored vehicle.....	548.0	141.6
Shilleleagh antitank missile.....	380.3	192.9
Lance XRI missile.....	421.9	50.4
Safeguard ABM.....	4,185.0	(0)
Cheyenne helicopter (R. & D. only).....	125.9	78.0
SSN-688 attack submarine.....	4,192.4	277.8
DD-963 destroyer.....	1,737.6	1,684.5
CVAN-68 nuclear carrier.....	427.5	116.7
CVAN-69 nuclear carrier.....	519.0	(0)
LHA landing helicopter assault ship.....	1,385.5	39.7
DXGN nuclear frigate.....	3,335.0	1,539.9
Poseidon missile.....	4,272.0	1,379.0
Phoenix air-to-air missile.....	903.4	595.5
Sparrow air-to-air missile.....	265.6	(2.9)
Sparrow-F air-to-air missile.....	246.3	179.6
Walleye II TV-guided glide bomb.....	340.7	8.0
F4A/B Navy fighter plane.....	6,166.0	207.0
P3C land-based antisubmarine plane.....	2,265.3	(3.6)
S3A carrier-based antisubmarine plane.....	2,891.1	(0)
A7E Navy attack plane.....	1,432.8	484.8
Mark-48, Mod O torpedo.....	655.2	2,585.6
Mark-48, Mod I torpedo.....	63.8	69.0
Condor missile (R. & D. only).....	126.0	56.2
SRAM missile.....	421.0	1,049.1
Maverick missile.....	382.1	(15.1)
Minuteman III ICBM.....	4,519.1	208.4
Minuteman III ICBM.....	4,375.9	760.7
CSA Air Force transport.....	3,443.2	1,550.7
A7D Air Force attack plane.....	2,012.1	(0)
B1 Air Force bomber.....	8,954.5	312.8
F15 Air Force fighter.....	6,039.0	1,661.0
AWACS airborne warning and control system.....	3,266.6	4,011.0
F111 A/D/C/E (fighter).....	738.2	468.9
FB111 (fighter-bomber).....	579.4	161.0
RF111 (reconnaissance plane).....	74,240.1	19,888.2

[From the Washington Post]

DEFENSE DEBITES "COST OVERRUN"

(By Bernard D. Nossiter)

The Pentagon is banishing the term cost overrun from the language.

In an unpublished memo of Nov. 26, David Packard, Deputy Secretary of Defense, proposes that "cost growth" be substituted in every instance in which the services now use the familiar phrase, "cost overrun."

The memo, a copy of which has been obtained by The Washington Post, was addressed to the secretaries of the three services and six other high officials involved with procurement.

According to Packard, the term "cost overrun" creates "confusion in the minds of many" and "cast(s) improper reflection on the true status of events."

His memo recalls that a "task force" was set to work on the problem. "The committee started with a general and imprecise term, 'cost overrun,' and discarded it as unworkable, and replaced it with the term 'cost growth,' including a structured set of definitions related to it, which are workable."

"I would like to have your views," Packard concludes, "prior to taking further action to incorporate this set of terms in those directives, instructions and regulations which require reporting of cost growth. When adopted, the often misunderstood term 'cost overrun' will disappear from use within the Department."

Procurement specialists pointed out that the substitution will save the Pentagon from considerable embarrassment. The term Packard would obliterate has now become so much a part of the language that the House Appropriations Committee, explaining its \$5.3-billion cut in the military budget, called this "the year of the cost overrun."

The project to build more C-5A airplanes ran into its first deep difficulties when it was discovered that high Air Force officials had suppressed from monthly reports the amount of the "cost overrun." The Air Force has now cut this program back from 120 to 81 planes.

Attached to the Packard memo is a list of nine causes for "cost growth." Like the term itself, they suggest nothing that could be at-

tributed to faulty or venal performance by the military or its suppliers.

Among the nine "events causing 'cost growth'" are changes in the required performance of a weapon, changes in the delivery date, changes in the economy and "acts of God."

Procurement experts observed that the list did not include: poor estimating of original costs; "buying-in," the technique of deliberately under-estimating costs to sell a project to the Secretary of Defense and Congress; and inefficient management and control.

Mr. EAGLETON, Mr. President, the Congress, too, is now cognizant of the enormous waste that goes on in the Department of Defense.

The report of the House Appropriations Committee on the Department of Defense appropriation bill, 1970, states:

Whether it is termed cost overrun, or cost growth, or cost increase, fiscal year 1969 can well be characterized as the "Year of the Cost Overrun." While the Committee has consistently inquired into cost overruns from year to year, no single year stands out in which inordinate escalations in costs for Defense weapon system developments and procurements have been surfaced to the extent they have been this year during the hearings... This situation greatly disturbed the Committee and it most certainly has an unfavorable impact upon the American taxpayer.

The main battle tank—MBT-70—has the dubious distinction of exemplifying most of the committee criticisms.

The House discusses two of the major factors in cost increases—failure to plan adequately when a project is undertaken and the tendency to "gold plate" a weapon system with many qualitative improvements which add little to the overall effectiveness.

The House report states:

Changes made in weapon system programs are a major contributor to cost increases. Engineering changes, system performance changes, and schedule changes during both the development and production phases have accounted for 39.4 per cent of the cost increases cited, according to figures provided by the Secretary of Defense. This practice points up the need for better definition of requirements. After such definition, "nice to have" or desirable changes cannot be made without pyramiding of cost increases. Engineering changes and system performance changes are not only costly in and of themselves, but they may well cause a slippage or change in schedule which also results in added costs.

Mr. President, the MBT-70 was started in 1963 as a joint venture with the Federal Republic of Germany with few specific requirements at all.

It began as a quest for a "dream" tank, rather than as a weapon designed to fulfill a specific mission or a specific threat.

Indeed, the Army had no clear idea of what the configuration of the MBT-70 would be until R.D.T. & E. was well underway.

According to Maj. Gen. Edwin H. Burba—former head of the MBT-70 project—as reported in an interview which appeared in the September 1967 issue of Armed Forces Management magazine:

For the first time in the history of modern tank design, the designers of the MBT-70 were given *carte blanche* to optimize basic

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I further announce that the Senator from West Virginia (Mr. RANDOLPH) is absent on official business.

I also announced that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH), the Senator from Alabama (Mr. SPARKMAN), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Washington (Mr. JACKSON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Iowa (Mr. MILLER) is necessarily absent.

The Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Iowa (Mr. MILLER) and the Senator from Kentucky (Mr. COOPER) would each vote "yea."

The result was announced—yeas 80, nays 9, as follows:

[No. 234 Leg.]
YEAS—80

Aiken	Gore	Mondale
Allott	Gravel	Montoya
Baker	Griffin	Moss
Bayh	Gurney	Murphy
Bennett	Hansen	Muskie
Bible	Harris	Nelson
Boggs	Hart	Packwood
Brooke	Hartke	Pastore
Burdick	Hatfield	Pearson
Byrd, Va.	Holland	Pell
Byrd, W. Va.	Hollings	Percy
Cannon	Hruska	Prouty
Case	Hughes	Proxmire
Church	Inouye	Ribicoff
Cook	Javits	Saxbe
Cotton	Jordan, N.C.	Schweiker
Cranston	Jordan, Idaho	Scott
Curtis	Kennedy	Smith, Maine
Dodd	Magnuson	Smith, Ill.
Dole	Mansfield	Spong
Dominick	Mathias	Stevens
Eagleton	McCarthy	Talmadge
Fannin	McClellan	Williams, Del.
Fong	McGee	Yarborough
Fulbright	McGovern	Young, N. Dak.
Goldwater	McIntyre	Young, Ohio
Goodell	Metcalf	

NAYS—9

Allen	Ellender	Stennis
Bellmon	Ervin	Thurmond
Eastland	Long	Tower

NOT VOTING—11

Anderson	Mundt	Symington
Cooper	Randolph	Tydings
Jackson	Russell	Williams, N.J.
Miller	Sparkman	

So the Cooper-Mansfield amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. EAGLETON. Mr. President, I call up my amendment, which I offer on behalf of myself and the Senator from Oregon (Mr. HATFIELD).

The PRESIDING OFFICER. The clerk will state the amendment.

The ASSISTANT LEGISLATIVE CLERK. It is proposed, on page 16, line 4, to strike out "\$4,264,400,000" and insert in lieu thereof "\$4,254,400,000".

THE MET-70

Mr. EAGLETON. Mr. President, this year the Congress of the United States has begun to reassert its right, and indeed its duty, to scrutinize spending on

defense as carefully as it does other smaller, but no less important, programs. In this vein, I wish to commend, as I am sure the American taxpayer does, the Senate Appropriations Committee under its distinguished chairman, Senator RUSSELL, for cutting much of the fat from Department of Defense requests.

H.R. 15090 as reported by the Senate Appropriations Committee is \$8,407,544,000 less than the original budget request; \$5,945,544,000 less than the revised budget request, and \$627,392,000 under the amount allowed by the House.

Conflicting pressures and reasons converged this year to make these cuts, and even deeper ones, possible.

The overriding need to control rampant inflation—causing prices to rise at more than 5 percent per year—at times at 6.4 percent, the highest rate in 18 years—and interest rates to climb to 8.5 percent—driving many young Americans out of the housing market and many senior citizens to the brink of despair—certainly was an important factor in defense cuts.

The need to exercise prudence in governmental spending of all public moneys, especially the least economically productive type—military spending—has never been more clear.

Reasonable and responsible cuts, such as those recommended by the Appropriations Committee, will assist in curbing inflation—and should be hailed by every taxpayer.

And yet the need for increased spending in some domestic areas has never been more clear. Recognition of urgent domestic needs, so long untended, and domestic challenges so long unmet, make the redirection of Federal moneys all the more imperative.

The Commission on Violence recently argued that \$20 billion per year must be found to reconstruct American society if we are to avoid disaster. It cannot all be found in one year, but a start must be made now—and an important step toward that goal is the restoration of sanity to our search for security.

We, as legislators, need only to reread the all-too-familiar litany of pressing, recognized, and still unmet domestic needs to understand the urgency for action and the danger of continued inaction. And the citizen driving in polluted air on crowded, unsafe, often antiquated thoroughfares which run through the poverty-bound slums of our dilapidated cities to the fear-bound suburbs understands it, too.

The time to channel public moneys to meet the domestic challenges of the latter third of this century is now. And decreased defense spending is necessary if funds are to be forthcoming.

But perhaps the most important factor in 1969 was the discovery that the Department of Defense is pursuing research and development of new weapons systems as well as their procurement in a manner that can charitably be described as often haphazard and sloppy.

Taxpayers find themselves saddled with \$20 billion in cost overruns on 35 weapons systems currently under development—and they are angry. They

recognize that substituting the term "cost growth" for "cost overrun," as the Department of Defense apparently plans to do, is not enough. Waste is not a rose by any other name and no amount of "Pentagonese" can make it one.

Mr. President, I ask unanimous consent that the following article from the December 17, 1969, edition of the Federal Times be entered in the RECORD at this time along with a recent article entitled "Defense Deletes 'Cost Overrun,'" by Bernard D. Nossiter of the Washington Post.

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

[From the Federal Times, Dec. 17, 1969]

COST OVERRUNS OF \$20 BILLION SEEN FOR 35 CURRENT WEAPONS SYSTEMS

WASHINGTON.—A Defense Department report indicates taxpayers are to be saddled with about \$19.9 billion in cost overruns on 35 weapons systems currently under development.

The quarterly reports, which cover only major procurement projects, are the first to be received by the Senate Armed Services Committee. And, Sen. John Stennis, D-Miss., chairman, said he is not very happy with the way the reports are prepared.

Just before Stennis announced the massive overruns, Sen. William Proxmire, D-Wis., said a Government Accounting Office investigation revealed massive profit margins in smaller defense contracts.

Citing one example, Proxmire said GAO had found that an "Air Force procurement unit, the Oklahoma City Air Materiel Area (OCAMA), has been so lax in keeping track of prevailing prices in the market that a California contractor realized a 1,403 per cent profit on one small-item contract negotiated by OCAMA."

Stennis said programs covered in his reports are "estimated to cost a total of \$94 billion with additional programs to be added in future periods."

He said the largest overruns occurred in eight project areas.

\$1.379 billion in the Poseidon submarine-launched ballistic missile program.

\$4.011 billion in the F111 series aircraft program.

\$1.661 billion in the F15 aircraft program.

\$1.049 billion in the SRAM missile program.

\$2.586 billion in the Mark-48 torpedo program.

\$1.540 billion in the DXGN nuclear frigate program.

\$1.685 billion in the DD963 destroyer program.

\$1.591 billion for the C5A program, which does not include 81 planes dropped by the Air Force.

Stennis pointed out that the Navy's Mark-48 torpedo project experienced the greatest overrun. Its costs have grown 395 per cent over the initial estimate.

Prediction of cost growth over original estimates, Stennis said, is difficult. He said, "One factor is that both the original and current estimates are projections into the future which is a challenging and not very exact science."

Factors with which Pentagon cost experts must contend include inflationary factors, technological improvements to weapons systems, increase of the initial estimate cost baseline and program delays.

He did not arbitrarily excuse overruns, especially those "which are due in whole or in part to poor or inadequate management or fiscal control."

tee headed by Sen. Stuart Symington (D-Mo.), show that the United States is "enormously over-committed" in Laos, Fulbright said, and "I don't think there is any authority for it."

Symington declined to make any direct comment at this time on his Laos inquiry, except to say, "I've never known him (Fulbright) to make a misstatement in this field."

In Rogers' testimony yesterday, Fulbright said, "There was no effort whatever to deny what was in the papers" about U.S. clandestine operations in Laos, and Fulbright's comments on them.

The Symington subcommittee now has finished taking testimony on Laos. The question is how much of a struggle there will be between the subcommittee and the Nixon administration over making the testimony public. A major witness in the inquiry on Tuesday was CIA Director Richard Helms.

There is disagreement about the degree to which Congress has been aware of the clandestine U.S. operations in Laos in support of anti-Communist forces there. Senate Democratic leader Mike Mansfield (Mont.), a specialist on Southeast Asia, was quoted yesterday as saying that "I've really found nothing new in the (Laos) hearings that I didn't know."

But Fulbright and other senators said they had no indication that covert U.S. activity in Laos was more than what Fulbright called "very minor, peripheral," apart from "the bombing of the Ho Chi-Minh trails." With the present administration's contention that it thought Congress "understood" what was going on in Laos, pressure is now likely to mount for official disclosure of the details of the CIA-run operation there.

Mr. ELLENDER. Mr. President, it will be recalled that before we went into executive session, I suggested that the amendment be taken to conference, and it seems that this amendment places the Senate in a very confusing position.

I note that this amendment is based on a contingency which is legislative. I make the point of order that this amendment is not in order, in that it is legislation on an appropriation bill.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The Chair sustains the point of order.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CHURCH. Mr. President, it is the understanding of the Senator from Idaho that the inclusion of the phrase "without the prior consent of Congress" at the very end of the proposed amendment renders it legislative in character and therefore subject to the point of order.

The PRESIDING OFFICER. The Senator is correct.

Mr. CHURCH. I invite the attention of the Senate to the fact that the final phrase is not necessary, in any way, to carrying out the full intent of the Senate in regard to the real question before us. The defect in the amendment, as it is presently written, can be cured simply by striking this final phrase.

Mr. JAVITS. The Senator is correct about that, because this must be read with the commitments resolution, which does call for the way in which Congress may consent to such a situation.

Mr. CHURCH. That is correct. I appreciate the comment by the Senator from New York.

Therefore, I offer the amendment in new form, striking the words "without prior consent of Congress" from the text. So that the revised amendment would read:

SEC. 643. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand.

I ask for the yeas and nays on the amendment, Mr. President.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho (Mr. CHURCH). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that the Senator from West Virginia (Mr. RANDOLPH) is absent on official business.

I also announce that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

I further announce that, if present and voting the Senator from West Virginia (Mr. RANDOLPH), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Washington (Mr. JACKSON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Iowa (Mr. MILLER) is necessarily absent.

The Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Iowa (Mr. MILLER) would vote "yea."

The result was announced—yeas 73, nays 17, as follows:

[No. 233 Leg.]
YEAS—73

Allott	Dole	Javits
Baker	Demintek	Jordan, N.C.
Bayh	Eagleton	Jordan, Idaho
Bellmon	Faunt	Magnuson
Bennett	Fong	McClellan
Bible	Goldwater	McGovern
Boggs	Goodell	McIntyre
Brooke	Gravel	Metcalf
Burdick	Groff	Mondale
Byrd, Va.	Gurney	Montoya
Byrd, W. Va.	Hansen	Moss
Cannon	Harris	Murphy
Case	Hartke	Nelson
Church	Hastings	Packwood
Cook	Holland	Pastore
Cotton	Hollings	Pearson
Cranston	Hruska	Pell
Curtis	Hughes	Percy
Dodd	Inouye	Prouty

Proxmire	Smith, Ill.	Tower
Ribicoff	Sparkman	Williams, Del.
Saxbe	Spong	Yarborough
Schweiker	Stevens	Young, N. Dak.
Scott	Talmadge	
Smith, Maine	Thurmond	

NAYS—17

Aiken	Gore	McCarthy
Allen	Hart	McGee
Eastland	Kennedy	Muskie
Ellender	Long	Stennis
Ervin	Mansfield	Young, Ohio
Fulbright	Mathias	

NOT VOTING—10

Anderson	Mundt	Tydings
Cooper	Randolph	Williams, N.J.
Jackson	Russell	
Miller	Symington	

So Mr. CHURCH's amendment was agreed to.

Mr. CHURCH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the Cooper amendment, as amended.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, before we proceed with the vote on the amendment, I would like to announce that we shall try to complete action on the bill this evening. As far as I know there are only two more amendments. One of them is sponsored by the Senator from Missouri (Mr. EAGLETON), and deals with the main battle tank 70. The committee is willing to accept this amendment because of a letter received from the Deputy Secretary of Defense in respect to a cutback of \$20 million from the \$50 million recommended for this tank.

The next amendment will be offered by the Senator from Maine (Mrs. SMITH), and it deals with the ABM. Since there has been so much discussion on the ABM heretofore, I am very hopeful that we can get through with these two amendments this evening. I understand the distinguished Senator from Maine (Mrs. SMITH) has a speech which she will make.

I hope other Senators will not take too much time in discussing this matter inasmuch as we had this matter before us for 2 months.

Mr. ALLOTT. I have one short matter, not an amendment but a legislative clarification.

The PRESIDING OFFICER. The question is on agreeing to the Cooper-Mansfield amendment, as amended. On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

December 15, 1969

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whose son was killed flying a combat mission over Laos:

On May 23, 1969 we buried an unopened casket in Arlington National Cemetery.

We have written repeatedly inquiring more detailed information. We would like to know who recovered our son's body, Americans or Laotians or whoever it was. We also understand that they were losing OIA pilots like flies in that particular area. We would like to know why they send OIA planes unarmed (like the one our son piloted to his death) in heavily entrenched enemy territory?

We have written to our congressman, but he has been unable to receive much information except that its classified information. There seems to be an awful lot of hush, hush about Laos and I would like to see it come out in the open.

Or take the dilemma of this woman whose husband was lost over Laos, is missing and perhaps captured:

Do you see how all of this secrecy jeopardizes any chance of ever hearing about these men? They are no doubt rotting (if still alive) in some jungle stockade probably tended by Pathet Lao. Can you imagine what that is? It is enough to send men off to this questionable "commitment" in Vietnam, but for a military man to then end up missing in a country in which we do not admit to activities, loses him all his rights.

To whom can we turn to beg for information and mercy for these men missing in Laos? My husband has been (if still alive) captured for 3½ years. How much longer can he live? When will someone admit to the truth of the war in Laos? Can we send men to war and then disclaim responsibility for them once they are taken by the so-called enemy?

Mr. President, we are not an Asian kingdom. No President is a king or prime minister, entitled to make secret arrangements and send American men into war with the understanding their activities will not be publicly acknowledged.

Mr. President, the secrecy over our involvement in Laos has gone on too long. It had been my hope that the transcript of the Stryington subcommittee's detailed hearings on Laos would have been released by now permitting the Senate and the public an opportunity to study and debate the issue.

The administration, however, has refused to declassify the necessary details and the subcommittee has, correctly I believe, refused to publish a document that it believes would be misleading.

Therefore, because I deeply believe that Members of this body should be aware—as I am—of what they are voting on when they approve the bill we have before us, I have sought to have the administration—through the managers of the bill—provide basic factual information on our activities in Laos.

I would hope that my colleagues would join me in requesting the administration to provide the information. An executive session can be called—if it is so desired—to permit the discussion of that material which the administration considers classified.

I believe the public has a right to know everything it can. But I more strongly believe the Senate and each of its Members has a personal responsibility to his constituents to learn the facts on this matter before he votes.

Mr. President, I ask unanimous consent to have printed at this point in the Record a copy of a letter I sent to the chairman of the Committee on Appropriations.

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

DECEMBER 12, 1969.

HON. RICHARD B. RUSSELL,

Chairman, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During the past few weeks some members of the Committee on Foreign Relations have examined in depth the nature of American military involvement in Southeast Asia with particular emphasis on Laos and Thailand. It had been our impression that American supported military activities there were directly related to the war in Vietnam and it was with deepening concern that we learned that the United States is becoming directly involved in escalating military activities in Laos.

Furthermore, what once might have been viewed as a small, secret intelligence-type operation has now become of such magnitude that I feel strongly that the Senate should be aware of its size and possible future costs in men and money.

Under these circumstances, I would appreciate it very much if, during Senate discussion of the Defense Appropriation Act, the managers of the bill would provide Members of the Senate who must act on the legislation with answers from the Administration to the questions which I have attached. If the only way this information can be made available to the Senate would be in an executive session, I would hope this could be arranged.

I am sending a copy of this letter and enclosure to Senator Milton Young as ranking minority member of the Defense Appropriations Subcommittee.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

AGREEMENTS WITH LAOS SECRET QUESTIONNAIRE

1. What treaties, agreements or declarations provide the basis for our defense commitment and military assistance to the Royal Laotian Government?

2. What commitment, written or implied, exists between the United States or its agencies and the present Royal Laotian Government or its Prime Minister, Souvanna Phouma?

3. What military assistance, including manpower, material and training, is the United States providing through this bill?

4. As of today, what is the total number of United States military personnel in Laos and describe the manner in which they operate.

5. Describe in detail activities over Laos of the United States Air Force, including both those activities, if any, based in Laos and those, if any, based in Thailand.

If pertinent, include:

a. What, if any, is the current monthly sortie rate over northern Laos for the United States Air Force aircraft?

b. How does that rate, if any, compared to a year ago and two years ago?

c. The contemplated sortie rate, if any, over northern Laos in the coming 12 months.

d. How these sortie rates, if any, compare to United States Air Force sorties directed toward the Ho Chi Minh trail.

6. What, if any, have been the total number of United States military personnel killed, wounded, and missing in northern Laos since 1962?

7. How does this total compare to personnel lost in operations solely against the Ho Chi Minh trail?

8. What is the amount of personnel, operating and maintenance and military assistance funds included in this bill for Laos and Laos-related activities?

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record an article entitled, "Rogers Admits Laos Arms Role."

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

ROGERS ADMITS LAOS ARMS ROLE
(By Murrey Marder)

Secretary of State William F. Rogers indirectly conceded yesterday that for years the United States has financed, armed and trained a clandestine army of 36,000 guerrillas in Laos.

In the first acknowledgement ever made on the public record, Rogers treated the U.S. involvement in the semi-secret war in Laos as a matter of common knowledge. But Rogers avoided explicitly stating precisely what he was acknowledging, and said there are no plans to stop or change present operations in Laos.

"I had thought that the Congress was familiar with the developments in Laos," Rogers said. "Certainly they are familiar with them now . . . I thought Congress understood it."

"This is really quite extraordinary," said Sen. J. W. Fulbright (D-Ark.). Both were commenting after Rogers testified behind closed doors for three and a half hours before the Senate Foreign Relations Committee, which Fulbright heads.

"It is quite ordinary for a dictatorship," said Fulbright, "but to be conducting quite as large a war as this (in Laos) without authorization is quite unusual."

Fulbright said in an interview Tuesday that through the Central Intelligence Agency, the United States, under three administrations, has been supplying, arming, training and transporting the clandestine Laotian army of Meo tribesman headed by Gen. Vang Pao.

The cost to the United States for military assistance to Laos, Fulbright said, is between \$50 and \$160 million this year. Other sources said yesterday that about half this amount is used to finance the Meo guerrilla force, and the rest goes to other military needs in Laos. But uncounted in the \$150 million total this year, these sources said, are the costs of U.S. bombing support from Thailand for operations in Laos.

Rogers, when newsmen put Fulbright's specific statements to him, said:

"Well, the operations in Laos, as you know, were started in the time of President Kennedy" and continued through the Johnson and Nixon administrations. When he was asked if they will be halted now, Rogers responded, "No, I don't think there is going to be a change in policy, not now."

There are no U.S. "ground forces in Laos," Rogers reiterated, but there are still "45,000 North Vietnamese forces in Laos." It continues to be the United States' hope, he said, that an end to the war in Vietnam will solve the problems of Communist penetrations into Laos and Cambodia as well.

Newsmen asked Rogers for comment on Fulbright's charge Tuesday that the extent of the U.S. involvement in Laos may be unconstitutional. "I doubt very much if it is unconstitutional," replied Rogers.

"What about the public's right to know?" asked a reporter. Said Rogers, "Well, I think the public, if they have been reading the papers, know."

Fulbright, when told later that Rogers said he expects no change in U.S. policy in Laos, said: "I regret it, if that's what he said."

Hearings on Laos, which have been conducted in executive session by a subcommittee

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Mr. MUSKIE. Let me put this proposition. It seems to me that by being silent on the question of possible enlargement of our land activity in Laos or Thailand, the Senator's amendment may, in effect, approve that kind of enlargement of our activity in Laos or Thailand.

Mr. CHURCH. I think that the exchange between the Senator from New York and myself negates such an interpretation.

The legislative history is being written right here on the floor.

It would not be practical to attempt to legislate in a way that would unduly hamper the President in relation to the delicate problems he faces in Thailand and Laos.

We have only one objective of saying, at this time, that we do not intend any of the funds we vote in this bill to be used for the purpose of introducing American ground combat troops in Laos or Thailand.

There are many other things we might do, but they are not covered here.

Mr. MUSKIE. That indicates one reason why the distinguished majority leader prefers the ambiguity of his language rather than the language offered in the closed session.

Mr. CHURCH. No one was certain of what the other language meant.

If we are going to act, we should act with sufficient certitude that the Government and the people of the country know what we mean.

Mr. MUSKIE. We all respect, and I respect, the intention on that point. I do not challenge it.

I think this colloquy and the other colloquy has suggested the difficulty of reaching an absolute decision.

Mr. CHURCH. There is that difficulty in any action we take. We have tried to draft the language that expresses precisely the intent we have in mind.

I reserve the remainder of my time.

Mr. FULBRIGHT. Mr. President, this evening, with great public fanfare, the President of the United States is scheduled to make a statement in which—according to all the reports I have seen—he will announce further withdrawal of troops from South Vietnam.

Similar widely publicized announcements have been made concerning earlier cutbacks in troop levels not only in South Vietnam but also in Thailand.

This administration's announced policy of a lessening direct military involvement in Asia has also been given a good deal of publicity.

It is against this chorus of administration public announcements of a policy in one direction that I voice my apprehension over continuing administration silence over policy in Laos where our military involvement appears to be growing rather than declining.

As in Vietnam, the Nixon administration inherited a Laotian policy. Unlike Vietnam, where some changes appear underway, the new administration seems to have accepted everything we have done and are doing in Laos.

Most important for us in the Congress, however, the present administration to date seems determined to continue the potentially dangerous part of that policy—the official secrecy in which our

military activities are wrapped—instituted during the Kennedy administration and continued during the Johnson years.

Mr. President, at this late date, is it too much to ask that the administration come forward to the Senate, at least, and give to the majority of the Members here the details on our activities in Laos? The Defense Appropriations Act before us finances those activities. This money bill is the only opportunity the Senate will have to discuss and in any way affect these activities in Laos.

To my knowledge there is no treaty or joint resolution granting any President authority to send military air or ground forces into Laos. We have been told by the State Department there are no executive agreements or written commitments of any kind which have led to our involvement.

Why then are we there and what are we doing?

These questions are not unique to me. For almost 2 months—since the question of Laos was first raised in the Senate Foreign Relations Committee—I and other members of the committee have received a steady flow of letters from people asking the same question. Most of them are concerned because of what they read in the newspapers. But a few are worried because of their direct personal knowledge.

Last week, for example, I received the following from a young man in the Army:

I recently completed a course at Ft. Huachuca, Ariz., called [deleted]. This is a classified course dealing with a new method of electronic warfare to combat guerilla (sic) warfare.

During this course, I asked an instructor, Lt. [deleted], if there was a good chance we would get sent to Laos or Cambodia. He said there was.

Now, my question is this, "What is our relationship to Laos and Cambodia?" and "Are we allowed to have combat troops in either Laos or Cambodia?"

If the Army's action is illegal, I hope that you will expose to the American people the dangers of spreading the war in S. Vietnam to all of Indochina.

Or, take these words from an Air Force officer in Thailand:

In the last few months we have had dozens of Laotian Army battle casualties in our USAF hospital here. In the last few months, I have looked and listened; I have seen and heard much.

Although I do not have a top secret security clearance (and most of what goes on here requires that), any airman can count the numbers of jet fighter-bombers taking off fully loaded with ordinance. Anyone here can pass the runway and see dozens of unmarked aircraft parked at the Air America and Continental Airlines ramp. Any drunken pilot will tell of the fighting, bombing, and killing for which we, here at Udorn, are responsible. Not in Vietnam, not in an open war, but in Laos, 35 miles to the north.

There are many things which I have learned to accept here. The censorship of our radio and TV station; the application of arbitrary curfews; arbitrary rules and regulations, so that we may not badly impress this foreign country from which we wage war. These I can accept, though I think them regulations of unsteady minds.

What I have much difficulty accepting is a secret war in which non-military, CIA spon-

sored fighters lay the groundwork for U.S. military destruction.

I appeal to you and your fellow congressmen to stop the foolishness of the American involvement in Southeast Asia. Stop the secrecy, stop the fighting, stop the death.

In a few short months, my presence in Thailand has assured me of the wrongness of our position here. We will never win by supplying arms and soldiers. We will only win by destroying the corrupt governments that we now support and by getting our wealth into the mouths of the people instead of into the hands of dishonest leaders of indigent countries.

Or the following from a Navy man aboard a carrier off Vietnam:

It would be conservative to say that at least half or perhaps three-quarters of our sorties, expended ordnance and time for the past six months has been trained solely on Laos. Yet, current military and administration policy forbids the reporting of such activities. It seems evident that the attack aircraft carrier Navy is no longer a force used against North Vietnam but rather is engaged in a private but related war in another country.

The enormous amount of money expended in keeping these carriers operational plus its manpower consumption obligates the military to make public its mission. But of more importance is the long range effects of becoming more deeply committed in Southeast Asia and perhaps the loss of more American lives in the future. Thus, I encourage you to bring these activities before the public as soon as possible.

Or the following from an AID contract employee in Laos who freely discusses the mercenary Lao Army teams that call in U.S. Air Force bombing and concludes:

All of this, although it seems to be more or less common knowledge here, is denied by the Embassy. They have "no comment" on the bombing which is apparently "free" throughout the territory held by the Pathet Lao and North Vietnamese, directed at anything they can see, whether military or not. It appears that once again the U.S. is involved in something of which it has reason to be ashamed, which it does not want the world or its own people to know.

I do not like to see an agency of our government maintaining its own mercenary army in Laos, not subject to the public control intended by our Constitution.

I wish to help the people here, and I believe the U.S. should help them. But if we cannot find any way to help them that does not also require indiscriminate bombing of them and maintaining a mercenary army in their midst, then I do not believe we should be here.

Or the following from another AID contract employee who finished his tour and remained in Laos:

While military activity has de-escalated to some extent in South Vietnam over the last year, it has greatly intensified here in Laos. Restraints which were in force on both sides since 1964 have been lifted. The future presages continued escalation and increased American involvement. The recent investigation of your committee could not have been more timely, and I wish to contribute in any way possible to them.

There is another group of letter writers, women who have a different type of firsthand experience with Laos. They are wives and mothers whose loved ones have been killed or are missing in a war they never knew existed.

The following came from a woman

than that some substitute has been suggested for the idea they presented to the Senate. I am confident that my colleague would agree with me in that.

Mr. CHURCH. Mr. President, I certainly concur in what the Senator from New York has said.

This amendment was really offered reluctantly. The Senate has made its decision to speak out in rejecting the motion to table. It is now clear that we intend to take a position on this very sensitive and important question. I think we should take that position in clear and precise terms so that everyone—the President of the United States, the administration, and the American people—will know exactly where the Senate stands. We should avoid a repetition of the mistake we made in the Gulf of Tonkin resolution, when we carelessly drafted it, only to discover later that it was much broader than many who voted for it intended.

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

Mr. CHURCH. I yield.

Mr. FULBRIGHT. That one having been broader than we thought, we ought to be careful lest the one that restricts it be broader than we thought. Is the Senator's proposal to be interpreted as an authorization for continued bombing, or expansion of the bombing, in the north?

Mr. CHURCH. No. I would say, after the debate we had in the Senate during the closed session, that no one was quite certain what the original amendment meant.

This substitute amendment is purely limiting in its terms. The bill provides money for local forces both in Laos and Thailand. All my amendment does is to make it clear that none of the money in the bill is to be used for the purpose of financing the introduction of American ground combat troops into Laos or Thailand.

As such, it is a limitation in the bill. It is in line with our constitutional responsibility. I think it avoids the flaw in the Tonkin Gulf joint resolution which was drafted in much broader language than intended at the time Congress voted in such haste.

Mr. FULBRIGHT. Mr. President, to me the important significance is that that was assumed to be a grant of authority. This is a restriction. I am not at all sure that there is, and I do not believe there is, really authority for doing what we are doing now in north Laos. There is a very great question as to whether there is authority.

I wonder what the effect of this will be on the granting of authority by having only a restricted application to ground; that is, the combat troops only.

Mr. CHURCH. No. Nothing in this amendment grants any new authority to the Government.

The question the Senator raises is a separate one. All this amendment does is to limit the use of the money in the bill to make certain it is not employed for the very purpose the Senator from Arkansas does not want.

Mr. FULBRIGHT. There may be other activities in addition to using ground

troops for which I do not want them to employ it.

The Senator from Mississippi said a moment ago that he thought the amendment of the majority leader would restrict bombing disconnected or not directly connected with Vietnam.

I do not know as between the two amendments. I do not wish to authorize the President to use ground troops or airpower in a local war in northern Laos which is not directly connected with the Ho Chi Minh Trail and the war in Vietnam.

Mr. CHURCH. I think the Senate should speak plainly or not at all.

The substitute amendment is intended to make our purpose plain. The amendment offered by the distinguished majority leader, I think, is ambiguous and unclear.

If we are to act at all, we should act in a way that is understandable to the Government and to the American people. For that reason, I would hope that the Senate would adopt the substitute amendment.

Mr. HOLLINGS. Mr. President, to be precise and clear, does the amendment say ground troops or ground combat troops? I am trying to get to the point of the Senator from Texas.

Mr. CHURCH. It says ground combat troops.

Mr. HOLLINGS. It says only "ground troops" here. Could the Senator by unanimous consent change that to read "ground combat troops"?

Mr. CHURCH. Yes, that is how my amendment reads. In line with the expressed intention, the pertinent part should read:

None of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand without the prior consent of Congress.

If the text of the amendment at the desk does not conform with my reading of the amendment, I ask unanimous consent that it so conform.

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

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

Mr. CHURCH. I yield.

Mr. HART. Mr. President, I hope this is not repetitious. We say that the moneys shall not be used to finance the introduction of American ground combat troops. What about American aircraft and American ships? Are we saying that is all right?

Mr. CHURCH. We are simply not undertaking to make any changes in the status quo. The limiting language is precise. And it does not undertake to repeal the past or roll back the present. It looks to the future.

Mr. HART. Is the existing status quo inclusive of the action by air, ground, and ships, and are we saying now we should cut out the ground forces?

Mr. CHURCH. The Senator is aware of the intent. He is aware from the closed debate in Laos and Thailand, it was never proposed in any amendment offered to roll back or change the existing situation.

We are striving to prevent Laos and Thailand from becoming new Vietnams. That is the purpose of the amendment. And I think it is well drafted to serve that purpose.

Mr. HART. We could make it more explicit by eliminating the other features of American might.

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

Mr. CHURCH. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Idaho has 2 minutes remaining.

Mr. CHURCH. Mr. President, I would prefer not to yield the remainder of my time. Could the other side yield some time?

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. GOODELL. Mr. President, would the Senator agree that his amendment grants no authority, that it in no way approves or disapproves of what is going on, but that it is simply directed toward making sure that in the future no ground combat troops will be introduced into Laos or Thailand?

Mr. CHURCH. Without the prior consent of Congress.

Mr. GOODELL. That is correct. That will not be done without the prior consent of Congress.

Mr. CHURCH. The Senator is correct. That is the intent.

Mr. GOODELL. That is vital. The implication has been raised that we are giving some kind of approval to the status quo of what is going on. This is a prohibition against the future occurrence of what is now going on. This grants no authority or approves nothing that is going on.

Mr. CHURCH. The Senator is correct. There is nothing in the text of the amendment itself, or the debate upon it, that could give any basis for such an interpretation. The Senator has correctly construed the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

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

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. MUSKIE. Mr. President, is it the intent of the amendment to prohibit or, at least, to inhibit the introduction of any additional elements of American military strength in Laos beyond the present level of military support for our allies in Laos and Thailand?

Mr. CHURCH. The intent of the amendment conforms with the language used. And the language used, the operative language used, is as follows:

None of the funds appropriated by the Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand without the prior consent of Congress.

S16760

CONGRESSIONAL RECORD — SENATE

December 15, 1969

NAYS—48

Alken	Hart	Moss
Bayh	Hartke	Muskie
Boggs	Hatfield	Nelson
Brooke	Hughes	Packwood
Burdick	Inouye	Pastore
Byrd, Va.	Javits	Pell
Byrd, W. Va.	Jordan, Idaho	Prouty
Case	Kennedy	Percy
Church	Magnuson	Proxmire
Cranston	Mansfield	Ribicoff
Eagleton	Mathias	Saxbe
Fulbright	McGovern	Schweiker
Goodell	McIntyre	Spong
Gore	Metcalfe	Yarborough
Gravel	Mondale	Young, N. Dak.
Harris	Montoya	Young, Ohio

NOT VOTING—11

Anderson	Miller	Symington
Cooper	Mundt	Tydings
Jackson	Randolph	Williams, N.J.
McCarthy	Russell	

So Mr. McGEE's motion to lay on the table was rejected.

The PRESIDING OFFICER. The question now recurs on agreeing to the amendment of the Senator from Kentucky and the Senator from Montana.

Mr. CHURCH. Mr. President, on behalf of the Senator from Colorado (Mr. ALLOTT), the Senator from California (Mr. CRANSTON), the Senator from New York (Mr. JAVITS), and myself, I send to the desk a substitute amendment, which reads as follows—

The PRESIDING OFFICER. The amendment will be stated.

Mr. CHURCH. I ask unanimous consent that I may read the amendment to the Senate instead of the clerk.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHURCH. The amendment reads as follows:

On page 46, between lines 8 and 9, insert a new section as follows:

"Sec. 643. In line with the expressed intention of the President of the United States, none of the funds appropriated by this act shall be used to finance the introduction of American ground troops into Laos or Thailand without the prior consent of Congress."

Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Arkansas (Mr. McCLELLAN) be added as a cosponsor of the amendment.

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

Mr. CHURCH. I ask for the yeas and nays on the substitute amendment.

The yeas and nays were ordered.

Mr. CHURCH. I ask unanimous consent also that the name of the Senator from Tennessee (Mr. BAKER) be added as a cosponsor.

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

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I am happy to yield.

Mr. TOWER. Does the amendment mean that we would have to immediately withdraw all ground troops we now have in Thailand? Because we do have Army troops and pre-positioned equipment in Thailand. The way the substitute amendment is written, it would seem to mean the troops we have there now would no longer be permitted.

Mr. CHURCH. I think the answer to the Senator's question is clearly con-

tained in the language of the proposed substitute.

The PRESIDING OFFICER. Will the Senator suspend, so that we may have order?

Mr. MAGNUSON. Mr. President, will the Senator yield another half minute?

I hope the members of the Appropriations Committee, if we are going to have a discussion on the substitute, will see if they cannot come down to the committee room, and we can come back for the rollcall.

Mr. MANSFIELD. Mr. President, I wonder if it would not be possible to vote on this question in 5 minutes. It should not take much discussion. Would that be sufficient, the time to be equally divided?

The PRESIDING OFFICER. Is there objection?

Mr. DOMINICK. Mr. President, reserving the right to object, we should extend it a little longer than 5 minutes.

Mr. CHURCH. I ask unanimous consent for 15 minutes on each side.

Mr. MANSFIELD. One-half hour, to be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHURCH. Now, Mr. President, I ask for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. CHURCH. In response to the question of the Senator from Texas (Mr. TOWER), the pertinent part of the amendment reads:

None of the funds appropriated by this Act shall be used to finance the introduction of American ground troops into Laos or Thailand.

It is true that we have personnel there. But the amendment conforms to the expressed intention of the President; it reinforces the presidential position; and yet it asserts the constitutional right of the Senate, in an appropriation bill, to determine how public funds will be used, and makes it clear that the Senate is opposed to the introduction of ground combat troops into either country, unless we first have an opportunity to pass judgment on that question.

Mr. TOWER. Will the Senator yield for a further question?

Mr. CHURCH. I am happy to yield.

Mr. TOWER. The term "ground combat troops" still could include those that are there, because those that we have there are capable of engaging in combat. They are trained for combat. They are not actually in combat, true, and it is not anticipated that they ever will be. We hope they will not be. But they are competent to engage in combat.

Mr. CHURCH. As the Senator knows, we presently have no ground troops in Laos engaging in combat.

Mr. TOWER. That is true.

Mr. CHURCH. The President has said so. The language conforms to the Presidential position, and if there is any question concerning our meaning or intent, it should be cleared up by the discussion we are now having on this floor.

Mr. TOWER. That is all I am trying to do, establish the legislative intent.

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

Mr. CHURCH. I yield.

Mr. PASTORE. If we have any lingering shadows of doubt, why not use the words "to support local forces"? Why not say "the introduction of American combat troops to support local forces"? Then we will have no ambiguity.

Mr. CHURCH. I respectfully say to the Senator that the bill authorizes money, which is now being used, to support local forces in Thailand and Laos. There is no question about that. What we are trying to achieve here is a limitation on the use of money for the purpose of financing the introduction of American ground forces into these two countries.

I think the amendment should be supported. It is in line with the expressed intention of the President and accords with our constitutional responsibilities. Moreover, it puts the President on notice that, if there is ever a change of policy that might involve the possible introduction of American combat forces into these two countries, then, in accordance with the Constitution, that question should be brought back to Congress, and Congress should exercise its will.

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

Mr. CHURCH. I am happy to yield to the Senator from Arkansas.

Mr. McCLELLAN. In the executive session, I raised some questions about the original resolution. This substitute amendment, together with the statement by the distinguished majority leader in executive session in response to my questions, answers the questions that I had in mind, and I am happy to support it. I commend the Senator for its wording and its purpose, and for recognizing that the President has given his pledge, and that we support the President in that pledge.

Mr. CHURCH. I thank the Senator very much, and I appreciate his support.

I now yield to my distinguished cosponsor, the Senator from Colorado (Mr. ALLOTT).

Mr. ALLOTT. Mr. President, I joined in the cosponsorship of this amendment because I believe it is preferable to the very vague, in my judgment, amendment now pending before the Senate. I think it says what the Senate would like to say, and I sincerely hope that Senators will support it.

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

Mr. CHURCH. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, just 1 minute. I think we are trying hard—and I hope the majority leader is listening—to deal with a situation in which, he, feeling bound by the language of the Senator from Kentucky—and I do not blame him—did not want it interfered with, and yet to express what we sense to be the will of the Senate. I think that has been done best by the combined brainpower of a number of us here, and I hope very much that the Senator from Montana (Mr. MANSFIELD) and the Senator from Kentucky (Mr. COOPER) will feel they have been successful, rather

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Mr. FULBRIGHT. Then, is it not following a pattern very similar to what happened in Vietnam?

Mr. MANSFIELD. No; because, under the Geneva Accords of 1962, all foreign troops agreed to withdraw except for a small French military mission which was located partly in Vientiane and partly around Savanna khet. It is the only training mission of that type which was allowed under the Geneva Accords of 1962, but we did withdraw our forces in 1962 in accordance with the accords. The North Vietnamese did withdraw a small contingent of their troops, but since that time they have not only restored that withdrawal, but increased the number by, I would say, 150 percent.

Mr. FULBRIGHT. I am not sure in view of the attitude of the Senator from Arizona and the manager of the bill. These questions, I thought, would have been more properly asked in executive session, but if they prefer that they be asked in open session, I suppose we should proceed.

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

Mr. FULBRIGHT. I yield.

Mr. TOWER. Does he not think we may get into highly sensitive matters that should not be publicly disclosed?

Mr. FULBRIGHT. I thought so, but the Senator from Arizona and the Senator from Louisiana did not think so. I understand the Senator from Montana thought this was a matter better discussed in open session. I had suggested, and I thought the majority leader was of the view, that we should go into executive session.

Mr. MANSFIELD. May I say that all this information is public. All one has to do is read the newspapers. All that has been suggested is carried in public print.

Mr. TOWER. Yes, but a good deal more could be said that perhaps should be said in closed session.

Mr. FULBRIGHT. That is what I said before. I thought it should be in executive session. Perhaps they have changed their minds. For example, I was going to ask the distinguished Senator from Louisiana to identify the \$90 million in this bill for military support to the Royal Laotian army. I wonder if he would not identify that in the bill. Is it for the U.S. Air Force missions in Laos? Is there any way the Senator can identify that amount?

Mr. ELLENDER. The \$90 million is in several appropriations.

Mr. FULBRIGHT. Well, it can be identified.

Mr. ELLENDER. It can, but, as I suggested to the Senator, it strikes me that we gain nothing by having a closed session. As I stated a while ago, as manager of the bill, it might be well to accept the amendment, and if the conferees are desirous of going into more detail, let them go into it, and they can act accordingly.

Mr. FULBRIGHT. The only thing I have in mind at the present time is that Members of the Senate, aside from the three or four, perhaps, who are on certain supervisory committees of the CIA, do not know what is being done in this bill in regard to Laos. I think, before they

authorize, with their votes, this kind of program, if it is the kind I believe it to be, they ought to know.

I have been hornswoggled long enough—ever since the previous administration and its Tonkin Gulf Resolution, when I did not know the administration was misrepresenting the facts. All I am saying is that all Senators should know what they are voting for before they vote.

In my view, there is a lot of money in this bill for activities which bear a very great probability of involving us in another full-scale war in Laos, if it is not already a full-scale war. We are deescalating in Vietnam, but I shall read some letters a little later, which are not classified, which came from soldiers and wives of soldiers, which I believe conclusively prove that we are escalating the war in Laos just as much as we are deescalating it in Vietnam.

I think it is a very serious matter; it is not something that ought to be pushed under the rug merely by saying, "I will accept the amendment and take it to conference," and then let it be buried there.

Mr. MANSFIELD. I do not think that is what the Senator from Louisiana said. As I recall, he and the Senator from North Dakota said they were in favor of the amendment.

Mr. FULBRIGHT. He said, "I will accept it," meaning that he would take it to conference in order to avoid further discussion here.

Mr. ELLENDER. Why does not the Senator from Arkansas proceed to give the Senate the information he has heard from soldiers?

Mr. FULBRIGHT. I submitted a questionnaire to the chairman and the ranking minority member of the Committee on Appropriations last week and asked questions that related to this activity.

I had understood that the Senate would go into closed session so that these matters could be discussed. The information should come from the sponsors of the proposed legislation. The sponsors, the members of the Committee on Appropriations, ought to be prepared with official information as to what the money is desired for. That is all in the world I am trying to propose: That when the committee comes before the Senate, and asks us to vote for almost \$80 billion, we ought to know what we are voting for. It is that simple.

(At this point, the Senate went into closed session.)

(The following proceedings occurred in legislative session, following the closed session:)

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, to last only as long as it will take to ring the two bells.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. What is the pending motion?

The PRESIDING OFFICER. The question is on the motion to table the amendment by the Senator from Montana (Mr. MANSFIELD) and the Senator from Kentucky (Mr. COOPER).

Mr. HOLLAND. Mr. President, a point of order. We should not begin voting until the Chamber has been made open.

Mr. MANSFIELD. The Chamber is open. It was opened 2 minutes ago, I understand.

The PRESIDING OFFICER. The Senate has now resumed its open session.

The question is on agreeing to the motion to table the amendment of the Senator from Montana and the Senator from Kentucky.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that the Senator from West Virginia (Mr. RANDOLPH) is absent on official business.

I also announce that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

I further announce that, if present and voting, the Senator from New Jersey (Mr. WILLIAMS) and the Senator from West Virginia (Mr. RANDOLPH) would vote "nay."

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

Mr. GRIFFIN. I announce that the Senator from Iowa (Mr. MILLER) is necessarily absent.

The Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Iowa (Mr. MILLER) is paired with the Senator from Kentucky (Mr. COOPER). If present and voting the Senator from Iowa would vote "yea" and the Senator from Kentucky would vote "nay."

The result was announced—yeas 41, nays 48, as follows:

[No. 232 Leg.]

YEAS—41

Allen	Ellender	McGee
Allott	Ervin	Murphy
Baker	Fannin	Pearson
Bellmon	Fong	Scott
Bennett	Goldwater	Smith, Maine
Bible	Griffin	Smith, Ill.
Cannon	Gurney	Sparkman
Cook	Hansen	Stennis
Cotton	Holland	Stevens
Curtis	Hollings	Talmadge
Dodd	Hruska	Thurmond
Dole	Jordan, N.C.	Tower
Dominick	Long	Williams, Del.
Eastland	McClellan	

duty or the termination of his civilian employment, as the case may be.

(7) The date on which he was released from active duty or the termination of his civilian employment with the Department of Defense, as the case may be, and the date on which his employment, as an employee, consultant, or otherwise with the defense contractor began and, if no longer employed by such defense contractor, the date on which such employment with such defense contractor terminated.

(8) Such other pertinent information as the Secretary of Defense may require.

(2) Any employee of the Department of Defense, including consultants or part-time employees, who was previously employed by or served as a consultant or otherwise to a defense contractor in any fiscal year, and whose salary rate in the Department of Defense is equal to or greater than the minimum salary rate for positions in grade GS-18, shall file with the Secretary of Defense, in such form and manner and at such times as the Secretary may prescribe, a report containing the following information:

(1) His name and address.

(2) The title of his position with the Department of Defense.

(3) A brief description of his duties with the Department of Defense.

(4) The name and address of the defense contractor by whom he was employed or whom he served as a consultant or otherwise.

(5) The title of his position with such defense contractor.

(6) A brief description of his duties and the work performed by him for the defense contractor.

(7) The date on which his employment as a consultant or otherwise with such contractor terminated and the date on which his employment as a consultant or otherwise with the Department of Defense began thereafter.

(8) Such other pertinent information as the Secretary of Defense may require.

(c) (1) No former military officer or former civilian employee shall be required to file a report under this section for any fiscal year in which he was employed by or served as a consultant or otherwise to a defense contractor if the total amount of contracts awarded by the Department of Defense to such contractor during such year was less than \$10,000,000, and no employee of the Department of Defense shall be required to file a report under this section for any fiscal year in which he was employed by or served as a consultant or otherwise to a defense contractor if the total amount of contracts awarded to such contractor by the Department of Defense during such year was less than \$10,000,000.

(2) No former military officer or former civilian employee shall be required to file a report under this section for any fiscal year on account of active duty performed or employment with or services performed for the Department of Defense if such active duty or employment was terminated three years or more prior to the beginning of such fiscal year; and no employee of the Department of Defense shall be required to file a report under this section for any fiscal year on account of employment with or services performed for a defense contractor if such employment was terminated or such services were performed three years or more prior to the effective date of his employment with the Department of Defense.

(3) No former military officer or former civilian employee shall be required to file a report under this section for any fiscal year during which he was employed by or served as a consultant or otherwise to a defense contractor at a salary rate of less than \$15,000 per year; and no employee of the Department of Defense, including consultants

or part-time employees, shall be required to file a report under this section for any fiscal year during which he was employed by or served as a consultant or otherwise to a defense contractor at a salary rate of less than \$15,000 per year.

(d) The Secretary of Defense shall, not later than December 31 of each year, file with the President of the Senate and the Speaker of the House of Representatives a report containing a list of the names of persons who have filed reports with him for the preceding fiscal year pursuant to subsections (b) (1) and (b) (2) of this section. The Secretary shall include after each name so much information as he deems appropriate and shall list the names of such persons under the defense contractor for whom they worked or for whom they performed services.

(e) Any former military officer or former civilian employee whose employment with or services for a defense contractor terminated during any fiscal year shall be required to file a report pursuant to subsection (b) (1) of this section for such year if he would otherwise be required to file under such subsection; and any person whose employment with or services for the Department of Defense terminated during any fiscal year shall be required to file a report pursuant to subsection (b) (2) of this section for such year if he would otherwise be required to file under such subsection.

(f) The Secretary shall maintain a file containing the information filed with him pursuant to subsection (b) (1) and (b) (2) of this section and such file shall be open for public inspection and at all times during the regular workday.

(g) Any person who fails to comply with the filing requirements of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by not more than six months in prison or a fine of not more than \$1,000, or both.

(h) No person shall be required to file a report pursuant to this section for any fiscal year prior to the fiscal year 1971.

MR. ELLENBER. Mr. President, these funds are for the support of the Royal Laotian Army and are comparable to the funds included in the Military Assistance Appropriations prior to fiscal year 1968.

In that connection, I may further state that these funds are made available in the same manner as they were made available under the foreign aid bill. Under the foreign aid bill it was clearly understood that it did not involve manpower but only the materials of war.

Now I have often criticized the Government in the past for having sent to many countries, where aid is given, people to teach the defense departments of the countries how to use the materials of war sent to them. This has been done for many, many years now. Personally, I see no objection to that, but it is something which has occurred in the past and I do not believe that we should go any further now than we have in the past.

The history of the increase in the funds is significant. During the period of the fiscal years 1965 through 1967, when the funds were included in the military assistance program, as I have just said, the sum recommended in the bill represents an increase of approximately 16.7 percent of the amount included in the Department of Defense appropriation amount for fiscal year 1969. As I have said, the bill includes approximately \$90 million for the support of the Royal Laotian Army.

The purposes for which these funds will be used are classified, and I cannot disregard that classification. However, I have the information at my desk and will be glad to make it available to any Senator who desires to see it.

I recognize that I have not answered all the questions that may have been raised by the Senator from Arkansas.

However, I feel that I have fulfilled my responsibilities to the Members of this body as floor manager of the pending bill.

As I said, I can see no objection to the acceptance of this amendment, which, as I understand, is to be read in context with section 638 of the present bill.

This will give the conferees an opportunity to review thoroughly all of the issues involved and make any perfecting amendments that are required.

MR. FULBRIGHT. Mr. President, I would like to address a question, too, for the purposes of clarification, to the majority leader and/or the acting chairman of the Appropriations Committee.

Would this amendment prohibit the U.S. aircraft based in Thailand from flying tactical missions in support of the Laotian army in Northern Laos, having nothing whatever to do with the interdiction of the Ho Chi Minh Trail?

MR. MANSFIELD. Mr. President, I am afraid that I am not in a position to give the kind of definitive answer I would like to the question raised by the distinguished chairman of the Foreign Relations Committee.

There is no question that air support would be allowed to be continued to decrease or to stop the infiltration of men and materiel down the Ho Chi Minh Trail through the Laotian panhandle.

It is a moot question as to whether or not the support missions, or the sorties, as they are called, and which number in the hundreds, very likely the thousands, in support of Royal Laotian troops, would hold. That is another matter.

Those sorties are not so much against the Pathet Lao as they are against the North Vietnamese troops, who are the backbone and support of the Pathet Lao forces. They outnumber the Pathet Lao by at least 3 to 1. They are far more vigorous fighters, and they are the ones who determine what shall be done.

The question is, How do you look at the North Vietnamese in Laos in relation to the North Vietnamese along the trail and in South Vietnam itself?

MR. FULBRIGHT. If I understand the Senator, his amendment would prohibit the use of American Air Force and other personnel related to flying tactical missions in support of the Laotian army in the civil war now taking place in northern Laos. It has nothing to do with the Ho Chi Minh Trail.

MR. MANSFIELD. "Civil war" is a term you have to use with discretion. If it were a struggle between the Pathet Lao and the Royal Laotian forces, it would be a civil war; but when 50,000 North Vietnamese are backing up and supporting the Pathet Lao, then you have to recognize that a foreign government has intervened in what had become up to that time a civil war, but what, with this intervention, became other than a civil war.

either on a percentage of the cost basis, percentage of sales basis, or a return on private capital employed basis, the Comptroller General and authorized representatives of the General Accounting Office are authorized to audit and inspect and to make copies of any books, accounts, or other records of any such contractor or subcontractor.

(d) Upon the request of the Comptroller General, or any officer or employee designated by him, the Committee on Armed Services of the House of Representatives or the Committee on Armed Services of the Senate may sign and issue subpoenas requiring the production of such books, accounts, or other records as may be material to the study and review carried out by the Comptroller General under this section.

(e) Any disobedience to a subpoena issued by the Committee on Armed Services of the House of Representatives or the Committee on Armed Services of the Senate to carry out the provisions of this section shall be punishable as provided in section 102 of the Revised Statutes.

(f) No book, account, or other record, or copy of any book, account, or record, of any contractor or subcontractor obtained by or for the Comptroller General under authority of this section which is not necessary for determining the profitability on any contract, as defined in subsection (a) of this section, between such contractor or subcontractor and the Department of Defense shall be available for examination, without the consent of such contractor or subcontractor, by any individual other than a duly authorized officer or employee of the General Accounting Office; and no officer or employee of the General Accounting Office shall disclose, to any person not authorized by the Comptroller General to receive such information, any information obtained under authority of this section relating to cost, expense, or profitability or any nondefense business transaction of any contractor or subcontractor.

(g) The Comptroller General shall not disclose in any report made by him to the Congress or to either Committee on Armed Services under authority of this section any confidential information relating to the cost, expense, or profit of any contractor or subcontractor on any nondefense business transaction of such contractor or subcontractor.

Sec. 409 (a) The Secretary of Defense shall submit semiannual reports to the Congress on or before January 31 and on or before July 31 of each year setting forth the amounts spent during the preceding six-month period for research, development, test and evaluation and procurement of all lethal and nonlethal chemical and biological agents. The Secretary shall include in each report a full explanation of each expenditure, including the purpose and the necessity thereof.

(b) None of the funds authorized to be appropriated by this Act or any other Act may be used for the transportation of any lethal chemical or any biological warfare agent to or from any military installation in the United States, or the open air testing of any such agent within the United States until the following procedures have been implemented.

(1) The Secretary of Defense (hereafter referred to in this section as the "Secretary") has determined that the transportation or testing proposed to be made is necessary in the interests of national security;

(2) The Secretary has brought the particulars of the proposed transportation or testing to the attention of the Secretary of Health, Education, and Welfare, who in turn may direct the Surgeon General of the Public Health Service and other qualified persons to review such particulars with respect to any hazards to public health and safety which such transportation or testing may pose and to recommend what precautionary measures are necessary to protect the public health and safety.

(3) The Secretary has implemented any precautionary measures recommended in accordance with paragraph (2) above (including, where practicable, the detoxification of any such agent, if such agent is to be transported to or from a military installation for disposal); *Provided, however,* That in the event the Secretary finds the recommendation submitted by the Surgeon General would have the effect of preventing the proposed transportation or testing, the President may determine that overriding considerations of national security require such transportation or testing be conducted. Any transportation or testing conducted pursuant to such a Presidential determination shall be carried out in the safest practicable manner, and the President shall report his determination and an explanation thereof to the President of the Senate and the Speaker of the House of Representatives as far in advance as practicable, and

(4) The Secretary has provided notification that the transportation or testing will take place, except where a Presidential determination has been made: (A) to the President of the Senate and the Speaker of the House of Representatives at least 10 days before any such transportation will be commenced and at least 30 days before any such testing will be commenced; (B) to the Governor of any State through which such agents will be transported, such notification to be provided appropriately in advance of any such transportation.

(c) (1) None of the funds authorized to be appropriated by this Act or any other Act may be used for the future deployment, or storage, or both, at any place outside the United States of—

(A) any lethal chemical or any biological warfare agent, or

(B) any delivery system specifically designed to disseminate any such agent,

unless prior notice of such deployment or storage has been given to the country exercising jurisdiction over such place. In the case of any place outside the United States which is under the jurisdiction or control of the U.S. Government, no such action may be taken unless the Secretary gives prior notice of such action to the President of the Senate and the Speaker of the House of Representatives. As used in this paragraph, the term "United States" means the several States and the District of Columbia.

(2) None of the funds authorized by this Act or any other Act shall be used for the future testing, development, transportation, storage, or disposal of any lethal chemical or any biological warfare agent outside the United States if the Secretary of State, after appropriate notice by the Secretary whenever any such action is contemplated, determines that such testing, development, transportation, storage, or disposal will violate international law. The Secretary of State shall report all determinations made by him under this paragraph to the President of the Senate and the Speaker of the House of Representatives, and to all appropriate international organizations, or organs thereof, in the event such report is required by treaty or other international agreement.

(d) Unless otherwise indicated, as used in this section the term "United States" means the several States, the District of Columbia, and the territories and possessions of the United States.

(e) After the effective date of this Act, the operation of this section, or any portion thereof, may be suspended by the President during the period of any war declared by Congress and during the period of any national emergency declared by Congress or by the President.

(f) None of the funds authorized to be appropriated by this Act may be used for the procurement of any delivery system specifically designed to disseminate any lethal

chemical or any biological warfare agent, or for the procurement of any part or component of any such delivery system, unless the President shall certify to the Congress that such procurement is essential to the safety and security of the United States.

Sec. 410. (a) As used in this section—

(1) The term "former military officer" means a former or retired commissioned officer of the Armed Forces of the United States who—

(A) served on active duty in the grade of major (or equivalent) or above, and

(B) served on active duty for a period of ten years or more.

(2) The term "former civilian employee" means any former civilian officer or employee of the Department of Defense, including consultants or part-time employees, whose salary rate at any time during the three-year period immediately preceding the termination of his last employment with the Department of Defense was equal to or greater than the minimum salary rate at such time for positions in grade GS-13.

(3) The term "defense contractor" means any individual, firm, corporation, partnership, association, or other legal entity, which provides services and materials to the Department of Defense under a contract directly with the Department of Defense.

(4) The term "services and materials" means either services or materials or services and materials and includes construction.

(5) The term "Department of Defense" means all elements of the Department of Defense and the military departments.

(6) The term "contracts awarded" means contracts awarded by negotiation and includes the net amount of modifications to, and the exercise of options under, such contracts. It excludes all transactions amounting to less than \$10,000 each.

(7) The term "fiscal year" means a year beginning on 1 July and ending on 30 June of the next succeeding year.

(b) Under regulations to be prescribed by the Secretary of Defense:

(1) Any former military officer or former civilian employee who during any fiscal year,

(A) was employed by or served as a consultant or otherwise to a defense contractor for any period of time,

(B) represented any defense contractor at any hearing, trial, appeal, or other action in which the United States was a party and which involved services and materials provided or to be provided to the Department of Defense by such contractor, or

(C) represented any such contractor in any transaction with the Department of Defense involving services or materials provided or to be provided by such contractor to the Department of Defense,

shall file with the Secretary of Defense, in such form and manner as the Secretary may prescribe, not later than November 15 of the next succeeding fiscal year, a report containing the following information:

(1) His name and address.

(2) The name and address of the defense contractor by whom he was employed or whom he served as a consultant or otherwise.

(3) The title of the position held by him with the defense contractor.

(4) A brief description of his duties and the work performed by him for the defense contractor.

(5) His military grade while on active duty or his gross salary rate while employed by the Department of Defense, as the case may be.

(6) A brief description of his duties and the work performed by him while on active duty or while employed by the Department of Defense during the three-year period immediately preceding his release from active

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appropriated pursuant to this authorization, conduct a competition for the aircraft which shall be selected on the basis of the threat as evaluated and determined by the Secretary of Defense, and (2) be authorized to use a portion of such funds as may be required for research, development, test, and evaluation.

MISSILES

For missiles: for the Army, \$880,460,000; for the Navy, \$851,300,000; for the Marine Corps, \$20,100,000; for the Air Force, \$1,486,400,000.

NAVAL VESSELS

For naval vessels: for the Navy, \$2,983,200,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$228,000,000; for the Marine Corps, \$37,700,000: *Provided*, That none of the funds authorized herein shall be utilized for the procurement of Sheridan Assault vehicles (M-551) under any new or additional contract.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1970 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$1,646,055,000;

For the Navy (including the Marine Corps), \$1,968,235,000;

For the Air Force, \$3,156,552,000; and

For the Defense Agencies, \$450,200,000.

SEC. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1970 for use as an emergency fund for research, development, test, and evaluation or procurement or production related thereto, \$75,000,000.

SEC. 203. None of the funds authorized to be appropriated by this Act may be used to carry out any research project or study unless such project or study has a direct and apparent relationship to a specific military function or operation.

SEC. 204. Construction of research, development, and test facilities at the Kwajalein Missile Range is authorized in the amount of \$12,700,000, and funds are hereby authorized to be appropriated for this purpose.

TITLE III—RESERVE FORCES

SEC. 301. For the fiscal year beginning July 1, 1969, and ending June 30, 1970, the Selected Reserve of each Reserve component of the Armed Forces will be programmed to attain an average strength of not less than the following:

(1) The Army National Guard of the United States, 393,298.

(2) The Army Reserve, 255,591.

(3) The Naval Reserve, 129,000.

(4) The Marine Corps Reserve, 49,489.

(5) The Air National Guard of the United States, 86,624.

(6) The Air Force Reserve, 50,775.

(7) The Coast Guard Reserve, 17,500.

SEC. 302. The average strength prescribed by section 301 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately

increased by the total authorized strength of such units and by the total number of such individual members.

SEC. 303. Subsection (c) of section 264 of title 10, United States Code, is amended as follows:

In the last line of the last sentence of subsection (c) after the word "within", change the figures "60" to "90".

TITLE IV—GENERAL PROVISIONS

SEC. 401. Subsection (a) of section 401 of Public Law 89-367 approved March 15, 1966 (80 Stat. 37) as amended, is hereby amended to read as follows:

"(a) Not to exceed \$2,500,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (1) Vietnamese and other Free World Forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs, during the fiscal year 1970 on such terms and conditions as the Secretary of Defense may determine."

SEC. 402. (a) Prior to April 30, 1970, the Committees on Armed Services of the House of Representatives and the Senate shall jointly conduct and complete a comprehensive study and investigation of the past and projected costs and effectiveness of attack aircraft carriers and their task forces and a thorough review of the considerations which went into the decision to maintain the present number of attack carriers. The result of this comprehensive study shall be considered prior to any authorization or appropriation for the production or procurement of the nuclear aircraft carrier designated as CVAN-70.

(b) In carrying out such study and investigation the Committees on Armed Services of the House of Representatives and the Senate are authorized to call on all Government agencies and such outside consultants as such committees may deem necessary.

SEC. 403. Funds authorized for appropriation under the provisions of this Act shall not be available for payment of independent research and development, bid and proposal, and other technical effort costs incurred under contracts entered into subsequent to the effective date of this Act for any amount in excess of 93 per centum of the total amount contemplated for use for such purpose out of funds authorized for procurement and for research, development, test, and evaluation. The foregoing limitation shall not apply in the case of (1) formally advertised contracts, (2) other firmly fixed contracts competitively awarded, or (3) contracts under \$100,000.

SEC. 404. (a) Section 136 of title 10, United States Code, is amended—

(1) by striking out "seven" in subsection (a) and inserting in lieu thereof "eight"; and

(2) by inserting after the first sentence in subsection (b) the following new sentences: "One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Health Affairs. He shall have as his principal duty the overall supervision of health affairs of the Department of Defense."

(b) Section 5315 of title 5, United States Code, is amended by striking out item (13) and inserting in lieu thereof the following:

"(13) Assistant Secretaries of Defense (8)."

SEC. 405. Section 412(b) of Public Law 86-149, as amended, is amended, to read as follows:

"(b) No funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, or after December 31, 1963, to or for the use of any armed force of the United States for the research, development, test, or evaluation of aircraft, missiles, or naval vessels, or after December 31, 1963, to or for the use of any armed force of the United

States for any research, development, test or evaluation, or after December 31, 1965, to or for the use of any armed force of the United States for the procurement of tracked combat vehicles, or after December 31, 1969, to or for the use of any armed force of the United States for the procurement of other weapons unless the appropriation of such funds has been authorized by legislation enacted after such dates."

SEC. 406. Section 2 of the Act of August 3, 1950 (64 Stat. 408), as amended, is further amended to read as follows:

"SEC. 2. After July 1, 1970, the active duty personnel strength of the Armed Forces, exclusive of personnel of the Coast Guard, personnel of the Reserve components on active duty for training purposes only, and personnel of the Armed Forces employed in the Selective Service System, shall not exceed a total of 3,285,000 persons at any time during the period of suspension prescribed in the first section of this Act except when the President of the United States determines that the application of this ceiling will seriously jeopardize the national security interests of the United States and informs the Congress of the basis for such determination."

SEC. 407. (a) After December 31, 1969, none of the funds authorized for appropriation by this or any other Act for the use of the Armed Forces shall be used for payments out of such funds under contracts or agreements with Federal contract research centers if the annual compensation of any officer or employee of such center paid out of any Federal funds exceeds \$45,000 except with the approval of the Secretary of Defense under regulations prescribed by the President.

(b) The Secretary of Defense shall notify the President of the Senate and the Speaker of the House of Representatives promptly of any approvals authorized under subsection (a), together with a detailed statement of the reasons therefor.

SEC. 408. (a) The Comptroller General of the United States (hereinafter in this section referred to as the "Comptroller General") is authorized and directed, as soon as practicable after the date of enactment of this section, to conduct a study and review on a selective representative basis of the profits made by contractors and subcontractors on contracts on which there is no formally advertised competitive bidding entered into by the Department of the Army, the Department of the Navy, the Department of the Air Force, the Coast Guard, and the National Aeronautics and Space Administration under the authority of chapter 137 of title 10, United States Code, and on contracts entered into by the Atomic Energy Commission to meet requirements of the Department of Defense. The results of such study and review shall be submitted to the Congress as soon as practicable, but in no event later than December 31, 1970.

(b) Any contractor or subcontractor referred to in subsection (a) of this section shall, upon the request of the Comptroller General, prepare and submit to the General Accounting Office such information maintained in the normal course of business by such contractor as the Comptroller General determines necessary or appropriate in conducting any study and review authorized by subsection (a) of this section. Information required under this subsection shall be submitted by a contractor or subcontractor in response to a written request made by the Comptroller General and shall be submitted in such form and detail as the Comptroller General may prescribe and shall be submitted within a reasonable period of time.

(c) In order to determine the costs, including all types of direct and indirect costs, of performing any contract or subcontract referred to in subsection (a) of this section, and to determine the profit, if any, realized under any such contract, or subcontract,

That means congressional consultation before an action is taken which would go beyond what they are doing now.

Mr. JAVITS. If it is of any major character necessitating congressional action, whatever that may mean—

Mr. MANSFIELD. That is right, so far as that is concerned, and under the SEATO organization we can only become involved, at least it says so, through the constitutional processes of this country. That is something which we have been prone to forget in recent years, and something which I think we should remember constantly from now on.

Mr. JAVITS. I should like to identify myself with my colleague's statement on that score, and also express to him my support of the amendment.

Mr. President, I ask unanimous consent that a statement prepared for delivery by the senior Senator from Kentucky, Senator COOPER, concerning his amendment regarding Laos and Thailand, be printed in the RECORD. Senator COOPER is not able to be present on the floor for the debate.

Mr. President, in my judgment Senator Cooper—as always—has made a wise and knowledgeable statement which deserves the close attention of the Senate and the Nation.

As my colleagues will recall from the RECORD of the debate on Senator Cooper's amendment to the Defense procurement authorization bill, I find myself in great agreement with my colleague on this vital matter.

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

STATEMENT BY SENATOR COOPER

On August 12, I introduced an amendment to the Military Procurement Authorization Bill which would have prohibited the use of funds to support U.S. personnel in Laos or Thailand in support of local forces engaged in the local war there. My amendment provided that supplies, materials, equipment and facilities, including maintenance thereof and training, could be given to local forces in Laos or Thailand. On September 17, the amendment was adopted 86-0, and although its purpose was clearly understood, the Chairman of the Armed Services Committee, Senator Stennis, manager of the bill, was of the opinion that my amendment did not cover all the funds available for programs in Laos and Thailand. The Amendment was deleted in conference.

I have offered once again an amendment to the pending Appropriations bill for the Department of Defense which reads as follows: "None of the funds appropriated by this Act shall be used for the support of local forces in Laos or Thailand except to provide supplies, material, equipment, and facilities, including maintenance thereof, or to provide training for such local forces."

The purpose of the amendment is again the same, to prevent the United States from backing into a war that has not been considered or approved by Congress. It is evident from newspaper reports and from the testimony given on the Symington Subcommittee that there is a serious danger of becoming more deeply involved in the situation in Laos. My amendment would prohibit all actions not already approved by the Congress that are now taking place in Laos and Thailand. The situation in Laos is very complex. Insofar as the bombing in Laos affects the war in Vietnam, such opera-

tions as the interdiction of the Ho Chi Minh Trail would not be affected by my amendment. Our military personnel would of course have the right of self-defense.

The other bombing operations that are taking place, however, are of such a nature and magnitude that the Senate should fully understand from the Administration why such operations are being undertaken before approval is given and funds appropriated. There are dangers of escalation of the kind that have taken place in Vietnam. The United States should not be involved in a widening of the war in South Asia.

Because of the tragic experience of Vietnam, I felt it necessary that through full discussion in closed session, if required, that the facts essential for sound judgment would be obtained.

I regret that the serious illness of my mother has prevented me from being in the Senate today. My good friend and colleague, the majority leader, Senator MANSFIELD, has kindly agreed to introduce the amendment for me in my absence. There is no better expert on Asian affairs in the Senate. His wisdom and knowledge on this issue will give the Senate a full understanding of the purpose of the amendment introduced today.

Mr. GOLDWATER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I want to ask the majority leader and distinguished chairman of the Foreign Relations Committee why they feel that any meeting of this body on this subject should be secret?

Mr. MANSFIELD. I just raised the question, may I say, to the distinguished Senator from Arizona, in case the chairman and the others of the committee on both sides felt it would be more applicable. Frankly, I have read about this for so many years in the public prints that it is my belief that not much that is known would be made known.

Mr. GOLDWATER. I might say that I was in Thailand 2 days ago and there are no major secrets there as to what we are doing.

I am sure that a secret meeting of this body would be the property of the press within minutes after it was finished.

I realize that there are some things, as there are some matters in all military operations, that we cannot and should not talk about but I think that if the American public is to be informed, we would be better off talking about it on the floor, as to what the commitments are, and why we feel those commitments to be right, and so forth and so forth.

Frankly, I would be more in favor of an open hearing than I would be in favor of a secret hearing, because I think it is pretty much public property now, with the exception of testimony that I would expect would be kept confidential.

Mr. MANSFIELD. I would agree with the distinguished Senator. So far as I am concerned, I would rather it be out in the open, but if for some reason members of the particular committees affected—and I refer to the Appropriations Committees, both subcommittee and full committee—felt it would be advisable to have an executive session, I would go along with it; but, speaking personally, I agree with the distinguished Senator. Let it be out in the open and let everyone know about it.

Mr. GOLDWATER. I thank the Senator.

Mr. ELLENDER. Mr. President, I am in thorough agreement with the distinguished Senator from Arizona on the points he has just made, that if we do have an executive session in a matter of minutes, not hours, but minutes, the whole of the press will know about it. So far as I am personally concerned, I do not see anything wrong with accepting the amendment.

As I suggested to the distinguished Senator from Arkansas, this matter can go to conference and no doubt the conferees could delve into that matter themselves.

Another thing, as I understood the answers to the questions propounded by the distinguished Senator from Arkansas, the Senator from Montana is in agreement, evidently, with the wording of section 638(a) on page 43 of the bill which states:

Sec. 638. (a) Appropriations available to the Department of Defense during the current fiscal year shall be available for their stated purposes to support: (1) Vietnamese and other free world forces in Vietnam; (2) local forces in Laos and Thailand; and for related costs, on such terms and conditions as the Secretary of Defense may determine.

Mr. MANSFIELD. That is right, but what this does is spell out what the Secretary of Defense may determine in an area with which we are all in accord.

Mr. ELLENDER. If that ever comes about, the matter can be brought to the Senate and to the President, and he can act upon it.

Mr. MANSFIELD. That is the strength of the amendment about which there really should be no discord.

Mr. ELLENDER. It was suggested a while ago that I give to the Senate a short résumé of the amount of money, and I now read from the statement:

The recommendations of the subcommittee include approximately \$90 million for the support of local forces in Laos. These funds are included in the bill pursuant to the authority granted in section 401 of the Department of Defense Procurement and Research and Development Act of 1970.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD the entire text of that act.

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

DEPARTMENT OF DEFENSE PROCUREMENT AND RESEARCH AND DEVELOPMENT AUTHORIZATION ACT, 1970 (PUBLIC LAW 91-121)

TITLE I—PROCUREMENT

Sec. 101. Funds are hereby authorized to be appropriated during the fiscal year 1970 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army \$570,400,000; for the Navy and the Marine Corps, \$2,391,200,000; for the Air Force, \$3,965,700,000: Provided, That of the funds authorized to be appropriated for the procurement of aircraft for the Air Force during fiscal year 1970, not to exceed \$28,000,000 shall be available to initiate the procurement of a fighter aircraft to meet the needs of Free World forces in Southeast Asia, and to accelerate the withdrawal of United States forces from South Vietnam and Thailand; the Air Force shall (1) prior to the obligation of any funds ap-

now going to Laos, it would have fallen a long time ago; that the Pathet Lao on paper would have been successful, but in reality North Vietnam, with its huge concentration of troops, would have assumed actual and physical control; and that if that happened, we would be confronted with a situation with the Laotians or North Vietnamese, whichever group was in control, at the Mekong.

I would point out that we have a treaty relationship with Thailand which is a full-fledged member of the Southeast Asian Treaty Organization. The headquarters are in Bangkok. Unlike the situation applicable to Laos, Cambodia, and South Vietnam there is no question but that we would be involved under the terms of the Southeast Asian Treaty Organization, but involved only through constitutional processes because that is included toward the ends of the treaty. So we have a situation there which is delicate, difficult, dangerous, extremely hard to explain. It is tied very closely to the war in Vietnam in which we never should have become involved. It is not only a mistake; it is a tragedy, on the basis of these complex factors we find that the situation developing in Laos has increased our participation and activity there. It has been responsible for the questions raised by the chairman of the Committee on Foreign Relations and other Members of this body who are fearful of what might happen in the future if a curb is not established in this body.

Mr. YOUNG of North Dakota. Mr. President, like the Senator from Montana, I was very much opposed to becoming involved in a war in Vietnam. I want to make sure we do not get involved in any more Vietnams.

I could support the proposal. This would not prevent assistance to a country like Indonesia which fought off communism. We could give them assistance, such as military or economic, but no manpower assistance.

Mr. MANSFIELD. Yes, in Laos, too. These items, which are allowable, fit in very nicely with the Nixon doctrine which says, in effect, we are primarily a Pacific power with peripheral interests on the Asian mainland. The purpose would be that our friends would receive logistical help and economic assistance, but no further use of American manpower on the Asian mainland, no further use of American military power unless there were a nuclear confrontation and then all bets would be off.

This amendment would strengthen the President's hand because it says to him "The executive branch cannot go beyond what is now being done; the situation may have already gone a little too far but you said that there are no U.S. combat troops in Laos."

Secretary Rogers, in his appearance before the National Education Television commentators, on a television show, stated that the President did not intend to become involved in Laos. I am paraphrasing, but that is what he said.

Mr. YOUNG of North Dakota. I believe the acting chairman of the committee said, regarding the money in this bill, that it could be used in Laos.

Mr. MANSFIELD. Mr. President, if it is agreeable with the Senator, I would like to yield to the Senator from Vermont briefly.

Mr. AIKEN. Mr. President, as a matter of fact, I have seen no evidence that this administration desires to engage in any more Vietnams in Laos or anywhere else; and if the administration should change in the future I am satisfied the Senate would never approve of any more Vietnam like conflicts.

However, I rose to speak in reference to what the majority leader said earlier in regard to Vietnam. As of December 11, last Thursday, I find that our troop strength in South Vietnam was 472,500. That indicated a reduction of 2,700 for the week of December 4 to December 11. Previous to that, the previous week, there was a reduction of 4,500. This means a total of something over 71,000 troops having been withdrawn from South Vietnam, largely within the last 3 months, at a rate of about 20,000 a month. That rate of withdrawal may not hold good for each of the months ahead, but at the present time the withdrawal program is 11,500 ahead of schedule, ahead of what was projected for December 15, with 4 days yet to go. It is quite apparent that, at anywhere near the present rate of withdrawal, 80,000 troops will be withdrawn before the beginning of the year; and probably 100,000 by the first of February and possibly more. I just do not know, but that is my best guess at this time.

I thought those figures would be worthwhile to place in the Record at this time for the benefit of Members of the Senate, as well as for those who read the CONGRESSIONAL RECORD.

Mr. MANSFIELD. Mr. President, I thank the Senator for performing a commendable service. I am delighted that he has placed the figures in the Record. I congratulate the President for being 11,500 ahead of schedule, 4 days before the withdrawal date, December 15, which is today.

Mr. AIKEN. That is right.

Mr. MANSFIELD. Mr. President, I wish to quote now from the statement by the distinguished Secretary of State in a National Education Television network interview. He was asked about whether or not Laos would develop into another Vietnam-type conflict. He said: The President won't let it happen.

Continuing, he said:

I mean we have learned one lesson, and that is we are not going to fight any major wars in the mainland of Asia again and we are not going to send American troops there, and we certainly aren't going to do it unless we have the American public and the Congress behind us.

Mr. JAVITS. Mr. President, will the Senator yield very briefly?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I think what I wish to say would fit in before the explanation by the Senator from Louisiana (Mr. ELLENDER) as to the money. I wish to ask a question, which I arranged to ask on behalf of the Senator from Kentucky (Mr. COOPER).

It is a fact, when he allows materiel and training you must contemplate certain American personnel in the training or logistical handling of the materiel. Is that correct?

Mr. MANSFIELD. I did not get the last part of the question.

Mr. JAVITS. When you assume in Laos or Thailand we will be giving some support, actively training, and so forth, there will be American manpower involved, will there not?

Mr. MANSFIELD. Yes, there would be American manpower involved; there is American manpower involved. There are the intelligence activities which the distinguished chairman of the Committee on Foreign Relations referred to, and that is to be understood.

Mr. JAVITS. Correct.

Mr. MANSFIELD. But as far as the training is concerned, most of it would be in Thailand, to observe the concept of neutrality. We have an extra large military mission in Laos, and I suppose in view of the circumstances that may be understandable.

Mr. JAVITS. One of the questions the Senator from Kentucky and I want to clarify is: If our advisory people, who are military representatives, advisers and so forth, come under attack, should not the record be perfectly clear that U.S. advisory troops are free to defend themselves; that is, they have the right of self-defense but again we should utter caution that that should not represent general authorization to engage in combat operations or to draw us in because U.S. troops have been attacked who are engaged in some advisory role.

Would the Senator care to give a response?

Mr. MANSFIELD. Mr. President, U.S. troops in any country in the world would have very right to protect themselves and I would hope they would. We do not have too many—and we really have no troops, as such, in Laos, but what we do have is a military mission which represents the four services, the Marine Corps, the Navy, the Army, and the Air Force, stationed at Vientiane. From what I gather, they attend, pretty much, to their own knitting.

Mr. JAVITS. The Senator from Kentucky and I wanted to know the effect on this amendment of the commitment resolution. Is it not a fact that that is intended here is an actual implementation in advance of our being faced with the issue of the commitment resolution which has already passed the Senate and which says that matters that will involve us in any major military responsibility must be referred to the Senate under the constitutional processes which relate to Congress.

Mr. MANSFIELD. Without question. I think that Secretary Rogers made that tacit recognition when he said in effect—and I quote it again, because it is a very important passage from his interview:

I mean we have learned one lesson, and that is we are not going to fight any major wars in the mainland of Asia again and we are not going to send American troops there, and we certainly aren't going to do it unless we have the American public and the Congress behind us.

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They are carrying on clandestine activities and making a contribution toward stability in the areas in which they live and in which they function.

The important thing, and I believe this is the intention of the Senate and the administration, is that one Korea is more than enough, that one Vietnam is more than enough, and that this country does not want to become involved in any other area on a basis approximating that in which we find ourselves in Vietnam at the present time.

I do not think anyone would doubt, or at least very few would doubt, the fact that it was a mistake to go into Vietnam. And it is just as well to state it publicly.

My view does not agree with that of some of my colleagues, because I think the difficulty arose with the assassination of Ngo Dinh Diem in 1963. And many of my colleagues looked upon Ngo Dinh Diem as a dictator and as a hard man.

Well, he may have been hard, but at least he furnished a timely civilian stability to that government which kept us from going in and which was able to function on the basis of only a relatively few American advisors being there.

I use the term relatively few American advisers in comparison with the figures today. However, with the assassination of Ngo Dinh Diem, began a continual succession of military dictatorships. And that is what we still have in Vietnam today, I believe, despite the so-called election in September 1966. Under that succession, we have been ground down in that area.

We have spent well in excess of \$100 billion.

Our total casualties up to December 11, 1969, amounted to 307,242, and of that number, 206,420 have been wounded in battle, 39,742 have died in combat, and 7,080 have died in other than combat situations. The total number as of December 11 is 307,242. While the figures are declining, the end is not in sight, even with the sizable withdrawal of forces which this administration has undertaken and which I hope it will speed up and move as rapidly as it possibly can.

May I say in that respect that I am delighted that this administration has brought about a deescalation of the war and that, rather than a step-up, or a continuing increase in forces, or a stabilizing at the 548,000 or 550,000 level. The figure now is somewhere, I believe, below 480,000. The move in the right direction, the acceleration, is not fast enough. I wish it could be faster. If I had my way, it would be. The final responsibility rests with the President and I am sure he is doing all he can to bring about a deceleration of this war, a deescalation of this war, and is trying to find a pathway to peace which will bring about, in time, a total withdrawal on the part of this country.

Nevertheless the black boxes are still coming home. Men are still dying in combat, even though the deaths are decreasing.

Too many Americans are involved in a country in which we really have no vital interest. It is an area in which the

South Vietnamese themselves, of all kinds and all sorts, will have to make the final decision as to what kind of government they want, what kind of future they envisage, and what kind of life their people will lead. It is not up to us; it is up to them.

So I hope that this amendment, offered by the distinguished senior Senator from Kentucky and myself, will be agreed to, as a means of indicating that we do not wish to become involved in another Vietnam in Laos or Thailand or anywhere else.

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

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I congratulate the distinguished majority leader for offering this amendment. I expect to support it. I should like to ask one or two questions by way of clarification.

If I correctly understand the amendment, it does not prohibit money in this bill to provide training for local forces in Laos. Is that correct?

Mr. MANSFIELD. In Laos or Thailand.

Mr. FULBRIGHT. It does not prevent supplies, materiel, equipment, and facilities being supplied to those forces?

Mr. MANSFIELD. It does not.

Mr. FULBRIGHT. Is there anything in the hearings or in this bill that indicates to the Members of the Senate what we are doing by way of providing training to local forces in Laos?

Mr. MANSFIELD. I would have to refer that question to the acting chairman of the committee, who has been called on, on short notice, to handle this bill.

As I recall, some information was given. I do not know the details even though I happen to serve on the particular subcommittee. It had to do with training pilots, servicing planes, and other activities carried on primarily in Thailand and not in Laos itself, because of the Geneva accords.

Mr. FULBRIGHT. May I ask it in a little different way. Does the majority leader believe that Members of the Senate should be called upon to vote for the appropriation in this bill, which is just under \$80 billion? Incidentally I want to congratulate both committees for having cut what seems to me a reasonable amount. My question is whether Members of the Senate are being called upon to vote to appropriate money to pay for a program which they are uninformed.

Mr. MANSFIELD. Yes, I think we should, in view of a situation which has developed over the years. After all, the United States was responsible in large part for bringing about the Geneva accords of 1962, which supposedly divided Laos into a tripartite kingdom—the so-called neutralists, the rightist groups, and the Pathet Lao—who agreed to divide the representation of the country into three.

Since that time, this fiction has been kept alive, at least on a theoretical basis, and one-third of the seats in Vientiane have been set aside for the Pathet Lao to occupy, which they are loath to do.

Furthermore, in connection with that, I think it should be pointed out that there is stationed permanently in Vientiane a 100-man Pathet Lao company—

for what purpose, I do not know, but at least it is there. We have involved the Laotians to such an extent that we have created an obligation which is most difficult for us to get out of at the present time.

What I oppose is the stepup of activities there which carries with it the threat of greater participation and which carries with it the possibility that if it gets out of hand or goes too far, we may become involved in another Vietnam.

Mr. FULBRIGHT. I agree with the Senator that it might amount to another Vietnam. But I do not understand how the Senate can exercise a proper judgment in this matter if it is not informed as to what is being done with the moneys in this program. This is the only case I know of outside of a strictly intelligence operation in which we are expected to act without detailed information. I am not suggesting that we should make anything public. What I am suggesting is that the Senate in executive session, should be informed by the sponsors of the proposed legislation and by the administration as to what we are being asked to finance in this operation. Aside from what we normally call the typical intelligence operations, upon which traditionally we have not requested information even in executive session I believe we need information now. I do recall, however, we did have one executive session last year to discuss that matter.

But very large sums of money are included in this bill. I believe they are concerned with the activities that are mentioned in the amendment. But they are not identified and no Members of the Senate, or at least very few, know what they are voting on.

It strikes me that we have come to such a pass—as we became involved so deeply in Vietnam—that we are threatened to become involved in Laos. The Senate should be informed.

The Senator from Montana congratulated the President on deescalating the war in Vietnam. But what good is this going to do if we are escalating the war in Laos at the same time as much as we are deescalating in Vietnam?

Mr. MANSFIELD. That is a valid question, and the Senator makes a fair comparison.

I would be prepared—this may come as a surprise; I just happened to think of it—to suggest at an appropriate time that the Senate go into executive session to listen to this information, and in that way to educate ourselves to a greater extent covering this particular matter.

Mr. FULBRIGHT. I appreciate that from the majority leader.

On last Saturday I sent to the chairman of the Appropriations Committee a letter asking basic questions on money and commitments to Laos. My purpose was to give notice that I would expect this information, which can be supplied by the executive branch, by way of the Committee on Appropriations. I think that the Senate should have such information before it is called upon to vote.

Mr. MANSFIELD. May I say—if the chairman will pardon me—that, in my opinion, without the American assistance

other reductions on the MBT-70 tank should be made.

Mr. President, there are many other essential items of military hardware that have been reduced. Combat operations in Vietnam have been curtailed severely during the first 5 months of this fiscal year. The Secretary of Defense has cut the fiscal year 1970 program by \$3 billion. Our nation cannot expect to make any further cuts in the foreseeable future.

Efforts have been made to defer the procurement of the F-14 aircraft for the Navy. The House disallowed \$275 million for this program. In my view, this is a fatal mistake. Funds have been restored in the Senate bill to provide for a total of 12 F-14's for the test program. This is a bare minimum. The Navy must be permitted to go forward with this modern fighter for the fleet.

Mr. President, there has been some talk of not approving the funds for the ABM which have been authorized. In view of the extensive previous review and approval of this program by the Senate, I strongly recommend that such ideas be forgotten. Our urgent need for this defense has been further documented since my distinguished colleagues approved the minimum deployment of the ABM to defend against the Soviet ICBM's. Anyone who proposes to cut funds for the ABM will face strong opposition.

The C-5A super transport has been cut back from 123 aircraft to 81. This will seriously reduce our flexibility for response to reinforce our overseas forces in time of peril.

This bill is already a compromise which reveals risks to our national security due to the pressure of domestic problems. Our present as well as our future capabilities have been reduced. Unanticipated requirements in Southeast Asia cannot be met with our reduced military capability.

Mr. President, the slowdown of new weapons development and the critical reduction of our force structure are coming at a perilous time in our history. For the first time, the Soviets are moving ahead of us in military capability.

The Russian naval fleet totals 1,575 vessels, as opposed to 894 for the United States. Moreover, 58 percent of the U.S. Navy's combat ships are 20 years old or more; but only 1 percent of the Soviet navy is that old.

We have 143 submarines; the Soviets have more than 375. We have 81 nuclear powered units; the Soviets have 65, but they are building one nuclear sub a month, and may surpass us by the end of 1970. By 1978, they may well have constructed between 100 and 150.

This year, for the first time, the Soviets surpassed us in the number of ICBM's and they continue to build at a constant rate.

Mr. President, the security of our Nation must not be exposed to any further risks to accommodate domestic needs. The appropriations bill before us today in view of previous reductions is already a grave risk. I strongly appeal to my colleagues not to propose further reductions.

Mr. MANSFIELD. Mr. President, it was my intention to offer the Cooper amendment on Laos at this time but, pending receipt of a copy of it for my own use, I suggest the absence of a quorum, without relinquishing my right to the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I call up the amendment at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The BILL CLERK. The Senator from Kentucky (Mr. COOPER) and the Senator from Montana (Mr. MANSFIELD) propose an amendment as follows:

On page 46, between lines 8 and 9, insert a new section as follows:

"Sec. 843. None of the funds appropriated by this Act shall be used for the support of local forces in Laos or Thailand except to provide supplies, materiel, equipment, and facilities, including maintenance thereof, or to provide training for such local forces."

Mr. MANSFIELD. Mr. President, I join with the distinguished Senator from Kentucky, who is absent because of unavoidable circumstances, in sponsoring the amendment.

As the Senator knows, there have been some hearings held on the situation which exists in Laos as it relates to our participation in the war.

If my memory serves me correctly, the number of sorties, so-called, which have emanated from these bases has increased considerably in recent months.

We know that the situation in Laos has developed into a two-sided affair. It seems that the main factors there are the North Vietnamese on the one hand, backing up the Pathet Lao, who number something in the order of 50,000 and who have been in constant violation of the Geneva accords of 1962 since the agreement was made. On our part when the Geneva accords were reached, we withdrew what unformed elements we had in Laos. However, with the passage of time and the difficulty which beset the royal Laotian army, we have stepped up our activity in that unhappy kingdom.

Much of this activity is centering around the infiltration of men and supplies down the so-called Ho Chi Minh trail, which goes through the panhandle of Laos.

There has also been air support to the Royal Laotian Forces in the carrying out of activities in the Plaine des Jarres and elsewhere in that country.

It is safe to say, I believe, that the Pathet Lao would not be able to function without the support of the North Vietnamese on the one hand and, on the other, that the Royal Laotian Army itself would be placed in a very precarious position without the air support of the United States and the training given to the few pilots which the Laotian kingdom has.

I think there should be brought out also in a general discussion of Laos, the fact which has been known for some

months now, that the Chinese under an agreement, tacit or otherwise, with a previous Laotian Government has been building a road down from Menglien in Yunnan Province into Laos itself. And the road terminates at a place called Muong Soui.

There are shafts in both directions. The one on the left, looking south, is an extension which has been begun along Route 19 toward Dien Bien Phu. And the one on the right, extending toward Thailand, has been extended only a very short distance, despite the reports which have come out recently that great activity is underway in that particular area and that the Chinese have two divisions there.

When I was in Laos in August, the figure was anywhere from three to 10 battalions of Chinese along the road, mostly labor troops and antiaircraft personnel.

The consensus was that a figure of four or five battalions would be closer to the truth.

I note in the press recently where Souvannah Phouma, the Prime Minister of Laos has indicated that there is no such thing as two divisions in Laos. And he sets the number at five Chinese battalions along the road primarily extending from Menglien in Yunnan down to Muong Soui in northern Laos.

I was happy to note that the President on several occasions has stated definitely and without qualification that there are no U.S. combat troops in Laos.

I believe that to be a true statement of fact, if by that we mean the foot soldiers as such. There are, of course, other types of activities going on.

Certainly airlines are in operation there. They are operating, at least in part—perhaps in large part—on American funds.

And what I am saying is nothing secret, because it has been carried in the press and it is public knowledge.

The fact that the United States has been carrying on additional sorties against the North Vietnamese coming down the Ho Chi Minh trail and is in support of the Royal Laotians around the Plaine des Jarres is, of course, open knowledge.

The point of the Cooper amendment is that we do not want to become involved in Laos. We do not want to become involved in another Vietnam, no matter where it would be. And, while there is perhaps some justification for what is going on at the present time, there certainly is no justification for this country getting involved deeper and deeper and, in effect, becoming the keeper of the keys as far as the Kingdom of Laos is concerned.

Providing supplies, materiel, equipment, and facilities, including the maintenance thereof, and the providing of training for local forces is being undertaken at the present time. We are providing supplies. We are providing materiel. We are providing equipment and facilities. We are providing training for local forces, those belonging in the Royal Laotian Army as well as those that operate on a small independent basis, the Meo and the other tribesmen who have been supplied by us.

was attempting to get across to the Senate, about these young men operating as lawyers and going around in Arizona and New Mexico and engaging in anything but legal activities.

The letter reads as follows:

DEAR MR. HINMAN: I am writing to express my opposition in the strongest possible terms to the patriotism program underway at Church Rock, as described in tonight's *Gallop Independent*. You are quoted as saying: "These kids don't know the Star Spangled Banner. They ought to have an awareness of the greatness of their country". This is true, but they ought to have an awareness of the faults and errors of their country, as well of which there have been, and are, many. It is especially appalling to realize that these are Indian children who are being forced to participate in this program, when it is their people who have been treated most shabbily of all by the United States.

Are you in agreement with the statement attributed to Mrs. Stanfield—

Mr. President, I digress to say here that the Mrs. Stanfield referred to is not Mrs. Stanfield but Mrs. Stafford, who happens to be a Negro.

Continuing reading:

who is quoted as saying: "We should indoctrinate every child with the idea of being loyal to his country." (My emphasis.) If so, I think that this is a sorry philosophy for a public school, which should be dedicated to the concept of free inquiry and exchange of ideas, as well as the presentation of all sides of disputed issues.

I find it particularly offensive that you are apparently associating "patriotism" with support of the war in Viet Nam, which is, unquestionably, the most controversial war of our time, and, in the opinion of many, the most brutal and unjustified. Young children are subjected to enough pressures from the media, their parents, churches, etc. to hold the view "my country, right or wrong". The least you could do is to refrain from adding to the imbalance in presentation of viewpoints.

I note among the pictures appearing in the *Independent* some of drawings of soldiers with guns and several with the phrase "God Bless America". It is, indeed, unfortunate that you are encouraging these children to glorify war and all its attendant inhumanity. Likewise, it is deplorable for you to stimulate the express of what is, in effect, a prayer, in violation of the Supreme Court's ruling that public schools are to refrain from any such activities. There is simply no need to offend the sensibilities of some persons by indirectly stimulating the establishment of the Christian (or Jewish) faith among a people who have traditionally held conflicting religious beliefs. This does not even take into consideration these people who have no faith whatsoever, or who simply wish to have the business of religion and politics kept out of the schools.

I would also suggest that you take a good hard look at the sponsorship of the organization the *Independent* says your "Patriotism Committee" is affiliated with, the Freedom Foundation. I could be mistaken, but I believe that this organization is one of the extreme right, either affiliated with, or similar to, the Birch Society, Minutemen, or similar paramilitary and far-right groups.

If you are not willing to demonstrate that your program is a balanced presentation, and to remove any hint of religious exercises from the curriculum, I shall take whatever steps I can to investigate the matter myself, and, if necessary, institute legal proceedings.

Kindly show this letter to Mrs. Stanfield—

That is Mrs. Stafford—
and any other interested parties.

Sincerely,

STEPHEN B. ELRICK.

Mr. President, the program referred to in the letter was a Veterans' Day program held in a school whose enrollment is 99 percent Indian children, at which two Vietnam casualty families were awarded medals and various patriotic displays were in the school, including one bulletin board display that read "God Bless America."

I read this letter into the RECORD to help to prove that these young lawyers, engaged against the wishes of the Navajo tribe, are not practicing law out there. They are practicing disruption of the American way of life.

I am amazed that the Republican head of the Department that controls the OEO would allow such things to go on. I am going to continue to be critical of him, even though he is a Republican. I believe that he has a responsibility to the people of this country to consider the feelings of the people of this country long before he has any obligation to a bunch of formerly unemployed lawyers.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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 Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, with amendments, in which it requested the concurrence of the Senate; that the House insisted upon its amendments to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PERKINS, Mrs. GREEN, Mr. PUCINSKI, Mr. BRADENAS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. MEEDS, Mr. CLAY, Mr. AYRES, Mr. QUIE, Mr. REID of New York, Mr. ERLNBORN, Mr. SCHERLE, Mr. DELLENBACK, Mr. ESCH, and Mr.

STIGER of Wisconsin were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 14580) to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within a framework of democratic economic, social, and political institutions, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MORGAN, Mr. ZABLOCKI, Mr. HAYS, Mr. FASCELL, Mr. ADAIR, Mr. MAILLIARD, and Mr. FRELINGHUYSEN were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 2864. An act to amend and extend laws relating to housing and urban development, and for other purposes;

H.R. 210. An act to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards, and for other purposes;

H.R. 4244. An act to raise the ceiling on appropriations of the Administrative Conference of the United States; and

H.J. Res. 10. Joint resolution authorizing the President to proclaim the second week of March 1970 as Volunteers of America Week.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

Mr. THURMOND. Mr. President, I would like to warn my distinguished colleagues that funds for national defense on most items have been cut to the lowest acceptable risk. In my personal opinion, we have already cut entirely too much in the face of ever increasing Soviet military power.

This bill has been reduced by \$5.9 billion from the estimated requirement. Our worldwide forces are being cut back. It is reported that President Nixon tonight will announce further withdrawals from Vietnam.

Mr. President, we have a very unique and unusual situation this year in view of the tremendous reductions already made in our national defense programs. The manned orbiting laboratory—MOL—program has been terminated. This amounted to a \$400 million reduction. I might point out that this is one of the Soviet's main experimental programs.

The Cheyenne helicopter program has been stopped. This amounted to a reduction of \$429 million. The Army's main battle tank program has been cut back with more than a \$20 million reduction. A letter from Secretary Packard to Chairman RUSSELL indicates this might be reduced another \$10 million but no

Mr. YOUNG of North Dakota. That is correct.

Mr. MANSFIELD. I thank the Senator. Mr. YOUNG of North Dakota. Mr. President, as always, it has given me great pleasure and satisfaction to have been able to work closely with our esteemed chairman. I fully support this defense appropriations bill which makes a major contribution toward reduction of our overall 1970 budget, yet will not affect the support of American servicemen in Vietnam and permits us to make some progress in the modernization of our Armed Forces.

Mr. ELLENDER. Mr. President, I should like to present the usual motion: I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be considered as original text and that no points of order be considered as waived.

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

The amendments agreed to en bloc are as follows:

On page 2, line 10, after the word "elsewhere," strike out "\$8,312,000,000" and insert "\$8,107,000,000."

On page 2, line 18, after the word "cadets," strike out "\$4,370,000,000" and insert "\$4,368,400,000."

On page 3, line 10, after the word "cadets," strike out "\$5,835,300,000" and insert "\$5,823,000,000."

On page 3, line 19, after the word "law," strike out "\$308,000,000" and insert "\$306,700,000."

On page 4, line 2, strike out "\$131,400,000" and insert "127,900,000."

On page 4, line 2, strike out "\$131,400,000" strike out "\$83,400,000" and insert "\$81,200,000."

On page 6, line 25, after the word "Government," strike out "\$7,214,447,250" and insert "\$7,185,841,000"; and, on page 7, line 2, after the word "facilities," insert a colon and "Provided, That not to exceed \$142,165,000, in the aggregate of the unobligated balances of appropriations made under this head for prior fiscal years, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account under this head for fiscal year 1966."

On page 8, line 14, after the word "Government," strike out "\$5,037,300,000" and insert "\$5,129,200,000"; and, in line 20, after the word "stations," insert a colon and "Provided, That not to exceed \$66,000,000, in the aggregate of unobligated balances of appropriations made under this head for prior fiscal years, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account under this head for the fiscal year 1966."

On page 9, line 15, after the word "facilities," insert a colon and "Provided, That not to exceed \$2,500,000, in the aggregate of unobligated balances of appropriations made under this head for prior fiscal years, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account under this head for the fiscal year 1966."

On page 10, line 21, after the word "Government," strike out "\$6,454,500,000" and insert "\$6,445,000,000."

On page 12, at the beginning of line 1, strike out "\$1,074,600,000" and insert "\$1,069,400,000."

On page 12, line 9, after the word "Bureau," strike out "and services of personnel necessary to provide reimbursable services for the military departments"; and, in line 20,

after the word "aircraft," strike out "\$300,000,000" and insert "\$297,800,000."

On page 13, at the beginning of line 15, strike out "services of personnel necessary to provide reimbursable services for the military departments."

On page 14, after line 2, strike out:

"NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

"For the necessary expenses of construction, equipment and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of rifle practice, in accordance with law, including travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions, and not to exceed \$10,000 for incidental expenses of the National Board; \$52,750; Provided, That travel expenses of civilian members of the National Board shall be paid in accordance with the Standardized Government Travel Regulations, as amended."

On page 14, line 24, after the word "thereof," strike out "\$41,000,000" and insert "\$37,000,000."

On page 16, at the beginning of line 4, strike out "\$2,696,500,000" and insert "\$2,465,400,000"; and, in line 6, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 16, line 18, after the word "plants," strike out "\$2,696,500,000" and insert "\$2,465,500,000"; and, in line 21, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 17, line 8, after the word "amended," strike out "\$2,588,200,000" and insert "\$2,242,770,000"; and, in line 9, after the word "available," strike out "for obligation until June 30, 1974" and insert "until expended."

On page 18, line 9, after the word "plants," strike out "\$1,401,800,000" and insert "\$1,524,600,000"; and, in line 10, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 18, line 20, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 19, line 12, after the word "things," strike out "\$3,488,700,000" and insert "\$3,380,800,000"; and, in line 16, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 20, line 9, after the word "things," strike out "\$1,431,000,000" and insert "\$1,448,100,000"; and, in line 10, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 21, line 4, after the word "amended," strike out "\$1,638,000,000" and insert "\$1,576,200,000"; and, in line 5, after the word "available," strike out "for obligation until June 30, 1972" and insert "until expended."

On page 22, line 9, after the word "law," strike out "\$1,578,300,000" and insert "\$1,600,820,000"; and, in line 10, after the word "available," strike out "for obligation until June 30, 1971" and insert "until expended."

On page 22, line 17, after the word "law," strike out "\$2,049,400,000" and insert "\$2,193,251,000"; and, in line 18, after the word "available," strike out "for obligation until June 30, 1971" and insert "until expended."

On page 22, line 25, after the word "law," strike out "\$3,056,900,000" and insert "\$3,062,026,000"; and, on page 23, line 1, after the word "available," strike out "for obligation until June 30, 1971" and insert "until expended."

On page 23, line 12, after the word "available," strike out "for obligation until June 30, 1971" and insert "until expended."

On page 23, line 6, after the word "year," strike out the semicolon and "(k) pay and allowances of not to exceed nine persons, including personnel detailed to International Military Headquarters and Organizations, at

rates provided for under section 625(d) (1) of the Foreign Assistance Act of 1961, as amended".

On page 44, after line 19, strike out:

"Sec. 642. Appropriations heretofore made available for Procurement of Equipment and Missiles, Army; Procurement of Aircraft and Missiles, Navy; Other Procurement, Navy; Procurement, Marine Corps; Aircraft Procurement, Air Force; Missile Procurement, Air Force; Other Procurement, Air Force; and Procurement, Defense Agencies shall not be available for obligation after June 30, 1972. Appropriations heretofore made available for Shipbuilding and Conversion, Navy, shall not be available for obligation after June 30, 1974. Appropriations heretofore made available under the headings Research, Development, Test, and Evaluation, Army; Research, Development, Test and Evaluation, Navy; Research, Development, Test, and Evaluation, Air Force; and Research, Development, Test, and Evaluation, Defense Agencies shall not be available for obligation after June 30, 1971."

And, in lieu thereof, insert:

"Sec. 642. (a) Amounts, as determined by the Secretary of Defense and approved by the Director of the Bureau of the Budget, of any appropriations of the Department of Defense available for procurement (except Shipbuilding and Conversion, Navy) which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for three or more fiscal years, shall be proposed for rescission.

"(b) Amounts, as determined by the Secretary of Defense and approved by the Director of the Bureau of the Budget, of any appropriations of the Department of Defense available for Shipbuilding which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for five or more fiscal years, shall be proposed for rescission.

"(c) Amounts, as determined by the Secretary of Defense and approved by the Director of the Bureau of the Budget, of any appropriations of the Department of Defense available for research, development, test and evaluation (except Emergency Fund, Defense) which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for two or more fiscal years, shall be proposed for rescission."

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

The PRESIDING OFFICER. The Clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

QUESTIONABLE ACTIVITIES OF OEO LAWYERS

Mr. GOLDWATER. Mr. President, during debate on the OEO bill, I introduced an amendment which would have allowed the Navaho Tribe to use legal services of that office at their choosing. I pointed out at the time that OEO lawyers were engaging in highly questionable activities and were making themselves obnoxious to the Navaho Tribe.

In this connection, I wish to read a letter into the Record addressed to Claude Hinman, principal of the Church Rock Elementary School at Church Rock, N. Mex., on November 12, 1969, because it shows how correct I was in what I

will carry effective missiles to do battle with enemy interceptors at long range and have the radar to see them at these long ranges. We strongly hope that the Air Force and the Department of Defense can bring about its operational capability at the earliest practicable date.

Mr. President, we must remember that our requirements for national defense are to a large degree determined by our

commitments and obligations to other nations. I ask unanimous consent to insert at this point in the Record an excerpt from the Department of Defense hearings before the subcommittee which is a checklist of U.S. defense treaties and other defense arrangements with 46 nations.

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

PARTIES TO DEFENSE TREATIES AND OTHER DEFENSE ARRANGEMENTS

Agreements and parties	Multilateral treaties				Bilateral treaties	Bilateral executive agreements of general treaty
	RTG	NATO	SEATO	ANZUS		
Argentina.....	X					
Australia.....			X	X		
Belgium.....						
Bolivia.....	X					
Brazil.....	X					
Canada.....		X				X
Chile.....	X					
China.....					X	
Colombia.....	X					
Costa Rica.....	X					
Cuba ¹	X					
Denmark.....		X				
Dominican Republic.....	X					
Ecuador.....	X					
El Salvador.....	X					
France.....		X	X			
Germany, Federal Republic of.....		X				
Greece.....		X				
Guatemala.....	X					
Haiti.....	X					
Honduras.....	X					
Iceland.....		X				
Iran.....						X
Italy.....		X				X
Japan.....					X	
Korea.....					X	
Liberia.....						X
Luxembourg.....		X				
Mexico.....	X					
Netherlands, The.....		X				
New Zealand.....			X	X		
Nicaragua.....	X					
Norway.....		X				
Pakistan.....			X			X
Panama.....	X					X
Paraguay.....	X					
Peru.....	X					
Philippines, The.....			X		X	
Portugal.....		X				
Spain.....						X
Thailand.....			X			
Trinidad and Tobago.....	X					
Turkey.....		X				
United Kingdom.....		X	X			
Uruguay.....	X					
Venezuela.....	X					

¹ Cuba was excluded from participation in the Inter-American System by Resolution VII, 8th Meeting of Foreign Ministers, Punta del Este, 1962.

Mr. YOUNG of South Dakota. Mr. President, we have been able to report a bill which is \$627.4 million under the House, \$5.9 billion under the revised Nixon administration budget estimate and \$7.2 billion below the outgoing Johnson administration proposed budget. The military services themselves in presenting a budget to the Secretary of Defense for what they believe would give the United States full and adequate defense proposed a budget of approximately \$109 billion. Our top military men such as the Joint Chiefs of Staff, who are charged with the responsibility of defending our country against any possible military threat, naturally would request what they believed was necessary to meet this objective. Limitations on our economy and resources of every nature made it necessary for the Nixon administration to sharply reduce these expenditures. The Joint Chiefs of Staff under all the circumstances involved agree and approve of President Nixon's military budget for the Defense Department.

This is a very austere budget. It would be a misrepresentation to lead you to believe that the Congress can make reductions of this magnitude in future defense budgets and provide a defense that will equal or even compare favorably with that of the Soviet Union. This year we saw the cancellation of two major programs subsequent to the budget submission: the Air Force's manned orbiting laboratory program was terminated allowing a \$400 million reduction, and the Army's Cheyenne helicopter program was canceled permitting another reduction in the amount of \$429 million. In addition to the cancellation of major programs we have realized a decline in combat operations in South Vietnam which permits the reduction of large sums which were included in the original and revised 1970 budget estimates for support of activities in Southeast Asia.

Mr. President, in subsequent remarks I may discuss the funds in this bill for the ABM program. Whether or not this Nation should embark upon an ABM

program was discussed for nearly 2 months on the Senate floor earlier this year. It would seem that further extended debate would serve no necessary purpose at this time. The House feels very strongly about the need for embarking upon a very limited pilot-type ABM program such as was contained in this bill. The Senate itself approved the Safeguard ABM system earlier this year.

The total amount in the bill for the Safeguard is \$753.3 million—\$400.9 million is for research and development and \$352.4 million is for procurement for the various components. I shall discuss this part of the defense appropriations at a greater length later if necessary.

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

Mr. YOUNG of North Dakota. I yield. Mr. MANSFIELD. Mr. President, first I wish to emphasize again, as I did with the acting chairman of the committee, the fact, as has been pointed out by the distinguished senior Senator from North Dakota, as well as the senior Senator from Louisiana, that the present defense appropriation request before the Senate marks a decrease of approximately \$6 billion below the Nixon budget and approximately \$8 billion below the Johnson budget. Both budgets were submitted this year. I think this is a good indication of how the administration and Congress, working in tandem, so to speak, can bring about sizable reductions within the Defense Establishment without reducing in any way the effectiveness of the defense which is needed for the security of this country.

Second, I wish to raise this question. Is it not true that as far as the ABM construction funds are concerned, approximately \$200 million was available for use in connection with sites in North Dakota and Montana this year?

Mr. YOUNG of North Dakota. From previously appropriated funds.

Mr. MANSFIELD. Yes, carried over; and the figure carried over to the fiscal year 1970 program is \$60 million or more.

Is it not true, regardless of the outcome of this bill, that activities will begin this winter at the Grand Forks area and will begin this coming spring in the Great Falls, Mont. area.

Mr. YOUNG of North Dakota. The Senator is correct. There has been considerable activity there already.

Mr. MANSFIELD. I just wanted to make the record clear that the funds affected in the pending appropriations measure will in no way conflict with the Army's desire and plans to go ahead with the work which has already been started at the so-called pilot plants in Montana and North Dakota. Is that correct?

Mr. YOUNG of North Dakota. The Senator is correct. The program would have to go on in a more limited way if no funds were appropriated in this bill, but for both necessary components and research and development for the first stages of the program we would have to have the funds in this bill.

Mr. MANSFIELD. In order to carry on these programs, it is my understanding, based on the evidence presented by the senior Senator from North Dakota, that in excess of \$300 million is being asked for in this year's appropriation bill.

special purpose communications for very low frequency communications during and after a nuclear attack.

I might state at this point that the committee does not anticipate any additional requests from the Department of Defense for funds during the remainder of fiscal year 1970 except for those funds needed to implement increased pay costs. That is good news, Mr. President.

The bill before the Senate is the result of the distillation of efforts of two administrations, the House of Representatives and the Senate committee. For our part, we have devoted long weeks to a detailed examination of the programs contained in this measure. I believe that the magnitude of the reduction that we recommend will certify to our sincerity of purpose, just as the six volumes of testimony on the desk of each Senator will demonstrate the committee's industry of application.

I wish to thank all the members of the subcommittee for their devotion to this task and their guidance in our decision-making. In particular, I want to thank the ranking minority member, the senior Senator from North Dakota (Mr. Young), and the chairman, the senior Senator from Georgia (Mr. Russell) for their earnest participation and great assistance.

Also, Mr. President, I attended virtually all the hearings. We sometimes have to throw bouquets at ourselves. I am glad to say that I tried to attend every meeting, and I missed very few of them. That is why I am able to discuss today some of the many reductions and additions that we made in this program.

I am very hopeful that the Defense Department will restudy many of these programs and try to do a little more research before they come to us for money in order to build new systems of defense and ask us to fund expensive military hardware that may not perform as expected. It strikes me that if that had been done in the past, there would have been much less money wasted by the Defense Department.

I hope that the Senate will pass this bill in its present form, for it represents, in the opinion of the committee, the best resolution possible to the multitude of defense problems with which it deals.

Mr. Young of North Dakota, Mr. President, I feel it appropriate to open my brief remarks with well-deserved praise for the inherent ability, broad knowledge, and untiring devotion of the distinguished chairman of the Committee on Appropriations, the Senator from Georgia (Mr. Russell), who also chairs the Subcommittee on Appropriations for the Department of Defense. Also, I wish to pay my respects to the Senator from Louisiana (Mr. Ellender), who has a very fertile mind, is a hard worker, and is always on the side of economy. It is due to his efforts that we have effected some real economies in this bill.

Only one week ago today, the House passed the Defense appropriations bill for fiscal year 1970; only 6 days ago, the bill was referred to the committee. Our skillful chairman had arranged and conducted hearings and directed the pre-

liminary work of the staff in such manner that it was possible for the full committee to report the bill last Friday, a mere 72 hours after referral.

I completely support the provisions of the bill as reported by the committee, but realize that some Members may desire to increase specific programs while others may oppose certain programs. Each of us well remembers the many hours of debate which took place during consideration of the Department of Defense procurement and research and development authorization bill for fiscal year 1970 last summer. Each issue was thoroughly explored, and the Senate worked its will in due legislative process; thus, I trust we may now continue in the spirit of prompt, efficient dispatch which the committee has demonstrated and pass this bill, go to conference, and send it to the President before the week is out—at least, before Christmas.

We started hearings on June 10, when Secretary Laird appeared before the subcommittee and concluded these hearings only last Tuesday, when the Secretary again appeared. The testimony heard during these extensive sessions has only reinforced my sincere concern over the minimal efforts that we have taken to improve our strategic offensive capability in the past decade or more. For this reason, I am gratified to report that we have included \$100 million in the bill for the development of an advanced manned strategic aircraft, the B-1. Development of this strategic bomber can take advantage of the many recent improvements in airframe and engine design to give it the short takeoff and landing capability needed for dispersal and the payload, structure, and speed necessary for penetration.

In reiterating my deep concern over our lagging strategic offensive capability, I in no manner intend to cast aspersions on our strategic intercontinental ballistic missile and our submarine-launched ballistic missile systems; however, these systems do not afford the opportunity to train and exercise as a bomber force can. Minuteman and Polaris is actually in a wartime posture at any minute of the day—you either fire the missile or you do not fire it. A first-rate strategic bomber force can be exercised and dispersed to provide the additional flexibility required to fulfill our strategic offensive requirements. May I point out that the Air Force has yet to be successful in launching a Minuteman II missile from an operational silo. The funds provided in this bill for continued advanced development of the B-1 strategic bomber are vital to our overall defense posture.

As the distinguished Senator from Louisiana has pointed out, the bill is \$627.4 million under the House allowance and \$358 million of the reduction results from the committee's recommendation to provide funds in fiscal year 1970 for the conversion of two Polaris nuclear submarines to the Poseidon configuration instead of the six as requested in the budget estimate and approved by the House. I agree with the committee recommendation, but wish to clearly express my unqualified confidence in the Polaris program. This weapons sys-

tem has proven to be the most accurate and dependable strategic delivery system known and has far exceeded expectations. For this reason, the committee is most apprehensive to proceed more rapidly in converting the proven Polaris submarines to the Poseidon system until the flight test program of the Poseidon missile has clearly established its reliability.

As a continuation of the submarine launched missile program, the bill contains \$10 million for the underwater long-range missile system—ULMS. The committee recommends that the executive department and Congress give serious consideration to the development of a more efficient, survivable, sea-based strategic offensive system, capable of launching long-range ballistic missiles from improved design, quieter submarines.

The Soviet Union has concentrated on the dynamic expansion of its naval power with emphasis on the modernization of their submarine force, making it the world's largest. Following a period of large-scale shipyard expansion, new classes of Soviet ballistic missile submarines and nuclear attack boats are becoming operational. This threat requires that research and development in antisubmarine warfare capabilities be given prominent attention. Only through the expenditure of research dollars can we achieve the desired breakthroughs in target detection, improved torpedoes capable of outrunning and going deeper than the new Soviet high performance nuclear submarines, torpedo countermeasures, and other antisubmarine warfare systems.

The F-14 is an aircraft designed to provide protection for the fleet. This aircraft will be a tandem-seat fighter incorporating the Phoenix missile system and will be superior to current Soviet fighters. The missile control system will also permit the employment of Sparrow and Sidewinder missiles, guns, and numerous air-to-ground weapons.

The Senate bill provides \$450 million, the full budget estimate, and an increase of \$129 million over the House allowance. This amount will procure nine aircraft, which together with three aircraft previously funded will provide the 12 aircraft which the committee deems required for an adequate flight test program of the aircraft.

We have long been aware of the Soviet development of high performance aircraft and only recently has the development of a new strategic bomber been revealed. This caused grave concern particularly since the previous administration did not see fit to develop the F-12, leaving our current air posture without an adequate interceptor aircraft. Future research and development funds must be provided within this area.

The bill includes the full revised budget estimate of \$175 million to continue development of the Air Force's F-15 air superiority fighter aircraft. The F-15 is the first Air Force airplane designed to achieve very high levels of performance while in turning flight. It is designed to penetrate enemy skies in roles such as escorting a strike force and

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and for which funds are not recommended.

An explanation of that can be found in the report. The main reason for this increase is that we were able to use modified existing planes for the intended purposes, and new purchases were not needed.

I ask unanimous consent that the pertinent report language be amended at this point.

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

KA-6D tanker aircraft modifications.—As indicated above the committee has recommended concurrence in the House disallowance of \$57,800,000 requested for the procurement of KA-6D tanker aircraft, and \$4,800,000 requested for advance procurement of this aircraft. In recommending the disallowance of these funds the House committee suggested that existing A-6A aircraft be modified for the tanker mission, but did not recommend the funds required for these modifications. It is the view of the committee that the Navy should modify these aircraft for the tanker mission and recommends the allowance of \$14,500,000 for this purpose.

Mr. ELLENDER. There is also a restoration of \$16.6 million to Navy and Air Force appropriations in order to maintain the production lines for the Shrike antiradar missile.

A full explanation of the restoration can be found on pages 36 and 103 of the committee report.

I ask unanimous consent that these be included at this point.

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

Department of the Navy:

Shrike antiradar missile.—The House disallowed the request of \$9,500,000 for the procurement of Shrike antiradar missiles. The committee has expressed its disappointment with the performance of this missile on previous occasions. However, it is the view of the committee that we should maintain an active production line for this missile, and restoration of the House reduction of \$9,500,000 is recommended. The effect of this recommendation is to increase the House allowance by \$9,500,000. These funds along with the \$7,100,000 recommended for the procurement of missiles by the Air Force will provide for minimum sustaining production rate for the Shrike missile.

Department of the Air Force:

Shrike antiradar missile. The House disallowed the request of \$9,500,000 for the continuation of procurement of the Shrike antiradar missile. The committee recommends restoration of \$7,100,000 for this purpose. The committee's action represents a reduction of \$2,400,000 in the revised budget estimate.

The recommended appropriation of \$1,448.1 million plus \$132.4 million estimated to be made available from other sources will provide a total program of \$1,580.5 million.

AGM-45A Shrike antiradar missile.—\$7.1 million is recommended for the procurement of Shrike antiradar missiles. This is an air-to-ground nonnuclear missile designed to home on and destroy and impair enemy radar installations. It is used on the F-105 and F-4 aircraft.

Mr. ELLENDER. There is also a restoration of \$27.8 million for Mark-48 torpedo procurement in order to sustain effective competition, provide an up-to-

date conventional torpedo at the earliest possible date, and to expedite early testing;

An explanation of this restoration can be found on page 82 of the report.

I ask unanimous consent to include pertinent report language at this point.

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

Ordnance support equipment.—The House made a reduction of \$240,200,000 in the budget activity entitled, "Ordnance support equipment," of which \$75,700,000 was applied to the request of \$174,200,000 for the two versions of the Mark-48 torpedo. The committee recommends restoration of \$27,800,000 of this reduction. This action represents a reduction of \$212,400,000 in the revised budget estimate.

Mr. ELLENDER. There is also a restoration of \$10 million for the Air Force's short-range attack missile (SRAM) for preproduction funding when and if pending tests support a decision to proceed with production of this missile for the FB-111 and B-52 aircraft.

The explanation for this restoration can be found on page 101 of the report.

I ask unanimous consent for inclusion of pertinent report language at this point.

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

Short-range-attack missile. The House disallowed the request of \$20,400,000 for the short-range-attack missile (SRAM). It is the view of the committee that funds should be made available to support a decision to go into production on this missile, if such a decision is made by the Secretary of Defense. For this reason, the committee recommends the allowance of \$10 million for this purpose. This action represents a reduction of \$10,400,000 in the revised budget estimate.

Short-range attack missile (SRAM): \$10 million is recommended for the SRAM missile program. The SRAM is an air-to-ground nuclear missile designed for defense suppression and standoff attacks against soft-to-medium-hard targets, surface-to-air missile sites, and ground radar facilities. It is to be carried on the FB-111 and B-52 aircraft. Due to the development of a number of technical problems, it has been determined not to initiate production of the SRAM missile as originally planned. The funds recommended will allow for the initiation of production in the last quarter of fiscal year 1970 if the testing program indicates that these technical problems have been solved.

Mr. ELLENDER. Here is also a restoration of \$5 million for the Army's Lance division support missile in order to avoid a readiness and deployment delay.

There is also a restoration of \$5 million for the Navy's underwater long-range missile research—ULMS—program designed as a submarine launched missile system follow-on to the Polaris/Poseidon system.

I ask unanimous consent to include pertinent report language at this point.

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

Underwater, long-range missile system (ULMS): The revised budget included a request of \$20 million for the initiation of the underwater long-range missile system (ULMS) program. The authorization act made a reduction of \$10 million in this re-

quest, and the House made a further reduction of \$5 million. It is the view of the committee that this program should be funded at the authorized amount, and restoration of the \$5 million reduction is recommended.

Mr. ELLENDER. That is what I referred to a while ago when I said that moneys were being provided for the development of better submarines to succeed both Polaris and Poseidon models.

It may be that in the future more warheads could be added to the Poseidon or a better system developed. It is my belief that the research can go on so as to be able to provide for such other missiles as may be developed in the future if they are needed.

It is my sincere belief that more and more research should be made in that effort so that we do not again make the mistake we made when we started to construct the Polaris several years ago. As we have seen, it is already being replaced by Poseidon, and the submarines built for Polaris are being adapted to use this newly developed multiwarhead missile.

A restoration of \$8 million was approved for the Navy's Condor air-to-surface missile program to avoid termination of the program designed to develop a medium-sized conventional warhead to be employed on tactical targets from a stand-off distance out of range of protective weapons—a description of this missile and the reasons for the restoration can be found on page 117 of the report.

I ask unanimous consent that the pertinent report language be included at this point.

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

Condor missile: The House disallowed the request of \$12,900,000 for the continuation of development of the Condor standoff missile, and recommended that the project be terminated. The committee shares the concern expressed by the House committee with respect to the delay and increases in the cost of the program. However, the committee feels that there is a valid requirement for a missile with the capabilities of the Condor, and restoration of \$8 million of the House reduction is recommended. This action reflects a decrease of \$4,900,000 in the revised estimate.

Mr. ELLENDER. A restoration of \$2 million was allowed for the Air Force's A-X close-air-support aircraft research to permit relatively early operational capability—a description of this restoration and the reason for it can be found on page 124 of the report.

I ask unanimous consent that the pertinent language be included at this point.

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

AX close air support aircraft: The revised budget estimate included a request of \$12 million for the development of the AX close air support aircraft. The authorization act made a reduction of \$4 million in this request and the House disallowed the balance of \$8 million. It is the view of the committee that work should proceed on this program, and restoration of \$2 million is recommended for this purpose.

Mr. ELLENDER. There was also a restoration of \$3.6 million for Air Force

requested in the revised budget. This matter is discussed on page 7 of this report. The committee recommends an increase of \$40 million in this appropriation to cover that portion of the cost of these four overhauls that is funded under this appropriation. The action represents an increase of \$40 million in the revised budget estimate.

Polaris-to-Poseidon conversions.—\$92.7 million is recommended for the Polaris-to-Poseidon conversion of two submarines. The sum recommended and \$61.6 million advance procurement will provide for a total of \$153.8 million for these two conversions. This is a continuation of the program initiated in fiscal year 1968 for the conversion of 31 of the 41 Polaris submarines to carry the new Poseidon missiles. Two of these conversions were funded in fiscal year 1968 and two in fiscal year 1969. These four submarines are now in the shipyards undergoing the conversion work.

Polaris-to-Poseidon conversion.—The revised budget included \$458.9 million for the Polaris-to-Poseidon conversion of six submarines and advance procurement to support this program in future years. The committee has recommended \$136.7 for this purpose, which is based on the conversion of only two submarines during fiscal 1970. This matter is discussed on page 7 of this report. The committee actions represent a reduction of \$322.2 million in the revised budget estimate.

OTHER REDUCTIONS

Mr. ELLENDER. Reductions made by the committee also include the following:

A \$17 million reduction for the Army's M-16 rifle as a result of reduced production costs.

It will be remembered that 2 or 3 years ago we had only one manufacturer to produce the M-16 rifle. And because of the needs that grew out of the war in Vietnam, we were able to have two additional manufacturers produce the M-16 rifle. As a result of that, we were able to reduce the cost of the manufacture of the rifle. This cut really represents a savings in the amount to be paid by the Government for this weapon.

There was also:

A \$25.6 million reduction for the Navy's Standard Arm missile, in view of adequate inventories of this missile;

A \$80 million reduction in Navy procurement of aircraft and missiles made possible through the utilization of prior year funds;

A further reduction of \$5 million in the Navy's communications and electronics procurement, made with the acquiescence of the Department; and

A reduction of approximately \$54 million as a result of a revision in the planned buy of the Air Force's F-111 aircraft.

As we all know, there was quite a bit of difficulty several years ago concerning the TFX as the F-111 was then called. It was found that it was impossible to produce aircraft that could be used by both the Air Force and the Navy.

I ask unanimous consent that report language on the Air Force's F-111 program be included in the RECORD at this point.

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

F-111D/F AIRCRAFT PROGRAM

The revised budget includes requests totaling \$871.1 million for the Air Force's F-111D aircraft program, of which \$797.4 million is included in the procurement appropriation and \$73.7 is included in the research and development appropriation.

The recommendations of the committee include \$817.2 million, of which \$743.5 million is in the procurement appropriation and \$73.7 million is in the research and development appropriation. The sum recommended represents a reduction of \$53.9 million in the revised budget request.

After the submission of the revised budget the Air Force revised its procurement program for this aircraft. The revised budget was based on the procurement of 68 F-111D aircraft, and the current plan calls for the procurement of only eight F-111D's and 60 F-111F's. The F-111F will be equipped with a modified version of the Mark IIB avionics system in lieu of the Mark II avionics system. The Air Force has advised that this change will result in a saving of approximately \$1 million per aircraft, and the committee recommends a reduction of \$53.9 million based on these savings.

The total recommended by the committee includes the following:

[Dollar amounts in thousands]

Procurement:	Recommendation
Program cost.....	\$583,200
Less 1969 advance procurement.....	37,300
Net requirement.....	545,900
Fiscal year 1969 and prior year over target cost.....	71,400
Advance procurement to support fiscal year 1971 buy.....	56,000
Subtotal, aircraft program.....	673,300
Aircraft spares.....	70,160
Total procurement.....	743,460
R.D.T. & E.....	73,700
Grand total.....	817,160

Mr. ELLENDER. A further reduction of \$56.8 million was made by the committee for Air Force munitions and related equipment.

The reason for that is the reduced bombing in the Vietnam war. We were able to make the reduction because of that.

F-14A FIGHTER

The largest and most significant addition made by the committee is for the Navy's F-14A fighter aircraft program. The revised budget included \$450 million for this program; \$275 million in procurement and \$175 million in the research and development appropriation. Incorporated in this request were funds for the procurement of nine test aircraft. Three aircraft were funded in fiscal year 1969. The House disallowed the procurement funds, but increased the appropriation for research and development by \$146 million for a total appropriation for six aircraft of \$321 million. The committee recommends \$450 million for nine F-14A aircraft, believing that a total of 12 aircraft are required for the flight test program.

In other words, instead of funding the number of aircraft prototypes that the House recommended, it was felt that we should increase that number to the 12 included in the budget so as to secure a proper evaluation of how this new aircraft would work.

A full explanation of the reasons for the increase and why the committee recommended 12 prototypes can be found in the report of the committee.

I ask unanimous consent to have the pertinent report language printed at this point in the RECORD.

There being no objection, the report language ordered to be printed in the RECORD, as follows:

F-14A FIGHTER AIRCRAFT PROGRAM

The revised budget estimates included a total of \$450 million for the Navy's F-14A fighter aircraft program, of which \$275 million was in the procurement appropriation request and \$175 million was in the research, development, test and evaluation request. The total included funds for the procurement of nine aircraft that are required for the test program. Three such aircraft were funded in fiscal year 1969.

The House disallowed the total of \$275 million requested in the procurement appropriation and increased the research and development appropriation by \$146 million to provide for a total of \$321 million for the procurement of only six aircraft.

The committee recommends appropriations totaling \$450 million for this aircraft, as follows:

Procurement of aircraft and missiles, Navy (advance procurement to support the fiscal 1971 procurement plan).....	\$8,500,000
Research, development, test, and evaluation, Navy.....	441,500,000

The committee's recommendation is based on the procurement of nine aircraft, as requested in the revised budget. These together with the three aircraft previously funded, will provide for the total of 12 aircraft, which, in the view of the committee, are required for the flight test program of this aircraft.

The committee desires to make it clear that its action does not indicate any disagreement with the position of the House committee with respect to the premature commitment of this aircraft to production. Furthermore, the committee has been assured by the Secretary of Defense that the funds provided will not be used for tooling in excess of that required for the one aircraft per month rate currently authorized in the research and development program.

F-14 fighter aircraft.—The revised budget estimate included \$275 million in this appropriation for the Navy's F-14A fighter aircraft program, including \$14,400,000 for advance procurement to support the fiscal 1971 procurement of this aircraft. The House disallowed the full request of \$275 million and provided additional funds in the appropriation entitled "Research, development, test, and evaluation, Navy." This matter is discussed on page 7 of this report. It is the view of the committee that funds should be provided in this appropriation for advance procurement to support the fiscal 1971 procurement program, and \$8,500,000 is recommended for that purpose. The net effect of this action is a reduction of \$266,500,000 in this appropriation which is offset by a comparable increase in the Navy's research and development appropriation.

OTHER INCREASES

Mr. ELLENDER. Other increases in the bill include the following:

Fourteen million five hundred thousand dollars for modifications to 12 of the existing A-6A Navy aircraft to fit them for the tanker mission previously designated for the KA-6D tanker aircraft

basically in accord with the Authorization Act.

CONCEPTS ON WHICH COMMITTEE ACTED

Since the bill contains some of the largest overall reductions in recent years, I believe it pertinent to review briefly the fundamental concepts that influenced the committee's decisions.

Above all—and I want to emphasize this as strongly as words can express—the committee's primary concern was to provide an adequate national defense transcending this in importance.

Second, despite whatever reservations individual members may have about the war in Vietnam, the committee recognizes the necessity of providing all needed funds for our troops in Southeast Asia. I wish to say that has been done. None of the reductions in this bill will jeopardize in any manner or way the security of our men in combat.

Third, the committee also recognized the national requirement for economy in Government, a requirement made pressing by continued inflation and the demands of an expanding population and other nationwide needs. Reductions made by the committee reflect this desire, but let me reemphasize that these reductions were made only after the most careful consideration of Defense requirements, including testimony and investigation of the effect of such actions. We have recommended economy—yes—but have not let down our guard. National defense is still our first priority. We do not need to recall the famous dictum attributed to Jefferson to remind us that eternal vigilance is the price of liberty.

HISTORY OF REDUCTIONS

A variety of actions account for the reductions made. First of all, let us remember that the original budget submitted in January contained \$77.7 billion. This was reduced in the revised budget to \$75.2 billion, a reduction of \$2.5 billion. This reduction is fully explained on page 1 of the report.

I ask unanimous consent to have inserted in the RECORD at this point a summary of the action on the bill from page 4 of the report.

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

SUMMARY OF THE BILL

The committee considered revised budget estimates for the fiscal year 1970 totaling \$75,278,200,000 for the various military departments and other activities of the Department of Defense, exclusive of the regular military assistance program, military construction and civil defense, which are included in other appropriation bills.

The committee recommends appropriations totaling \$69,832,656,000.

The new obligatory authority recommended by the committee is \$8,407,544,000 under the original budget requests, \$5,945,544,000 under the revised budget requests and \$627,392,000 under the amount allowed by the House.

The bill as it passed the House of Representatives includes appropriations totaling \$69,960,048,000, a decrease of \$5,318,152,000 from the revised estimate.

The appropriations recommended by the committee are \$5,069,593,427 under the total appropriation for fiscal year 1969 of \$74,402,249,427.

Mr. ELLENDER. On August 21, the Secretary of Defense announced plans to reduce fiscal 1970 Department of Defense expenditures by an additional \$3 billion.

It is estimated that approximately \$5 billion of the reduction recommended by the committee is the result of actions taken by the Department of Defense to effectuate this announced reduction of \$3 billion in expenditures. Most of these reductions were made in the House bill; however, approximately \$408 million of the additional reductions recommended by the committee are the result of these actions.

RECOMMENDATIONS BY DEPARTMENT

By service, the recommended appropriations are as follows:

For the Department of the Army, approximately \$22.1 billion;

For the Department of the Navy, approximately \$20.5 billion;

For the Department of the Air Force, approximately \$22.2 billion; and

For Defense agencies, approximately \$4.4 billion.

MAJOR REDUCTIONS

The committee has accepted practically all of the reductions offered by the Department of Defense and most of those made by the House of Representatives. The Department of Defense requested of the committee restoration of approximately \$427 million of the House reductions and the committee recommends a restoration of approximately \$271 million of the amount asked by way of reclamation.

The most substantial reductions may be attributed to the lessening of hostilities in Southeast Asia, and the recent termination of certain major defense systems—notably the Manned Orbiting Laboratory, for which \$525.3 million had been requested, and for which \$125.3 million is recommended for termination costs, and the Cheyenne helicopter program, for which \$429 million was asked, and \$86 million recommended for Cobra armed helicopter replacements.

Mr. President, the record will show that several years ago many of us felt that a good many of these programs were being carried without a sufficient amount of research. It was later found necessary to cut back on some of these programs and reduce the proposed expenditure because of a lack of proper research. I shall cover this a little more at length when we get to a program in which one of the reductions was made by the committee.

The committee also reduced the Polaris-to-Poseidon conversion program, recommending the conversion of two submarines in the 1970 program instead of the six requested in the budget. Provision is made for the overhaul of the other four Polaris submarines. Since the Polaris missile system is one of the most reliable in our inventory, the committee was reluctant to proceed full scale on conversion until Poseidon tests demonstrate conclusively reliability equal to that of the Polaris system.

Mr. President, I point out at this point that about 7 years ago, when the committee met to decide as to the rapidity with which this Polaris missile program was to proceed, I raised the question as

to whether we should not go a little more slowly with the construction of these Polaris missiles and submarines. I pointed out that we were living in an age of electronics, where changes are made almost every 6 months on many of the programs that we envision. It struck me that the Polaris missile, although it was a good one, might be superseded by a better one very shortly. Therefore, in my opinion, it would be better to go a little slower on such programs than to go full speed in the construction of the submarines, and then find that we might have a better missile to put into those submarines.

The inevitable happened, and the plan now is to convert 31 of the Polaris submarines for the use of Poseidon missiles. The Poseidon is a missile which has a number of heads. In order to accomplish this change, it will be necessary to make substantial changes in the submarines in order to provide for the Poseidon missiles.

It was the position of the committee that we should go slowly in making these changes so as to install the new weapons. Therefore the committee recommends that we utilize two of the submarines for that purpose. Those two submarines must be replenished with atomic energy cores anyway, and the cost of doing that job would be about \$45 million to \$50 million per submarine. By adding about \$20 million to \$25 million per submarine more, we shall have the Poseidon missile installed in those two submarines and two that were ordered last year. As to the others, the committee recommends that their conversion to Poseidon be deferred until reliability is assured. Funds have been provided, however, for replacing the atomic cores.

It is my personal belief that the committee acted wisely in not following the House recommendation to put on the docks as many as six of these submarines. The submarines are effective nuclear weapons, and it strikes me that we ought to keep as many operative as possible. Perhaps it might be wise to consider having new submarines constructed to carry this new missile with multiple heads, if the Pentagon and the President feels they are needed in the future. However, we have provided funds for two conversions, and I hope that the Senate, as well as the House of Representatives, will go along with the position taken by the committee.

I may state further that the multiple warhead missiles are still being tested and there is doubt in my mind as to whether or not there has been sufficient research in that direction. But I do believe that with the funds we have provided in this bill, it will be possible for us to have more research performed.

I ask unanimous consent that report language dealing with the Polaris/Poseidon programs be included in the RECORD at this point.

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

Polaris submarine overhaul.—The committee has recommended the overhaul of four Polaris submarines in lieu of conversion as

gerous for storage on Okinawa?" a woman asked Hatfield in a letter from Bend, Ore.

"Deceit and incompetence have characterized handling, transportation and storage of these highly destructive poisons in Utah, in Denver and elsewhere," she continued. "We in Oregon are entitled to as much consideration as the Japanese."

Another constituent wrote Hatfield: "If the stuff is unsafe for the people where it is, it will be no more safe for Oregonians."

"KEEP POISON GAS OUT"

"Keep poison gas out of Oregon," wired another constituent. "Recommend returning to manufacturing state." Oregon is 51st in the nation in Pentagon contracts—ranking behind Washington, D.C.

The new regulation—signed into law Nov. 19—requires the Army to notify Congress in advance about planned shipment of chemical warfare agents to and from American bases. The Oregon shipment is the first disclosure under the new law.

The public reaction—Hatfield said yesterday that only two of 50 letters received on the issue in the last three days have endorsed the storage of gas in Oregon—has put Oregon and Washington politicians on the spot.

Sen. Warren G. Magnuson (D-Wash.) opposes the shipment of the Okinawa nerve gas through his state of Washington. Sen. Henry M. Jackson (D-Wash.), an outspoken hawk on most military issues, is in an uncomfortable position on the issue.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

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

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9 o'clock tomorrow morning.

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

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McIntyre in the chair). Without objection, it is so ordered.

THE INAUGURATION OF FERDINAND E. MARCOS AS THE SIXTH PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

Mr. MANSFIELD. Mr. President, I did not wish the session to end without reference to an event which will take place while the Senate, I believe, will be in recess. On December 30, Ferdinand E. Marcos will be inaugurated as the sixth President of the Republic of the Philippines.

The occasion is of historic significance. It will be the first time that an incumbent will assume, for a second term, the office of President of the Philippines. This inauguration comes, moreover, after an election in which President Marcos was chosen to succeed himself by an unprecedented majority of Filipino voters.

I happened to be in Manila last summer, shortly after a visit of President Nixon and Secretary of State Rogers. At that time and throughout the ensuing weeks of the Philippine presidential campaign, I followed President Nixon's example of avoiding comment on the political situation in the Philippines. That, I believe, is the appropriate course for officials of this Government to pursue with respect to an election in any free nation and President Nixon is to be commended for setting it.

However, the votes in the Philippine election are now long since in and a new political era is about to begin. I want to take this occasion, therefore, to speak out of a long personal acquaintance with the Filipino people, a continuing interest in the evolution of the Philippine Republic, and a high respect for the President who will head its Government for another 4 years.

I first came to know the Philippines a long time ago. As a Pfc. in the Marines I served in what was then a colonial possession of the United States. I developed an admiration for the Filipino people at the time and it has grown stronger in frequent renewals of contact with them over the years.

These have been years in which the Philippines have had to work through a maze of adaptation in the changing relationship with the United States. Complex political, cultural, economic, and other adjustments have been involved in the shift from colony of Spain to colony of the United States, to commonwealth, to independent republic. The Filipino people have prevailed with great fortitude in this evolution. They have prevailed, notwithstanding the intervention of World War II, with its devastating sequence of abrupt Japanese invasion, brutal military occupation and fierce struggle for liberation.

That conflict brought widespread human exhaustion and social unrest. It brought dislocation and stagnation and a desperate interim dependency on the continuance of certain quasi-colonial economic ties with the United States. However, in the aftermath of World War II, there also came national independence under a democratic constitutional structure. Notwithstanding its flaws—the Philippine system is modeled on our own and ours, too, has its flaws—notwithstanding severe assaults on its foundations, that system has persisted

unbroken for longer than any other free government in the Far East. It has provided stimulus and coherent form to the determination of the Filipino people to evolve their own political life.

It seems to me that the unprecedented reelection of President Marcos underscores that determination and indicates that the Philippines will stay on the present course which is pointed toward full national realization. A decisive advance in that direction has already taken place. During the past 4 years, there has been progress on a broad front, in agriculture, in industry and trade, in road-building, and in education. In these years, for example, new school instruction has equalled that of all the preceding years of the past half century. The experience in modern road construction is similar. Significant advances have been made, too, in public administration, in social services to young and old and in the enrichment of cultural life of the islands.

These achievements are important in themselves because they relate to the immediate well-being of the Filipino people. Even more, they are important as symbols of the creative potential in the Republic. They are the portents of a tomorrow of self-reliance, dignity, and equality and of full mutuality in relations with this Nation and the rest of the world.

In these achievements, there is clearly discernible the hand of a firm and purposeful leadership. For 4 years, President Ferdinand E. Marcos has worked wisely and well and with great personal dedication. He has had, in his efforts, the encouragement and support of an intelligent, sensitive, and energetic partner, Imelda Romualdez Marcos. To both of them, on the eve of the inauguration, I extend my heartfelt wishes for the further realization of the promise of progress which the leadership and the labors of the past 4 years have done so much to kindle throughout the Republic of the Philippines.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 601, 602, and 603.

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

HOURS OF SERVICE AMENDMENTS OF 1969

The Senate proceeded to consider the bill (H.R. 8449) to amend the act entitled "An Act to promote the safety of

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employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907 which had been reported from the Committee on Commerce with amendments, on page 2, line 15, after the word "the", strike out "operation" and insert "movement"; on page 4, line 10, after the word "device", strike out "directs or controls the movement of any train or who by the use of any such means"; on page 6, line 2, after the word "such", strike out "district" and insert "United States"; and at the beginning of line 4, insert: "but no such suit shall be brought after the expiration of two years from the date of such violation".

Mr. YARBOROUGH. Mr. President, I take this opportunity to urge all Senators to give their full support to H.R. 8449, which incorporates S. 1938, of which I am cosponsor. The bill amends the 1907 Hours of Service Act so as to limit the number of hours railroad workers can be required to work to 12 hours. This amendment has been needed for a long time. Under the present statute which was enacted in 1907 and has not been changed since, railroad workers can be required to work as long as 16 hours a day. Not only is this 16-hour day unreasonable; it is also dangerous to the workers and to the public which comes in contact with the railroad industry.

In 1968, 2,359 persons were killed and 24,608 persons were injured in railroad accidents. One of the major causes of these tragic accidents was human errors in the operation of the equipment. Experts who have studied the causes of railroad accidents have found that long working hours and fatigue contribute greatly to these errors in operation.

To remedy this problem, it is necessary that the working day of railroad workers be shortened to a reasonable number of hours. The bill before us today represents a great step forward toward bringing working hours and conditions in the railroad industry in line with other industries. More specifically, this bill makes it unlawful for a railroad, first, to require its workers to work more than 12 hours unless the employee has had at least 16 consecutive hours off duty; and second, to make an employee go on duty or continue on duty when he has not had at least 8 consecutive hours off duty during the preceding 24 hours.

Furthermore, the bill would require that any suit for a violation of this law be brought by the appropriate U.S. district attorney within 2 years of the violation.

I wish to commend the Senator from Indiana (Mr. HARTKE) and all the other members of the Committee on Commerce for their hard work on this important bill. I am proud to be a cosponsor of this measure, and I urge its prompt approval.

The amendments were considered and agreed to en bloc.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

REVOCATION AND SUSPENSION OF MOTOR CARRIER OPERATING AUTHORITY

The bill (S. 2244) to amend section 212 (a) of the Interstate Commerce Act, as amended, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 212 of the Interstate Commerce Act (49 U.S.C. 312(a)), is amended as follows:

(1) The second sentence is amended by inserting after the phrase "promulgated thereunder", the words "or under sections 831-835 of title 18, United States Code, as amended".

(2) The first proviso is amended by inserting immediately after the phrase "or to the rule or regulation thereunder", the words "or under sections 831-835 of title 18, United States Code, as amended".

(3) The second proviso is amended by inserting "215", immediately after "211(c)".

AMENDMENT OF SECTION 510 OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The bill (H.R. 11711) to amend section 510 of the International Claims Settlement Act of 1949 to extend the time within which the Foreign Claims Settlement Commission is required to complete its affairs in connection with the settlement of claims against the Government of Cuba was considered, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

Mr. ELLENDER. Mr. President, the distinguished senior Senator from Georgia (Mr. RUSSELL) cannot be here at this time, and he asked me to proceed with the debate on the Defense appropriation bill. I understand that he will be here later.

I wish to state that the Senate Appropriations Committee gave close consideration to this huge bill. At the outset, let me state that many of the cuts made were suggested by the President as well as the Defense Department. The committee also made some reductions. I shall

be glad to review them in the statement I shall make.

I wish to add further that the report that accompanies the bill is very exhaustive. All the reasons given for the actions taken by the committee are reflected in the report. I hope Senators will refer to that document as we go along, because it explains in detail the various reductions made and the amounts added to the bill.

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

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, I think this is a most important question, and I think it advisable also to get the answer at the beginning of the debate on this huge Defense appropriation bill.

My question is, Mr. President, How much has been cut from the budget request by the Senate Defense Appropriations Subcommittee and the full Appropriations Committee?

Mr. ELLENDER. As I will state in my remarks, \$5.9 billion from the revised budget. It is included in the short statement I will make.

Mr. MANSFIELD. I know the Senator does, but I want that figure put out in neon lights, because what it means is that the allowance is approximately \$6 billion below the budget request.

Mr. ELLENDER. Almost. The Senator is correct.

In presenting H.R. 15090, the Department of Defense appropriation bill for the fiscal year 1970, I shall speak of the most important aspects of the bill, and then be available for such questions as may arise.

I wish to say that the senior Senator from North Dakota (Mr. Young), who is the ranking Republican member on the committee, took a very active part in all the deliberations by the committee. I am sure he has a very important statement to make on the bill. I hope that both of us will be in a position to answer such questions as may be propounded.

The committee report that you have before you is most comprehensive and will probably answer many of the questions that come to mind.

COMMITTEE REDUCTION

Your committee recommends a total appropriation of \$69,332,656,000. This is a reduction of \$627,382,000 from the amount allowed by the House of Representatives.

It is a reduction of \$5,945,544,000 from the revised budget estimates submitted in April.

It is a reduction of \$8,407,544,000 from the original budget estimates submitted in January by former President Johnson.

And it is a reduction of \$5,069,593,427 from the total appropriations provided for fiscal year 1969.

Many of the major programs and projects for which the committee recommends funds were the subject of extensive debate during the consideration of the authorization bill earlier in the session. The committee's recommendations with respect to these projects are