

ing clerks, announced that the House had passed the bill (H.R. 14449) to provide for the mobilization of community development and assistance services and to establish a Community Action Administration in the Department of Health, Education, and Welfare to administer such programs, which it requests the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 1752. An act prescribing the objectives and functions of the National Commission on Productivity and Work Quality;

H.R. 11223. An act to authorize amendment of contracts relating to the exchange of certain vessels for conversion and operation in unsubsidized service between the West Coast of the United States and the Territory of Guam; and

H.R. 12925. An act to amend the Act to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce.

The PRESIDENT pro tempore subsequently signed the enrolled bills.

#### HOUSE BILL REFERRED

The bill (H.R. 14449) to provide for the mobilization of community development and assistance services and to establish a Community Action Administration in the Department of Health, Education, and Welfare to administer such programs was read twice by its title and referred to the Committee on Labor and Public Welfare.

#### QUORUM CALL

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. TOWER. I ask unanimous consent that during the consideration of S. 3000, Mr. Ed Kenney and Mr. Robert Old, of the staff of the Committee on Armed Services, be accorded the privilege of the floor.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. STENNIS. I ask that the Chair recognize the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

#### DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1975

The Senate continued with the consideration of the bill (S. 3000) to authorize appropriations during the fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads, and for other purposes.

#### AMENDMENT NO. 1368

Mr. PROXMIRE. Mr. President, I call up my amendment No. 1368 and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. PROXMIRE's amendment (No. 1368) follows:

At the appropriate place in the bill insert a new section as follows:

Sec. . . . Section 102 of the National Security Act of 1947, as amended (50 U.S.C. 403), is amended as follows:

(1) Subsection (d) is amended by inserting "foreign" immediately before "intelligence" the first time the latter term appears in such subsection.

(2) Clauses (1) and (2) of subsection (d) are amended by inserting "foreign" immediately before "intelligence" each time the latter term appears in such clauses.

(3) Clause (3) of subsection (d) is amended by inserting "foreign" immediately before "intelligence" the first time the latter term appears in such clause.

(4) Clause (4) of subsection (d) is amended by inserting "relating to foreign intelligence activities" immediately after "of common concern".

(5) Clause (5) of subsection (d) is amended to read as follows:

"(5) to perform such other functions and duties related to foreign intelligence affecting the national security as may be specifically directed from time to time by the Council and reported to the Congress in such manner and in accordance with such procedures as the Congress may establish to insure effective legislative oversight with due recognition of essential security requirements."

(6) Add at the end of such section a new subsection as follows:

"(g) (1) Nothing in this or any other Act shall be construed as authorizing the Central Intelligence Agency to—

"(A) carry out, directly or indirectly, within the United States, either on its own or in cooperation or conjunction with any other department, agency, organization, or individual any police or police-type operation or activity, any law enforcement operation or activity, or any internal security operation or activity;

"(B) provide assistance of any kind, directly or indirectly, to any other department or agency of the Federal Government, to any department or agency of any State or local government, or to any officer or employee of any such department or agency engaged in police or police-type operations or activities, law enforcement operations or activities, or internal security operations or activities

within the United States unless such assistance is provided with the prior, specific written approval of the CIA Oversight Subcommittees of the Committees on Appropriations and the Committees on Armed Services of the Senate and the House of Representatives; or

"(C) participate, directly or indirectly, in any illegal activity within the United States.

Mr. PROXMIRE. Mr. President, the amendment before us addresses the question of illegal domestic operations conducted by the Central Intelligence Agency.

Let me make it quite clear that this amendment will not prohibit the CIA from any obligation legally authorized under the 1947 National Security Act or the 1949 CIA Act. It is not an anti-CIA amendment.

What it does do is to provide a strong safeguard against the unauthorized exploitation of the CIA for illegal purposes by political, military, or any other vested interests not consonant with the will of the U.S. Government or the laws of the land.

I have great respect for the CIA. They have provided some of the most reputable analysis of foreign events in the history of the country. Indeed, the CIA Director appeared before the Joint Economic Committee a few weeks ago and did a superb job analyzing the Russian and Chinese economies and the kind of burden which their military efforts have placed upon the countries.

The CIA is unburdened by the biases of producing weapon systems. They owe no allegiances to conflicting and bureaucratic goals. They can be and usually are the single most influential independent voice when it comes to foreign intelligence in Washington.

And the need for clear, timely intelligence is extraordinarily important as we all know.

#### THE DANGER OF EXPLOITATION

With great power and influence comes the potential of exploitation. I am not talking about a "Seven Days in May" operation which is quite unrealistic. But I do refer to the even more real possibility of using this enormous apparatus for unscrupulous or illegal ends here at home.

Looking at the Watergate crisis I am continually struck by the similarity of the techniques and methods developed for collecting intelligence overseas and conducting what has come to be known as "dirty tricks" and the same techniques used here at home. In a speech last June 4 I spoke of the possible "spillover effects" of foreign intelligence methods being used here at home.

In the intervening 12 months that has come true with a terrifying impact. The techniques we developed for use abroad in "dirty tricks" have been used here at home in our own political process. The intelligence agencies have been compromised by political forces. They have been used for domestic illegal purposes.

There can be no denying that we are now living in a world where the unthinkable, the once impossible has become real.

According to the National Security Act of 1947—Public Law 80-253—the CIA

June 3, 1974

shall have no police, subpoena, law enforcement powers, or internal security functions. That is a direct quote. No police, subpoena, law enforcement powers, or internal security functions.

On the face of it that seems quite clear. Stay out of domestic police-type activities.

#### POLICE TRAINING

This law notwithstanding, during a 2-year period between 1972 and 1973, about 50 police officers from a total of at least a dozen cities and county police forces have received direct training from the CIA. U.S. policemen received briefings and assistance from the CIA.

The CIA instructed these policemen in clandestine photography, surveillance of individuals, and detection and identification of metal and explosive devices.

When confronted with the evidence the CIA admitted that this had occurred and justified it under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, title 42, United States Code, section 3701, wherein it is stated that it was the declared policy of Congress "to assist State and local governments in strengthening law enforcement at every level" and that it was the purpose of the law to—

Encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals.

By using this loophole in the law the CIA engaged in this domestic police-type activity.

The General Accounting Office found that the CIA activities did not seem to be in violation of the law given the provisions of the Omnibus Crime Control and Safe Streets Act and the authority under the Intergovernmental Cooperation Act of 1968 and if the request were made by the Law Enforcement Assistance Administration. In the case with the police training, the CIA did not follow these stipulations and did not operate under the LEAA. Therefore, it would seem to me that the CIA operated improperly in these cases.

The GAO further stated that aside from these later laws, they had found no authority for the CIA to perform such training.

Mr. President, this is just one example of how even a flat prohibition in congressionally mandated legislation could be corrupted and superceded by some technical loophole in a subsequent law.

This is an extremely dangerous precedent.

If the CIA can justify its training of police officers how long will it be before the CIA or some political force finds other technical interpretations of subsequent law to justify the CIA becoming even more deeply involved in domestic operations. Where would it stop? Who would control it? What extraordinary or illegal powers could be brought to bear?

It is a constantly disturbing and alarming thought.

Mr. President, I ask unanimous consent that the General Accounting Office

letter to the CIA on this matter be printed in the RECORD.

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

COMPTROLLER GENERAL OF  
THE UNITED STATES,  
Washington, D.C., May 30, 1973.

HON. JAMES R. SCHLESINGER,  
Director, Central Intelligence Agency.

DEAR MR. SCHLESINGER: The Honorable Edward I. Koch, of the House of Representatives had referred to us for a ruling copies of correspondence with your office and certain material which appeared in the Congressional Record for February 6, 1973, page H726 and March 5, 1973, pages H1352-1353, which was prompted by an article in the New York Times for December 17, 1972, which stated that fourteen New York policemen had received training from the Central Intelligence Agency (CIA) in September.

Because of an informal contact from your office we suggested that a statement be sent from your office as to exactly what was done and the specific statutory authority relied upon therefor. As a result, we received a letter dated March 16, 1973, from your Deputy General Counsel which enclosed (1) an extract of the Congressional Record for March 5, 1973, *supra*, that contained Congressman Chet Holifield's discussion and report of the inquiry into the matter by the House Committee on Government Operations at the request of Congressman Koch, together with related correspondence and (2) a copy of Congressman Koch's letter of December 28, 1972, to the CIA and a copy of the response of January 29, 1973, signed by your Legislative Counsel. It was stated that it would appear that all the information needed was contained in those enclosures. We were also assured that the CIA does not run a formal institution for training of police officers in the manner of the FBI Academy located at "Fort Belvoir." (The FBI Academy is located at Quantico, Virginia.)

It is noted that the Congressional Record for March 5, 1973, page 1353 also includes related remarks of Congressman Lucian N. Nedzi, Chairman of the Special Subcommittee on Intelligence, House Committee on Armed Services, as to the activity of that Subcommittee in the matter, in which he emphasizes that the basic jurisdiction in CIA matters remains with the Armed Services Committee and that the Subcommittee has been diligent in fulfilling its responsibilities. He also stated that he shared the view "that the CIA should refrain from domestic law enforcement activities and that some of the activities described by our colleague Mr. Koch, and the agency itself could have been performed much more appropriately by other agencies."

It appears from the material referred to above that within the last two years less than fifty police officers from a total of about a dozen city and county police forces have received some kind of CIA briefing.

As to the New York police it appears that with the assistance of the Ford Foundation an analysis and evaluation unit was developed within the Intelligence Division of the New York City police department. At the suggestion of a Ford Foundation representative it sought assistance from the CIA as to the best system for analyzing intelligence. Although the CIA's techniques and procedures involve only foreign intelligence they were considered basic and applicable to the needs of the New York police. A 4-day briefing was arranged at which a ground of New York City police was briefed on the theory and technique of analyzing and evaluating foreign intelligence data, the role of the analyst, and the handling and processing of foreign intelligence information.

The briefing was given by a CIA training staff, based upon material used in training the CIA analysts and without any significant added expense. Specific guidance was not given as to how the New York City police system should be set up but the CIA presented its basic approach.

CIA assistance to local law enforcement agencies has been of two types. In the first type of assistance one or two officers received an hour or two of briefing on demonstration of techniques. Police officers from six local or State jurisdictions came to CIA headquarters for this type of assistance. In the second type of assistance, the briefing lasted for 2 or 3 days. Instruction was given in such techniques as record handling, clandestine photography, surveillance of individuals, and detection and identification of metal and explosive devices. Nine metropolitan or county jurisdictions sent officers for this type of instruction. Assistance given was at no cost to the recipients and has been accomplished by making available, insofar as their other duties permit, qualified CIA experts and instructors. Cost to the CIA has been minimal.

It is stated that all briefings have been conducted in response to the requests of the various recipients. It is also stated that the CIA intends to continue to respond to such requests within its competence and authority to the extent possible without interfering with its primary mission.

No provision of that part of National Security Act of 1947, as amended, 50 U.S.C. 403, *et seq.*, which established the Central Intelligence Agency has been cited as authority for the activities undertaken and our examination of that law fails to disclose anything which reasonably could be construed as authorizing such activities. However, in his letter of January 29, 1973, to Congressman Koch, your Legislative Counsel stated that these activities were entirely consistent with the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, *et seq.* He noted that in 42 U.S.C. 3701 it was the declared policy of the Congress "to assist State and local governments in strengthening law enforcement at every level" and that it was the purpose of that law to "encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals," 42 U.S.C. 3721. He also noted that in the same law at 42 U.S.C. 3756 Congress authorized the Law Enforcement Assistance Administration to use available services, equipment, personnel, and facilities of the Department of Justice and of "other civilian and military agencies and instrumentalities" of the Federal Government to carry out its function. It should also be noted that the section authorizes such use on a reimbursable basis.

There is nothing in the Omnibus Crime and Safe Streets Act of 1968 which authorizes a Federal agency of its own volition to provide services which it is not otherwise authorized to provide. As previously stated there is nothing in the legislation establishing the CIA which would authorize the activities in question. Neither does it appear that those services, equipment, personnel, and facilities utilized were utilized by the Law Enforcement Assistance Administration or even at its request. As stated by Congressman Holifield in his letter of February 23, 1973, to you and quoted in the Congressional Record for March 5, 1973:

Since the Law Enforcement Assistance Administration is the agency primarily concerned with such matters, particularly where Federal assistance funds are involved, it would seem that the need for Federal agency assistance to local law enforcement agencies

June 3, 1974

S 9503

should be coordinated by that Administration.

In that same letter of February 23, 1973, Congressman Hollifield invited attention to the Intergovernmental Cooperation Act of 1968, Pub. L. 90-577, 82 Stat. 1102, approved October 16, 1968, 42 U.S.C. 4201, *et seq.*, as implemented by Budget Circular No. A-97 of August 29, 1969. Among the purposes of title III of that act, as stated in section 301 thereof, is to authorize all departments and agencies of the executive branch of the Federal Government—which do not otherwise have such authority—to provide reimbursable specialized or technical services to State and local governments. Section 302 of the act states that such services shall include only those which the Director of the Office of Management and Budget through rules and regulations determines Federal departments and agencies have a special competence to provide. Budget Circular No. A-97 covers specific services which may be provided under the act and also provides that if a Federal agency receives a request for specialized or technical services which are not specifically covered and which it believes is consistent with the act and which it has a special competence to provide, it should forward such request to the Bureau of the Budget (now Office of Management and Budget) for action. The same procedure is to be followed if there is doubt as to whether the service requested is included within the services specifically covered. Section 304 requires an annual summary report by the agency head to the respective Committees on Government Operations of the Senate and House of Representatives on the scope of the services provided under title III of the act. Possibly future requests for briefings from State or local police agencies could be considered under the provisions of that act and the implementing budget circular.

In the letter of January 29, 1973, to Congressman Koch from your Legislative Counsel it is also stated that the activities in question were not considered to violate the letter or spirit of the provisions of the National Security Act of 1947 which states that "the Agency shall have no police, subpoena, law enforcement powers, or internal-security functions." See 50 U.S.C. 403(d)(3). We do not regard the activities as set out above as being in violation of these provisions, but as previously indicated, we have found no authority for those activities by your agency, unless provided on a reimbursable basis in accordance with the Intergovernmental Cooperation Act of 1968, or at the request of the Law Enforcement Assistance Administration under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, which was not the case here.

Copies of this letter are being sent to the Members of Congress referred to above.

Sincerely yours,

ELMER B. STAATS,

Comptroller General of the United States.

WATERGATE INVESTIGATION

Mr. PROXMIRE. Mr. President, the training of police is not an isolated example of unauthorized or illegal activities being conducted by the CIA in the United States.

An investigation by the House and Senate Armed Services Committees into the role of the CIA in the Watergate incident has shown a number of misuses of CIA authority or resources.

The CIA gave Howard Hunt, a former CIA employee, alias identification gear, disguises, and other technical materials for purposes having nothing to do with the CIA mission.

We all know what purpose these were put to. Howard Hunt used them to con-

tact an individual who was peddling material on the Kennedy family and in the unlawful break into the office of Dr. Fielding in the search for the psychiatric records of Daniel Ellsberg.

They were also used in connection with the Mrs. Dita Beard and the ITT affair. They were used during the actual Watergate break-in attempt.

It was found that the White House had demanded domestic psychiatric profiles on Daniel Ellsberg in 1971 contrary to the National Security Act and CIA practice.

Furthermore, Messrs. Halderman, Ehrlichman, and Dean attempted to deflect the FBI investigation of the Watergate break-in by evoking nonexistent conflicts with the CIA.

I emphasize that these are not my conclusions. These are the conclusions of the House Armed Services Committee ably led by Congressman LUCIEN NEDZI, chairman of the Intelligence Subcommittee and Chairman EDWARD HÉBERT of the full committee.

The committee charged that the CIA had become "unwitting dupes for purely domestic White House staff endeavors."

This conclusion was reached after 12 weeks of inquiry.

Mr. President I ask unanimous consent that conclusions of the study be printed in the RECORD.

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

STATEMENT BY CONGRESSMAN F. EDWARD HÉBERT

I believe that the American public should join with me in commending Congressman Lucien N. Nedzi (D.-Mich.), Chairman of the Intelligence Subcommittee of the House Armed Services Committee which conducted a thorough and in-depth investigation of the CIA in connection with the Watergate-Ellsberg matters.

Congressman Nedzi, as Chairman, had a free and open hand during the entire course of the inquiry and with the assistance of his Counsel, William H. Hogan, Jr., and the members of the subcommittee, has brought forth what I believe to be a most important document.

Congressman Nedzi conducted the investigation in the tradition of the House Armed Services Committee inquiries, devoid of flamboyance and fanfare. Every individual who had any significant connection with the problem was before the subcommittee under oath and the subcommittee began and finished its inquiry without leaks or disclosures and without prejudice either for or against any person who appeared before the subcommittee.

As Chairman of the House Armed Services Committee, I want to publicly commend Congressman Nedzi and the other members of the subcommittee, William G. Bray (R.-Ind.), Leslie C. Arends (R.-Ill.), Melvin Price (D.-Ill.), O. C. Fisher (D.-Tex.) and Bob Wilson (R.-Calif.), together with Counsel William Hogan, for their objectivity during the hearings and the sound conclusions expressed in the subcommittee report.

PANEL TABS CIA DUPES FOR WHITE HOUSE STAFF IN WATERGATE-ELLSBERG REPORT

The CIA had become "unwitting dupes for purely domestic White House Staff endeavors," in connection with the Watergate and Ellsberg matters, House Armed Services Subcommittee charged in an investigative report issued today.

The Special Subcommittee on Intelligence, chaired by Representative Lucien N. Nedzi (D.-Mich.), issued a 23-page report that capped 12 weeks of inquiry into allegations concerning CIA involvement in Watergate and the Ellsberg case.

Among the Subcommittee's major findings: Alias identification gear, disguises and other technical materials were provided improperly to E. Howard Hunt by the CIA for purposes not in keeping with the CIA's mission.

Although the CIA was not aware of those purposes, it was insufficiently cautious in providing the material.

The material was used in a disguised interview by Hunt to contact an individual who was peddling material on the Kennedy family.

The material was also improperly used in the unlawful break-in into Dr. Fielding's office in connection with the Ellsberg psychiatric records; in connection with Mrs. Dita Beard and the ITT affair; and, finally, at the abortive break-in at the Watergate complex.

The White House demands for domestic-psychiatric profiles on Daniel Ellsberg in 1971 was an abuse of CIA facilities.

Halderman, Ehrlichman and Dean attempted to deflect the FBI investigation of the Watergate break-in by evoking non-existing conflicts with CIA operations.

John Dean made amazingly overt attempts to involve the CIA in Watergate.

In dealing with the CIA White House aides avoided former Director Helms and focused their attention on Generals Cushman and Walters for compliance with orders.

Halderman and Ehrlichman were sources of enormous executive authority in the White House.

The subcommittee recommended legislation to:

a. Prohibit the Director of Central Intelligence from performing actions not included in the National Security Act without the expressed authorization of the President.

b. Tighten the wording of the National Security Act with regard to the protection of intelligence sources and methods by the CIA Director.

c. Prohibit transactions between former CIA employees in the Agency beyond routine administrative matters.

"In testimony we developed," Mr. Nedzi stated, "it became clear that the White House counsel, Mr. John Dean, made what can be characterized as almost unbelievable attempts to involve the CIA in Watergate as a brazen cover for those actually involved."

"There is little doubt that Halderman and Ehrlichman were running much of the executive branch of the government in domestic matters during the period covered by this report and there is no doubt that the CIA leadership considered them to be speaking with finality for the President."

Chairman Nedzi continued, "even though any danger to Mexican-CIA sources was just not in the cards, White House aides sought to impede the FBI investigation into the Mexican money-laundering caper as another obvious attempt at coverup. For example, Dean contacted Acting FBI Director L. Patrick Gray several times following Watergate in overt attempts to stifle the FBI investigation into the Mexican money-laundering operation."

Chairman Nedzi tabbed as "puzzling and contradictory" the testimony regarding the July 6, 1972 telephone conversation between the President and L. Patrick Gray, Acting Director of the FBI. While the President in his public statement on May 23, 1973 indicated that he called Gray to congratulate him on the successful conclusion of the hijacking incident, it would appear from the record that the Gray call to the President at

San Clemente was returned because Gray expressed concern over apparent White House staff attempts to impede the FBI's role in the Watergate investigation.

Joining Chairman Nedzi in the unanimous approval of the report were subcommittee members F. Edward Hébert (D.-La.), William G. Bray (R.-Ind.), Leslie C. Arends (R.-Ill.), Melvin Price (D.-Ill.), O. C. Fisher (D.-Tex.) and Bob Wilson (R.-Ca.).

Chairman Nedzi indicated that his subcommittee is currently committed to conduct hearings at the earliest possible date on the subcommittee's legislative proposals and other suggested changes in the overall role and operation of the CIA.

Mr. PROXMIRE. Mr. President, what else has the CIA done domestically? The CIA disseminates its foreign intelligence reports to the several agencies concerned with the matters covered in those reports such as the Drug Enforcement Administration, the Immigration and Naturalization Service, the Armed Services, the Customs Service, the Secret Service, and others on a routine basis. As I will explain shortly, this type of routine flow of data will be permitted under this amendment.

In addition to this, however, the CIA provides training to Drug Enforcement Administration personnel in inter-agency procedures and intelligence coordination practices in overseas missions. They also give the Secret Service training in defensive driving and in explosives and demolition devices related to terrorist activities. Members of the U.S. Intelligence Board are given counter-audio surveillance measure training by the CIA.

The CIA maintains a number of permanent facilities and operations on U.S. soil. Of course, the headquarters is located in Virginia and necessary support functions such as recruitment, training, and security checks are carried out.

American citizens are interviewed on a voluntary basis for their knowledge of foreign intelligence which they will share with their Government.

Operations are conducted to collect foreign intelligence from foreigners temporarily resident in the United States.

Mechanisms, relationships, and facilities are required within the United States to support foreign intelligence operations abroad. Some of this entails dummy corporations and front organizations.

And finally, analysis and research on foreign intelligence matters by CIA staff, contractors, consultants, and various institutions is conducted routinely.

#### EXPLANATION OF THE AMENDMENT

The amendment I am offering today would amend the National Security Act of 1947.

First, wherever the word "intelligence" appears in that act, the word "foreign" would be placed immediately in front of it.

This will help clarify that the CIA only has authority to operate under these provisions when it applies to foreign intelligence. It would eliminate any temptation to broaden or reinterpret these sections to allow domestic activities not related to foreign intelligence collection.

It is interesting to note that the Director of Central Intelligence supports this revision in the law and, in fact, suggested it himself.

I repeat, the Director of Central Intelligence supports this revision in the law and, in fact, he suggested it himself.

Second, the ambiguous and dangerous clause 5 of subsection (d) of the 1947 act would be modified to read—

It shall be the duty of the CIA under the direction of the National Security Council to perform such other functions and duties related to foreign intelligence affecting the national security as may be specifically directed from time to time by the Council and reported to the Congress in such manner and in accordance with such procedures as the Congress may establish to insure effective legislative oversight with due recognition of essential security requirements.

Clause 5 of subsection (d) is the most important section in the 1947 act.

Why? Because it gives unlimited latitude to the National Security Council and the CIA to extend and expand upon the 1947 act. This is the clause that often has been called the origin of the "Secret Charter" of the CIA. From this clause flows the National Security Council Intelligence Directives (NSCID's) that spell out the functions and missions of the various intelligence units.

Senators will notice that nowhere in the 1947 act is the CIA given authority to operate covertly overseas. Nowhere in the language is this spelled out. There is nothing about "dirty tricks," nothing about overthrowing governments or sabotage. It all flows from the clause 5 of subsection d.

My amendment does not address these overseas activities. My bill S. 1935 goes to the heart of that matter, and I hope that the committee will hold hearings soon so that the bill can be considered. That is not what is before us today.

In the meantime, however, and recognizing the almost insolvable problems in defining necessary overseas operations in contrast to the type of operation we should not be engaged in, such as overthrowing governments, I have offered this amendment which deals exclusively with domestic affairs.

Under my amendment, clause 5 is expanded and tightened. I give credit to the language of this modification to the distinguished Senator from Mississippi, the chairman of the Armed Services Committee (Mr. STENNIS).

Third, an entirely new section is added to the 1947 act, which explicitly spells out a prohibition against the CIA becoming involved in domestic affairs. This new subsection says that nothing in the 1947 act or any other act would allow the CIA to carry out, directly or indirectly, within the United States, whether on its own or in cooperation with anyone else, any police-type activity or internal security functions.

It would also prohibit providing assistance to any organization or person engaged in police-type activities or internal security functions.

And last, it prohibits the CIA from participating directly or indirectly in any illegal activity within the United States.

A few words of explanation are necessary.

First, what about the normal communications between the CIA and other agencies of Government? Would that be prohibited? The answer is "No." The amendment provides for that by stating that the only exceptions granted must be made in writing by the four oversight subcommittees of Congress.

I would then urge that these exceptions be made public by those committees. I realize that some will say that this is giving too much authority to these small committees. But I have great faith that if these committees alone can authorize exceptions to the rule, they will invoke their authority with great restraint and wariness. After all, if some program backfires, then these committees will also stand responsible. At the present time, no one stands responsible.

It might be asked why must the CIA be prohibited from any illegal activities within the United States? The answer is history. Existing law is no restraint to the CIA. Laws already have been violated in the Watergate case. Laws have been bent in the police-training case. And it can easily be seen that the CIA has great resources for operating covertly here at home and without our knowledge. Therefore, the CIA must be told directly that at no time in the future, and under no conditions, can they break U.S. law, either by self-direction or at the direction of any other party, including the President and Congress.

Mr. President, I think this amendment should be placed in the right perspective. It is offered in order to protect the CIA from abuses coming from the political system. It is intended to isolate and reinforce the Agency in its exclusion mission of collecting foreign intelligence.

It is a guarantee that the CIA will remain aloof from those law enforcement and internal security functions that remain the prerogative of the FBI and domestic law enforcement agencies.

There is no more important heritage to protect than our system of law. When the law is corrupted, we must give it teeth. When it is overlooked or circumvented, we must enforce it with authority. Where it is vague, we must make it explicit.

To do less is to risk our heritage. A vote for this amendment will be a long step in the right direction.

Mr. President, I had an opportunity to discuss this amendment with the distinguished Senator from Mississippi (Mr. STENNIS), the manager of the bill; and it is my understanding that he approves of much of this amendment. In fact, if I modify the amendment, which I am willing to do, I understand that he is willing to accept the amendment as modified.

So I send a modification to the desk, and I ask unanimous consent that the amendment may be modified as indicated.

The PRESIDING OFFICER. The Senator has a right to modify his amendment. It will be so modified.

The modification will be stated.

The modification was read, as follows:

June 3, 1974

## CONGRESSIONAL RECORD — SENATE

S 9505

(A) carry out, directly or indirectly, within the United States, either on its own or in cooperation or conjunction with any other department, agency, organization, or individual any police or police-type operation or activity, any law enforcement operation or activity, or any internal security operation or activity; *Provided, however,* That nothing in this Act shall be construed to prohibit the Central Intelligence Agency from (1) protecting its installations, (2) conducting personnel investigations of Agency employees and applicants or employees of contractors and others requiring access to sensitive Agency information in carrying out Agency responsibilities, or (3) providing information resulting from foreign intelligence activities to other appropriate departments and agencies.

(B) participate, directly or indirectly, in any illegal activity within the United States.

Mr. PROXMIRE. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I have listened to the Senator from Wisconsin, and just for the purpose of quick review, I hold in my hand his amendment No. 1368 to the bill now under consideration, S. 3000.

As I understand, he has modified his amendment so that it will continue to include all that is presently in the original printed copy on page 1 and on page 2 and on page 3, through line 6. Then he adds the words "Provided, however," after the word "activity," and strikes out the remainder of page 3, down through line 19, and renumbers the last paragraph (B), instead of (C), and he includes lines 20 and 21.

Have I correctly outlined the modified amendment?

Mr. PROXMIRE. The Senator has, indeed.

Mr. STENNIS. Mr. President, first I congratulate the Senator for his interest in this subject. He and I have discussed this problem from time to time. It arose last year, when the activities within the domestic field came to my attention.

I came to the Senate soon after the original CIA act was passed, and there was nothing clearer around here, nor anything that sounded louder, than the fact that the CIA act was passed for the purpose of foreign intelligence. I was really shocked and disappointed and considerably aroused when I learned of some of the facts last summer; and even though I was not on Capitol Hill, I make some effort to get a bill started that would cover some of these matters.

We have in this amendment, as the Senator from Wisconsin has pointed out, complete coverage of the matter of domestic intelligence being excluded. Mainly, the Senator has inserted the word "foreign" before the word "intelligence," which closes a loophole and makes clear that we are talking about foreign intelligence only.

I should like to make a further point: The matter of police training, as I understand it, came in through the interpretation of a different law, not the original CIA Act. This amendment, as modified now by the Senator from Wisconsin, prohibits that police activity, and I think correctly so.

We have had a good deal of discussion of this matter, and I have discussed it with the Senator from Texas, who was acting for the minority at that time. I

have also discussed it with the Senator from South Carolina, who is the ranking minority member of the committee, and the Senator from Georgia (Mr. NUNN).

I speak for myself, first. I support the amendment of the Senator from Wisconsin. He has stricken from it language I could not agree to. I think every Senator can speak for himself but I do think it would be a valuable amendment. I think it would be helpful to the CIA. I have discussed the matter with Mr. Colby, especially about closing this loophole and putting the word "foreign" before intelligence in the amendment, and it is suitable to him.

If the amendment is accepted by the Senate, and I hope it will be, we will make a conscientious effort to have it carried through. I think that the committee as a whole would have supported the amendment as now modified.

With that thought behind it, I am glad to agree to the amendment so far as I personally am concerned. I would like to hear from the Senator from South Carolina and also the Senator from Texas, with whom I have dealt in connection with this matter.

Mr. THURMOND. Mr. President, as I understand the amendment as now modified, it is about the same amendment as the distinguished chairman of the Committee on Armed Services had introduced and which is now before the Committee on Armed Services. Is that correct?

Mr. STENNIS. The Senator is correct on these points in focus here and included in this amendment. The Senator is correct.

Mr. THURMOND. Since that is the case I do not think there is any objection in committee that I am aware of. I think the committee as a whole favors the amendment and if the Senator from Mississippi wishes to accept it here rather than to wait until later, it is entirely agreeable with us.

Mr. STENNIS. I am interested in getting results. I believe this is the way to get results. It is timely and it is relevant to the bill, in that our committee is the committee that handles legislation of this kind. I think we have taken a step forward in a field where this legislation is needed and we should accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin (Mr. Proxmire), as modified.

The amendment, as modified, was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1370

Mr. PROXMIRE. Mr. President, I call up my amendment No. 1370.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

At the appropriate place in the bill insert a new section as follows:

SEC. —. Notwithstanding any other provision of law, no enlisted member of the Armed Forces of the United States may be assigned to duty or otherwise detailed to duty as an enlisted aide, public quarters steward, airman aide, cook specialist, or food service technician on the personal staff of any officer of the Army, Navy, Marine Corps, Air Force, or Coast Guard (when operating as a service of the Navy).

Mr. PROXMIRE. Mr. President, I am happy to yield to the acting majority leader.

Mr. ROBERT C. BYRD. I thank the distinguished Senator for yielding.

Mr. President, I ask unanimous consent that there be a time limitation on this amendment of 1 hour, the time to be equally divided between Mr. STENNIS and Mr. PROXMIRE, with a time limitation on any amendment to the amendment of 30 minutes, and in accordance with the usual form.

Mr. STENNIS. Equally divided.

Mr. ROBERT C. BYRD. Yes. In accordance with the usual form.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. STENNIS. Mr. President, I have no objection.

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

Mr. ROBERT C. BYRD. Mr. President, I am getting questions and have been for the last hour from Senators on both sides as to whether or not there will be any rollcall votes this afternoon. May I ask the distinguished Senator if it is his intention to ask for the yeas and nays?

Mr. PROXMIRE. Yes, I intend to have a rollcall vote.

Mr. ROBERT C. BYRD. Very well. Both cloakrooms may notify Senators accordingly. I thank the Senator.

Mr. PROXMIRE. Mr. President, the amendment I propose today will correct a longstanding abuse in the U.S. Military Establishment. It will bring to an end a highly questionable practice with overtones of racial prejudice and involuntary servitude.

It will restore traditional American moral and ethical standards. In short, it will eliminate completely the military servant program.

What is the military servant program?

It is the systematic and widespread practice of providing enlisted men for personal and professional use by high ranking generals and admirals.

The enlisted men are called enlisted aides. They are attached to another human being as a personal servant. They are not provided to a command, a unit or a group of officers. They are allotted by the Secretary of Defense to individual officers who live in quarters provided free by the taxpayers. These are called public quarters.

There are 875 such men, enlisted men, serving as servants at the present time. They are in the service of 450 high-ranking officers.

ARE THEY SERVANTS?

I have called these men servants. But are they? Maybe they are professional military men providing a necessary military function?

The best way to judge is by what they

S 9506

CONGRESSIONAL RECORD — SENATE

June 3, 1974

do. According to an extensive investigation by the General Accounting Office, these men prepare food in the officer's home, serve the meals, clean the house, perform the gardening, provide maintenance, bartend for both official and unofficial parties, do the grocery shopping, run errands, chauffeur the officer and family about, maintain uniforms, wash automobiles, and act as the butler.

Does any of this sound familiar? Of course it does. These are servant duties. The GAO concluded that the duties of enlisted aides "are those normally associated with domestic servants."

So much for that argument. They are servants by any definition and there can be no doubt about it.

WHO GETS SERVANTS?

Just who are these privileged officers who get the free use of servants paid for by the taxpayer? Not surprisingly, they are the Nation's highest ranking officers.

This year the Secretary of Defense has distributed the 675 servants to 450 generals and admirals. All members of the

Joint Chief of Staff have 5 servants each. Five men personally assigned to them to care for their every need. Five human beings receiving wages on the average of between \$7,000 and \$8,000 a year. This means that each Member of the Joint Chiefs has the personal use of about \$40,000 worth of manpower for his personal convenience.

Thirteen other Army generals, 8 admirals, 1 Marine Corp general, and 14 Air Force generals all receive 3 servants each, courtesy of the American taxpayer.

The unfortunate remaining officers of the 450 have to make do with 1 or 2 servants with the exception of Adm. William Mack, Superintendent of the Naval Academy who gets 4 for some reason.

WHERE ARE THE SERVANTS STATIONED?

These servants are attached almost permanently to an individual officer. They go where he goes. They serve where he serves. They are part of the family.

Of the 675 servants, 180 are based in the Washington, D.C. area. That is where

most of the brass are, that is where many of the servants are.

The remainder are scattered around the United States and throughout the world.

We have military servants for our brass in Italy, England, Belgium, Taiwan, Japan, Germany, Korea, Brazil, the Canal Zone, Okinawa, Turkey, Thailand, Guam, Spain, and Holland.

We are supposed to be exporting the best of America—our system of democracy, our standards of justice, our moral leadership. But what we end up exporting is a servant caste system. One must wonder what foreign nationals think of the United States when they see that we provide our military leaders with servants.

Mr. President, I ask unanimous consent that a list of all generals and admirals receiving servants and their place of residence be printed in the Record.

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

ALLOCATION OF ENLISTED AIDES UNDER DOD 675 REGULATIONS TO BE EFFECTIVE JUNE 30, 1974

UNITED STATES ARMY

Grade and name of officer	Position of officer	Projected authorized assigned enlisted aides as of June 30, 1974	Grade and name of officer	Position of officer	Projected authorized assigned enlisted aides as of June 30, 1974
0-11: Bradley, Omar N.	General of the Army, Beverly Hills, Calif.	3	0-9: Lotz, Walter E., Jr.	Deputy Director General, North Atlantic Treaty Organization Integrated Communications System Management Agency, Belgium.	2
0-10: Abrams, Creighton W.	Chief of Staff, U.S. Army, Washington, D.C.	5	0-9: Maples, Merron N.	The Inspector General, U.S. Army, Washington, D.C.	2
0-10: Bennett, Donald V.	Commander in Chief, U.S. Army, Pacific.	3	0-9: McLaughlin, John D.	Commanding General, Theater Army Support Command, Europe.	2
0-10: Davison, Michael S.	Commander in Chief, U.S. Army Europe/Army.	3	0-9: Norton, John	Chief of Staff, Allied Forces Southern Europe.	2
0-10: DePuy, William E.	Commanding General, U.S. Army Training and Doctrine Command, Fort Monroe, Va.	3	0-9: Penney, Howard W.	Director, Defense Mapping Agency, Washington, D.C.	2
0-10: Goodpaster, Andrew J.	Supreme Allied Commander, Europe and Commander in Chief, U.S. European Command.	3	0-9: Pepke, Donn R.	Deputy Commanding General, U.S. Army Forces Command, Fort McPherson, Ga.	2
0-10: Kerwin, Walter T., Jr.	Commanding General, U.S. Army Forces Command, Fort McPherson, Ga.	3	0-9: Potts, William E.	Deputy Director, Defense Intelligence Agency, Washington, D.C.	2
0-10: Miley, Henry A., Jr.	Commanding General, U.S. Army Materiel Command, Alexandria, Va.	3	0-9: Roberts, Elvy B.	Commanding General, 6th U.S. Army, Presidio of San Francisco, Calif.	2
0-10: Palmer, Bruce, Jr.	Commander in Chief, U.S. Readiness Command, MacDill Air Force Base, Fla.	3	0-9: Roger, Bernard W.	Deputy Chief of Staff for Personnel, U.S. Army, Washington, D.C.	2
0-10: Rosson, William B.	Commander in Chief, U.S. Southern Command, Quarry Heights, Canal Zone.	3	0-9: Rowney, Edward L.	Joint Chiefs of Staff Representative for Strategic Arms Limitation Talks, Organization of the Joint Chiefs of Staff, Washington, D.C.	2
0-10: Stilwell, Richard G.	Commanding General, 5th U.S. Army, Korea/Commander in Chief, United Nations Command/Commander, U.S. Forces Korea.	3	0-9: To be announced	Director, Plans and Policy, J-5, Organization of the Joint Chiefs of Staff, Washington, D.C.	2
0-10: Weyand, Frederick C.	Vice Chief of Staff, U.S. Army, Washington, D.C.	3	0-9: Seitz, Richard J.	Commanding General, XVIII Airborne Corps and Fort Bragg, Fort Bragg, N.C.	2
0-10: Zais, Melvin	Commanding General, Allied Land Forces Southeastern Europe.	3	0-9: Senoff, George P., Jr.	Commanding General, 5th U.S. Army, Fort Sam Houston, Tex.	2
0-9: Blanchard, George S.	Commanding General, VII Corps, U.S. Army Europe.	2	0-9: Sutherland, James W., Jr.	Chief of Staff, U.S. European Command	2
0-9: Burdett, Allen M., Jr.	Commanding General, III Corps and Fort Hood, Fort Hood, Tex.	2	0-9: Taber, Robert C.	Deputy Assistant Secretary of Defense (Manpower and Reserve Affairs), Washington, D.C.	2
0-9: Collins, Arthur S., Jr.	Deputy Commander in Chief, U.S. Army Europe/7th Army.	2	0-9: Talbot, Orwin C.	Deputy Commanding General, U.S. Army Training and Doctrine Command, Fort Monmouth, Va.	2
0-9: Cowles, Donald H.	Deputy Chief of Staff for Operations, U.S. Army, Washington, D.C.	2	0-9: Taylor, Richard R.	The Surgeon General, U.S. Army, Washington, D.C.	2
0-9: Davidson, Phillip B., Jr.	Deputy Assistant Secretary of Defense (Research and Management), Office of the Assistant Secretary of Defense (Intelligence), Washington, D.C.	2	0-9: Vaughan, Woodrow W.	Deputy Commanding General, U.S. Army Materiel Command, Alexandria, Va.	2
0-9: Deane, John R., Jr.	Chief of Research and Development, U.S. Army, Washington, D.C.	2	0-9: Walker, Glenn D.	Commanding General, 1st U.S. Army, Fort George G. Meade, Md.	2
0-9: Desobry, William R.	Commanding General, V Corps, U.S. Army Europe.	2	0-9: Walters, Vernon A.	Deputy Director, Central Intelligence Agency, Washington, D.C.	2
0-9: Dolvin, Welborn G.	Commanding General, IX Corps/U.S. Army Japan.	2	0-9: Williams, Robert E.	Deputy Commander in Chief, and Chief of Staff, U.S. Army Pacific.	2
0-9: Flanagan, Edward M., Jr.	Comptroller of the Army, Washington, D.C.	2	0-9: Woolwine, Walter J.	Commandant, Industrial College of the Armed Forces, Fort Lesley J. McNair, Washington, D.C.	2
0-9: Gribble, William C., Jr.	Chief of Engineers, U.S. Army, Washington, D.C.	2	0-8: Aaron, Harold R.	Assistant Chief of Staff for Intelligence, U.S. Army, Washington, D.C.	1
0-9: Hollingsworth, James F.	Commanding General, I Corps (Republic of Korea/United States) Group, Korea.	2	0-8: Albright, Jack A.	Commanding General, U.S. Army Communications Command, Fort Huachuca, Ariz.	1
0-9: Hollis, Harris	U.S. Representative, Permanent Military Deputies Group, Central Treaty Organization, Turkey.	2	0-8: Baer, Robert J.	Project Manager, XM1 Tank System, U.S. Army Tank-Automotive Command, Warren, Mich.	1
0-9: To be announced	Director of the Army Staff, U.S. Army, Washington, D.C.	2	0-8: Barfield, Thomas H.	Commander, 23d North American Defense Command/Continental Air Defense Command Region, Duluth, Minn.	1
0-9: Knowles, Richard T.	Deputy Commanding General, 8th U.S. Army, Korea.	2	0-8: Beatty, George S., Jr.	Director, Inter-American Defense Command, Fort Lesley J. McNair, Washington, D.C.	1
0-9: Knowlton, William A.	Superintendent, U.S. Military Academy, West Point, N.Y.	3			
0-9: Komet, Fred, Jr.	Deputy Chief of Staff for Logistics, U.S. Army, Washington, D.C.	2			
0-9: Leber, Walter P.	SAFEGUARD Systems Manager, SAFEGUARD Systems Office, U.S. Army, Arlington, Va.	2			

July 30, 1974

## CONGRESSIONAL RECORD — SENATE

S 13763

He said the government should allow oil price increases consistent with actual costs and that the oil companies "should share some of the burden caused by the current situation. The FEA cannot abdicate its responsibilities at a time when market forces are out of control."

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

## PRESIDENTIAL APPROVALS

A message from the President of the United States stated that he had approved and signed the following acts:

On July 23, 1974:

S. 2830. An act to amend the Public Health Service Act to provide for greater and more effective efforts in research and public education with regard to diabetes mellitus; and

S. 2893. An act to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next three fiscal years.

On July 25, 1974:

S. 724. An act for the relief of Marcos Rojas Rodriguez;

S. 1803. An act to authorize the waiver of claims of the United States arising out of erroneous payments of pay and allowances to certain officers and employees of the legislative branch;

S. 3311. An act to provide for the use of simplified procedures in the procurement of property and services by the Government where the amount involved does not exceed \$10,000; and

S. 3679. An act to provide temporary emergency livestock financing through the establishment of a guaranteed loan program.

On July 26, 1974:

S. 3203. An act to amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes.

## EXECUTIVE MESSAGES REFERRED

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

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

## MILITARY PROCUREMENT APPROPRIATIONS AUTHORIZATION, 1975

The ACTING PRESIDENT pro tempore (Mr. ALLEN). At this time, in accordance with the previous order, the Senate will proceed to the consideration of the conference report on H.R. 14592, the military procurement appropriations authorization.

The report will be stated by title.

The second assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14592) to authorize appropriations during the fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of July 24, 1974, at pp. H6987-H7001.)

Mr. STENNIS. Mr. President, I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I have been requested by several Senators who would like to have a vote on the pending business to notify the chairman and the ranking minority member to that effect. I am now doing so.

Mr. President, I ask unanimous consent that the vote occur on the conference report at the hour of 12:15 p.m.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the appropriate time it be in order to ask for the yeas and nays on the conference report.

The ACTING PRESIDENT pro tempore. Without objection, the time for the vote on the conference report is to be at 12:15 p.m. and the Senator will be accorded permission to ask for the yeas and nays at the appropriate time.

The Chair recognizes the distinguished Senator from Mississippi, the chairman of the Committee on Armed Services.

Mr. STENNIS. I thank the Chair.

Mr. President, for the information of the Senate and for the permanent Record I have an evaluation of the conference report that purports to briefly to summarize the major matters that were disposed of, how they are disposed of, and why they were disposed of as they were in the entire bill. I also have certain supporting data which I shall ask to have printed in the Record at the appropriate time, but not now.

Mr. President, as a part of our effort to make all of the available facts known ahead of the actual discussion of the conference report today, I have already issued a detailed press release July 23d, along with a statement of this subject, which appears in the CONGRESSIONAL RECORD of July 25. Moreover the House Conference report appears in the CONGRESSIONAL RECORD of July 24.

This bill is one of the more significant

legislative items which the Senate annually considers each year and I will discuss both the broader aspects as well as the details and the results of the conference.

I think all Members of Congress, the departments, the services, and the public are entitled to a full explanation of these matters.

## GENERAL OBSERVATIONS

Mr. President, prior to discussing specific funding and language items I would like to make a few general observations on this entire legislation.

## THOROUGHNESS OF THE CONFERENCE

Mr. President, this was a most thorough and hard fought conference in the best legislative sense. Every issue was thoroughly discussed with both sides proceeding in good faith to make the best possible arguments on behalf of their respective positions. I would note that the conference extended over a period of about 1 month, from June 20 to July 23, during which there were 15 conference sessions on 10 meeting days.

At this point I would like to thank all of the Senate conferees for the part they played both in attending all of the many sessions and in the overall discussion. Especially, I extend my thanks to the ranking minority member, Senator THURMOND, for his assistance to me in this entire bill.

All of the conferees had been on these committees for several years and were familiar with the subject matters. We really combed the bill from beginning to end, including such amendments as the House added, as the Senate added, and as our Senate Armed Services Committee added, with the fullest and utmost discussion and consideration given to all of them—minor, medium, and major amendments.

There was a lot of new testimony, in a way, given not for the record but by way of argument. These matters were fully passed on. I think some of them were brought up some 7, 8, 9, or 10 different times.

## RESULTS OF LANGUAGE DIFFERENCES

Mr. President, many of the Senators are particularly interested in the various language provisions which were the subject of the conference. I will outline the overall results. In the House version there were only five language differences of any consequence which were not in the Senate version of the bill.

In the Senate version of the bill there were a total of 28 language provisions which were not contained in the House version. Of these 28, 18 were Senate floor amendments and 10 were provisions adopted and recommended by the Committee on Armed Services. The Senate also passed three minor technical amendments which are not included in these numbers.

The resolution of these language differences in numerical terms are as follows.

Of the 28 Senate provisions, 15 were finally adopted by the conferees although some were modified. Of this 15, 6 of the Senate floor language amendments were accepted either in whole or in modi-

S 13764

## CONGRESSIONAL RECORD — SENATE

July 30, 1974

fied forms, as well as the 10 committee changes in the same manner.

Mr. President, of the 18 Senate floor amendments a total of 12 were not adopted. There were 7 of this 12 that the House insisted were not germane under the House rules; that leaves 5 of the 12 that the House refused to accept strictly on their merits. I do not want to imply that of all of the seven that were dropped that the House would have necessarily accepted them on their merits even if they had been germane. We just do not know at this point.

With respect to the five House language differences, all of these were finally adopted in conference although some were modified and some related to amendments passed in the Senate.

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

Mr. STENNIS. May I take a few more minutes to finish my overall statement? Will that be acceptable to the Senator from Indiana?

Mr. HARTKE. That is fine.

Mr. STENNIS. Mr. President, I would now like to turn to the germaneness rule in the House. All of the Members of the Senate who have been conferees with the House on other bills have encountered this rule and are generally familiar with the problem. This issue, however, relates not only to the military procurement legislation but is a matter confronting Senate legislative process as a whole.

It is accurate to say that the House has become much more stringent and consistent with respect to their germaneness rule.

As chairman of the Senate conferees I was insistent that this issue be clarified in writing to the extent possible.

Mr. HÉBERT was fully cooperative and understanding on this matter and he wrote a letter which was inserted in the Record last Thursday, appearing on page S13461 in substance, he advised in order for a Senate amendment to be germane it must be directly related to the fundamental purpose of the bill. There is no way prior to consideration of the conference report that a fundamental parliamentary opinion can be obtained as to whether a particular amendment is germane; however, in every case, the House conferees conferred informally and at length with the House Parliamentarian and received an informal opinion, and this was the process followed on this legislation.

Mr. HÉBERT's letter also notes that the House conferees will continue this present policy in the future.

There is another factor, Mr. President, I would emphasize. In years past the House conferees have requested the Rules Committee to grant a rule waiving points of order in order for certain Senate-passed amendments to be considered on the House floor without being subject to the point of order process. The House Rules Committee, so I am advised, has been increasingly reluctant to grant waivers on points of order and the House Armed Services Committee conferees have been increasingly reluctant to request such waivers. In their opinion, this frustrates procedures in

the House. It is their present policy that they will not request a rule waiving points of order.

I recite this circumstance, Mr. President, for the Senate to fully understand this entire situation on the germaneness question. I would note, Mr. President, that the fundamental purpose of this bill is to authorize annual appropriations with respect to military hardware, R. & D. and civilian and military personnel for the Department of Defense, together with military assistance for South Vietnam.

So far as could be, under the rules of the House, all amendments from the Senate floor were fully considered in conference. I am ready, and other members of the committee are ready, to fully debate any point with anyone who is the author of a Senate amendment which did not get adopted. We are ready to give the full facts as to what happened in conference. I think the Senate is entitled to that. We are prepared to give an accounting.

We had these conferences over a period of 33 or 34 days, 15 conferences in all, spread over 10 days. That is, we had some morning and afternoon conferences. On some days, we just met in the forenoon or in the afternoon.

The matter was given a fine-tooth-comb treatment. I think it is as good a conference as I have ever known in the Senate. I was not chairman of the conference, so I am more free to talk about it than I otherwise would be.

We had splendid attendance by our Senate conferees who were prepared on their subject matters, and, of course, the House did, too.

Mr. President, we come back now with this conference report. When you pass on it, the Senate is not going to be passing on any major or new matter or new position, except one that I will emphasize later. All these matters were adjusted within the range and within the field of positions having already been taken by the Senate and in the neighborhood of what the Senate had passed on.

## FUNDING RESULTS

Mr. President, as the Senate may recall, the total authorization for military procurement and R. & D. as passed by the Senate was \$21.8 billion. The total amount voted by the House was \$22.6 billion. The conference report recommends a total authorization of \$22.159 billion which is \$340.1 million more than the Senate bill but is \$483.6 million less than the amount voted by the House. Moreover, Mr. President, the final conference figure was \$935 million below the Department of Defense budget request.

## PROCUREMENT PORTION OF BILL

With respect to the procurement portion of the bill the conference agreement provides a total of \$13.258 billion which is \$392 million above the Senate figure and \$383 million below the House. The final amount approved is \$547 million below the \$13.8 billion budget request.

Mr. President, for the purpose of the foregoing computation I have included the sum of \$264 million which is for the procurement of items for South Viet-

nam. I will now turn to some of the major procurement issues resolved by the conferees.

MAJOR PROCUREMENT ISSUES  
SHIPBUILDING AND CONVERSION

Mr. President the Senate had approved a total shipbuilding and conversion program of \$2.856 billion, as compared to a House authorization of \$3.539 billion for this purpose. The conferees approved a final sum of \$3.156 billion for Navy shipbuilding and conversion.

With respect to the specific items the conferees restored, first, a nuclear attack submarine which had been deleted by the Senate, \$167.5 million, making a total number of three; second, the destroyer tender, \$116.7 million, dropped by the Senate, and, third, restored \$16 million of the total Senate reduction of \$142.9 million for the sea-control ship.

The conferees agreed to the Senate reduction of the proposed patrol frigate program from seven to three, \$250.5 million, and the reduction in the sea-control ship of \$126.9 million.

## AWACS

Mr. STENNIS. The conferees agreed on the sum of \$405.1 million for the fiscal year 1975 AWACS program—airborne warning and control system—which passed the Senate in the amount on the sum of \$405.1 million for the fiscal year 1975 AWACS program—airborne warning and control system—which passed the Senate in the amount of \$549.8 million, and the House in the amount of \$292.1 million. The final figure will represent the approval of six airplanes with long-lead funds for another six, with a one-a-month delivery schedule which will protect the present contract.

I have a special report on AWACS—how we settled on that particular plane.

## A-10—A-7B ISSUE

Mr. President, the Senate in effect receded to the House position on the A-10/A-7 matter in view of the fact that the Department of Defense declared the A-10 to be the winner in the flyoff competition. The Senate bill had contained certain alternative language which tied the availability of funds to the winner of this competition, whereas the House version did not contain this restriction. The report now approves a total of \$274.1 million for the A-10 for procurement and R. & D., together with \$104.9 million for 24 A-7D's for the Air National Guard. There was a flyoff between the A-10 and A-7. While we were in conference, the flyoff evaluation was completed, and the Air Force made a choice in favor of the A-10, and we approved that.

## INCREASED STRATEGIC AIRLIFT CAPABILITY

The conferees approved a Senate item not in the House bill of \$31 million for fiscal year 1975 for the so-called stretch program for the C-141 aircraft to increase its cargo capacity.

The conferees also dropped the item of \$25 million, none of which was included in the Senate version, which would have begun a program to modify the civilian jumbo jetliners to accommodate military cargo in an emergency. This item represented the initial start of a program for the civil reserve air fleet which will cost in excess of a billion dollars and



July 30, 1974

## CONGRESSIONAL RECORD — SENATE

S 13765

which contained many problems yet unsolved. The Senate conferees were unanimously opposed to that provision and did not yield on it. So that part of the program is not in this bill at all.

The remaining items are discussed fully in the conference report and also are covered in a chart which I will insert in the RECORD at the end of my remarks.

## RESEARCH AND DEVELOPMENT

Mr. President, for research, development, test, and evaluation, the conference agreement authorizes \$8.937 billion. The Senate has voted \$8.952 billion, and the House authorized \$9 billion.

As in procurement, some R. & D. programs were not in dispute in the conference, and these included the strategic initiatives, sometimes described as counterforce, which are extensively discussed during Senate debate on the bill.

B-1

Perhaps the major R. & D. item in disagreement was the Air Force B-1 bomber. The Senate bill reduced a \$499 million request for development of the B-1 by \$44 million, to \$455 million, limiting the approved program for fiscal year 1975 to three prototype aircraft to permit flight testing and technical progress before further congressional action. The House approved the full request which included starting a fourth prototype aircraft in fiscal year 1975.

The conferees voted \$455 million, with language which would defer the fourth aircraft until after the first has been successfully flight-tested. At that time reprogramming within available B-1 funds could be requested to begin the fourth prototype.

## SMALL SUBMARINE

Also in dispute was the Navy's request for \$16 million to begin development of a smaller ballistic missile submarine to complement the project Trident force. The Senate bill deleted this authorization on grounds that approval this year would be premature. The House approved the full authorization.

The conferees deleted the \$16 million in authorizations for development of this new submarine.

## ARM—SITE DEFENSE

Another R. & D. item in disagreement was the follow-on ABM system, site defense. The Senate had reduced to \$110 million the Defense Department's \$160 million request and the House voted \$150 million for site defense.

The conferees voted \$123 million in authorizations for site defense technology.

## REMAINING ITEMS

Disposition of other R. & D. items is reflected in this chart, and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

## MAJOR MANPOWER ISSUES IN CONFERENCE

Mr. President, I think there are a number of highly significant manpower issues in this bill and on the whole I think the Senate position fared very well. I will cover each of these separately.

## TROOP CONVERSION FOR U.S. NATO FORCES

Mr. President, for the first time since NATO was funded, the House and Sen-

ate have agreed on the composition of the NATO troops stationed in Europe. The substance of the Senate-passed NATO conversion amendment adopted in committee was written in conference.

As finally approved, the conference report contains language which requires a reduction of 18,000 from U.S. noncombatant units in Europe within 2 years—June 30, 1976—and of this number 6,000 must be eliminated by June 30, 1975. This language is mandatory. At the same time there is language which permits but not requires the Secretary of Defense to increase the number of combat men by this same number within this same period of time. The language applies to all services with the Secretary of Defense having the discretion to apportion the numbers within the various military departments. As the Senate may recall, the version passed by the Senate applied only to the Army and required a 2-percent reduction, about 23,000, over a 2-year period with one-half of this number to be completed by June 30, 1975. The House version contained no language whatever on this subject matter. It is fair to say that the Senate obtained approval of this provision only after long and strenuous debate with the House conferees who were initially thoroughly opposed to this provision on its merits.

Certainly, this does not weaken the combat strength. It was not intended to and does not weaken the combat strength of U.S. forces in Western Europe.

## REDUCTION IN CIVILIAN MANPOWER AUTHORIZATION

Mr. President, this is the first year that the Congress has authorized the end strength for civilians in the Department of Defense. The Senate had voted a cut of 44,600, 4 percent, as compared to a House cut of 15,000 for June 30, 1975. The conferees recommended a cut of 32,327 with the Secretary apportioning this reduction among the military departments. This represents a 3-percent cut from the requested end strength of 1,027,327. This cut represents a minimum savings of \$400 million on an annual basis.

Mr. President, of the 32,000 cut, about one-half of this amount represents additional jobs which the Department wanted to add to the payrolls. This fact, combined with an annual turnover of 215,000 civilian personnel means that that there should be no layoffs of people now employed as a result of this reduction.

Mr. President, in our conference discussions we finally narrowed down to two items: The active duty services and the item I have already mentioned, modifications for the civilian reserve fleet—CRAF—a program that would cost, in total, an amount estimated at more than \$1 billion. The Senate conferees did not feel that we could launch into that CRAF program, especially in view of the lack of adequate hearings and the unsettled questions that were involved. We had been to the end of the road over those two items.

The House did make a proposal to yield somewhat on the manpower matter—but not appreciably—if we would include the—CRAF—cargo program to which I

have just referred. We had a meeting on that, the conferees of the Senate, and talked it over, and we decided that it would be better to yield on the manpower matter and stand firm on the civilian reserve air fleet, and that is the position we took. The House conferees agreed to it, and that is the way the matter was settled.

I think, too, that this conference report deals in more than one instance with a policy that the military has been criticized for, and some of that criticism came from our committee—the policy of moving headlong, even if the weapon in question might be in trouble of some kind. This policy has been slowed down somewhat by this conference report.

As I have said, Mr. President, on the authorization for the active military strength after long and hard argument, the Senate reluctantly receded to the House on the higher figures that body had approved.

This is an item that the Senate conferees yielded on and, frankly, in a substantial way. The House conferees had been adamant and unyielding as to the manpower levels for the services all the way through, and that is a question upon which there are differences of opinion.

Mr. President, I am of the personal opinion that substantial reductions can be made especially in the many headquarters throughout the world in the Armed Forces from the 1 million people associated with the noncombat support. I, therefore, think that the 49,000 cut mandated by the Senate was a sound position. I can assure the Senate, therefore, that the Armed Services Committee continues to examine all aspects of manpower in order to achieve further economies.

Mr. President, I cannot emphasize too strongly the fact that the Reserve and National Guards are indispensable under the Volunteer Force concept. There must be a willingness to use these Reserves and they must be ready in every way. I shall not favor another Selective Service Act until use is made of the Reserves and National Guard.

With respect to Air Force active duty end strength manpower I would expect that the Secretary of Defense would examine most seriously the mandate in the bill regarding the use of Reserve components.

This is a statutory mandate which would apply in lieu of expansion of the Active Air Force manpower capability for this purpose.

## MILITARY ASSISTANCE FOR SOUTH VIETNAM

During the long years of the Indochina war this annual authorization bill, under a program called military assistance service funded—MASF—permitted the Defense Department to provide assistance from its stocks to allies in Southeast Asia.

Now this program has narrowed down to military aid for South Vietnam. This is the last year it will be in this bill, and this military aid will be provided under the regular military assistance program—MAP—next year, for fiscal 1976.

The Defense Department initially requested \$1.6 billion for MASF in the 1975

fiscal year. The House voted \$1.126 billion, the same total approved by Congress, for the current year, and the Senate reduced the total to \$900 million.

The conferees agreed on \$1 billion, and the conferees also approved Senate language which sets up a separate appropriation for these funds. This new accounting procedure, is reflected in the detailed authorizations included in the conference report.

#### OTHER PROVISIONS

I referred, at the outset, to the number of Senate amendments accepted by the conference. On page S13462 of the RECORD of July 25 there is printed a list of amendments which were not accepted in conference with a short notation as to why those proposals were dropped.

I will not list all the Senate amendments which were adopted, but here is a summary of major Senate amendments which were approved, in whole or in part;

A redrafted version of a Senate amendment designed to prohibit research with poison gases and other chemicals on dogs for weapons research. Language in the report states that the provision is not to inhibit research aimed at preserving human life.

A Senate amendment barring, for fiscal 1975, tests of Minuteman missiles from operational silos in the Northwest United States.

A new provision, combining amendments separately approved by the House and Senate, which will require 91 flying units in the Air National Guard in fiscal year 1975 and states the policy of Congress that the components of the reserve, rather than increases in active duty forces, should be tapped to increase the ratio of strategic airlift crews to airlift planes.

A modified Senate amendment requiring statutory authorization for selling or otherwise disposing of naval vessels, larger than 2,000 tons or less than 20 years old, to another nation. Other vessel disposals would require 30 days notice to the Congressional Armed Services Committees.

A modified Senate amendment designed to assure careful review of certain exports of goods, technology, and industrial techniques to Warsaw Pact nations and such other nations as the Secretary of Defense may determine. The conference provision would require the Secretary of Defense to make recommendations to the President on licensing such exports. If the President overrules a negative recommendation by the Secretary, Congress could deny the export by passing a concurrent resolution within 60 days.

A modified Senate amendment requiring the Navy to negotiate with Puerto Rican authorities for an alternate site for weapons training now conducted on the island of Culebra. The report will note that, while the bill was in conference, the Department announced that weapons training would end by July 1, 1975, on Culebra and by December 31, 1975, on the adjoining keys.

On some money items, Mr. President, we did not try to strike them all out, but

we slowed them down somewhat. Personally, I hope that time will overcome certain problems, such as those with the sea control ship. They were having some unsolved problems for which they needed more time.

I do not know whether we are going to have another debate on the beagle hound amendment. That received a great deal of attention on the floor of the Senate and received even more attention, in proportion, in the conference. We finally reached an agreement of some kind partly covering that situation. Certainly no one was indifferent to the beagles.

We had a good discussion in the conference about the ROTC. We had an amendment from the floor on that matter. We were not able to get an agreement in conference about that. We will have a further explanation of those matters if they come up.

I want to add this personal word. Since this conference ended, I have made what was to me a very valuable trip. I went to Fort Jackson, in South Carolina, which is a typical military installation. I can say to the Senate that I was well impressed with it. There I spent several hours behind closed doors, talking first with a total of 100 enlistees who had been in the service from 1 week to 4 or 5 weeks, young men and young women. Then I conferred, in like manner, with 20 experienced Army sergeants; then with 20 junior officers—second lieutenants, first lieutenants, and captains. I was trying to get the feel of the volunteer forces, because the Army and the other services are making a major effort to try to get recruits and to get quality people.

I commend them for their efforts. I think it is unproven yet just how the matter is going to work out. I am going to go back to other places and visit with some of their men who have been in at last a year, not only in the Army, but in the other services as well.

I believe the most enthusiastic group I met was a group of 20 young WACS that had just been in a few weeks; they had very strong motivations.

I mention those things in passing relating to our manpower problem and our Volunteer Forces problem.

I would be glad now, Mr. President, to try to answer questions, the Senator from Indiana has asked one and I appreciate his letting me finish my statement.

I yield the floor and will be glad to hear from any members of our committee.

We are having an important meeting of our committee this morning that had already been set before we knew this bill was coming up, or there would have been more here today, they all agreed they would be subject to call.

I yield to the Senator from Indiana.

Mr. HARTKE. I thank the Senator, and I would like to make a brief statement, if I could.

Mr. STENNIS. Well, I do not object.

MILITARY RETIREMENT: RECOMPUTATION—THE NEED IS NOW

Mr. HARTKE. Mr. President, I just want to discuss the military retirement recomputation and the need for it at the

present time, which the distinguished chairman of the committee has discussed with me many times and expressed his personal feeling that he has done the best he could to bring about some type of satisfactory solution to this problem.

But, Mr. President, it is both frustrating and dismaying to learn that the conference committee on the military procurement bill has decided to drop an amendment overwhelmingly approved by the Senate which would have provided a one-time recomputation of military retirement benefits.

I point out that this is not a complete recomputation in the terminology of the prior utilization of that term, but was a one-shot operation and was severely limited in its budget implications.

Three times the Senate has voted to approve this amendment, and three times it has failed to be approved by the conference committee. The action of the conference is a keen disappointment to me personally and to the nearly 1 million men and women who deserve recomputation and who would have benefited from the passage of my amendment.

Make no mistake about it, military retirement recomputation is needed. The need to bring equity in the pay to retiring military personnel is recognized practically everywhere. An article in the June 30 edition of the Washington Post makes that fact clear. It describes the plight of military retirees in the Washington, D.C., area. For example, one former Army sergeant who retired after 20 years' service because of recurring ulcers, wants to leave the soldiers' home here. But he cannot afford to live on his \$326.61 a month retirement check. The wife of another retired Army sergeant, disabled after serving 3½ years in a Japanese prisoner of war camp, worries about the day she will have to live on 55 percent of her husband's \$290.73 a month retirement check. These are just two examples of literally tens of thousands of similar cases throughout the United States.

Congress cannot afford to ignore the needs of its older citizens. We have spent much time on improving social security and railroad retirement benefits, on civil service pensions and on reforming the private pension system. We must give the same attention to those who fall under the military retirement system, for after all these are all men and women who have served their country well.

Retired military personnel are expected to be satisfied by the promise of the distinguished chairman of the House Armed Services Committee, Mr. HEBERT, that exhaustive hearings will be held on reform of the entire military retirement system, including the need for recomputation.

But those who have retired are tired of hearings by the House, they expect the House to respond to their needs and not respond to the need for hearings. These hearings could be held anyway, and there is no reason why they should not be, but in the meantime the one-shot recomputation could be made a reality for them.

I do believe the retired military associations have done an excellent job in

July 30, 1974

educating Members of Congress on the need for military recomputation, and I would like to publicly thank them for all of their efforts on behalf of my amendment. I am also grateful to all those men and women around the country who supported my efforts to get legislation passed.

It is encouraging to note that Representative Bob Wilson of California has secured 113 cosponsors for a bill which is identical to the one I offered before the Senate. This support should have served as a catalyst to House acceptance of the need for recomputation.

Mr. President, this is an issue which will not go away, and I intend to do everything within my power to see that military retirement recomputation is passed into law.

I would like to address myself to the chairman of the committee and ask this question: Would the Armed Services Committee, in view of the repeated action by the House of Representatives' counterpart indicating that this matter is not germane, be willing to have the Senate assign the responsibility of dealing with this matter to the Veterans' Affairs Committee of which I am the chairman?

This suggestion was made by the distinguished Senator from Arizona to me at the time, he encouraged me to withhold the amendment on the floor, assuring me at that time that he was very sympathetic to the approach, that maybe they could more adequately deal with the matter.

Senator Goldwater is on the floor and I want to thank him for that suggestion, but I would like to ask the distinguished chairman of the committee whether or not he would be willing to have the Senate reassign this matter to the Committee on Veterans' Affairs.

Mr. STENNIS. Well, if I may answer your question by giving a little background here.

This matter of the Hartke amendment on recomputation was taken up repeatedly in the conference and discussed at great length, even though the House announced the position in the beginning that it was nongermane and they would stand on that fact. However, they were not indifferent to the problem that goes with this matter of recomputation.

You mentioned Representative Bob Wilson and he took a very active part in the conference on the matter. The Senator from South Carolina was most active in the conference trying to get the Hartke amendment, or some phase of the Hartke amendment, adopted. He made definite concrete proposals to that end, and he had the computerized figures there to support his proposal. He is on the floor and I am going to defer, of course, to him to answer that part of the question, but I am pointing out now that he was quite active, and the Senator from Arizona (Mr. Goldwater), who is also on the floor was also interested and was active in this matter.

Now, reading from the conference report, page 50, there is this statement:

The House conferees indicated plans to consider major legislation revising the mili-

tary retirement system in the future and indicated that recomputation proposals would have an opportunity to be presented during those hearings.

In other words, this is a promise on the part of the House to consider major legislation revising the military retirement system. There is a bill, that I call an administration bill, that proposes to revise the system to make some so-called penalties for early retirement and add some provisions about qualifications for retirement.

But that bill does not deal separately nor primarily with the recomputation system, as the Senator from Indiana knows.

Mr. HARTKE. Yes.

Mr. STENNIS. Now let me specifically answer the question. This recomputation, even though we have not been able to handle it here, is a matter so intimately connected with military retirement—in fact, that is all it is—where we have unquestioned jurisdiction—that I do not think we could waive under the set rules of the Senate. So I would not make any kind of promise that was an attempt to surrender or waive or evade or be dilatory with reference to our jurisdiction and our responsibility.

Mr. HARTKE. Let me say to my distinguished friend that I understand what the Senator is saying. I do believe, though, that the question of which committee is to receive the jurisdiction is a matter for the Senate ultimately to decide. I do not think that at this moment it would be out of the purview of the legislative authority of the Veterans' Affairs Committee to deal with this matter, and thereby to some extent, at least, obviate the difficulty of nongermaneness which the House of Representatives has consistently applied to military procurement bills.

As the Senator has pointed out, the fact that the entire retirement system is to undergo review for the future, and the fact that the administration has even suggested such a proposal, would, in no way, really deal with the heart of the issue which is involved in this recomputation.

The distinguished Senator from Texas is in the Chamber. I might point out that he has been a very outspoken leader in this field. In my judgment, I am not sure, but I think his bill predates any other legislation, including that which I have introduced. In fact, I think he was the forerunner in this whole field. His measure is much more comprehensive and much more expensive, by the way, than the one which we adopted on the floor of the Senate.

I would hope that we could have some consideration by the committee, either by action of the committee itself or otherwise, to ask the Senate to refer the matter to the the Veterans' Affairs Committee, or, in the alternative, if that seems impossible, the possibility does exist—and the former ranking minority member of the Veterans' Affairs Committee is on the floor, as well as the present ranking minority member of the Armed Services Committee (Mr. THURMOND)—that I would be willing to take the matter up with the Veterans' Com-

mittee to see whether or not they would be willing to submit a resolution from the committee for the Senate to assign this matter to the Veterans' Affairs Committee.

I would prefer that it be done with the acquiescence and the understanding that the Armed Services Committee has not been able, after three overwhelming votes in the Senate, to persuade the House of Representatives that it is in the best interests of good legislative practice to at least make some accommodation on this point.

Mr. STENNIS. Mr. President, I am advised that the House rules spell out the jurisdiction as to this matter clearly in favor of the House Armed Services Committee. Our rules are firm on it, too, as I see the situation. We are in no position to waive a rule or change a rule or anything like that.

I want to add that I made some proposals at the conference—I have repeated them here on the Senate floor before—for setting up some kind of a new system and then making some adjustment for this old one—to settle the thing and let us go on.

Mr. TOWER. Mr. President, will the Senator yield, so I can also respond to the Senator from Indiana?

Mr. STENNIS. Yes, I yield to the Senator from Texas for that purpose.

Mr. TOWER. Let me say that our chairman certainly was very positive in his representation of the Senate viewpoint on this issue. There is one certainty about Senator STENNIS, and that is that regardless of his attitude toward an amendment that is offered on the Senate floor, once it becomes the Senate position, he digs in and fights for it.

I assure my colleagues that the chairman did everything he could have done. I think he has underscored one of the problems over there, and that is that the Armed Services Committee of the House of Representatives does have jurisdiction of the matter there, and even if it were referred to the Veterans' Affairs Committee here, they would have to go to conference, ultimately, even if they got it through the Senate, with the same sort of problems facing them, or perhaps they could never get to conference because they would never get anything out of the House.

I might point out, however, that there was substantial sentiment on the part of the House conferees for some sort of recomputation system. I think perhaps we are eroding their resistance by the repeated passage of recomputation legislation here in the Senate. One member of that committee who favors our position was prone to remark that it seemed to him that the House conferees had come down with the "germane measles," which is a terrible pun, but the fact remains that we did try; and I wanted the Senator to be assured that the chairman and the ranking Republican member were both very active in pressing the Senate view.

Mr. STENNIS. I thank the Senator, Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, I rise in support of the conference report on H.R. 14592, the military procurement authorization bill for the fiscal year 1975.

The conference committee completed work on this bill July 23, over 1 month after the work began June 20. During this time the conference held 15 sessions. Mr. President, this has been the longest and most thorough conference on the military procurement bill in my memory. The Senate bill contained 29 language amendments as a result of floor action while the House bill contained only a few such amendments. Of this number, the conference accepted 18 of the Senate amendments in some form, rejected four altogether, and held that seven were nongermane.

Mr. President, this bill in its final form authorizes expenditures of approximately \$22.2 billion. This amount is \$340.1 million greater than that approved by the Senate, but \$483.6 million less than that approved by the House. Thus the Senate was more successful than the House in holding the money items in line during this conference.

Mr. President, the distinguished chairman of the committee (Mr. STENNIS), led the Senate conference in his usual exemplary manner during this long and many-faceted conference. He has already provided for the Senate an item-by-item explanation of the conference results. However, I would like to comment on a few of the issues resolved by the conferees.

#### MANPOWER ITEMS

In yielding to the House manpower position, the Senate conferees took under consideration recent statements by the Secretary of Defense and the Secretary of State. Both of these Cabinet members indicated congressional reductions in military manpower would be unwise at this time because of various international implications.

Also, Mr. President, it was my own feeling that at some point in time we must bring stability to our active duty military forces. The Senate practice of forcing reductions on the military each year is very destabilizing to management of these large manpower resources. I am hopeful our committee will study the manpower situation very carefully next year through a special subcommittee so that this important area of national defense might be better understood by all of us.

#### RECOMPUTATION

Mr. President, the Senate once again fought for the recomputation amendment attached to the bill during the floor debate. Chairman STENNIS and all of the Senate conferees stood firm for the Senate position.

Unfortunately, the House took the position recomputation was nongermane. However, after long discussion the House conferees did agree to reconsider this issue during hearings to be conducted this year on military retirement legislation.

Mr. President, I personally presented to the conference a number of charts and data on recomputation which, in my opinion, placed the issue in a more understandable light. This resulted in the

conference understanding for the first time that the cost of recomputation, when viewed on an annual basis, would be only a small percent of military retirement expenses in the remaining years of this century. This problem will not go away, and cries out for a just and equitable solution.

#### EXPORTING TECHNOLOGY

Mr. President, I was very pleased that the conference was able to reach an agreement on the Senate amendment tightening controls on the export of technology to Communist nations.

The Soviet Union has long desired to acquire the sophistication which is an integral part of our technology in computers and other advanced systems. It would be a grave mistake for us to allow export of these items in view of the fact that computers, for example, are an integral part of advanced missile systems.

The amendment offered by Senator HENRY JACKSON, of which I was a cosponsor, was altered in the conference. However, it remains a significant step forward in halting the export of defense related technology to the Soviet Union or other Communist countries.

#### RESERVE FORCES

Mr. President, from the outset of consideration of this bill I have taken strong objections to the fact that the Defense Department proposed a 48,000 force structure reduction in the Army Guard and Army Reserve without justification to the Congress.

While there may be units in the Reserve components which could be eliminated, or converted, in my view the Congress is making a grave mistake by not participating to a greater degree in any revised program.

While the conference approved the higher strength figures for the Reserve components adopted by the House, the 48,000 force structure reduction may be made despite these higher authorized force levels. I hope the Defense Department will exercise good judgement in carrying out their proposals in this area.

#### AID TO SOUTH VIETNAM

Mr. President, the conference agreed to a limitation of \$1 billion on authorization for appropriation for support of South Vietnam forces.

This figure was a fair compromise between the two bodies and it is my hope the Appropriations Committees will not further reduce these funds. We have made too great a sacrifice in South Vietnam to allow this country to go without adequate military support to meet the continued high level of Communist military attacks.

In the bill the Senate provided, and the House accepted, better accounting procedures for management of this vital military aid.

Mr. President, before concluding I would like to point out that the Senate conference did an excellent job of winning acceptance for many of the amendments to this bill. It is difficult in a conference to obtain consent for a large number of amendments when the House generally has only a few such amendments. While some Senators will obviously be disappointed that their amend-

ments were not accepted, or were changed, it must be realized that on balance the Senate conferees were very successful in holding a large percentage of the Senate amendments.

Mr. President, as the ranking minority member, in closing, I would like to commend all of the Senate conferees for the outstanding work done during this conference. Especially, I am grateful to the conferees on my side of the aisle—Senators TOWER, GOLDWATER, and DOMINICK—whose attendance and contributions during the conference were valuable and constructive.

Mr. TOWER. Mr. President, I believe that this bill is a good compromise measure and a tribute to the leadership of both Chairman STENNIS and Chairman HEBERT.

In fact, Mr. President, all the conferees labored long and hard over this bill to achieve a compromise that would be acceptable to both the House and Senate. I believe this legislation merits the approval of the Department of Defense; I urge the Senate to promptly adopt the bill as reported out of conference.

In past years, I have warned of a growing Soviet threat at a time when in real dollars, defense spending was diminishing. That spending is now around 6 percent—indeed about 5.9 percent I believe—of the gross national product while the defense requests for money account for approximately 30 percent of the total budget. This compares to Vietnam period figures of 9.7 percent and 44 percent, respectively. In addition, these figures also compare favorably with the peacetime budgets of the 1950's and 1960's.

Yet today the Soviet strategic threat is far greater than ever before. They have over half again as many ICBM's as we and are allowed about a third again as many sublaunched ballistic missiles by the SALT agreement. The Russians have a new large, presumably intercontinental range, bomber. In throw weight their advantage is even more alarming—and the gap is growing with the development and testing of four new nuclear missiles. When combined with the MRV's currently being developed by the Soviets, this throw weight advantage will pose a significant danger to the survival of our land-based nuclear deterrent.

Looking at the conventional side of the defense picture, the situation also prompts major concern. The Soviets still face us in Europe with advantages in armored vehicles and aircraft. While major portions of our budget were devoted to Vietnam, the Soviets were free to continually modernize and upgrade their forces, this left the United States with a growing conventional gap which we must now try to overcome.

The point is, then, whether we can really expect to mount a credible defense against a significantly increased Soviet threat by spending less money. I do not believe so and have argued that this country must spend whatever is necessary to provide for the common defense at home and the protection of our considerable interests overseas. I believe this bill will allow the Defense Department to meet in large measure its commitments.

July 30, 1974

## CONGRESSIONAL RECORD -- SENATE

S 13769

Of particular satisfaction to me is the fact that the bill supports the defense request for military manpower. I am as concerned as anyone about the size of headquarters and the inefficient use of our servicemen. But the answer to the problem of combat ratios is not to cut troop strengths, but rather to assist the services in converting nonessential manpower into combat manpower. This country needs every fighting man it can get if we expect to meet the conventional threat in Europe with a non-nuclear response, and I believe in the case of Europe we cannot save it by destroying it with tactical nuclear weapons. We should be concerned about manpower not only for this reason but also because it is so expensive. About 55 percent of the defense budget is devoted to manpower costs. This compares with about a third of the Soviet budget. With people costing this much, we must squeeze every ounce of fighting efficiency out of an organization. This means headquarters consolidations and unit reorganizations.

I believe the services are taking significant steps in this direction—in Europe, in the Far East, and here at home. For example, I would like to commend the Army for its recent headquarters staff reorganization which is most timely and appropriate in this period of rising manpower costs. A significant part of this reorganization was the consolidation of all ABM programs under one manager. This is most desirable since it permits an overview of the three program line items—safeguard, site defense, and advanced ballistic missile defense under the single ballistic missile defense mission. Our distinguished conferees recognized the inherent management efficiencies allowed by this consolidation and therefore authorized a total BMD line in their report.

The intent of this action is to allow the BMD program manager the necessary flexibility to utilize the sum of his available resources to achieve his program objectives. This is a sound and commendable approach to the efficient handling of the Army's BMD mission funding. With further reorganizations of this sort the services should be able to bring combat ratios and rising manpower costs under control at the same time they increase this Nation's combat power.

In 2 short years, America will celebrate its 200th anniversary—200 years of freedom. Thousands of lives and countless treasure have been sacrificed to maintain that freedom.

I hope that we will not forget the lesson of those years, and that is to avoid war be prepared for war.

Mr. GOLDWATER addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. GOLDWATER. Mr. President, I urge that this body support this conference report. It has been well worked out and I think that substantially everything that the Senate asked for has been retained, which in itself is somewhat of a victory when we consider the strength of the House Committee on Armed Services.

I particularly want to pay tribute to the chairman of the committee, the Senator from Mississippi (Mr. STENNIS), for his work, and I want to pay my respects to the staff of the Senate committee and the House committee. They rendered invaluable assistance to us during the conference. These are the gentlemen who worked out the language changes, who worked out the compromises, and really, although the chairman did yeoman work, I think the staff of both committees should receive their just due at this time.

Mr. President, I want to touch briefly on four aspects of this conference report and bill. The first will be manpower.

I know there were several attempts made in this body by amendments to cut the manpower strength of the armed services overseas. At that time the amendments were adopted by the Senate. However, at that time we were not confronted with the problems of the Middle East nor with the problems in the Warsaw Pact nations, nor with the problems in NATO.

Since passage by the Senate of these amendments, which would have decreased manpower, our Secretary of State and Secretary of Defense have been in deep negotiations with our potential enemy, the Soviet Union, have been in deep negotiations with the trouble spot of the world, the Middle East, and I think it was the unanimous opinion of the Senate conference group that this was no time to be cutting manpower.

Our manpower strength is more or less judged by horseback decision and judgment. Although we have not made mistakes so far, I think all of us would agree that reducing manpower to any degree at this time would be an indication to our potential enemies around the world that we were being influenced by sophists, that we were being influenced by a desire to isolate the United States. I am very glad, Mr. President, that we gave in to the House on this.

In giving in to the House on this matter, we also achieved a remarkable step forward in the elimination of the Civilian Reserve Air Fleet expenditure. We have not paid much attention to this expenditure over the years. I remember when it first started, back in the 1950's, when we found that it was necessary to have a reserve air fleet in the civilian airlines of our country. That might have been true at that time, it might even be true today. We were not equipped with enough information to make that judgment.

In fact, the Air Force itself did not ask for these moneys. The request came after the Air Force testified, and it came from the Department of Defense. We did, however, direct the Air Force to affirm overall strategic airlift requirements and capabilities, including the contribution of craft, to determine how best to effect such improvements.

This expenditure, although small in this year's bill, would eventually have resulted in an expenditure of well over \$1 billion. This money in this bill would have been used to widen a C-47 and a DC-10 for use by existing airlines.

The bill would also have covered funds that we would have had to pay the airlines for the time that they were shut down and for the maintenance and so forth required to effect these changes. The feeling of the Senate was that if any agreement was reached with these airlines on the civilian reserve air fleet, any future negotiations should contain a payback to the U.S. Treasury on a long-term basis at proper interest rates. We feel that until the Air Force can substantiate the need for the civilian reserve air fleet, we should not spend any more of the taxpayers' money on this item.

Now, it may be that next year, or even in the interim, as the Air Force works on its report, we may become convinced that the improvement of the craft fleet, regardless of cost, might be necessary. I do not believe it will be. I look forward, however, to the judgments that are reached by the Air Force.

Another subject, Mr. President, which has been talked about this morning, is recomputation. As I remarked on the floor of the Senate when this amendment was offered by the Senator from Indiana (Mr. HARTKE), I did not think it was fair to the veterans and retired people of this country to be promised something that we knew could never pass a conference meeting. We know this because the rule of the House is that this is a nongermane subject, and I see no way in the world that this is going to be broken down, even though Representative Wilson of San Diego has over 130 signatures to a bill that would create recomputation.

I honestly think the only fair and honest way to go about this would be to introduce a bill or bills directed at recomputation in the Senate and in the House and have the Committee on Armed Services of each body consider these approaches.

I might say to my colleagues that we are talking about a tremendously expensive item when we talk about recomputation. I do not think the one-shot recomputation is fair, either, because we know that it will not be one-shot. Today, when a man who retired after 1958 lives through a 3-percent increase in the cost of living, he gets a 4-percent increase in his retirement. Every time this happens it is going to cause the retiree who retired before 1958 to come to the Congress and ask for another so-called shot. I think the fairest way—not the easiest but the best way—would be to have this handled in the regular legislative manner by hearings before the committee of the Senate and the committee of the House.

It would be my hope that the chairman of our Committee on Armed Services would so direct that any bills introduced on recomputation, regardless of their composition, be heard by our committee. Whether anything is done about them or not is beside the point.

The point is that, in my opinion, we are never going to help these people who retired before 1958, by continually introducing the Hartke amendment in Senate after Senate, knowing full well that it can never be passed. I think this is un-

S 13770

## CONGRESSIONAL RECORD — SENATE

July 30, 1974

fair to the retired person and I think it is unfair to those of us who are forced to vote "present" or forced to vote against it because of the fact that we do feel that it is unfair.

In fact, it is a little bit on the dishonest side, because we know it is not going any place and it is very safe to vote for it when it is not going to become part of law.

In closing, Mr. President, I think that we are continually confronted by the problem of procurement. It is a subject that we have not given sufficient study to in either the House or the Senate. I think the subject of procurement is one that should demand the full attention of both committees of the House and the Senate, and even other committees such as the Committee on Appropriations and the Joint Economic Committee, because I am convinced, through many, many years of experience in this field, that we can save billions of dollars in procurement. In doing this, we have to go a little past what we have all learned in the last few days and set up in the Pentagon a joint team composed of procurement people of all the services to tackle this problem.

I read their report with great interest and wrote a comment to them. I thought it was fine, but they did not include the manufacturer. I think the manufacturer has to be brought into all of these discussions on procurement. If we do this, if we go about studying procurement, the mistakes that we make, the success that other countries have had, actually copying the methods that we threw out long ago, I think we can begin to save the taxpayers of this country a lot of money.

I think also, in this whole field of procurement, it is encouraging to know that the subcommittees and the full committees of the Armed Services of the House and the Senate are now turning their attention to weapons that we feel are better or just as good, at greatly reduced prices.

I shall give one example. We are now watching the development of the light-weight fighter, the F-16 and the F-17, both of these will sell for under \$3 million. In many respects they will perform up to the F-15 and F-14, and in some respects will outperform them. We might argue that one F-15 or one F-14 is better than one F-16 and one F-17. I will not argue with that. But they are not better than three or four, which is what we are looking at when we look at weapons systems which cost under \$3 million, and we are talking about building the inventory up with weapons systems that cost \$10 to \$15 million apiece.

Mr. President, those are my few remarks on the whole subject of the procurement authorization bill and its conference report. I again want to salute my chairman for the wonderful job that he did and again thank the members of the staff for their very, very valuable assistance.

Mr. STENNIS. Mr. President, fine statements have been made by the Senator from South Carolina and the Senator from Texas, followed by the Senator from Arizona. All are very knowl-

edgeable members of our committee and of the Senate, and all were very helpful in this conference. I want to thank them for their assistance in the conference and in the preparation of this bill. It has been substantial. It is always constructive. I think the Senate owes them, and other members of our committee, too, deep appreciation for their work on this matter.

Mr. President, that prompts me to make an observation for whatever it may be worth. I want to appeal to the membership of the Senate. Next year when this procurement bill is being considered, if they are going to offer amendments, I suggest that they make some determination in advance as to whether or not their amendments are germane. That can be done by checking out the amendment with the staff of the House committee, and, in doing so, the staff of the Senate committee will be glad to help. When we go into conference with a handful of amendments, especially amendments from the floor, without hearings to back them up, we are hindered not only as to those amendments but as to the entire bill. They are a roadblock, to a degree, for the Senate conferees in considering major items that are in disagreement and major policy questions that are in disagreement within the bill.

I do not say that by way of complaint. It is just commonsense. This bill has grown to where it is an enormous bill. It is just commonsense. This bill has essentially involved. I mean policy questions beyond procurement, and matters of that type. It involves a great deal of foreign policy.

I have always tried to be rather circumspect about the jurisdiction of committees, but after serving awhile as chairman of the Armed Services Committee, I found out there was not any way to avoid this procurement bill spilling over onto the Foreign Relations Committee, and, in turn, Foreign Relations Committee bills spill over on us and affect the military policies.

We are in international policy. This legislation is certainly a major part of our Nation's position. I am not saying that that is incorrect. I think we have gone too far in some instances, but I am not advocating that the policy be abandoned.

The bill is wrapped up with enough problems already. Members like for their amendments to be considered, and I think that is commendable. Then if the amendments are adopted, the Members naturally want them brought back in the conference report to become the law of the land. I think that is commendable. But at the same time, if we just explore these matters a little more in the beginning, and find out what rocks there are on the road ahead, a Member can help his own position as well as help those who are handling the bill.

I call that to the attention of the membership. I will take the liberty of doing so again. It is something I have not done before. Maybe that was leaning over backward a little too much to keep from appearing to interfere with the rights of Members to offer amendments.

There is another fact worth emphasizing. The final conference figure that is in this bill, \$22.159 billion, is \$935 million below the budget request, which represents a cut of 4.2 percent. That is the result of this matter having been considered by the House committee and by the Senate committee.

Extensive hearings have been held, extensive debates in both the House and Senate, and then the 33-day period when the conference was going on between the two bodies. Anything that emerges from a bill with the scrutiny that this one had, any point that comes through, is bound to have some worth, some value, and some soundness in it or it would not have survived this terrific legislative process.

Mr. President, if anyone else wants to say anything, I will certainly be glad to yield the floor.

Mr. TOWER. Mr. President—

The PRESIDING OFFICER. The Senator from Texas.

Mr. TOWER. I was impressed by what the Senator said about the difficulty of drawing a sharp dichotomy between foreign relations and armed services. It is, of course, historic that the military serves as an instrument of diplomacy and, therefore, the two are inseparable. It is difficult to resolve jurisdictional questions from time to time.

I think it is without question that the Foreign Relations Committee gets into our business from time to time, and we must, of necessity, get into theirs. I think one thing that is foremost in the minds of every member of the Armed Services Committee is that the primary function of the military is to serve as an instrument of diplomacy. Therefore, we are very careful to consider what impact we might have on foreign policy when we make decisions in the Armed Services Committee.

In addition to commending my distinguished friend from Mississippi for his great statesmanship in the handling of armed services matters, I would be remiss if I did not also note that the distinguished ranking minority member, the Senator from South Carolina (Mr. THURMOND), has always approached his job with a zeal and a patriotism that I think is exemplary, and with a concern for the judgment of professional military men that I think is necessary.

We have in this country the principle of civilian control of the military. There has never been a military junta in control of the Government of the United States, and I foresee that there never will be. There has never been inordinate military influence in this country. But there comes a time when we must resort to the judgment of professional military men because they are in the best position to determine which weapons are best to fight with, and from time to time we must yield to that judgment.

I know of no Member of the Senate who has a finer appreciation of the high quality of professional military men we have and for their judgment than Senator THURMOND. In a sense, he is certainly a great asset to any deliberation.

July 30, 1974

either in our committee or in conference, and I commend him for it.

Mr. President, I am delighted to see that apparently there is no dedicated opposition to the adoption of this conference report. I am sure that there may be some votes in opposition to adoption of the report. But I think the fact that the Senate recognizes its responsibilities is the reason why there does not appear to be any considerable organized opposition to the adoption of the conference report. I think we have probably done one of the best jobs this year, in formulating and passing and ultimately bringing out of conference the military procurement authorization bill, that we have done in many years.

I believe that what we are doing is necessary to maintain the kind of military posture that will enable the United States to assert a position of world leadership and, through negotiation and peaceful contacts, to establish a climate of security and peace in this world which will afford all peoples who desire self-determination a climate in which they may have some reasonable hope of realizing that aspiration.

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

Mr. TOWER. I yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to take this opportunity to express my appreciation to the able and distinguished Senator from Texas for his kind words.

It has been my pleasure to work with the Senator from Texas on the Armed Services Committee for a number of years, and there is no more valuable member than he. He is well versed in military matters, he is a distinguished patriot, and he makes a fine contribution to our country on that committee.

Mr. TOWER. I thank the distinguished Senator from South Carolina for his kind remarks.

Mr. STENNIS. Mr. President, I expressed my thanks to the Senator from South Carolina while he was called away from the Chamber a few minutes ago, but I repeat my thanks now and join in the sentiments of the Senator from Texas.

I want to add this point: No senior minority member of a major committee could be more responsive nor more cooperative, wholeheartedly so, than the Senator from South Carolina. He is always willing to work on a problem. He is always willing to consider logic and reason. He shows a most wholesome attitude and spirit of cooperation.

There are many problems of a serious nature that pass unnoticed, more or less, that have to be attended to under our committee system by the two so-called ranking members of the majority and the minority. He and I consult all members and make little or no distinction between whether it is a minority member or a majority member we are consulting. We look for someone with judgment and knowledge of the problem.

No one could display a finer attitude and greater efforts than the Senator from South Carolina, and I appreciate deeply his work in this respect. I am delighted

to thank him publicly, and I will send his charming wife a copy of these remarks.

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

Mr. STENNIS. I yield.

Mr. THURMOND. Mr. President, I wish to express my gratitude to the able and distinguished Senator from Mississippi for his kind remarks.

Incidentally, the Senator from Mississippi and I attended ROTC camp together after our junior year in college.

Mr. STENNIS. That is right.

Mr. THURMOND. So we have been in this fight for the Military Establishment for a long time. I have never known a more able or dedicated public servant with respect to trying to protect our country and keep it protected against its enemies than the distinguished Senator from Mississippi. It has been a pleasure to work with him.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, one of the provisions which was dropped in the conference, with the explanation that it was at the adamant resistance of the House conferees, was a provision adopted in the Senate by a divided vote. The amendment, of which I was the author, prevailed by a vote of 48 to 43. It would have made it impossible to blacklist colleges which had dropped ROTC from receiving, for education, officers who might choose to study there.

This provision, as I say, was resisted by the committee and voted by the Senate, notwithstanding that resistance, which it seems to me is a very significant point as indicating the fact that the Senate had a right to expect that the conferees would strongly contend for it.

I should like to read into the Record the managers' statement as to the explanation for dropping this provision:

A floor amendment to the Senate amendment would have precluded the Department of Defense from denying financial assistance to any person pursuing an educational program solely on the grounds that such person is enrolled in a college that terminated ROTC.

The House conferees were adamant that this provision be deleted from the bill.

If the universities and colleges wish to divorce themselves from the training program offered by ROTC, the House conferees believe the Department of Defense should be allowed to withhold financial assistance to persons at those institutions. The choice of whether such colleges or universities desire to reinstate the ROTC is totally up to the institution.

Obviously, the Senate did not believe that any such blacklisting was justified, and voted accordingly.

The basis by which this is done is a provision in a report on a bill by the House Armed Services Committee and other statements, in preceding years, which indicates the disfavor of the House conferees to allow officers to go to universities or colleges which have dropped ROTC. Among these, of course, are some of the most eminent colleges and universities in the United States. One never knows that the list is exactly up to date at a particular minute; but when this amendment was argued on the floor, it

included such distinguished universities as Harvard, Yale, Dartmouth, and Colgate, Columbia, Hobart, Pratt, and SUNY in Buffalo. My own university, NYU, was also on the list but is expected to be reinstated as it is likely to resume ROTC—I am sure for no reason connected with the blacklist.

Mr. President, it is well known that the chairman of the House Armed Services Committee is very, very strong on this matter. That has been widely admitted. I understand that I happen to know the chairman very well and to like him very much. I understand perfectly that his feelings are strong. But I do not see how that can be substituted for congressional action.

Therefore, even though this amendment was turned down by the conferees, and our conferees were very careful to lay it at the door of the House conferees, it is to be noted that the statement here as to what is believed is related to the House conferees. The House conferees believed that the Department of Defense should be allowed to withhold financial assistance to persons at those institutions.

Mr. President, one could really make a very strong case that our conferees should not have agreed to delete this amendment at the behest of one House. But then there is yet an overriding responsibility of the Department of Defense, itself; because the Department of Defense has written a directive, under date of April 17, 1974, which went into the Record when this matter was debated, in which they say as follows, and I again ask unanimous consent that it go into the Record so that the official paper may be reported.

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

ASSISTANT SECRETARY OF DEFENSE,  
Washington, D.C., April 17, 1974.

Memorandum: For Assistant Secretaries of the Military Departments (Manpower and Reserve Affairs).

Subject: Educational Policy Pertaining to Schools Which Have Withdrawn from ROTC.

References: (a) OASD(M&RA) Memo dated June 5, 1973, Subj: Educational Policy Pertaining to Schools Which Withdraw from ROTC. (b) OASD(M&RA) Memo dated August 7, 1973, Subj: Educational Policy Pertaining to Schools Which Have Withdrawn from ROTC.

The following statement supersedes the policy set forth in the referenced memoranda:

"Department of Defense policy concerning attendance at schools which unilaterally withdraw from ROTC will be to reduce our educational commitments to them by refraining from their use except in justifiable instances and upon the concurrence of the Deputy Assistant Secretary of Defense (Education) on a case-by-case basis. We will continue to send personnel to these schools on a fully-funded basis only if the institution offers a course which is in the best interest of national security, the Military Service, and the individual. Should one of these schools reapply for an ROTC unit, the policy will no longer be applicable to that institution. Additionally, the policy does not apply to health and medical professional education."

A list of the schools which have unilaterally withdrawn from ROTC and have not re-

S 13772

## CONGRESSIONAL RECORD — SENATE

July 30, 1974

applied for a unit are shown in the attachment.

WILLIAM K. BAEHM.

Mr. JAVITS. This memorandum says: We will continue to send personnel to these schools—

That is the schools which are otherwise blacklisted—

On a fully funded basis only if the institution offers a course which is in the best interest of national security, the military service, and the individual.

Now the report of the managers leaves us with really no knowledge of what will or will not be the future policy to be pursued by the Department of Defense except all that we know is that the Department may or may not comply with this memorandum, which is very flexible in its nature, and I assume could be applied to practically any college or university.

Also, we know that certain exceptions have been made on a particular case basis and it is believed—I only state that as a belief—with the concurrence of the chairman of the House Armed Services Committee.

Now, Mr. President, I must say with all respect that this is a pretty messy way to operate an army or to operate a Congress. Here we have a policy which is based upon a statement and a report on a bill emanating from the Armed Services Committee of the House. Now we have an amendment made by the Senate showing the Senate does not agree with that policy, and we have the House saying through its conferees that it wishes to stand by whatever it said in the original report on a bill which resulted in this policy, which leaves us completely up in the air as to what policy the Department of Defense is on.

It seems to me that it should be very clear that the hands of the Department of Defense are completely untied if the Senate and the House disagree. Therefore, I will address a question to the chairman of the committee, Senator STENNIS, for whom we all have such high regard, as to whether it is now legitimate to say that at the very least in this matter the House and the Senate do disagree and that there is nothing that has been done by the conferees to compromise the Senate's view, except that the House would not concur?

I yield to the Senator.

Mr. PELL. I congratulate the Senator on the stand he has taken here, as a cosponsor of his amendment when it was presented in the Senate, I am very disappointed it did not prevail in the conference. I think the attitude of the House conferees and also the Defense Department in this regard is a petty one, emphasizing revenge because the educational institutions, in the heat of the conflict over Vietnam decided they did not want to continue ROTC programs.

Personally, I did not agree with that decision, by these colleges and universities but that is not important. The fact is that they made the decision and I do not believe the termination of ROTC is a sufficient reason to deny training in those institutions to officers of the Armed Services. I think the blacklisting policy is a very petty one, that is not based on

the best traditions of our country, but on simple revenge.

I would hope very much in the administration of this program the Department of Defense would act more realistically and allow members of the Armed Services to attend the best schools, with the best courses, regardless of the past history of ROTC units.

Mr. JAVITS. I am very grateful to Senator PELL for his statement, and he did join me in the amendment, which was a successful amendment, I am very grateful to him for that.

Mr. PELL. I would add, I have an institution in my own State, Brown University.

Mr. JAVITS. Exactly.

Mr. PELL. That university is affected by this blacklist.

Mr. JAVITS. Adversely affected.

Mr. PELL. The Senator is correct.

Mr. JAVITS. Mr. President, the members of the Armed Services Committee will know this much better than I, but I understand this matter has been a considerable source of disaffection among younger officers of the armed services themselves who wish to study at some of these fine institutions, but are prevented from doing so by the policy of the Department.

Now, I need not protest my affection for Senator STENNIS. He knows I ask these questions only for the hope of the seeming deadlock that has occurred and trying to see some way out.

It will be noted, the statement of the House conferees says that the Department of Defense should be allowed to withhold financial assistance to persons at those institutions.

My first question, therefore, to the Senator would be, Does he believe that the use of this word shows that the Department of Defense has discretion in the matter?

THE PRESIDING OFFICER. The hour of 12:15 has arrived.

Mr. MANSFIELD. I ask unanimous consent for 5 additional minutes and then the vote.

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

Mr. STENNIS. Would the Senator briefly restate his question?

Mr. JAVITS. Of course.

All I was trying to get was because the House conferees managers used the word "allowed," "the Department of Defense should be allowed to withhold financial assistance," does the Senator construe that, as I do, to mean the Department of Defense has discretion in the matter?

Mr. STENNIS. Well, this is a difficult matter, and it is a sensitive subject. I personally believe that the man that is going to the college or university ought to be in on making the choice.

Now, I think he is entitled to some consideration there, but the law does not mandate that point. I did not vote for the Senator's amendment because I knew it would be a troublesome matter. I personally think that the universities that closed down the ROTC units could well make a move themselves, conciliatory to the Department of Defense.

I think that is a reasonable position, but we tried to get the Senator's amend-

ment adopted. I did not know until the Senator pointed out here that a majority of the conferees voted against the amendment. I did not know it and I doubt that any of them knew it. We tried hard to get the Senator's amendment adopted and it just was not agreed to.

Now, I do not know any law that keeps the Department of Defense from making a choice as to this matter, but in their discretion they do not have to do it, as I see it.

Of course, there is objection to it, and they are being discreet about it. That is about the best I can tell.

Mr. JAVITS. That is, they can move either way.

Mr. STENNIS. I do not know of any mandate either way. I think, therefore, it is possible for them to move either way, but they use their discretion, naturally.

Mr. JAVITS. Senator STENNIS, one other question.

Is there anything the Senate conferees did which would compromise the Senate digging in on this position for the future in line with this amendment?

Mr. STENNIS. I frankly cannot recall any compromise position we took. I cannot think of any now except what I have said.

Maybe the universities could make a move, conciliation of some kind, and ask for a conference, that might lead to something.

You cannot make men agree in conference. The Senator from New York is one of the most effective conferees I have ever known on these bills, the more controversial the better he is, but he knows he cannot make men agree, not in the conference.

Mr. JAVITS. Well, I thank my colleague very much. I think he clarified the situation.

All I say is that I pledge myself to continue indefatigably with this until some justice is done in the matter, and the Senator has indicated clearly how he feels intellectually and I understand the practical situation.

Mr. STENNIS. I thank the Senator.

The Senate had a fine debate on this bill. The issues were thoroughly discussed.

As I have said, I believe the conferees have brought back a good agreement on items in dispute. In sum, I believe this bill will authorize the hardware and manpower needed by the military services in the fiscal year now underway.

I believe the Senate should now approve this conference report on the authorization bill so that the Appropriations Committees can complete their work.

I ask that the conference report be approved.

I also request unanimous consent to have printed at this point certain charts and summaries.

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

AMENDMENT SUMMARY: CONFERENCE—  
H.R. 14592

Senate amendments not in House bill: 23.  
Number retained in full or modified: 15.

\*This does not include 3 minor technical changes.



July 30, 1974

Number not retained: 13.  
 House amendments not in Senate bill: 5 major, 4 minor.  
 Number retained in full or modified: 5 major, 2 minor.  
 Number not retained: 2 minor.  
 (Senate-passed amendments—10: 9 retained, 1 not retained.)  
 (Senate Committee amendments—18: 6 retained, 12 not retained.)

SENATE AMENDMENTS RETAINED IN CONFERENCE

I. Senate-Passed amendments in contention in conference:

Sponsor, amendment, form as agreed by conferees, and conference report page no.:

Humphrey, Dogs in research, Modified. As passed, amendment prohibits testing gases and chemicals on dogs. As modified, dogs may not be used in research for the purpose of developing biological or chemical weapons to destroy life but may be used for research to improve and save lives, 45.

Humphrey, Culebra, Modified. As passed, amendment prohibited funds for target practice on Culebra after Dec. 31, 1975. As modified, target practice on Culebra or the nearby keys is prohibited during any time that negotiations for an alternate site are halted by the U.S. Purpose is to spur negotiations, which are already required by law. Letter has been received from Secretary Clements reiterating intention to relocate target practice by Dec. 31, 1975, but only after permanent site is agreed upon. House conferees were very concerned that adequate practice facilities be available to the Navy and did not want to dictate a cut-off date by law, 46.

Nunn, High School graduates, Same as passed by Senate, 47.

Mansfield, Minuteman testing, Same as passed by Senate, 48.

Hughes, Authorize Army to give master's degrees, Same as passed by Senate, 49.

Jackson, SecDef review technology exports, Modified. As passed, SecDef reviews proposed technology exports to "controlled countries" and makes recommendations to the President. If the President overrules the SecDef, he must report to the Congress, which can overrule in either House by majority vote. As modified, purview of SecDef is limited to goods and technology developed directly or indirectly as part of DOD research and development. Congress can overrule President by concurrent resolution, 50.

II. Committee amendments in contention in conference:

Sponsor, amendment form as agreed by conferees, and conference report page no.:

Nunn, NATO support forces, Modified. As passed, amendment required 20% (23,000) reduction in Army support in Europe over 2 years, with SecDef permitted to increase combat strength in a like amount. As modified, An 18,000 person reduction in support in Europe is mandated over 2-years coming from all services, because House conferees thought the support reductions would be excessive if taken only in the Army. Only 6,000 must be moved the first year. SecDef is authorized to increase combat strength by like amount, 38.

Nunn, NATO tactical nuclear weapons, Modified. As passed, amendment froze tactical nuclear warhead in Europe except in event of hostilities. As modified, freeze is only until June 30, 1975, 39.

Nunn, NATO standardization, Modified. As passed SecDef must study standardization of weapons in NATO and bring the assessment to the attention of NATO. As modified, the assessment must be reported to Congress first, 39.

Nunn, Airlift crews, Modified. As passed, amendment stated Congressional policy that increases in strategic airlift crew ratios should be achieved by Reserves rather than actives. Required plan to effect increase, including test of "hybrid" concept in C-5 or C-141 aircraft. As modified, such increases should be achieved "to the maximum extent possible by Reserves and test of hybrid concept is deleted. Incorporated House requirement for 91 flying units in the Air National Guard in FY 75, 40.

Taft, DOD use least costly form of manpower, Essentially same as passed in Committee, 42.

Committee, Language on aid to S. Vietnam, Same as passed in Committee, 43.

Byrd, Transfer of naval vessels, Same as passed in Committee, 44.

Committee, AWACS—Buy 12, system must be cost-effective, Language same as passed by Committee, although the dollar amount was decreased, 17.

Committee, Training loads consistent with manpower strengths, Same as passed by Committee, 43.

SENATE AMENDMENTS NOT RETAINED IN CONFERENCE—H.R. 14592

Senator, amendment, reason Senate rejected, and conference report page No.:

Javits, ROTC, House conferees were adamant that DoD should be allowed to withhold financial assistance from universities which unilaterally withdrew from ROTC, 43.

Proxmire, CIA—restrict domestic activities, Non-germane. House agreed to introduce and immediately consider comparable legislation. H.R. 15845 was introduced by Mr. Nedzi on July 16 and hearings began July 22, 44.

Proxmire, Enlisted aides, The House insisted that the congressional action last year of reducing the number of aides from 1722 to 675 had not been given an opportunity to work and that no further reductions should be made now. The Secretary of Defense is directed by the conference to study the situation and one or both Armed Services Committees will hold hearings, 44.

Biden, Prohibit all DoD economic pump-priming, Non-germane, 45.

Hughes, Continuation pay to medical corps officers in initial residency training, Non-germane; however the House recognizing the merits of the amendment agreed to introduce and promptly consider legislation on the subject, 46.

Bayh, Use all forms of media in recruiting advertising, House conferees insisted that the amendment was unnecessary because nothing in the law now specifically prohibits the use of advertising by any one spe-

cific media. House also believes amendment would require equal distribution of advertising funds without regard to cost-effectiveness, 47.

Kennedy, Stockpiling for Allies, House insisted the matter was complex and could hinder defense planning. No hearings have been held on the provision, 48.

Metzenbaum, Formal advertising required on contracts for medical supplies, Non-germane; however the House also argued that this would be a procedural change involving delays and complication in procurement of medicines and medical supplies, 48.

Fong, Study to find island other than Kahoolawe for target practice, House insisted Kahoolawe essential for target practice and noted 1972 DoD study to that effect.

Metzenbaum, Require reports on competitive bidding, Non-germane; however the House also maintained that the reporting requirement would not benefit Congress and that Congress can obtain adequate information now.

McGovern, Congressional awards for POWs, Non-germane; however the House recognized the merits of the amendment and will consider separate legislation. The legislation has been introduced in both the House and Senate (S. 3192) introduced by Senators Stennis and Thurmond in Senate).

Hartke, Recomputation, Non-germane, although the House conferees indicated plans to consider major legislation to revise the entire military retirement system. Recomputation proposals could be presented then.

Committee, A-7/A-10 Flyoff, Language no longer necessary because the A-10 was declared the winner by DoD.

HOUSE AMENDMENTS TO H.R. 14592—ACTION TAKEN IN CONFERENCE

I. Major

A-7D aircraft for Air National Guard, retained conference rept. page No. 16.

Line item authorization for naval vessels, retained, conference rept. page No. 22.

91 flying Air National Guard units required, retained, merged with Nunn amendment, conference rept. page No. 40.

Sec. Def. authorized to exceed civilian strength by 1%, modified to ½%, conference rept. page No. 42.

Nuclear navy, modified to define major combat vessels more narrowly and allow President to advise if requests for nuclear powered vessels are not in the national interest, conference rept. page No. 51.

II. Minor

Patrol frigate money to be used only if fire control system satisfactorily tested, not retained in bill, but language in report, conference rept. page No. 21.

Specific authorization for naval gunnery, retained, conference rept. page No. 29.

Flexibility in form of civilian employment, essentially retained, merged with Taft amendment, conference rept. page No. 42.

Language on aid to South Vietnam, not retained, conference rept. page No. 43.

H.R. 14592

FISCAL YEAR 1975 AUTHORIZATION CONFERENCE ACTION

TITLE I—PROCUREMENT

[In millions of dollars]

	Fiscal year 1975 request		House		Senate		Change from House		Conference	
	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
Army aircraft:										
1. AH-1Q Attack Helicopter	21	27.5	21	27.5	6	15.0	-15	-12.5	6	15.0
2. Modification of Aircraft		165.0		160.5		158.3		-2.2		158.3
(a) Parachute product improvement		(2.2)		(2.2)				(-2.2)		(0)
Programs not in dispute				147.0		147.0				147.0
Recommended total				335.0		320.3		-14.7		320.3

Footnotes at end of table.

H.R. 14592—Continued

FISCAL YEAR 1975 AUTHORIZATION CONFERENCE ACTION

TITLE I—PROCUREMENT—Continued

[In millions of dollars]

	Fiscal year 1975 request		House		Senate		Change from House		Conference	
	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
<b>Navy aircraft:</b>										
3. A-4M Light Attack Skyhawk	24	57.3	24	57.3			-24	-57.3	0	0
4. A-7E Medium Attack Corsair II	34	138.2	34	138.2	34	130.7		-7.5	34	130.7
5. F-14A Fighter Tomcat	50	639.3	50	639.3	50	617.3		-22.0	50	617.3
6. AH-1J Attack Helicopter	20	24.9	20	24.9	14	19.5		-5.4	14	19.5
7. T-34C Trainer Aircraft			18	7.0				-18	18	7.0
8. Modification of Aircraft		338.5		335.0		333.6		-1.4		330.1
(a) T-34C Modification						(3.5)		(+3.5)		(0)
(b) OV-10 night gunship modification				(4.9)				(-4.9)		(0)
9. Spares and repair parts		374.2		374.2		373.4		-.8		373.4
(a) A-4M initial spares				(.8)				(-.8)		(0)
Programs not in dispute				1,386.2		1,388.2				1,388.2
Recommended total				2,964.1		2,862.7		-101.4		2,866.2
<b>Air Force aircraft:</b>										
10. A-7D Tactical Attack Corsair			24	100.1			-24	-100.1	24	100.1
11. A-10/A-7D Close Support Attack Aircraft	26	140.3	25	140.3	30	159.2		18.9	30	159.2
12. E-3A AWACS	12	494.4	6	247.2	12	494.4		247.2	6	328.7
13. E-3A Adv. Proc., Current Year		21.0		10.5		21.0		10.5		42.0
14. F-111F Adv. Proc., Current Year						15.0		15.0		15.0
15. MASF—A-37B Light Attack Aircraft	29	15.5	29	15.5			-29	-15.5		0
16. MASF—F-5F International Fighter	28	85.4	28	85.4			-28	-85.4		0
17. MASF—C-130H Tactical Transport	4	35.3	4	35.3		15.0		-20.3		15.0
18. MASF—UH-1H Utility Helicopter	77	25.0	77	25.0			-77	-25.0		0
19. MASF—CH-47C Cargo Helicopter	8	18.9	8	18.9			-8	-18.9		0
20. Modification of Aircraft		766.4		608.5		604.3		-4.2		604.3
(a) MASF		(10.2)		(10.2)				(-10.2)		(0)
(b) Civil Reserve Air Fleet		(132.9)		(132.9)				(-26.0)		(0)
(c) C-141 Stretch		(50.0)				(31.0)		(+31.0)		(51.0)
21. Other Production Charges		126.7		126.7		102.9		-23.8		126.5
(a) MASF				(1.2)				(-1.2)		(0)
(b) ALQ-119 ECM pods				(22.6)				(-22.6)		(22.6)
22. Common Ground Equipment		120.2		120.2		110.3		-9.9		110.3
(a) MASF				(2.8)				(-2.8)		(0)
(b) Civil Reserve Air Fleet				(7.1)				(-7.1)		(0)
23. Aircraft spares and repair parts		781.5		786.3		700.8		-85.5		722.8
(a) MASF		(57.6)		(57.6)				(-57.6)		(0)
(b) Civil Reserve Air Fleet		(15.0)		(15.0)				(-15.0)		(0)
(c) C-5/C-141		(8.1)		(9.1)				(-8.1)		(17.2)
(d) A-7D initial spares				(4.8)				(-4.8)		(4.8)
24. Component improvement		13.4		13.4		9.9		-3.5		9.9
(a) MASF		(3.5)		(3.5)				(-3.5)		(0)
25. War consumables		35.0		35.0		32.7		-2.3		32.7
(a) MASF				(2.3)				(-2.3)		(0)
26. Industrial facilities		31.8		31.8		29.5		-2.3		29.5
(a) MASF		(2.3)		(2.3)				(-2.3)		(0)
Programs not in dispute				991.3		991.3				991.3
Recommended total				3,991.4		3,286.3		-705.1		3,286.3
<b>Army missiles:</b>										
27. MASF—Tow Antitank Missile	24,000	107.1	24,000	107.1	23,860	104.6		-2.5		104.6
28. MASF—Other spares and repair parts		18.4		18.4		18.0		-.4		18.0
Programs not in dispute				313.9		313.9				313.9
Recommended total				439.4		436.5		-2.9		435.5
<b>Navy missiles:</b>										
29. Phoenix	340	94.7	340	94.7	340	93.2		-1.5	340	93.2
30. Bulldog					1,000	23.1		+23.1	500	15.4
31. Harpoon	150	78.2	150	78.2	100	70.5		-7.7	150	78.2
Programs not in dispute				447.7		447.7				447.7
Recommended total				620.6		634.5		+13.9		634.5
<b>Air Force missiles:</b>										
32. Maverick	6,000	88.0	6,000	88.0	6,000	57.7		-30.3	6,000	88.1
33. Modifications		49.0		49.0		40.9		-8.1		40.9
34. Minuteman Base Launch		13.6		13.6				-13.6		0
35. Missile spares: Minuteman Base Launch		2.0		2.0				-2.0		0
Programs not in dispute				1,458.2		1,458.2				1,458.2
Recommended total				1,610.8		1,556.8		-54.0		1,579.2
<b>Marine Corps missiles:</b>										
36. TOW	6,319	30.8	6,954	30.8	6,319	28.9		-1.9		28.9
Programs not in dispute				45.2		45.2				45.2
Recommended total				76.0		74.1		-1.9		74.1
<b>Navy shipbuilding and conversion:</b>										
37. SSN Submarine (Nuclear attack)	3	502.5	3	502.5	2	335.0		-167.5	3	502.5
38. SCS Sea Control Ship	1	142.9	1	142.9				-142.9		0
39. PF Patrol Frigate	7	436.5	7	436.5	3	186.0		-250.5	3	186.0
40. AD Destroyer Tender	1	116.7	1	116.7				-116.7		0
41. Outfitting Material, all other		27.2		27.2		21.9		-5.3		21.9
(a) Various ships				(3.9)				(-3.9)		(0)
(b) MASF				(1.4)				(-1.4)		(0)
Programs not in dispute				2,313.3		2,313.3				2,313.3
Recommended total				3,539.1		2,856.2		-682.9		3,156.4
<b>Army tracked combat vehicles:</b>										
42. M578 Recovery vehicle	180	27.9	180	27.9	178	27.6		-.3	178	27.6
(a) MASF	(2)	(.3)	(2)	(.3)				(-.3)		(0)
43. M30A1 Turret Trainer (M60A1)	34	6.0	34	6.0	34	4.5		-1.5	34	4.5
44. MASF—M125A1 Carrier, 81 mm mortar	13	.8	13	.8				-13		0

July 30, 1974

	Fiscal year 1975 request		House		Senate		Change from House		Conference	
	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
45. M113A1 Armored Personnel Carrier.....	194	9.4	496	24.0	.....	.....	-496	-24.0	151	7.3
(a) Other.....	.....	.....	(302)	(14.6)	.....	.....	(-302)	(-14.6)	(151)	(7.3)
(b) MASF.....	.....	.....	(194)	(9.4)	.....	.....	(-194)	(-9.4)	.....	(0)
46. Support equipment and facilities—items less than \$500,000.....	.....	1.6	.....	1.6	.....	1.1	.....	-0.5	.....	1.1
(a) MASF.....	.....	(.5)	.....	(.5)	.....	.....	.....	.....	.....	(0)
47. Support equipment and facilities—spares and repair parts.....	.....	11.6	.....	11.6	.....	10.8	.....	-.8	.....	10.8
(a) MASF.....	.....	(.8)	.....	(.8)	.....	.....	.....	(-.8)	.....	(0)
Programs not in dispute.....	.....	.....	.....	249.3	.....	249.3	.....	.....	.....	249.3
Recommended total.....	.....	.....	.....	321.2	.....	293.3	.....	-27.9	.....	300.6
Marine Corps tracked combat vehicles.....	.....	80.1	.....	74.2	.....	74.2	.....	.....	.....	74.2
Navy torpedoes.....	.....	187.7	.....	187.7	.....	187.7	.....	.....	.....	187.7
Army other weapons:										
48. Vulcan Air Defense System.....	.....	.....	.....	2.3	.....	.....	.....	-2.3	.....	2.3
49. M202A1 launcher, incendiary rocket.....	3,049	2.6	3,049	2.6	2,003	1.7	-1,046	-.9	2,003	1.7
(a) Allied War Reserve.....	.....	.....	.....	(.1)	.....	.....	.....	(-.1)	.....	(0)
(b) MASF.....	.....	(.1)	.....	(.1)	.....	.....	.....	.....	.....	(0)
50. M60 machine gun, 7.62 mm.....	6,000	5.0	6,000	5.0	1,237	1.0	-4,763	-4.0	5,906	4.9
(a) Allied War Reserve.....	.....	(4.9)	.....	(4.9)	.....	(1.0)	.....	(-3.9)	(5,906)	(4.9)
(b) MASF.....	.....	(.1)	.....	(.1)	.....	.....	.....	(-.1)	.....	(0)
51. MASF—M16A1 Rifle, 5.56 mm.....	9,114	1.3	9,114	1.3	.....	.....	-9,114	-1.3	.....	0
52. Support Equipment and Facilities—Items less than \$500,000.....	.....	2.4	.....	2.4	.....	2.2	.....	-.2	.....	2.2
(a) MASF.....	.....	(.2)	.....	(.2)	.....	.....	.....	(-.2)	.....	(0)
53. Support Equipment and Facilities—Spares and Repair Parts.....	.....	8.7	.....	8.7	.....	7.7	.....	-1.0	.....	7.7
(a) MASF.....	.....	(1.0)	.....	(1.0)	.....	.....	.....	(-1.0)	.....	(0)
Programs not in dispute.....	.....	.....	.....	33.4	.....	33.4	.....	.....	.....	33.4
Recommended total.....	.....	.....	.....	55.7	.....	46.0	.....	-9.7	.....	52.2
Navy other weapons:										
54. Weapons under \$500,000.....	.....	.3	.....	.3	.....	.2	.....	-.1	.....	.2
(a) MASF.....	.....	(.1)	.....	(.1)	.....	.....	.....	(-.1)	.....	(0)
Programs not in dispute.....	.....	.....	.....	25.3	.....	25.3	.....	.....	.....	25.3
Recommended total.....	.....	.....	.....	25.6	.....	25.5	.....	-.1	.....	25.5
Marine Corps other weapons.....	.....	.5	.....	.5	.....	.5	.....	.....	.....	.5
Grand total—Title I Procurement.....	.....	13,805.1	.....	13,641.3	.....	12,654.6	.....	-986.7	.....	12,994.2

Note: MASF program:  
House authorized MASF as part of Title I—Procurement.  
Senate authorized MASF as Section 701—Funding Authority for Support of South Vietnamese Military Forces.

House-Senate difference on items requiring authorization are identified on separate sheet.

FISCAL YEAR 1975 AUTHORIZATION CONFERENCE ACTION  
TITLE VII—SECTION 701  
SUPPORT OF SOUTH VIETNAMESE MILITARY FORCES  
[In millions of dollars]

	Fiscal year 1975 request		House		Senate		Conference	
	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
Air Force aircraft:								
1. A-37B.....	29	15.5	29	15.5	.....	.....	29	15.5
A-37 init. spares.....	.....	.2	.....	.2	.....	.....	.....	.2
2. C-130 aircraft.....	4	20.3	4	20.3	.....	.....	4	20.3
C-130 init. spares.....	.....	1.7	.....	1.7	.....	.....	.....	1.7
Army missiles:								
3. TOW launchers.....	51	2.0	51	2.0	.....	.....	51	2.0
Navy shipbuilding:								
4. Outfitting and post delivery (PG).....	.....	1.4	.....	1.4	.....	.....	.....	1.4
Army tracked combat vehicles:								
5. M-113 personnel carrier.....	194	9.4	194	9.4	.....	.....	194	9.4
6. M-125 mortar carrier.....	13	.8	13	.8	.....	.....	13	.8
Army other weapons:								
7. M60 machine gun.....	94	.1	94	.1	.....	.....	94	.1
8. M202A1 rocket launcher.....	84	.1	84	.1	.....	.....	84	.1
Programs not in dispute.....	.....	.....	.....	212.3	.....	212.3	.....	212.3
Recommended total.....	.....	287.4	.....	263.9	.....	212.3	.....	263.9

TITLE II  
RESEARCH, DEVELOPMENT, TEST AND EVALUATION SUMMARY OF CONFERENCE ACTION  
[In thousands of dollars]

Program element	Fiscal year 1975 request	House		Senate		Conference
		Change	Authorization	Change from House	Authorization	
<b>ARMY</b>						
Aerial Scout.....	6,000	.....	6,000	-5,360	640	1,916
Heavy lift helicopter.....	57,725	.....	57,725	-21,200	36,525	36,525
Utility tactical transport aircraft system (UTTAS).....	54,060	-5,000	49,060	+5,000	54,060	54,060
Cobra TOW.....	.....	-4,500	4,500	.....	4,500	4,500
Stinger.....	33,730	.....	33,730	-1,500	32,230	32,230
Chaparral/Vulcan.....	7,229	.....	7,229	-5,800	1,429	3,029
Site defense.....	160,000	-10,000	150,000	-40,000	110,000	123,000
Pershing II.....	11,200	.....	11,200	-11,200	.....	5,000

TITLE II—Continued  
RESEARCH, DEVELOPMENT, TEST AND EVALUATION SUMMARY OF CONFERENCE ACTION—Continued  
[In thousands of dollars]

Program element	Fiscal year 1975 request	House		Senate		Conference
		Change	Authorization	Change from House	Authorization	
<b>ARMY—Continued</b>						
Advanced forward area air defense system	44,668	-29,668	15,000	+29,668	44,668	30,668
Advanced ballistic missile defense	91,410	-26,410	65,000	+26,410	91,410	91,410
Canon launched guided projectile	12,556	-6,256	6,300	+6,256	12,556	6,300
Surface-to-air missile development (SAM-D)	111,215	-11,215	100,000	+11,215	111,215	111,215
Kwajalein Missile Range	84,554	-4,554	80,000	+4,554	84,554	82,000
Bushmaster	7,030	-2,930	4,100	+30	4,130	4,100
Armored reconnaissance Scout vehicle	8,062	-3,762	4,300	-138	4,162	4,162
XM-1 tank	68,790	-1,600	65,000	+290	65,290	65,000
Weapons and ammunition	7,306	-1,894	3,000	+1,600	7,306	5,706
Lethal chemical munitions	4,894	-1,700	10,711	-6	2,994	3,000
Mechanized infantry combat vehicle	9,011	+1,700	10,711	-1,700	9,011	10,711
Triservice tactical communications program	37,273	-2,273	35,000	+2,273	37,273	35,000
Clothing, equipment, and packaging technology	2,220	+1,500	3,720	-1,500	2,220	2,220
Food technology	5,986	+500	6,486	-500	5,986	5,986
Surveillance, target acquisition, and night systems (STANO)	15,398	-2,398	13,000	+2,398	15,398	14,000
Classified program	20,529	-4,029	16,500	+4,029	20,529	20,529
Safeguard	60,794		60,794		60,794	60,794
Programs not in dispute	1,064,336		1,064,336		1,064,336	1,064,336
Total, Army program	1,985,976	-107,579	1,878,397	+4,819	1,883,216	1,873,397
Reimbursements from foreign military sales				7,973	-7,973	-7,973
Total, Army budget authority	1,985,976	-107,579	1,878,397	-3,154	1,875,243	1,870,424
<b>NAVY</b>						
Tactical air reconnaissance	5,300		5,300	-5,300		2,400
Classified program	5,700		5,700	-5,700		2,900
VFX (carrier on board delivery program)	4,961		4,961	-4,461	500	500
VFX fighter prototype	34,000	-34,000		+34,000	34,000	30,000
Surface launched weaponry	13,142		13,142	-4,000	9,142	9,142
Sanguine	13,205		13,205	-2,800	11,405	13,205
Surface missile guidance (adv.)	3,000		3,000	-2,000	1,000	1,000
Trident missile system	648,767		648,767	-15,000	633,767	641,094
Fleet ballistic missile system	46,669	-9,669	37,000	+9,669	46,669	38,669
Sidewinder	522	+5,000	5,522	-5,000	522	12,522
Air launched air-to-air missile (Agle)	19,987		19,987		19,987	
SLCM	44,971	-2,500	42,471	+4,500	37,971	41,000
Aegis	67,012	-17,012	50,000	+17,012	67,012	63,000
Close-in weapon system (Phalanx)	32,100	-20,000	12,100	+20,000	32,100	15,000
Surface missile guidance	32,222	-7,200	25,022	+7,200	32,222	25,222
Advanced ship development	19,042	-3,000	16,042	-400	15,642	16,842
Radar surveillance equipment (eng.)	10,940		10,940	-3,000	7,940	10,000
Surface effect ships	57,981		57,981	-12,200	45,781	45,781
Improved SSBN	16,000		16,000	-16,000		
Classified program	7,319		7,319	-4,000	3,319	6,000
Classified program	24,096		24,096	-1,900	22,196	24,096
U.S.S. Hip Pocket	3,129	-3,129		+3,129		985
Programs not in dispute	2,154,438		2,154,438		2,154,438	2,154,438
Total, Navy program	3,264,503	-111,497	3,153,006	+25,736	3,178,742	3,153,006
Reimbursements from foreign military sales				-27,700	-27,700	-27,700
Total, Navy budget authority	3,264,503	-111,497	3,153,006	-1,964	3,151,042	3,125,306
<b>AIR FORCE</b>						
A-10 aircraft	93,905		93,905	-12,500	81,405	81,405
F-4 avionics	13,600		13,600	-1,000	12,600	13,600
Aircraft equipment development	4,994		4,994	-1,000	3,994	4,994
Electronically Agile radar	14,789		14,789	-4,000	10,789	4,000
Gas turbine technology	20,000		20,000	-1,800	18,200	14,789
Advanced tanker/cargo aircraft	498,973		498,973	-15,500	483,473	8,000
B-1	36,000	-5,000	31,000	+5,000	36,000	454,973
Air combat fighter	119,943	-15,000	104,943	+26,900	131,843	32,000
Advanced ballistic reentry system	3,100	+3,100				124,000
Advanced air-to-air weapons technology	80,000	-5,000	75,000	-11,000	64,000	71,500
Air-launched cruise missile	142,900		141,900	-19,000	123,900	123,900
Minuteman	8,000	-8,000		+8,000		8,000
SLBM radar warning system	25,400	-2,500	22,900	+2,500	25,400	23,900
NAVSTAR global positioning system	24,900	-4,900	20,000	+4,900	24,900	20,000
Conventional weapons	9,690	-7,500	2,190	+4,10	2,200	2,190
Improved aircraft gun system	18,000		18,000	-11,000	7,000	17,000
Drone/RPV systems development	11,828		11,828	-3,500	8,328	11,828
Improved tactical bombing	5,400		5,400	-1,400	4,000	5,400
F-4/F-105 protective systems	15,700		15,700	-3,000	12,700	14,700
Joint tactical communications	7,500		7,500	-2,000	5,500	6,500
Minimum essential emergency communications network	1,500		1,500	+5,000	6,500	6,500
Advanced command and control capabilities	12,300	-2,000	10,300	+2,000	12,300	10,300
Conus over-the-horizon radar system	21,900	-3,100	18,800	+3,100	21,900	10,500
Improved capability for operational test and evaluation	25,100	-3,000	22,100	+3,000	25,100	22,100
Precision emitter location strike system						
Programs not in dispute	2,305,438		2,305,438		2,305,438	2,305,438
Total, Air Force budget authority	3,518,860	-59,100	3,459,760	-70,290	3,389,470	3,389,517
<b>DEFENSE AGENCIES</b>						
<b>DARPA:</b>						
Military sciences	41,100	-2,800	38,300	+2,800	41,100	38,300
Strategic technology	25,000	-6,000	19,000	+3,700	22,700	19,000
Management systems technology	2,743		2,743	-2,743		
Undistributed reduction		-8,000	-8,000	+8,000		-3,000
<b>DCA:</b>						
WWMCCS-JTSA	4,550		4,550	-1,000	3,550	3,550
Defense communications system	13,605		13,605	-3,500	10,105	10,105
Undistributed reduction		-5,000	-5,000	+5,000		
<b>DMA:</b>						
Mapping, charting and geodesy development	5,651		5,651	-1,000	4,651	4,651
Undistributed reduction		-2,000	-2,000	+2,000		-1,000

July 30, 1974

Program element	Fiscal year 1975 request	House		Senate		Conference
		Change	Authorization	Change from House	Authorization	
ISA:	11,778		11,778	-500	11,278	11,278
Defense documentation center.....		-500	-500	+500		
Undistributed reduction.....		-1,300		-300		
JIA (classified).....		-3,000		+1,000		
JNA (classified).....		-10,800		+5,800		
USA (classified).....	18,800	-3,800	15,000	+3,800	18,800	17,800
Technical support to OSD/JCS.....	122,373		122,373		122,373	122,373
Programs not in dispute.....						
Total, Defense agencies budget authority.....	528,700	-43,200	485,500	+24,157	509,657	491,057
Director of Test and Evaluation.....	27,000	-2,000	25,000	+2,000	27,000	25,000
Total, R.D.T. & E. program.....	9,325,039	-323,376	9,001,663	-13,578	8,988,085	8,936,977
Reimbursements from foreign military sales.....				-35,673	-35,673	-35,673
Total, R.D.T. & E. budget authority.....	9,325,039	-323,376	9,001,663	-49,251	8,952,412	8,901,304

Mr. METZENBAUM. Mr. President, I rise today to express my disappointment that two amendments to H.R. 14592, which would have moved us closer to competitive bidding in military procurement were deleted from the conference committee report.

I am disturbed, not because I proposed the amendments, but rather because this is another example of Congress lacking the backbone to stand up for what it says it believes.

Many of my colleagues in this distinguished body have spoken out in favor of economy in government, especially in this time of rampant inflation. But when it comes time to apply this principle to military procurement, far too many of my fellow Members of Congress walk away from the problem.

Certainly this is the case with these two amendments.

My first amendment, adopted on June 7, by a vote of 38-23, would have taken a concrete step toward increasing competition in one clearly defined area of defense procurement that is presently exempt from important provisions of the Armed Services Procurement Act—the purchase of medicine and medical supplies for the military services. I did not see then, nor do I see today, any reason whatever for all medical purchases to be exempt from formal advertising, whenever the Department of Defense so determines.

The percentage of medicine and medical supplies purchased through any type of competitive bidding has continually and dramatically declined over the last 5 years. At present, the Pentagon employs formal advertising for less than 5 percent of all medicine, and less than 6 percent of all medical supplies purchased. Other governmental bodies on State and local levels manage to use open bidding procedures for virtually all of their medical purchases. I see no reason why the Pentagon cannot adhere to such practices.

I further believe that both the Congress and the people of the United States are entitled to full justification in any instance when the Defense Department feels compelled to spend more than \$1 million without resorting to formal advertising. This requirement, along with a second calling for a thorough GAO study of recent procurement procedures by the Defense Department provided the thrust of my second amendment to H.R. 14592, one adopted by a voice vote in the Senate on June 10.

The justification for this amendment, it seems to me is overwhelming. In 1965, formally advertised contracts constituted 17.5 percent of the value of all defense contracts let that year. In 1973, the last year for which information is available, formally advertised contracts declined to only 10.8 percent of the value of all defense contracts awarded.

Yet, a recent study by the Joint Economic Committee determined that the change from sole source to competitive bidding in the purchase of 17 sophisticated weapons and communications systems by the Pentagon over the past decade resulted in an average price reduction of 51.9 percent. In no case did competitive bidding raise the cost of a Pentagon purchase.

Despite the obvious dollar-savings advantages of both my amendments, the conferees deleted both as nongermane. I am astonished at this conclusion. How could anything be more germane to military procurement than requirements that seek to increase the use of competitive bidding?

Nor do I accept the logic that time-consuming hearings before the Senate Armed Services Committee are necessary for us to correct what is an easily identifiable wrong.

I believe that both of my amendments would have prodded the Defense Department to adopt a lean, tough attitude toward its huge shopping list.

At a time when we are paring human needs programs by the millions, we had the opportunity to trim the fat from the \$90 billion military budget. We have missed that opportunity, for now, I have great respect for the chairman of our Armed Services Committee and I appreciate his efforts to retain these amendments in the conference, but I do feel a deep sense of regret that these small attempts to achieve economies in Pentagon spending were rejected.

I hope that both amendments will be considered in the 94th Congress. If we are to do anything to restrain total Federal spending, we must begin with the military budget, which represents about 70 percent of all controllable spending by the Federal Government.

Mr. PELL. Mr. President, when the Senate in June considered the military procurement authorization bill (H.R. 14592), I voted against final passage of the bill because I believed the legislation provided excessive and nonessential authority for increased defense spending.

Today, I have voted against approval of the conference report on this legislation for the same reason. Indeed, the bill as it emerged from conference provides authority for more Defense Department spending than did the bill as it was passed by the Senate. The Senate bill authorized \$21.8 billion, and the conference report boosts that total by an additional \$340 million and this includes only direct procurement authorizations.

In voting against the conference report, however, I emphasize that a major portion of the funds authorized by the bill are for programs and projects essential to an effective national defense. For example, specifically, the Senate bill and the conference report include \$1,166,800,000 for the Trident submarine program, representing about 5 percent of the total funds in the bill. The Trident I believe is the capital ship of the future for our Navy, and is essential for a secure nuclear deterrent in the coming decades.

But considering the severe economic problems confronting our country, including a declining gross national product and spiraling inflation, I believe we have a particular responsibility to bring general Defense Department spending under control and to eliminate nonessential spending.

When we considered the bill in the Senate, I supported amendments to reduce substantially our military assistance funds to South Vietnam, and to cut back substantially the number of American servicemen stationed overseas. Unfortunately, those amendments, which would have saved hundreds of millions of dollars, were defeated.

The bill as reported by the conference committee is even more extravagant. It increases military assistance to South Vietnam by \$100 million over the Senate bill to a total of \$1 billion. Where the Senate had required a modest reduction of 46,213 in military manpower, the conference report imposes no meaningful reduction. Where the Senate bill had at least a modest provision requiring a reduction of 23,000 in noncombat support troops in Europe, that too was watered down to 18,000 in the conference report. In addition, the conference report restores nearly \$400 million for further work on the B-1 bomber, a highly expensive new weapon system for which there is no clear-cut security justification.

If we are to keep Government spending under control, we must bring defense

July 30, 1974

spending under control, and we must begin to make hard distinctions between essential expenditures and nonessential wasteful expenditures. It is because I believe this bill fails to do so that I have voted both against the bill when it was considered by the Senate against approval of this even more expensive conference report.

The PRESIDING OFFICER (Mr. HATHAWAY). Under the previous order, the vote will now occur on the question of agreeing to the conference report on H.R. 14592. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT) is necessarily absent.

I further announce that the Senator from Minnesota (Mr. HUMPHREY) is absent on official business.

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

Mr. GRIFFIN. I announce that the Senator from Kentucky (Mr. COOK), and the Senator from Hawaii (Mr. FONG), are necessarily absent.

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

The result was announced—yeas 88, nays 8, as follows:

[No. 333 Leg.]

YEAS—88

Aiken	Fannin	Moss
Allen	Goldwater	Muskie
Baker	Gravel	Nelson
Bartlett	Griffin	Nunn
Bayh	Gurney	Packwood
Beall	Hansen	Pastore
Bellmon	Hart	Pearson
Bennett	Hartke	Percy
Bentsen	Haskell	Proxmire
Bible	Hathaway	Randolph
Brock	Helms	Ribicoff
Brooke	Hollings	Roche
Buckley	Hruska	Schweiker
Burdick	Huddleston	Scott, Hugh
Byrd	Inouye	Scott,
Harry F., Jr.	Jackson	William L.
Byrd, Robert C.	Javits	Sparkman
Cannon	Johnston	Stafford
Case	Kennedy	Stennis
Chiles	Long	Stevens
Church	Magnuson	Stevenson
Cotton	Mathias	Symington
Cranston	McClellan	Taft
Curtis	McClure	Talmadge
Dole	McGee	Thurmond
Domenici	McGovern	Tower
Dominick	McIntyre	Tunney
Eagleton	Metcalf	Weicker
Eastland	Mondale	Williams
Ervin	Montoya	Young

NAYS—8

Abourezk	Hatfield	Metzenbaum
Biden	Hughes	Pall
Clark	Mansfield	

NOT VOTING—4

Cook	Fulbright	Humphrey
Fong		

So the conference report was agreed to. Mr. STENNIS. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, with this conference report, the Senate of course

concludes its final work on the procurement bill for this year.

Like all complicated legislation, it would not have been possible to consider and complete the intensive work on these complicated subjects without the excellent assistance of the armed services staff, whose knowledge and experience are always valuable.

The Senate knows we have a relatively small staff of about 12 to 15 professional persons to handle our entire legislative load.

I wish to commend our entire staff which is headed by T. Edward Braswell, Jr., chief counsel and staff director. I want each staff member to be aware of the contribution he has made.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination of Rear Adm. Edwin K. Snyder, who is leaving the country this evening for a foreign assignment. The nomination was reported earlier today.

The PRESIDING OFFICER. The nomination will be stated.

## U.S. NAVY

The legislative clerk read the nomination of Rear Adm. Edwin K. Snyder, U.S. Navy, for commands and other duties of great importance and responsibility commensurate with the grade of vice admiral within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Mr. STENNIS was recognized.

Mr. STENNIS. Mr. President, I shall just take 1 minute.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, Admiral Snyder has been outstanding as our legislative liaison officer for a couple of years. He is being promoted now and is leaving tonight for Taiwan, where he has an important assignment. I think it would be well, since there is a unanimous report, if we could confirm this nomination today. I ask that the nomination be confirmed.

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

Mr. STENNIS. Yes, I yield.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, Admiral Snyder is one of the ablest naval officers with whom I have come in contact. He has rendered a very fine service here as Chief of Navy Liaison. I think that most of the Senators know him. I would hope that he could be confirmed right away so that he can proceed with his new duties.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified.

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

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

## UNITED NATIONS WORLD FOOD CONFERENCE

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, appoints the following Senators to attend the United Nations World Food Conference, to be held in Rome, Italy, November 5-16, 1974: the Senator from Ohio (Mr. METZENBAUM), the Senator from Kansas (Mr. PEARSON), the Senator from Oregon (Mr. HATFIELD), and the Senator from North Carolina (Mr. HELMS).

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. Under the previous order, the unfinished business, S. 707, will be laid before the Senate.

Mr. MANSFIELD. I ask unanimous consent that it continue to be laid aside temporarily.

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

## EXPORT ADMINISTRATION ACT AMENDMENTS OF 1974

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of S. 3792, a bill to amend and extend the Export Administration Act of 1969; that it be laid before the Senate and made the pending business; that it remain the pending business until the hour of 3 o'clock, at which time, debate on the cloture motion will get underway. At 4:15, the vote on cloture will occur. If the vote on cloture fails, then I ask, on the same status as of now, that the Senate then return to S. 3792, the Export Administration Act.

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

The bill will be stated by title.

The legislative clerk read as follows: A bill (S. 3792) to amend and extend the Export Administration Act of 1969.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. BAYH. Will the Senator from Illinois yield for 1 minute for a unanimous-consent request?

Mr. STEVENSON. I yield.

Mr. BAYH. Mr. President, I ask unanimous consent that Mr. Howard Paster and Ms. Barbara Dixon of my staff be accorded the privilege of the Senate floor during this debate. I have two amendments.

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

Mr. ROBERT C. BYRD. Mr. President,

McClory	Powell, Ohio	Steed
McKay	Rallsback	Steele
McSpadden	Rangel	Stuckey
Madden	Rarick	Symms
Mann	Reid	Talcott
Mraziti	Robison, N.Y.	Teague
Martin, N.C.	Rodino	Thornton
Martin, Ga.	Rooney, N.Y.	Towell, Nev.
Malone	Rose	Treen
Mazoli	Roy	Udall
Melcher	Ruppe	Vander Jagt
Metcalf	Sandman	Waldie
Mezvlinsky	Sarbanes	Whitten
Moorhead,	Schneebell	Wiggins
Calif.	Sebelius	Wilson, Bob
Murphy, Ill.	Seiberling	Wilson,
Murphy, N.Y.	Shriver	Charles H.,
Owens	Sisk	Calif.
Peysers	Smith, N.Y.	Young, Alaska
Pickie	Stark	Young, Ill.

The SPEAKER. On this rollcall 303 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING ADDITIONAL COPIES OF HEARINGS AND FINAL REPORT OF JUDICIARY COMMITTEE ON IMPEACHMENT INQUIRY

Mr. BRADEMAs. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93-1228) on the concurrent resolution (H. Con. Res. 566) to provide additional copies of hearings and the final report of the Judiciary Committee on the impeachment inquiry and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 566

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for use of the Committee on the Judiciary five thousand additional copies of all parts of its hearings concerning the impeachment inquiry, pursuant to H. Res. 103.

SEC. 2. There shall be printed for use of the House Committee on the Judiciary one thousand additional copies of its final report to the House.

Mr. BRADEMAs. Mr. Speaker, House Concurrent Resolution 566 would provide the Committee on the Judiciary with additional copies of several documents of the committee relating to the impeachment inquiry.

First, the resolution would authorize the printing of 5,000 additional copies of the hearings concerning the impeachment inquiry. These documents will include the transcripts of eight recorded Presidential conversations; a comparison of certain portions of the White House and Judiciary Committee versions of the tapes; evidentiary materials submitted to the committee, including material submitted by the President's counsel, Mr. St. Clair; and transcripts of oral testimony before the committee.

The resolution would also authorize the printing of 10,000 additional copies of the committee's final report to the House on the impeachment inquiry.

Mr. Speaker, the purpose of this resolution is to provide the Committee on the Judiciary with sufficient copies of these documents to fill requests to the committee from Members of Congress and from the public.

The committee was authorized by the House of Representatives to conduct a full and complete investigation to determine whether sufficient grounds exist for the House to exercise its constitutional power to impeach the President of the United States and to report to the House such resolutions, articles of impeachment, or other recommendations, as it deems proper.

For the last several months, the Committee on the Judiciary has considered volumes of evidentiary material, and during the last few weeks, it has received oral testimony from a number of witnesses.

The committee believed that it was in the public interest to release all this information and evidentiary material.

Mr. Speaker, by law the Committee on the Judiciary is limited to a little over a thousand copies of each of these documents. However, the committee has found that this supply is totally inadequate to meet the great demand for these documents. This resolution would simply provide the committee with additional copies of these important documents to meet this demand, and I urge my colleagues to support the Senate amendment to this resolution.

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

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

Mr. GROSS. Mr. Speaker, this proposal, unlike the one that was defeated under the suspension of the rules, reduces in the first instance the number from 10,000 to 5,000 copies and in the second instance reduces the number from 50,000 to 20,000 copies.

Mr. BRADEMAs. The gentleman is correct except that in the first instance, the number is reduced from 20,000 to 5,000 copies.

Mr. GROSS. Would the gentleman state how the reduced number of copies will be distributed?

Mr. BRADEMAs. Copies would be made available, I will say to the gentleman from Iowa, to the Committee on the Judiciary for distribution in response to requests, as I said earlier, on the part of Members of Congress and of the public. Each Member of the House should by now have received one set of the several volumes that have already been printed under the standing authority of the committees of the House to print 1,000 copies of such documents. There is no stipulation in the resolution providing that each Member of the House receive a certain number of volumes.

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

Mr. BRADEMAs. Of course, I yield further to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, have these copies been printed?

Mr. BRADEMAs. No, they have not been printed.

Mr. GROSS. The previous request for printing 10,000 copies in the first instance and 50,000 in the second instance would have resulted in a charge of some \$1 million?

Mr. BRADEMAs. If the gentleman will allow me to make one correction in what

he said, the previous resolution would have provided not for 10,000 but for 20,000 copies.

Mr. GROSS. And would have resulted in a bill close to \$1 million.

Mr. BRADEMAs. The gentleman is correct.

Mr. GROSS. Mr. Speaker, I commend the committee for having reduced very substantially the number. It certainly will cut the cost and I believe it will fit the need. I therefore have no objection.

Mr. BRADEMAs. I thank the gentleman from Iowa.

The concurrent resolution was agreed

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAs. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection. (Mr. BRADEMAs asked and was given permission to revise and extend his remarks.)

CONFERENCE REPORT ON H.R. 14592, AUTHORIZING MILITARY PROCUREMENT APPROPRIATIONS, 1975

Mr. HEBERT. Mr. Speaker, I call up the conference report on the bill (H.R. 14592) to authorize appropriations during the fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection. The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 24, 1974.)

Mr. HEBERT (during the reading). Mr. Speaker, in view of the fact that the conference report (H. Rept. 93-1212) has been printed and available to the Members and also printed in the CONGRESSIONAL RECORD of Wednesday, July 24, 1974, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

(Mr. HÉBERT asked and was given permission to revise and extend his remarks.)

Mr. HÉBERT. Mr. Speaker, your House conferees on H.R. 14592 are pleased to report that they have reached an agreement with the other body in respect to the differences between the House and Senate actions on this legislation.

This bill will provide the fiscal year 1975 authorization to the armed services for appropriations for the procurement of weapons systems and related

research, development, test, and evaluation. It will also, among other things, prescribe the authorized personnel strengths of both the Active and Reserve components of our Armed Forces, and the civilian personnel strength of the Department of Defense.

The President's fiscal year 1975 budget contains a total authorization request of \$23.1 billion for these purposes. This request was reduced by the House to \$22.6 billion, while the Senate authorized \$21.8 billion.

As a result of the conference to resolve the differences between the House and

Senate actions on this administration request, the new total reflected in the conference report is \$22.195 billion. Thus, the conference report is \$340.1 million more than the measure voted by the Senate, and it is approximately \$448 million less than the \$22.6 billion previously approved by the House.

For purposes of the printed RECORD, I will incorporate at this point in my statement a comparative summary by major weapons categories, actions previously taken by the two bodies on this bill together with the final conference action:

## DEPARTMENT OF DEFENSE, FISCAL YEAR 1975 AUTHORIZATION BILL, SUMMARY BY MAJOR WEAPON CATEGORY

[In thousands of dollars]

	Request	House	Senate	Authorized		Request	House	Senate	Authorized
<b>Aircraft:</b>					<b>Marine Corps</b>	500	500	500	500
Army	339,500	335,000	320,300	320,300	Subtotal	79,500	81,800	72,000	78,200
Navy and Marine Corps	2,960,600	2,964,100	2,862,700	2,866,200	Total procurement	13,805,100	13,641,300	12,654,600	12,994,200
Air Force	3,496,600	3,391,400	3,286,300	3,286,300	<b>Research, development, test, and evaluation:</b>				
Subtotal	6,796,700	6,690,500	6,469,300	6,472,800	Army	1,985,976	1,878,397	1,883,216	1,878,397
<b>Missiles:</b>					Navy	3,264,503	3,153,006	3,178,742	3,153,006
Army	459,200	439,400	436,500	436,500	Air Force	3,518,860	3,459,760	3,389,470	3,389,517
Navy	620,600	620,600	634,500	634,500	Defense agencies	528,700	485,500	509,657	491,057
Marine Corps	76,000	76,000	74,100	74,100	Test and evaluation	27,000	25,000	27,000	25,000
Air Force	1,610,800	1,610,800	1,556,800	1,579,200	Gross total R.D.T. & E.	9,325,039	9,001,663	8,988,085	8,936,977
Subtotal	2,766,600	2,746,800	2,701,900	2,724,300	Reimbursements from foreign military sales			-38,673	-35,673
<b>Naval vessels: Navy</b>	3,562,600	3,539,100	2,856,200	3,156,400	Net total R.D.T. & E.	9,325,039	9,001,663	8,952,412	8,901,304
<b>Tracked combat vehicles:</b>					Total procurement and R.D.T. & E.	23,130,139	22,642,963	21,607,012	21,895,504
Army	331,900	321,200	293,300	300,600	Procurement assistance to South Vietnam (title VII)	(287,360)	(263,860)	212,300	263,860
Marine Corps	80,100	74,200	74,200	74,200	Grand total procurement and R.D.T. & E.	23,130,139	22,642,963	21,819,312	22,159,364
Subtotal	412,000	395,400	367,500	374,800					
<b>Torpedoes: Navy</b>	187,700	187,700	187,700	187,700					
<b>Other weapons:</b>									
Army	53,400	55,700	46,000	52,200					
Navy	25,600	25,600	25,500	25,500					

The conference action required 15 separate meetings during the period June 20 through July 23, 1974.

Lest some Members of this body minimize the problems confronted by your conferees, let me briefly review the magnitude of the differences.

The procurement portion of the bill contained 54 major differences involving weapons systems.

The research, development, test, and evaluation portion of the bill contained 89 significant program differences.

Further complicating this problem were 49 substantive language differences. Each of these language differences created a separate set of problems involving, for example, items such as: Active duty manpower strengths; civilian personnel strengths; reserve strengths; research on animals; missile flight testing from operational bases in the United States; disposal of naval vessels; restrictions on CIA activities; utilization of the Island of Culebra for target practice; restrictions on the export of technology; and recomputation of military retired pay.

All of these, and many more, taxed the patience and the capabilities of your House conferees. Seven of the language differences were rejected by the House conferees on the basis of the House rule regarding germaneness. However, this was only accomplished after considerable discussion because of the understandable reluctance of the Senate conferees to acknowledge or accept the leg-

islative restrictions imposed by the House rules.

Certain of the differences, such as that relating to the exporting of our technology to foreign countries were only resolved by substantial language changes that brought the provision within the House rules.

My purpose in mentioning all of these facets of the conference problems is to enable the Members to better understand the reason why the conference meetings were so protracted.

Details of the conference action have been printed in the CONGRESSIONAL RECORD, dated Wednesday, June 24, 1974. I trust that all the Members have had an opportunity to review the detailed statement of managers in explanation of the action taken by the conferees. However, in view of the special interest that many Members have in specific actions taken by the conferees, I will now briefly refer to a few of them and attempt to explain further the basis for the action taken.

## MASF

The Defense Department had requested \$1.6 billion in support of the MASF program for fiscal year 1975. The House authorized \$1.126 billion for this purpose, while the Senate recommended a total of \$900 million. The conferees resolved this difference by agreeing upon a program limitation of \$1 billion for military assistance to South Vietnam during fiscal year 1975.

Both bodies had agreed that this program should be subject to separate ac-

counting for obligations incurred under the program. However, the Senate, in addition, recommended separate appropriations for this account. Your House conferees accepted this Senate action as being consistent with the objectives of the House and therefore agreed to the Senate language. In taking this action, the House conferees therefore agreed to transfer \$263.9 million from title I, of the procurement title, to a new title in the bill establishing a new program for military assistance to South Vietnam which is not service funded. In essence, therefore, the military assistance program for South Vietnam will be handled essentially as a MAP program rather than a MASF program.

## RESEARCH ON DOGS

The Senate amendment contained a provision prohibiting the use of funds authorized by this act for the purpose of carrying out research, testing, and/or evaluation of poisonous gases, radioactive materials, poisonous chemicals, biological or chemical warfare agents upon dogs. No similar provision appeared in the House bill.

The conferees examined the merits of the provision most carefully. We ascertained that adoption of this provision without modification would completely prohibit the conduct of all research involving the use of dogs even though the purpose was for the health and safety of civilian and military defense personnel, or for the benefit of dogs and other animals.



July 29, 1974

The conferees learned that in certain instances dogs have been indispensable species in research efforts which have contributed significantly to the health of human beings. For example, university experts related their experiments with a chemical that is found as a contaminant in the preparation of white flour for bread. When the bread containing this chemical was fed to dogs, even with very low levels of the chemical, it caused seizures. The importance of this finding was that a similar occurrence of convulsions might be expected in children. Of particular significance was the fact that when this bread containing this contaminant was fed to other species of animal life, no adverse effects were observed.

In view of these circumstances, the conferees agreed to modify the language of the Senate amendment to embrace the prohibition adopted by the Senate in respect to prohibiting the utilization of dogs in research for the purpose of developing biological or chemical weapons but provided a provision which continues to permit research on dogs for other purposes to improve and save lives.

## EXPORT OF TECHNOLOGY

One of the more complex and difficult problems confronting the conferees resulted from a Senate amendment which would have provided the Secretary of Defense with very broad authority relating to the granting of export licenses on the sale of goods or technology to foreign countries. There was, of course, no similar provision in the House bill.

The language of the Senate amendment, as written, was clearly in violation of the House rule regarding germaneness and our conferees so informed the representatives of the Senate. However, the conferees on the part of the Senate insisted on inclusion of some language relating to this problem and agreed to modify it in a manner which would be consistent with the House rule of germaneness.

After considerable discussion, the conferees agreed to restrict the application of this provision to goods, technology, and industrial techniques which have been developed in whole or in part as a direct or indirect result of research and development or procurement programs of the Department of Defense. In taking this action, the conferees were unanimous in their expression of concern over the fact that our country has, in the past, apparently unwittingly committed itself to the sale of items which undoubtedly will enhance the military capabilities of our potential enemies.

Let me emphasize that the language adopted by the conferees is not designed, in any way, to modify or amend the provisions of the Export Administration Act. Rather, they are designed to simply insure that the voice of the Secretary of Defense will be given appropriate attention during the decisionmaking processes in the executive branch when the subject of export licenses is being considered.

At a time when the cost of military hardware is becoming astronomical it makes no sense whatsoever to further compound the defense problem by pro-

viding our potential enemies with the fruits of sophisticated American technology. Technology that will inevitably be used by these countries to our disadvantage. Action of this kind only serves to require further defense expenditures on our part to meet the increased threat posed by our potential enemies.

It was therefore necessary that our House conferees join with our Senate colleagues in attempting to fashion language in this bill which would serve to dampen the requirement for new and higher defense expenditures.

I believe the language adopted by the conferees will accomplish its objectives without conflicting with the House rules. The conferees are unanimous in their view that this provision should cause representatives of the executive branch to exercise greater care and caution when making a decision involving the transfer of U.S. technology to Iron Curtain countries.

## RECOMPUTATION OF MILITARY RETIRED PAY

As in previous years, the Senate bill contained a floor amendment not considered in committee which would have provided recomputation of military retired pay on the basis of the January 1, 1972, pay scales. The House bill contained no similar provision.

Prior to going to conference with the Senate, I ascertained that the language relating to the recomputation of military retired pay was nongermane to the House bill and therefore in conflict with the rules of the House. Under these circumstances therefore, the House conferees refused to accept the Senate provision.

The House conferees, however, advised our Senate colleagues that the Committee on Armed Services plans to consider major legislative revisions to the military retirement system in the near future. Therefore, the committee will be amenable during those hearings to hear any recommendations involving recomputation of military retired pay that may be advanced by representatives of organizations who request the opportunity to be heard by the Committee.

## CONCLUSION

Your House conferees did not achieve all of their objectives in this conference; we were forced to give up House positions in respect to a substantial number of items in order to achieve a reasonable compromise with the other body.

The conference report does however, in my judgment, represent a sound and reasonable compromise of approximately 200 differences between the House and Senate versions of H.R. 14592.

I therefore urge its support by every member of this body.

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

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

Mr. GROSS. This figure of \$22.195 billion, I believe that is what the gentleman is talking about.

Mr. HÉBERT. Yes.

Mr. GROSS. And included in the report, does that include the replacement for the weapons that went to Israel last year?

Mr. HÉBERT. It has nothing to do with Israel.

Mr. GROSS. Does it provide the funds for replacement of weapons?

Mr. HÉBERT. Most of the funds for the replacement were contained in the fiscal year 1974 supplemental; however, there is a continuing replacement requirement and therefore funds providing for the replacement of certain weaponry given to Israel are included in this bill.

Mr. GROSS. Well, that was passed late last year or early this year and is taken care of in this authorization bill?

In terms of replacement?

Mr. HÉBERT. That is correct.

Mr. GROSS. I thank the gentleman.

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

Mr. HÉBERT. I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Speaker, on page 11 of the conference report, in section 709, subparagraph (b), the Secretary of Defense is given authority over the export of goods, technology and techniques which will significantly increase the present or potential military capability of such country.

In paragraph (c), he is given the power to recommend to the President if the export be disapproved if it significantly increases the present or potential material capability of that controlled country.

Since this was not in the House bill and did appear only on the floor of the Senate, and has been modified slightly in conference, I would ask the chairman if he can tell me what is meant by the word "significantly." I am interested in knowing whether the shipments of materials which are generally available in the world market, and particularly available from our trading competitors in Europe and Japan, might be included under that definition of significantly enhancing the military.

Mr. HÉBERT. Mr. Speaker, I will refer that question to the gentleman from Illinois, the chairman of the Subcommittee on Research and Development.

Mr. PRICE of Illinois. Mr. Speaker, if the gentleman will yield, I will say that actually this amendment does not do much more than state the authority in the law already, except that this pinpoints the problem we are now having and emphasizes the intent of the conference that we be exceptionally careful in exporting materials and technology that can enhance the military position of the countries that we had in mind when we redrafted this amendment.

There are goods such as computers and related technology that obviously would contribute to the military capability of these countries. This is what we are concerned with.

Mr. FRENZEL. Mr. Speaker, I thank the gentleman, but if the chairman will yield further, we do have a process that works now under the Export Administration Act. The chairman of the subcommittee indicates that this process will not be much different, and certainly I would feel more comfortable if I thought the

July 29, 1974

criteria were to be much the same as exists now, under which the Defense Department does have a regular and consistent chance to object to the issuing of export licenses.

I was led to believe in some informal discussions that the managers felt that this would be an unusual power and probably would not be used very much. I would not want some of our exporters to have the feeling that there might be second guessing on a regular basis by the Defense Department. That is why I am interested in knowing what is the significant potential.

Does a machine which can be used to manufacture a military weapon, but can also be used for other purposes and which in fact is available on the world market does that come under that definition? I would think not, and I would like the chairman's assurance that it does not.

Mr. PRICE of Illinois. Mr. Speaker, the effort here is to make certain that the Secretary of Defense is listened to when he does make an objection. We have basically had the policy in existence for a long time, but we have too much evidence in the past that the Secretary of Defense was not listened to when he did raise objection based on national security.

We have quite a list of items in which this has occurred. The effort behind this particular amendment is to reemphasize the importance of listening to those who are particularly involved in security, national security.

Mr. FRENZEL. If the chairman will yield further, would the gentleman then say that the Secretary of Defense will use the same standards that he has used in the past, and this was simply to get his input heard in stronger fashion?

Mr. PRICE of Illinois. Yes, I would say that would be the case.

(Mr. BRAY asked and was given permission to revise and extend his remarks.)

Mr. BRAY. Mr. Speaker, I rise in support of the conference action on H.R. 14592 and recommend adoption of the conference report.

Mr. Speaker, the gentleman from Louisiana, has given the Members a thorough summary of the action taken by your conferees. This statement of the chairman, together with the conference report, should answer any questions that may be in the minds of any of the Members. However, I would like to briefly elaborate on the action taken by the conferees in respect to the so-called Jackson amendment regarding the export of U.S. technology to Iron Curtain countries.

At the outset, let me emphasize that I strongly support the administration's efforts to increase our foreign trade so as to overcome any deficit that we may now have in our balance of payments, but I oppose with great vigor any blind commitment to this policy which will cause us to transfer to our potential enemies the goods and technology which American labor and management has developed and which will result in enhancing the military capability of our potential enemies.

As indicated by the chairman of the Armed Services Committee, it is the height of folly to spend billions on new weaponry and then in the same breath transfer to our potential enemies sophisticated devices and technology which ultimately will neutralize this weaponry.

Our primary advantage over the Soviets is the advance level of technology, both scientific and industrial, which we have over that totalitarian state. That is the difference, in my judgment, between freedom and slavery.

We are in a horseshoe with the Soviet Union and at the present time our technology has given us a lap on our opponents—yet, there are some myopic bureaucrats in the executive branch who would literally give away the industrial techniques and secrets that not only permits us to maintain our military security but also contributes immeasurably to our industrial might.

The American laboring man is the envy of the world. He has achieved economic advantages that are but "an impossible dream" for his counterparts in Soviet bloc countries. Much of this economic advantage of the American workingman over his foreign contemporary is due to our industrial know-how and industrial techniques. Thus, to export the advantage of this industrial technique to Soviet bloc countries borders on absolute madness. It will ultimately pit American free labor against the slave labor of totalitarian countries, such as the Soviet Union.

We are all aware of ongoing negotiations to transfer the aviation industry's production know-how on wide-bodied aircraft to a Soviet bloc nation.

One of the largest aircraft manufacturers in America is planning to build a large factory in a Soviet bloc nation, not only to build wide-bodied aircraft but to teach the labor and technicians in that country how to operate such a factory. While such a factory may make a short-term profit for the company, such action will injure our American military defensive strength and also cause the export of tens of thousands of American jobs in the aircraft industry to foreign countries, an industry in which today our country is preeminent.

We are all aware of the ongoing effort of the Soviet Union to acquire our latest computer technology. Unless prompt and proper action is taken, we will lose our superiority in this most important field.

These are some of the considerations which prompted your conferees to embrace the Jackson amendment, albeit in a drastically reduced form to guard against this kind of "death wish" that seems to be the order of the day in some offices of the executive branch. The Jackson amendment was nongermane to this legislation but as we have rewritten the amendment, it is now germane.

Action is needed immediately on this restraint on the transfer of American know-how to the Communist bloc. A country that does not protect its national security, and the well-being of its citizens will not prosper.

I trust that my colleagues will unanimously adopt this conference report.

Mr. PRICE of Illinois. Mr. Speaker, as a participant in the conference, I rise in support of the conference report of the Armed Services Committee on the Department of Defense Appropriation Authorization Act, 1975. I am particularly proud that we were successful in working out with the other body the final language of Title VIII—Nuclear Powered Navy. This title will make it: "the policy of the United States of America to modernize the strike forces of the U.S. Navy by the construction of nuclear powered major combatant vessels and to provide for an adequate industrial base for the research, development, design, construction, operation, and maintenance for such vessels."

I, as chairman of the Joint Committee on Atomic Energy, would like to comment on some early history of the nuclear navy and the leadership the Congress provided in the construction of nuclear-powered warships. Title VIII enunciates and confirms the policy of the Joint Committee.

This is a policy that the Joint Committee on Atomic Energy has advocated for more than a decade. Those of us on the Joint Committee, as well as many members of the House and Senate Armed Services and Appropriations Committees, who have studied this issue for many years, have been astonished by the lack of foresight exhibited by the executive branch in failing to recognize the necessity of providing our major warships with nuclear propulsion.

I am proud that in enacting this legislation it is the Congress which will demonstrate foresight, courage, and wisdom by taking this initiative to strengthen the defense of our Nation. I am sure that naval historians will cite this action as a classic example of Congress exercising its power under article I, section 8, of the Constitution "to provide and maintain a Navy."

Title VIII will provide by law that all future major combatant vessels built for the strike forces of the U.S. Navy shall be nuclear powered. The act clearly defines this to mean all future combatant submarines, aircraft carriers, and carrier escorts such as cruisers, frigates, and destroyers. Title VIII stipulates that henceforth all requests for authorization or appropriation of funds for construction of major combatants for the strike forces shall be for nuclear powered ships "unless and until the President of the United States has fully advised the Congress that construction of nuclear powered vessels for such purposes is not in the national interest." It says:

Such reports of the President to the Congress shall include for consideration by Congress an alternate program of nuclear powered ships with appropriate design, cost, and schedule information.

The enactment of title VIII means that the Defense Department and the Navy must now stop wasting the taxpayers funds on further studies of diesel submarines, non-nuclear aircraft carriers, and non-nuclear carrier escorts.

The need for nuclear propulsion in major combatant vessels for our naval strike forces has been studied to death,

July 29, 1974

despite the clearly demonstrated advantages of nuclear warships. The continued record of Defense Department delay in approving nuclear warships demonstrates the urgent need for this matter to be resolved by the legislative process, so that further progress is not impeded by each newly appointed civilian or military bureaucrat who is in a position to stop progress in the executive bureaucracy.

Ever since the beginning of the naval nuclear propulsion program the Joint Committee on Atomic Energy has seen to it that we get our information first hand. We have visited the laboratories where the development work is being done. We visited the land prototype site where the original testing for the *Nautilus* was being done. As soon as she was completed we held hearings on the *Nautilus* submerged and at sea. We later held hearings aboard the *Skipjack*, the first of the higher speed, single-screw nuclear submarines. In 1960, prior to the first successful launching of a Polaris missile from a submerged nuclear submarine, we held a 2-day meeting of the Joint Committee at sea aboard the U.S.S. *George Washington*, the first Polaris submarine.

When the first nuclear carrier *Enterprise* was finished we flew to Guantánamo and held hearings aboard the ship during her shakedown trials off Cuba in early 1962. Many of you will remember the fight that erupted the following year when Secretary of Defense McNamara decided against providing nuclear propulsion for the aircraft carrier *John F. Kennedy*. The Joint Committee held extensive hearings in the fall of 1963 on "Nuclear Propulsion for Naval Surface Vessels." We published a committee analysis which pointed out in detail the errors in the Department of Defense analysis. The Joint Committee 1963 report specifically recommended "that the United States adopt the policy of utilizing nuclear propulsion in all future major surface warships." Regrettably the *Kennedy* throughout its life will be dependent on a train of tankers, but those of us who carried on the fight did finally succeed in having Secretary McNamara authorize the *Nimitz* class of nuclear aircraft carriers.

Throughout the early 1960's the Joint Committee and the House and Senate Armed Services and Appropriations Committees engaged in extensive correspondence with the Department of Defense over the issue of nuclear propulsion for surface warships. For anyone interested, much of that correspondence is published on pages 245 through 318 of the Joint Committee hearing print entitled "Naval Nuclear Propulsion Program 1967-68."

In the late 1960's Congress, based on recommendations of the House Armed Services Committee, succeeded in getting a nuclear frigate building program established, but we had to resort to mandatory language in the law to do so.

The Defense Department plan was to stop authorizing any nuclear submarines by 1970. Some senior analysts in the Pentagon even recommended sinking 10 of our Polaris submarines as a cost saving measure. Several committees of Con-

gress held special hearings in 1968 on the nuclear submarine program. As a result of this, Congress not only demanded that we continue building nuclear attack submarines but that we proceed with submarines of higher speed and greater quietness.

Three years ago the Department of Defense suddenly terminated plans to build more nuclear frigates and the nuclear carrier *Carl Vinson* CVN-70. They did this even though a special subcommittee of the House and Senate Armed Services Committees had issued an 800-page hearing record and a report which concluded we should go ahead with the CVN-70.

Senator JACKSON immediately called for hearings of the Military Applications Subcommittee of the Joint Committee on Atomic Energy. We reviewed the whole subject of nuclear propulsion for naval warships, submarine, and surface. In addition to the testimony of the Chairman of the Joint Chiefs of Staff, the Chief of Naval Operations, and Admiral Rickover, we obtained the written comments of the Deputy Secretary of Defense. The record of this investigation is included in the Joint Committee print titled "Hearing and Subsequent Inquiry of the Subcommittee on Military Applications on Nuclear Propulsion for Naval Warships, May 5, 1971-September 30, 1972." That print on pages 123-277 includes a "Chronological Summary of the History of Nuclear Propulsion for Surface Ships" in which Admiral Rickover cites in detail all of the lengthy studies that have been made of this subject over the past quarter century. Also on pages 278 to 333 of this print are published 26 items of official correspondence concerning nuclear carriers and nuclear frigates.

The perturbations in the world supplies of petroleum gave us a special concern relative to the supply of fuel for our warships. By letter dated January 5, 1974, I expressed these concerns to the Department of Defense. I would like to include this exchange in the Record following my remarks.

More recently the Joint Committee report dated April 3, 1974, on the fiscal year 1975 Atomic Energy Commission appropriation authorization stated:

The recent interruptions in the availability of foreign petroleum fuel supplies have highlighted the vulnerability of our petroleum supply lines. It is obvious that in time of war it may well be impossible to provide petroleum to our naval striking forces in areas of highest threat. This increased vulnerability again accents the importance of providing nuclear propulsion for our first-line warships. The committee, accordingly, reiterates its longstanding recommendation that all new surface submarine first-line striking forces be provided with nuclear propulsion.

The need for nuclear propulsion for major combatant vessels for our first-line naval strike forces is completely documented. In addition to the annual thorough review of the naval nuclear propulsion program there have been many special congressional hearings and reports issued on various aspects of naval nuclear propulsion. I will include a list of some of these reports in the Record following my statement.

This bill also authorizes construction of our eighth nuclear frigate, the DLGN 41, and contains additional long lead funding for our ninth nuclear frigate, the DLGN 42. It has been only through the strong resolve of Congress that these nuclear frigates have been authorized to be built for the Navy—after they were canceled by the Department of Defense 3 years ago.

Based on my past experience with the naval nuclear propulsion issue I would not be surprised to learn that attempts will again be made in the Department of Defense to cancel or delay their construction. It should be clearly understood that it is the definite intent of Congress that these ships be built now as follow ships of the *Virginia* DLGN 38 class, using existing shipbuilding contract options.

In this connection this bill also contains research and development funds for a new weapons system, a development called Aegise, which is intended to be an improvement over existing shipboard anti-air warfare weaponry, but which is years from being ready to be committed to ship construction. Although Aegise should be considered for installation in nuclear frigates after it has been successfully developed, the DLGN 41 and DLGN 42 must not be delayed to wait for it.

All too often the desire for improved weapons which are off in the future has been used as an excuse for not building ships. If a war should erupt we will have to fight it with the ships we have, not the ones we hope to have many years in the future. To follow such a course could be fatal. With the investment we have in the four nuclear carriers in commission and under construction it would be dead wrong to defer building the DLGN 41 and DLGN 42 which are vitally needed to escort these nuclear carriers for literally years to wait for this new weapons system. I hope this point is clear to all.

Mr. Speaker, my esteemed colleague from California, CHET HOLIFIELD, who also has been chairman of the Joint Committee on Atomic Energy, and I are the only two remaining charter members of the Joint Committee. The experience and knowledge I have gained through a quarter century on that committee has, I believe, given me a special insight into all aspects of the naval nuclear propulsion program. Based on everything I have learned from studying this issue in detail for over 25 years. I can state categorically that the need for nuclear propulsion in naval strike force ships has been proven, needs no further study before a decision is made, and is of the most vital need for our country and our Navy.

It gives me great personal pleasure to be able to cast my vote for this truly historic legislation. I am sure that I speak for CHET HOLIFIELD, whose final days in this chamber will be brightened by the result which culminates the long fight many of us have carried on for so long, and marks the turning point for a new Navy which will be second to none.

The hearings and reports on the naval nuclear propulsion program published by committees of the Congress includes:

July 29, 1974

## LIST OF HEARINGS AND REPORTS

Hearings of the Joint Committee on Atomic Energy Subcommittee on Research and Development chaired by Congressman Melvin Price and the Subcommittee on Military Applications chaired by Senator Henry M. Jackson on "Naval Reactor Program and Shippingport Project" dated March 7 and April 12, 1957.

Joint Committee on Atomic Energy "Review of Naval Reactor Program and Admiral Rickover Award" dated April 11, 1959, chaired by Senator Clinton P. Anderson held aboard the USS *Skipjack* at sea while the nuclear submarine was establishing new records for speed and depth of operation.

Joint Committee on Atomic Energy review of "Naval Reactor Program and Polaris Missile Systems" chaired by Senator Clinton P. Anderson held at sea on board the first Polaris submarine, the USS *George Washington*, on April 9, 1960.

Joint Committee on Atomic Energy "Tour of the USS *Enterprise* and Report on Joint AEC-Naval Reactor Program" dated March 31, 1962, chaired by Congressman Chet Hollifield held at sea aboard the USS *Enterprise* while operating at sea off Guantanamo Naval Base, Cuba.

Joint Committee on Atomic Energy, June 26, 27, July 23, 1963 and July 1, 1964, hearings on "Loss of the USS *Thresher*" chaired by Senator John O. Pastore.

Joint Committee on Atomic Energy hearing on "Nuclear Propulsion for Naval Surface Vessels" dated October 30, 31 and November 13, 1963, chaired by Senator John O. Pastore. This was followed by a special December 1963 report of the Joint Committee on Atomic Energy which recommended:

1. That the decision to install conventional propulsion in the new aircraft carrier, CVA-67 should be set aside and plans made to install nuclear propulsion in this ship; and
2. That the United States adopt the policy of utilizing nuclear propulsion in all future major surface warships; and
3. That a vigorous research and development program for surface warship nuclear propulsion be continued.

Joint Committee on Atomic Energy, January 26, 1966, hearing on "Naval Nuclear Propulsion Program 1966" chaired by Congressman Chet Hollifield.

Joint Committee on Atomic Energy, March 18, 1967 and February 8, 1968, hearings on "Naval Nuclear Propulsion Program 1967-68" chaired by Senator John O. Pastore.

Senate Armed Services Preparedness and Investigating Subcommittee chaired by Senator John Stennis, hearings on "U.S. Submarine Program" dated March 13, 15, 19, 27, 1968. This was followed by a special report of the Subcommittee on the "United States Submarine Program" dated September 23, 1968, which recommended that the nuclear attack submarine construction program be continued beyond fiscal year 1970, that the development of the high speed submarine and the electric drive submarine proceed, and that work begin promptly on the development of a submarine of advanced design.

Joint Committee on Atomic Energy hearings on "Nuclear Submarines of Advanced Design Parts I and II" dated June 21 and July 25, 1968, chaired by Congressman Chet Hollifield.

Joint Committee on Atomic Energy, April 23, 1969 hearing on "Naval Nuclear Propulsion Program 1969" chaired by Congressman Chet Hollifield.

Joint Committee on Atomic Energy, March 19 and 20, 1970, hearings on "Naval Nuclear Propulsion Program 1970" chaired by Congressman Chet Hollifield.

Joint Senate-House Armed Services Subcommittee hearings on "CVAN-70 Aircraft Carrier" dated April 7, 8, 10, 13, 15 and 16,

1970, co-chaired by Senator John Stennis and Congressman Charles Bennett. This set of hearings was followed by a special report of the Joint Subcommittee dated April 22, 1970, which stated:

"The Subcommittee, in consideration of the full range of carrier capability including modernity and the exceptional advantages of nuclear power is of the opinion that the long lead funds for the CVAN-70 should be approved."

House Armed Services Antisubmarine Warfare Subcommittee, October 9, 1970, report on "Trip to the Knolls Atomic Power Laboratory, September 28, 1970" chaired by Congressman Samuel S. Stratton.

Joint Committee on Atomic Energy, March 10, 1971, hearing on "Naval Nuclear Propulsion Program 1971" chaired by Senator John O. Pastore.

Joint Committee on Atomic Energy Subcommittee on Military Applications hearing and subsequent inquiry on "Nuclear Propulsion for Naval Warships" dated May 5, 1971—September 30, 1972, alternately chaired by Senator Jackson and Congressman Hollifield. This inquiry addressed the need for the Los Angeles Class high speed SSN's, tactical cruise missile submarines, the Trident submarine program, nuclear aircraft carriers and nuclear frigates.

Joint Committee on Atomic Energy, February 8, 1972 and March 28, 1973, hearings on "Naval Nuclear Propulsion Program 1972-1973" chaired by Congressman Melvin Price.

Joint Committee on Atomic Energy, February 25, 1974, hearing on "Naval Nuclear Propulsion Program—1974", chaired by Congressman Melvin Price (in the process of being published).

JOINT COMMITTEE ON ATOMIC ENERGY,  
Washington, D.C., January 5, 1974.  
Hon. JAMES R. SCHLESINGER,  
Secretary of Defense,  
Washington, D.C.

DEAR JIM: The increasing severity of our energy problem should, in my view, call for an accelerated effort in the application of nuclear power for the propulsion of naval warships. I fully appreciate your personal efforts in making additions of some nuclear propelled ships to our Navy although I believe recent events call for a sharply increased effort in this vital area of national defense. Accordingly, I suggest that a review of the planned shipbuilding program be made with the objective of increasing the number of nuclear powered warships. We are indeed fortunate that we have the proven technical base to immediately proceed with additional applications of nuclear propulsion. It certainly would be most unfortunate if we didn't take advantage of our position especially since nuclear power provides such positive solutions to our growing and irreversible global petroleum problem.

I want to emphasize that I am not suggesting the initiation of additional studies. From the Committee's detailed involvement in the review of the various studies I can assure you we need no additional effort in this area. Such comprehensive reviews as the Committee's 1963 and 1971-72 hearings and report on nuclear propulsion clearly illustrate the military value and justification of this application of nuclear energy. The growing petroleum problem has just increased the importance of the factors justifying nuclear power especially in the area of foreign access to petroleum supplies. Of course, although secondary to the primary factor of military effectiveness, the increasing costs of petroleum fuels also increase the economic justification of nuclear power.

You can be assured of Congressional support in immediately moving ahead with more naval nuclear propulsion projects. As you know the Congress, through its various

Committees of responsibility in the defense area, has led in bringing about nuclear propulsion for our navy.

Sincerely yours,

MELVIN PRICE,  
Chairman.

THE SECRETARY OF DEFENSE  
Washington, March 11, 1974.

Hon. MELVIN PRICE,  
Chairman, Joint Committee on Atomic Energy, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of January 5, 1974, in which you suggested that a review of the Navy's planned shipbuilding program be made with the objective of increasing the number of nuclear powered warships.

By mid-1974 our 107 nuclear powered combatants will constitute over one-third of the active warship fleet. These nuclear powered warships include 41 strategic ballistic missile submarines, 61 attack submarines, one aircraft carrier and four fleet air defense guided missile ships—the Navy's first line ships. Additional nuclear powered combatants authorized by Congress are, or soon will be, under construction: the first TRIDENT SSBNs, four 637 Class SSNs, and twenty-three 688 Class SSNs, three nuclear powered aircraft carriers and four guided missile frigates. In addition to the nuclear powered ships in service, under construction, or authorized by Congress, the FY 75 budget request includes funding of two TRIDENT submarines, three high-speed attack submarines, and one guided missile frigate. Delivery of the five nuclear powered frigates (DLGNS) under construction, together with the cruiser and the two frigates now in the fleet, will give us eight nuclear powered surface combatants which will be adequate to form two all nuclear powered carrier task forces, when none of the ships are in overhaul.

As you know, in FY 72 the Department of Defense continued the DLGN construction program by awarding a contract to the Newport News Shipbuilding and Drydock Company for the construction of DLGN 38 Class Frigates. At that time it was decided to construct three units of this new class while retaining a contract option for two additional units. Recently Congress added to our Fiscal Year 74 budget request \$79 million for advanced procurement of long-lead items for the two additional nuclear ships, DLGNS 41 and 42. We have included DLGN-41 in the FY 75 budget and are protecting the option for procuring the second in FY 76. When the full scope of our current nuclear ship program is considered, we find that the shipbuilders involved have a very large backlog ahead of them.

There are several important factors influencing the selection of nuclear or non-nuclear propulsion systems for a warship. Three of the most significant items are the relative procurement and operating costs, individual ship capability requirements, and overall Navy force level and modernization needs.

To date, the use of nuclear power has been limited to surface ships of 8,000 tons or more. These relatively large ships (frigates and cruisers), with highly capable anti-air and anti-submarine systems, are at the high end of the high-low mix of surface combatant ship types. The high-low mix concept of balancing overall fleet capability between larger numbers of capable low-cost ships and fewer numbers of highly capable but expensive first-line ships is essential for maintaining our overall combat capability.

In spite of the many attractive features of nuclear ships, both their acquisition costs and manning costs tend to be higher than for conventional ships having the same weapons systems. As you are aware over

July 29, 1974

the past several years there have been extended discussions of the degree to which indirect costs tend to offset these differences. The major increase in the cost of fuel oil since October 1973 has tended to add some weight to this concept. On the other hand, the introduction of significantly more efficient conventional propulsion systems will result in lower acquisition and operating costs for such ships due to reduced manning requirements and reduced engineering plant size. As an additional consideration, the peace time flexibility of deployments for nuclear ships is constrained by the apprehensive attitude of many countries towards port visits by nuclear ships. In my view, these apprehensions are largely unfounded but progress in dispelling this barrier to nuclear ship visits has been slow.

Requirements for overall naval combat effectiveness depend in large part on the expected threat. In some ocean areas where our Navy is planned to operate, the threat is expected to be relatively low intensity and to consist of principally submarine-launched torpedoes and cruise missiles with only small numbers of ship- and aircraft-launched cruise missiles. Requirements for individual ship effectiveness are less demanding in such areas than would be required in higher threat environments, where additional threats from aircraft would be expected. I am sure that you recognize that. In addition to the need for first-line ships capable of operations in high threat areas, there are many important missions that can be effectively carried out by less complex and less expensive ships.

In this decade, we must phase out virtually all of the remaining World War II surface combatants because their deteriorating material condition and declining combat value is making them increasingly inefficient. If we are to procure the large number of ships needed to maintain even current force level, the bulk of the new ships must be from the "low" side of the "high-low" spectrum. The numerical requirements alone for surface escorts needed to protect military and commercial shipping in open ocean and lower threat areas of the world lead us to the use of less complex ships under present budgetary constraints.

Your personal efforts and the support of the Congress in attaining our present posture in nuclear propulsion in the Navy are very much appreciated. I solicit your continued support of our shipbuilding program and assure you that nuclear propulsion will be actively considered for all future Navy major surface warship building programs.

Sincerely,

JAMES R. SCHLESINGER.

Mr. FRENZEL. Mr. Speaker, I am troubled by the conference report on H.R. 14592 for two principal reasons.

First, since various administration and Federal Reserve spokesmen have called for reduction in spending of from \$5 billion to \$20 billion from proposed budget levels, I am not sure of the proper amount, but I do know that substantial reductions are required unless this bill's \$22-plus billion is sharply reduced by the Appropriations Committee, substantial reductions in overall spending are not possible.

There are areas ripe for reductions, especially personnel. We have too many troops in Europe, and overseas generally.

The feature which leads me to vote against this bill, however, is section 709 on pages 10 and 11 of the conference report. The section gives the Secretary of Defense extraordinary power, perhaps unconstitutionally greater than that of the President since he can overrule the

President, to stop exports to any country in the world if he feels it will increase significantly the military potential of the country.

The section invades the jurisdiction of the Export Administration Act which, according to testimony from the Departments of Defense, State, Commerce, Treasury, and the CIEP, works effectively as is.

It was not in the House version. It appeared as a floor amendment in the Senate, and was accepted by the conference managers.

According to floor statements by the managers, the criteria on which an export might be stopped, will be the same as at present, but the raw power given here to the Secretary, particularly over the head of the President, is unwarranted.

Therefore, not only is the spending level of the bill inflationary, but also it contains a potential to reduce further our already negative trade balances. I must vote against it.

Mr. BENNETT. Mr. Speaker, I rise in support of the conference report on H.R. 14592. I particularly want to bring to the attention of the House the fact that title VIII providing for a nuclear powered Navy is intact in the bill with only minor clarifying modifications. This title requires that all future major combatant vessels be nuclear powered unless the President fully advises the Congress that it is not in the national interest to have them such. The major combatant vessels are all submarines, both attack and missile, all aircraft carriers and the ships that are designed to run with them, cruisers, frigates, and destroyers—also all ships designed for independent missions from the categories listed above—that is, submarines, aircraft carriers, cruisers, frigates, and destroyers where essential unlimited high speed endurance will be of significant military value.

Mr. Speaker, Congress has had to fight hard and long to get the nuclear navy. As recently as 2 years ago we had to mandate the construction of nuclear frigates No. 41 and 42 unless the President fully advised that their construction was not in the national interest. The President has not so advised us and the contract for their construction has been let.

Despite the wording of title VIII, we hear rumblings that a group within the Department of Defense is saying they should not be built.

This is the same group of systems analysts who opposed the nuclear-powered Navy from the start. Now they are saying that frigates should not be constructed until the Aegis missile system is ready to go on them.

Mr. Speaker, we now have four nuclear-powered aircraft carriers in being or under construction. Those 4 require at least 16 escorts. For escorts we have the *Bainbridge*, the *Truxton*, and the *California*. We also have the *South Carolina*, the *Virginia*, and the *Texas* under construction and the DLGN-40. That means there will only be 7 nuclear-powered frigates instead of the 16 needed if the DLGN-41 and 42 are not built.

Again, Mr. Speaker, the Congress must

insist that the nuclear frigates and the nuclear Navy continue to be constructed as the Congress has ordered.

Mrs. HOLT. Mr. Speaker, I am voting for the conference report on the military procurement authorization, but only after bitter disappointment that the conferees rejected the amendment that would have permitted a recomputation of military retirement pay as a percentage of active duty pay.

Many of us worked diligently to secure the passage of the amendment to award fair treatment to thousands of older veterans, who served long and honorable careers with the promise of security.

We have an obligation to compensate them in accordance with the terms under which they served our Nation. As you know, changes in the method of computing retirement pay were made in 1958 and 1963, and thousands of older veterans got shortchanged in the shuffle.

They are receiving far less than servicemen of comparable rank who are retiring today, and this inequitable situation is a gross breach of faith. I can assure you, Mr. Speaker, that our fight for equitable treatment of our older retirees from military service has not ended.

I have been assured that major legislation revising the military retirement system will be considered in the near future, and I pledge that we will renew our struggle for recomputation.

Mr. HEBERT. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered. The SPEAKER. The question is on the conference report.

The question was taken, and the Speaker announced that the ayes appeared to have it.

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 305, nays 38, not voting 91, as follows:

[Roll No. 412]

YEAS—305

Abdnor	Blackburn	Chappell
Adams	Boggs	Clausen,
Addabbo	Bolling	Don H.
Anderson,	Brademas	Clawson, Del
Calif.	Bray	Cleveland
Anderson, Ill.	Breaux	Cochran
Andrews, N.C.	Breckinridge	Cohen
Andrews,	Brinkley	Collier
N. Dak.	Brooks	Collins, Ill.
Annunzio	Broomfield	Collins, Tex.
Archer	Brotzman	Conable
Arends	Brown, Calif.	Conlan
Armstrong	Brown, Mich.	Conte
Ashbrook	Brown, Ohio	Corman
Ashley	Broyhill, N.C.	Coughlin
Aspin	Broyhill, Va.	Crane
Bafalis	Buchanan	Cronin
Baker	Burke, Fla.	Daniel, Dan
Barrett	Burke, Mass.	Daniel, Robert
Bauman	Burleson, Tex.	W., Jr.
Beard	Burlison, Mo.	Daniels,
Bell	Butler	Dominick V.
Bennett	Byron	Danielson
Bergland	Camp	Davis, Wis.
Bevill	Carney, Ohio	Delaney
Biaggi	Casey, Tex.	Denholm
Blester	Chamberlain	Dennis

July 29, 1974

GENERAL LEAVE

Mr. HEBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

HOME RULE ACT AMENDMENTS

Mr. FRASER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 15791) to amend section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198; 87 Stat. 774) is amended by deleting the second sentence thereof.

With the following committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert:

That the District of Columbia Self-Government and Governmental Reorganization Act (84 Stat. 774) be amended as follows:

(1) The second sentence of subsection (g) of section 204 of that Act is repealed.

(2) Subsection (b) of section 401 of that Act is amended by (A) redesignating paragraph (3) as paragraph (4); and (B) inserting immediately after paragraph (2) the following:

"(3) To fill a vacancy in the Office of Chairman, the Board of Elections shall hold a special election in the District on the first Tuesday occurring more than one hundred and fourteen days after the date on which such vacancy occurs. If the Board of Elections determines that such vacancy could be more practicably filled in a special election held on the same day as the next general election to be held in the District occurring within sixty days of the date on which a special election would otherwise have been held under the provisions of this paragraph. The person elected Chairman to fill a vacancy in the Office of Chairman shall take office on the day in which the Board of Elections certifies his election, and shall serve as Chairman only for the remainder of the term during which such vacancy occurred. When the Office of Chairman becomes vacant, the Council shall select one of the elected at-large members of the Council to serve as Chairman and one to serve as Chairman pro tempore until the election of a new Chairman."

(3) The first sentence of section 411 of that Act is amended to read as follows: "The fiscal year of the District shall begin on October 1, 1976, commence on the first day of October of each year and shall end on the thirtieth day of September of the succeeding calendar year."

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rarick for, with Mr. Badillo against. Mr. Murphy of New York for, with Mr. Hanna against.

Mr. Charles H. Wilson of California for, with Mrs. Chisholm against.

Mr. Teague for, with Mr. Clay against. Mr. Carey of New York for, with Mr. Stark against.

Mrs. Burke of California for, with Mr. Metcalfe against.

Mr. Melcher for, with Mr. Eckhardt against.

Mr. Hawkins for, with Mr. Harrington against.

Until further notice:

Mr. Alexander with Mr. Blatnik.

Mr. Gunter with Mr. Reid.

Mr. Hollifield with Mr. Culver.

Mr. Rose with Mr. Gettys.

Mr. Rooney of New York with Mrs. Grasso.

Mr. Brasco with Mr. Gray.

Mr. Cotter with Mrs. Green of Oregon.

Mr. Davis of Georgia with Mrs. Hansen of Washington.

Mr. Boland with Mr. Cederberg.

Mr. Leggett with Mr. Treen.

Mr. Madden with Mr. Steele.

Mr. Davis of South Carolina with Mr. Findley.

Mr. Bowen with Mr. Steelman.

Mr. Sisk with Mr. Clancy.

Mr. Udall with Mr. Hosmer.

Mr. Whitten with Mr. Sebelius.

Mr. Mazzoli with Mr. Dellenback.

Mr. Pickle with Mr. Ruppe.

Mr. Randall with Mr. Hammerschmidt.

Mr. de la Garza with Mr. Frey.

Mr. Clark with Mr. Lent.

Mr. Jones of Tennessee with Mr. Kuykendall.

Mr. McKay with Mr. Gubser.

Mr. Evans of Tennessee with Mr. Schneebell.

Mr. Carter with Mr. Hastings.

Mr. Evans of Colorado with Mr. Shriver.

Mr. Dorn with Mr. Robison of New York.

Mrs. Griffiths with Mr. Symms.

Mr. Johnson of California with Mr. Martin of North Carolina.

Mr. Lehman with Mr. Talcott.

Mr. Johnson of Pennsylvania with Mr. Towell of Nevada.

Mr. McSpadden with Mr. Vander Jagt.

Mr. Roy with Mr. Bob Wilson.

Mr. Steed with Mr. Wiggins.

Mr. Stuckey with Mr. Young of Alaska.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

- |                |                  |                |
|----------------|------------------|----------------|
| Dent           | Litton           | Rodino         |
| Derwinski      | Long, La.        | Roe            |
| Devine         | Long, Md.        | Rogers         |
| Dickinson      | Lott             | Roncallo, Wyo. |
| Diggs          | Lujan            | Roncallo, N.Y. |
| Dingell        | Luken            | Rooney, Pa.    |
| Donohue        | McClory          | Rostenkowski   |
| Downing        | McCloskey        | Roush          |
| Dulski         | McCollister      | Rousselot      |
| Duncan         | McCormack        | Runnels        |
| du Pont        | McDade           | Ruth           |
| Edwards, Ala.  | McEwen           | St Germain     |
| Eilberg        | McFall           | Sandman        |
| Erlenborn      | McKinney         | Sarasin        |
| Esch           | Macdonald        | Sarbanes       |
| Eshleman       | Madigan          | Satterfield    |
| Fascell        | Mahon            | Scherle        |
| Fish           | Mallary          | Shipley        |
| Fisher         | Mann             | Shoup          |
| Flood          | Maraziti         | Shuster        |
| Flowers        | Martin, Nebr.    | Sikes          |
| Flynt          | Mathias, Calif.  | Skubitz        |
| Foley          | Mathis, Ga.      | Slack          |
| Fountain       | Matsunaga        | Smith, Iowa    |
| Frelinghuysen  | Mayne            | Smith, N.Y.    |
| Froehlich      | Meeds            | Snyder         |
| Fulton         | Mezvinsky        | Spence         |
| Fuqua          | Michel           | Stagers        |
| Gaydos         | Milford          | Stanton        |
| Giamo          | Miller           | J. William     |
| Gibbons        | Mills            | Stanton        |
| Gilman         | Minish           | James V.       |
| Ginn           | Mink             | Steiger, Ariz. |
| Goldwater      | Minshall, Ohio   | Steiger, Wis.  |
| Gonzalez       | Mitchell, N.Y.   | Stephens       |
| Goodling       | Mizell           | Stratton       |
| Gross          | Moakley          | Stubblefield   |
| Grover         | Molohan          | Sullivan       |
| Gude           | Molohan          | Symington      |
| Guyer          | Montgomery       | Taylor, Mo.    |
| Haley          | Moorhead, Calif. | Taylor, N.C.   |
| Hamilton       | Moorhead, Pa.    | Thomson, Wis.  |
| Hanley         | Morgan           | Thone          |
| Hanrahan       | Mosher           | Thornton       |
| Harsha         | Moss             | Tiernan        |
| Hays           | Murphy, Ill.     | Ullman         |
| Hébert         | Murtha           | Van Deerlin    |
| Heckler, Mass. | Myers            | Vander Veen    |
| Heinz          | Natcher          | Veysey         |
| Henderson      | Nelsen           | Vigorito       |
| Hicks          | Nichols          | Waggoner       |
| Hillis         | O'Brien          | Walsh          |
| Hinshaw        | O'Hara           | Wampler        |
| Hogan          | O'Neill          | Ware           |
| Holt           | Owens            | Whalen         |
| Horton         | Parris           | White          |
| Howard         | Passman          | Whitehurst     |
| Huber          | Patman           | Widnall        |
| Hudnut         | Patten           | Williams       |
| Hungate        | Pepper           | Wilson         |
| Hunt           | Perkins          | Charles, Tex.  |
| Hutchinson     | Pettis           | Winn           |
| Ichord         | Pike             | Wolf           |
| Jarman         | Poage            | Wright         |
| Jones, Ala.    | Podell           | Wyatt          |
| Jones, N.C.    | Powell, Ohio     | Wylder         |
| Jones, Okla.   | Preyer           | Wyllie         |
| Jordan         | Price, Ill.      | Wyman          |
| Karth          | Price, Tex.      | Yates          |
| Kazen          | Quie             | Yatron         |
| Kemp           | Quillen          | Young, Fla.    |
| Ketchum        | Railsback        | Young, Ill.    |
| King           | Randall          | Young, S.C.    |
| Kluczynski     | Regula           | Young, Tex.    |
| Kyros          | Rhodes           | Zablocki       |
| Lagomarsino    | Rinaldo          | Zion           |
| Landgrebe      | Roberts          | Zwach          |
| Latta          | Robinson, Va.    |                |

NAYS—38

- |                 |                 |                |
|-----------------|-----------------|----------------|
| Abzug           | Hechler, W. Va. | Rosenthal      |
| Bingham         | Helstoski       | Roybal         |
| Burton, John    | Holtzman        | Ryan           |
| Burton, Phillip | Kastenmeier     | Schroeder      |
| Conyers         | Koch            | Selberling     |
| Dellums         | Mitchell, Md.   | Stokes         |
| Drinan          | Nedzi           | Studds         |
| Edwards, Calif. | Nix             | Thompson, N.J. |
| Ford            | Obey            | Trakler        |
| Forsythe        | Rangel          | Vanik          |
| Fraser          | Rees            | Waldie         |
| Frenzel         | Reuss           | Young, Ga.     |
| Green, Pa.      | Riegle          |                |

NOT VOTING—91

- |               |            |              |
|---------------|------------|--------------|
| Alexander     | Carter     | Davis, S.C.  |
| Badillo       | Cederberg  | de la Garza  |
| Blatnik       | Chisholm   | Dellenback   |
| Boland        | Clancy     | Dorn         |
| Bowen         | Clark      | Eckhardt     |
| Brasco        | Clay       | Evans, Colo. |
| Burgener      | Cotter     | Evins, Tenn. |
| Burke, Calif. | Culver     | Findley      |
| Carey, N.Y.   | Davis, Ga. | Frey         |