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level budgeted for June 1972—nearly one-half—this assumes that \$3.5 billion of the cut is applied in the pay area.

Second, terminations affecting about 40 percent of all outstanding contracts for major weapons systems.

Third, cuts of about 30 percent in operating and training rates—ships, aircraft, and land forces.

These reductions would be the minimum required to save \$7 billion outright for fiscal year 1972.

I contend that enactment of the amendment would cause serious economic dislocation, increased unemployment, and serious damage to our Nation's defenses.

Senator PROXMIRE and others have observed that we must reorder our priorities. I submit that today we are changing our priorities. Nondefense spending has increased on the average of \$14 billion per year for the last 4 years. We cannot expect to change the face and the attitudes of America overnight, but we can expect progress, and we see progress. I fail to see where a nonselective across-the-board cutback in our defense expenditures could do more than is being done. Indeed, it could succeed in undoing much which has been accomplished and in endangering our security.

Mr. BAYH. Mr. President, I will vote for the amendment introduced by my distinguished colleague from Wisconsin (Mr. PROXMIRE) and the distinguished Senator from Maryland (Mr. MATHIAS) to put a ceiling of \$68 billion on defense spending for fiscal year 1972.

Such a ceiling would save \$8 billion in defense spending. I would like to see these resources applied to the pressing human and social needs of our time, to meet the crisis within that is as deadly to our society as any enemy without.

With \$8 billion we could—build 2,600 hospitals of 125 beds each, or—construct 500,000 decent low-cost housing units, or—send 800,000 deserving students through 4 years of public college or university with full tuition, room and board, or—build 120,000 new elementary or high school classrooms, or—eradicate hunger in the United States and create 300,000 public service jobs to find useful work for those who have lost their jobs in the current recession.

Not only could that \$8 billion be effectively applied to begin to solve some of the domestic problems which now confront us, but a reduction in defense expenditures in that amount need not mean weaker, less effective U.S. armed services.

I believe the Proxmire-Mathias amendment, by establishing a reduced ceiling on defense spending, is an important and essential first step. It is imperative that we halt and reverse the trend toward an ever-more ponderous and expensive military establishment which seems increasingly inefficient, self-serving, and redundant. This amendment would do so.

Mr. President, I regard the \$68 billion figure suggested by this amendment to be a reasonable one. But I believe that the Congress fulfills only a portion of its responsibility by writing into law this or other legislation that cuts Defense spending on a percentage basis or which selects a particular figure as a spending ceiling.

I believe it is our responsibility to ex-

amine on a rational and analytic basis each of the components which are part of the Defense budget. We must be sure that we are buying the kind of defense that we really need; that our defense posture conforms in a realistic way to our vital responsibilities and the potential threats we might face; and that we are not spending our national resources on weapons which are unnecessarily redundant or which are requested because they conform to some obsolescent tradition rather than to current needs.

Mr. President, last week the Senate passed by a voice vote an amendment which I and the distinguished Senator from Pennsylvania (Mr. SCHWEIKER) introduced. Among other things it called on the Defense Department to project how it might make a further 10-percent cut in our military manpower levels below fiscal year 1972 levels. I believe that study could show both to the Pentagon and to the Congress new ways in which a more efficient and austere use and deployment of military personnel could result in considerable savings in military spending—without damaging our capacity to protect our truly vital interests.

Should Congress authorize a 10-percent reduction in military manpower—we could save \$5.4 billion in the coming year alone.

Beyond possible manpower savings, I believe there are a number of ways in which we can save on military procurement and operations. In coming days I will be speaking on this question in greater detail. But for now let me suggest at least several widely publicized weapon systems on which we could save substantial amounts without damaging our capacity to defend ourselves and meet our vital commitments.

We could save \$1.2 billion next fiscal year by postponing further ABM deployment. Not only is the Safeguard system itself highly questionable, but the administration has indicated it believes an ABM limitation agreement at the SALT talks is close. It would be unwise and potentially wasteful to appropriate funds for continued construction of an ABM system which such an agreement might make unnecessary—or even cause to be dismantled.

We could save \$1.64 billion by postponing further deployment of MIRV warheads—both for Poseidon submarines and Minuteman III land-based ICBM's. MIRV was justified as necessary to penetrate a Soviet ABM system. The ICBM's we now have are more than sufficient to penetrate the small Moscow ABM system that now exists. If an agreement is reached at SALT freezing the Soviet ABM capability at about the current level, we clearly need no more MIRV's. Even if the SALT talks failed, we could buy and deploy MIRV's next year—still far ahead of the capacity of any Soviet ABM expansion to deal with them.

We could save over half a billion dollars by deferring procurement of the F-14 Navy fighter plane and related weapon systems. The House has already acted to delete funds for F-14, due to serious cost overruns and the questions of some experts about the usefulness and desir-

ability of this aircraft. We need not now make a final decision on this weapon system, but we certainly should defer procurement until cost problems are clarified and until more advanced models are available for "fly-offs."

We could save \$370 million by postponing appropriations for the B-1 bomber. The question of whether a "triad" deterrent is essential is currently under serious consideration in the Foreign Relations Committee. But even if some kind of a manned bomber is desirable, it is doubtful that B-1 is the manned bomber we need. B-1, in fact, could be one example of a weapon system derived more from past tradition than from current needs.

This is only a partial list of military items which, if examined carefully enough, could result in savings of at least \$8 billion, if not more.

In a different context, 10 days ago Judge Gurfein of New York declared—

The security of the Nation is not at the ramps alone. Security also lies in the value of our free institutions.

What concerns me is that, if we perpetuate the past distortion of priorities, we will allow those institutions and the society from which they have sprung to wither from inattention and inadequate resources. If we do, all the guns and missiles we have will not save America.

#### EMERGENCY SCHOOL ASSISTANCE PROGRAMS

Mr. MONDALE. Mr. President, the purpose of the resolution now before the Senate, House Joint Resolution 742, is to extend, at current levels, funding of ongoing programs for which the Congress will not have completed appropriations by the end of the fiscal year, June 30.

I am most disturbed to find that, at the request of the administration, the resolution as passed by the House contains an extension of the \$75 million "Emergency School Assistance Program."

This program, funded under the Economic Opportunity Act and other existing authorities, was established in the Office of Education appropriation last year. Its purpose was to assist school districts desegregating under the decision of the Supreme Court in *Alexander* against Holmes County Board of Education, and it was to be replaced by a comprehensive \$1.5 billion program to encourage and assist school integration throughout the Nation.

I and many of my colleagues had serious misgivings at the birth of the program. We doubted that the Office of Education had engaged in sufficient planning and preparation, and we knew that Congress had not been given an opportunity to closely examine the proposed program.

I have no wish to belabor the point. It is clear, however, that our worst fears were borne out. Reports by civil rights groups and the General Accounting Office revealed widespread mismanagement. Major violations of civil rights and program requirements were frequent.

Last April the Senate passed a comprehensive school desegregation assistance measure, as the President had requested. That carefully designed, nationwide proposal is currently awaiting action in the House of Representatives.

I fear that any substantial extension of the ESAP program will jeopardize enactment of that vital legislation.

Secretary Richardson states that additional funds to meet the immediate crisis needs of school districts desegregating under the recent rule of the Supreme Court in *Swann* against Charlotte-Mecklenburg. I am sympathetic with the Secretary's argument, but I believe that the \$6½ million authorized by the continuing resolution presently before this body should be more than enough to accomplish his purpose.

I wish to make clear my very profound hope that the limited extension of the ESAP program here authorized will not be subject to the abuses documented last fall. And I would warn the administration not to take the Senate's action as endorsement of extension of the ESAP program beyond August 6.

I ask unanimous consent that letters to me from Clarence Mitchell, legislative chairman of the leadership conference on civil rights and Secretary Richardson be printed in the RECORD.

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

LEADERSHIP CONFERENCE  
ON CIVIL RIGHTS,  
Washington, D.C., June 28, 1971.

HON. WALTER F. MONDALE,  
Chairman, Senate Select Committee on Equal Educational Opportunities, U.S. Senate,  
Washington, D.C.

DEAR MR. CHAIRMAN: In response to your inquiry, the Leadership Conference on Civil Rights, which supported the Emergency School Aid and Quality Integrated Education Act passed recently by the Senate, recognizes that the continuing resolution approved by the House last week contains funds to continue temporarily the so-called Emergency School Assistance Program (ESAP). As you know, it was ESAP for which Congress last year appropriated \$75 million and in which several civil rights groups and the General Accounting Office have found serious abuses and misuse of the appropriated funds.

The Leadership Conference had been hopeful that the Senate-passed school aid authorization measure or a similar bill would have been enacted by now so that funds could be appropriated under that new authority. In the absence of enactment of such a bill, we have no objection to continuing the funding of ESAP on a temporary basis so that funds might be made available to desegregating school systems to meet emergency additional expenses this fall—to assist in the purchase of buses, for example, in districts which must undertake substantially more transportation of students in order to comply with the standards of integration set forth in the Supreme Court's recent *Swann* decision.

We wish to make it absolutely clear, however, that while we do not oppose the continuing resolution temporarily refunding ESAP until August 6, we would not support any move to secure Congressional approval of a special appropriation along the lines of the \$75 million item of last year. We believe the Congress should instead be focusing its attention upon the school aid legislation authorizing \$1.5 billion in assistance to school systems which are desegregating and/or reducing racial isolation.

Respectfully,

CLARENCE MITCHELL,  
Chairman, Legislative Committee.

THE SECRETARY OF HEALTH,  
EDUCATION, AND WELFARE,  
Washington, D.C.

HON. WALTER F. MONDALE,  
Chairman, Select Committee on Equal Educational Opportunity, U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: I thought it would be helpful to provide you with some background on the Department's request to continue the emergency school assistance program.

As you know, early in this session of Congress, the President submitted the proposed Emergency School Aid Act designed to help school districts carry out successful desegregation programs. The Administration feels that legislation of this nature is of the greatest importance, and we hope that a bill acceptable to both Houses of Congress will be approved in the very near future.

Essentially, our current dilemma is that with the opening of the 1971-72 school year, a number of school districts are faced with additional desegregation requirements, and there is very little likelihood that the Emergency School Aid Act or similar legislation will be enacted in time to meet their immediate and critical needs.

The continuing resolution (H.J. Resolution 742) now before the Senate would continue emergency school assistance funding provided in the fiscal year 1971 Office of Education Appropriations Act.

The authority proposed in the continuing resolution becomes very important given the Supreme Court's decision in *Swann v. Charlotte-Mecklenburg Board of Education* and in companion cases handed down on April 20, 1971. The effect of the *Swann* ruling is to impose additional desegregation requirements on those school systems which do not now meet the Constitutional standards set forth in that decision. At the moment and until the Emergency School Aid Act or its equivalent becomes law, the only authority to provide emergency assistance to school districts is that which is embodied in the continuing resolution as proposed by the Senate Committee.

We should point out that, under the Continuing Resolution, we would be providing such emergency assistance only to school districts which must make significant adjustments this fall in response to the Supreme Court's *Swann* decision. Revised program regulations to this effect will be issued shortly in the event the Congress approves the continuing resolution. The statutory provisions applicable to the present program will, of course, remain in force. Our purpose under the resolution is to assist comprehensive desegregation programs, including activities such as teacher training, curriculum revision, and support services.

As I have indicated, we anticipate that a considerably smaller number of districts will be eligible to participate in the program during the period of the continuing resolution. This will facilitate a more thorough review of each application in light of the lessons we have learned in administering the funds during the course of the 1970-71 academic year.

This interim action under the continuing resolution would, of course, continue only for such time as the continuing resolution remains in effect or until such time as the Emergency School Aid Act or its equivalent becomes law.

Again, let me emphasize that a continuation of this limited emergency measure in no way preempts the larger scope and purpose of the school aid legislation now being considered by the House.

The President's objective is to encourage all school districts to deal affirmatively with the problems of minority group isolation in the schools and the funds provided by the continuing resolution will not meet this vital

objective. I urge the Congress to act on this crucial legislation.

With kindest regards,  
Sincerely,

ELLIOT RICHARDSON,  
Secretary.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HÉBERT, Mr. PRICE of Illinois, Mr. FISHER, Mr. BENNETT, Mr. ARENDS, Mr. O'KONSKI, and Mr. BRAY were appointed managers on the part of the House at the conference.

#### ENROLLED MEASURES SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

H.R. 5257. An act to extend the school breakfast and special food programs; and House Joint Resolution 744. A joint resolution making an appropriation for the fiscal year 1972 for the Department of Agriculture, and for other purposes.

The enrolled bill and joint resolution were subsequently signed by the President pro tempore.

#### CONTINUING APPROPRIATIONS, 1972

The Senate continued with the consideration of the joint resolution (H.J. Res. 742) making continuing appropriations for the fiscal year of 1972, and for other purposes.

The PRESIDING OFFICER. Who yields time?

MR. ELLENDER. I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

MR. JAVITS. Mr. President, I had in mind addressing myself to a different part of this measure which is a continuing resolution on many matters, but which specifically deals with the emergency school assistance program which is also contained in the continuing resolution.

That involves assistance in the desegregation of the public schools of the country. It will be remembered that we provided \$75 million for that purpose, anticipating the emergency school aid program which would amount to \$1.5 billion for 2 years as proposed by the President and contained in the budget.

The Senate passed such a bill which I think is a very admirable bill. The House has not yet acted. May I say first that I am deeply regretful that the House has not acted. Members of the Senate