

Wendy displays the typical whimsicalness of women. "I would say that my favorite color is yellow, but my friends know that I wear purple all the time, so I had better say that my favorite color is purple. But my room is yellow," she explained.

Although quite unsure of what she plans to do in the future, the 5-foot-4, 105 pound Miss South Carolina Teenager knows what she likes to do with her free time. "I would rather spend time reading than watching television. Or go for walks. There is so much going on that is real that I'd rather not watch something that's not even material," Wendy said very seriously.

Other varied interests are watching football games and reading and writing poetry. "But the main activity I love is painting. My favorite picture is a Japanese lady wearing a kimono in a Japanese garden," she added.

The active 17-year-old, whose favorite subjects in school are sociology, U.S. history and English, belongs to the Drama Club, the Spanish Club and the Junior Civettes.

Pulling back her medium length blonde hair, parted down the middle, flipped up on the ends, Wendy said enthusiastically, "To earn money to pay for pictures, the Junior Civettes are all going to wear T-shirts saying "slave" and work for the other students to make money one day soon."

Praising the new Spring Valley School, Wendy said, "We have a great faculty and great coaches. I hope we can really make a name for ourself like Dentsville did." She attended Dentsville last year.

The vivacious young teenager announced that she is a Scorpion. "I really haven't met that many Scorpions," she said with some amazement, "I like to read my horoscope and then if it comes true, I say, 'Ah, ha, maybe there is something to it.'"

The conversation kept shifting to the many things which interest Wendy Wingfield. "Did you see 'Love Story'?" I think that was just the best movie. I'm usually very emotional, but I'm proud to say I just had one tear. Two girls sitting next to us were sobbing so hard, Randy and I just had to laugh at them," Wendy said.

"Randy," is Randy Jacobs, a Carolina freshman. "We've been going steady for six months exactly. He played football for A.C. Flora and in the Shrine Bowl and the North-South All-Star game last year. I think he's really special and I like him a lot," she said with a grin.

Suddenly remembering that she had not taken the trip to Florida which she won when she was chosen Miss South Carolina Teenager 1971, Wendy contemplated whether she should take it over Easter vacation or during the summer.

"I haven't been anywhere by myself to really see what it's like. But I like to travel with my family," she admitted.

In line with her love of novelty and excitement Wendy said, "I just love to be on a jet because it goes so fast."

It seems that Wendy does not hesitate to try anything once. "You know," she said, "two things I just tasted that I really like are squirrel stew and rutabagas. But my favorite foods still are spaghetti and hamburgers."

"My mother said that the way your personality was projected to the judges was the main thing in the Miss South Carolina Teenager contest," Wendy explained as the reason she thinks she won. It is certainly no mystery how Wendy Wingfield stole the show if personality had anything to do with it.

WHAT'S RIGHT ABOUT AMERICA?

(By Wendy Wingfield)

Many things! . . . For instance; pistachio ice-cream, Bozo the Clown, sweatpea incense, half-price Beattle albums, and the late, late, late show!

But even more, what's infinitely right about America is that an American can have a dream become a reality; because America's middle name is opportunity. Now, more than ever, there is the chance to achieve your special dream—effort is the key word.

I believe, with all my heart, that "my" generation will put forth such effort needed to help respect our Flag support our Constitution, obey our laws, and defend our great country against all enemies.

The mere fact that one seventeen-year-old girl can have this sincere faith binding her to her country is what is truly right about America.

THE INVASION OF LAOS

Mr. BAYH. Mr. President, by President Nixon's conscious decision to support the South Vietnamese invasion the southern panhandle of Laos has now become the testing ground of Vietnamization. And the evidence to date seems to be proving that Vietnamization will not end the war.

Vietnamization was supposed to buy enough time to make the South Vietnamese Army competent to cope with the military situation in South Vietnam on its own. We were led to hope that Vietnamization would, thereby, permit the withdrawal of American fighting men so that in the foreseeable future none of our forces would be left in Vietnam. Vietnamization was going to end the war, principally by demonstrating to the enemy that they could never win and ought therefore to compromise in Paris.

The reports already in from the Laos operation contradict each of these assumptions.

In fairness, it does appear that the ARVN are fighting more competently than they did several years ago. But that is not the real question. The real question is whether, after nearly 2 years of Vietnamization, the ARVN show signs of improving enough to handle the military situation by themselves. The Laotian invasion raises serious questions about this. So far it appears that the North Vietnamese still have the ability to pick the ground on which to fight, and when they do, to inflict serious defeats even on the ARVN's crack units—despite the most massive application of American air power Indochina has yet seen.

The Laotian operation, like the Cambodian one before it, was supposed to buy time to make the ARVN capable of defending South Vietnam. The Cambodian operation expanded the area which they must defend to include yet another country. The current operation is not only expanding the area of the conflict, but also apparently exposing the South Vietnamese to a decisive military reverse. The result could be a South Vietnamese Army which must fight three wars instead of one—after some of its best fighting units have been destroyed.

And what of hopes for American disengagement in the foreseeable future?

The President's statement on unlimited use of American airpower and the military's estimates of when the South Vietnamese will be able to take over the air war pose the real possibility of a U.S. air umbrella over operations across Indochina for the next 4 or 5 years. The scope of that kind of involvement is suggested by the fact that during the cur-

rent invasion of Laos our airmen are flying up to 1,000 sorties a day.

And beyond that, what will a serious reverse for the ARVN—now or later—do to the pace of withdrawal of U.S. ground troops? American boys may well be bogged down longer in Vietnam because the South Vietnamese Army is spread too thin and too badly weakened to defend its own country.

The administration's explanations of the objectives and progress of this operation have been marked by dramatic inconsistencies.

The President either deluded himself or sought to delude others when he indicated that the "lifeline" from North Vietnam south could be choked off by such a mission, thus convincing the Communists to give up the fight. First, the capacity of the ARVN to achieve that objective, even temporarily, is at this point in serious doubt. Despite their incursion and intense air raids, reports persist that heavy traffic along the Ho Chi Minh Trail has continued during the last 2 weeks. Even if the South Vietnamese were able to block all the supply lines in the eastern half of the Laos panhandle the North Vietnamese could reroute their supplies further to the west, suffering only a temporary delay and loss of supplies. But in pushing the Communist supply lines westward we run the risk of spreading the major action of the war to areas heretofore unaffected—the heartland of Laos and even parts of Thailand. On how many more innocent bystanders do we have to visit the horrors of modern warfare before we realize that expanding the war is not the way to end it?

Now we are being told that an operation that has stalled and is in danger of becoming a disastrous setback is on schedule, that its objective is being achieved and that its progress is satisfactory.

Last week we were told that the ARVN were 22 miles into Laos. Two days ago it was 17½ miles. Yesterday it was 16 miles.

Both United States and South Vietnamese military authorities are giving the impression that a battle in which a crack ARVN Ranger battalion fled the field after losing three-fourths of its men was at least a standoff if not a triumph.

The town of Tehepon, which was described as the hub of the trail network and a key objective when the operation began has now become a nonobjective.

Furthermore, eyewitness reports contradict the statistical evidence Saigon and the Pentagon are citing. There is apparently some considerable divergence between the official figures and the reality of South Vietnamese losses, of North Vietnamese losses and American helicopters shot down.

Again a fundamental question is arising—the right of the American people to know what has really happened.

Finally and most importantly, there is the question of the effect of this Laos adventure on the chances of peace. Contrary to the President's claims, I see no reasonable hope that the Laotian operation will convince Hanoi that its chances of winning are really diminished and that

its enforcement program. It should plead for more funds if they are needed.

It should publicize food recalls. It should make public the names of the firms which do not allow FDA to conduct inspections or refuse to yield information on product quality. It should crack down on the big offenders, and devote less time and energy to minor offenders.

There is much to be done to make the FDA an effective agency. Commissioner Edwards should not wait until the criticism dies down before getting on with the needed reforms.

PROTECT THE FOOD SHOPPER

It is wrong to sell food containing additives not proved to be safe.

It is wrong to sell food with ingredients unspecified which could endanger consumers' health.

There are too many gaps in food laws. There is too much lag between application and final test results, at the U.S. Food and Drug Administration. Enforcement by the FDA is soft instead of tough.

Consumers meanwhile are baffled by fine print and technical terminology on packaged foods. And the food laws let some foods be sold without listing actual ingredients for the shopper.

FDA agents ought to be like "the Untouchables," a corps of airtight enforcers like Internal Revenue or G-men. Instead, many FDA men are doubtful about FDA standards and practices.

On the FDA's list of substances "generally regarded as safe"—the so-called GRAS list—are some widely used additives which FDA men themselves do not regard as safe.

Cyclamates were on that "safe" list 20 years after they had been linked to cancer in FDA's own laboratory experiments. They were only banned last fall, as an additive in food production.

Even then, there was no ban on sales of foods containing cyclamate sweeteners. Even now, behind the labels of catsup, mayonnaise and ice cream may be hidden sweeteners and colorings and other ingredients a consumer may not want or may be forbidden to eat.

The food code allows those and other "standardized" products to be sold without listing their ingredients.

When ingredients are listed, their names are technical and almost no consumer can tell if they are good or bad. What consumer knows if he ought to eat or stay away from hydrogenated vegetable protein or hydrogenated corn oil or a cola drink which—most likely—contains caffeine?

Ingredients are listed by weight, heaviest first. But the first ingredient may be 90% of the weight in the package, and the second could be 1%, for all the package tells.

Americans use more packaged and prepared foods every year. Use of chemical food additives has increased more than 50% in 10 years. Grocery buyers cannot test for hidden chemical dangers.

The FDA must be those citizens' agents. The FDA should have power to block use of any additive until it is proved safe. It should have power to require that food packages inform purchasers fully, in understandable language.

The customer has to pay good, genuine money to the seller. The seller should be equally honest, offering good, genuine products in which the customer can put his trust.

MISS WENDY WINGFIELD, MISS SOUTH CAROLINA TEENAGER 1971

Mr. THURMOND. Mr. President, it is always a sincere pleasure to learn of honors which come to South Carolinians.

It is especially pleasing when such honors are attributed to young people who display a strong sense of patriotism.

I have never subscribed to the theory that this generation of young people is worse than other generations—that they are more rebellious, less respectful to their parents, or more inclined to be violent.

On the contrary, the young people of the present probably contain more talent, more ambition, and more maturity than most in the past. They have, to a large extent, been maligned by excessive publicity given to isolated groups and individuals who do not wish our country well.

Mr. President, there is, in my State of South Carolina, a young lady who has demonstrated attributes which should bring high esteem to her generation.

She is Miss Wendy Wingfield of Columbia, who holds the title of Miss South Carolina Teenager 1971. This 17-year-old high-school junior was asked to write a theme on "What's Right With America," as part of the competition.

In talking to reporters about this paper, Miss Wingfield said that:

Having the freedom to sit and write about America, or brag about America is what is right with America.

This simple sentence explains in such an eloquent way the freedoms that Americans enjoy. It is reassuring to know that these values are prized and cherished by those who will come after us.

Mr. President, a feature article about Miss Wingfield appeared in the January 31 issue of the State, Columbia, S.C. This feature, written so well by Mrs. Linda Caughman, paints an excellent portrait of the young lady who represents our State as Miss Teenager 1971.

I ask unanimous consent that the article and the text of Miss Wingfield's theme be printed in the RECORD.

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

"MISS TEENAGER" AN INDIVIDUAL IN FASHION AND LIFE STYLE

(By Linda Caughman)

"I used to be a terrible tomboy, playing football and really getting into it. About two years ago when I started dating, I reformed and now I'm very glad I'm a girl," Wendy Wingfield said.

Wendy has certainly outgrown all her tomboyishness. In September she won the title of Miss South Carolina Teenager 1971 and represented South Carolina in the Miss American Teenager competition in Palsades Park, N.Y.

The blond, blue-eyed, 17-year-old Spring Valley junior could be best described as a well-rounded All-American girl.

An important part of the Miss South Carolina Teenager contest was writing and reading a theme on "What's Right With America." Wendy said, "I wrote that having the freedom to sit and write about America or brag about America was what was right with America. In Russia they can't do that."

Wendy has lived in Columbia with her 13-year-old sister, Darcy, her white poodle named Bebe, her goldfish, who doesn't have a name, and her mother and step-father, Mr. and Mrs. Randall E. Thornton, for the past three years.

"I lived in Seattle, Washington, most of my life and in California when I was real little," Wendy said. "People seem to be the same

everywhere except for the way they talk. I like the South because you feel like you're somebody here."

Wendy lives in a brand new, very modern house in the North Trenholm area. "Our house on this same lot burned down last March while we were at the beach. It was terrible. Nothing was saved, except the brick which were still intact. We rebuilt using almost the same house plan," she said.

"It was great fun decorating the new house. My favorite thing about the house is the slanted ceiling. It gives me the feeling of being free.

"I decorated my own room," said Wendy, who has inherited her mother's talent for painting abstracts and love of modern designs. "It is real modern and my favorite piece is my chair which is round and striped.

"I picked out the wallpaper in the bathroom. It has big yellow flowers. When you get to choose things, they mean a lot more to you," Wendy continued.

Contagiously spreading her pride in her family's home, Wendy pointed out the red, black and white color scheme in the den and the kitchen. The modern, basic furniture and the cathedral ceiling fit her personality perfectly.

Attired in a purple, clingy blouse with a draw string neckline and jeans sporting a patch on the hip pocket (saying "Randy") and tennis shoes, Wendy said, "My boyfriend sewed his name on them and gave me the jeans for a Christmas present. That's what makes them special.

"I wear what I like and what looks good on me. I'm kind of moody. Sometimes I like to wear something feminine and sometimes I like to wear a suit. I could just live in pants, though. I love jeans and tennis shoes." Wendy gave her views of fashion.

"I have one midi because I fell in love with it. I didn't care what length it was. It could have been down to my toes and I wouldn't have cared. I just liked the dress itself." Wendy is one girl who is not going to let fashion designers dictate to her, she said.

Wendy completed the professional modeling course at a local studio, and has done some department store television advertisements. "I really modeled more before the pageant than I have after the pageant, she said. "I'm on a junior fashion board."

Having never seriously considered a career in modeling, Wendy said that modeling is just something she enjoys doing now. She won a \$900 scholarship to Bauder Fashion Institute in Atlanta and plans to take the fashion course as soon as she graduates from high school.

"I would never have gone out and entered the Miss South Carolina Teenager 1971 Pageant, but since it was placed before me I decided to try," Wendy admitted.

She was entered in the contest by her modeling instructor, who, Wendy said, "instilled confidence in me."

Relating how her family reacted to her winning the title, Wendy said, "My mother was the most thrilled person there ever was. I think my sister was pretty happy, but she doesn't say much."

Along with most other teenagers, Wendy thinks about what she will do after high school graduation. Although she wants to squeeze in the course at Bauder, she is definitely interested in college. Still undecided as to where she wants to go, she has considered the University of South Carolina because it is so close to home.

"I would hope to live in a dorm so I could be independent. I think that is every teenager's dream. But I'd probably come running home to Mama," Wendy said.

"I told the judges in the contest that I wanted to be a corporation lawyer, but I don't anymore. A close friend of our family is one and I still think it is a cool thing to do. I've thought about being a stewardess," she said.

it ought to sue for peace. In fact, if the South Vietnamese reverses continue, Hanoi may well end up believing they are much closer to a military victory than they themselves had thought. In any case, nothing about this operation would seem to serve the cause of a negotiated settlement and final peace.

Plainly we should now be on a very different course. We should not be expanding the war, but trying to find ways to deescalate it. We should not be taking actions in Indochina which seem to assure our further and deeper entanglement. We should, instead, be deciding on a date on which to end our involvement. We should not be seeking a military solution in southern Laos; we should be seeking a political solution in Paris to end the war in Vietnam.

ADOPTION OF RULES BY COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. WILLIAMS. Mr. President, at its organizational meeting on February 18, 1971, the Committee on Labor and Public Welfare readopted its existing rules governing the committee's procedures.

I send a copy of the committee's rules to the desk and ask unanimous consent that they be printed in the RECORD as required by section 133B of the Legislative Reorganization Act of 1946, as amended.

The committee will meet again shortly to consider amendments to these rules and any amendments then adopted will also be submitted for publication in the RECORD.

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

RULES AND PROCEDURES OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Rule 1. Unless the Senate is meeting at the time, or it is otherwise ordered, and notice given, the Committee shall meet regularly at 10:30 a.m. on the second and fourth Thursday of each month. The Chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2. The Chairman of the Committee (subcommittee), or if the Chairman is not present, the ranking Majority member present shall preside at all meetings.

Rule 3. All hearings conducted by the Committee (subcommittee) shall be open to the public except:

1. Executive sessions for the consideration of bills or resolutions, or
2. For voting, or
3. Where the Committee (subcommittee) by majority vote of those present orders an Executive session.

Rule 4. For the purpose of conducting an Executive session, a majority of the Committee (subcommittee) actually present shall constitute a quorum. No measure or recommendation shall be reported from the Committee (subcommittee) unless a quorum of the Committee (subcommittee) is actually present at the time such action is taken. Votes by proxy shall be permitted.

Rule 5. For the purpose of conducting public hearings (including the taking of sworn testimony) a quorum shall be determined as follows:

- (a) For the full Committee—five members actually present.
- (b) For seven-member subcommittee—three members actually present.
- (c) For five-member subcommittee—two members actually present.

Rule 6. There shall be kept a complete record of all Committee (subcommittee) action. Such records shall contain the vote cast by each member of the Committee (subcommittee) on any question which a "yea and nay" vote is demanded.

The Clerk of the Committee, or his assistant, shall act as recording secretary of all proceedings before the Committee (subcommittee).

Rule 7. The Committee (subcommittee) shall so far as practicable, require all witnesses heard before it, to file written statements of their proposed testimony at least seventy-two hours before a hearing and to limit their oral presentation to brief summaries of their arguments. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the Committee (subcommittee).

The Committee (subcommittee) shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 8. Should a subcommittee fail to report back to the full Committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full Committee for further disposition.

Rule 9. No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full Committee.

Rule 10. It shall be the duty of the Chairman to report or cause to be reported to the Senate, any measure or recommendation approved by the Committee and to take or cause to be taken, necessary steps to bring the matter to a vote.

Rule 11. No person other than members of the Committee (subcommittee) and members of the staff of the Committee, shall be permitted to attend the Executive sessions of the Committee (subcommittee), except by special dispensation of the Committee (subcommittee), or the Chairman thereof.

Rule 12. The Chairman of the Committee (subcommittee) shall be empowered to adjourn any meeting of the Committee (subcommittee) if a quorum is not present within fifteen minutes of the time scheduled for such meeting.

Rule 13. Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee (subcommittee) for final consideration, the Clerk shall place before each member of the Committee (subcommittee) a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added.

Rule 14. Investigation Procedures

a. An investigating committee (subcommittee) may be authorized only by the action of a majority of the committee.

b. No investigating committee (subcommittee) is authorized to hold a hearing to hear subpoenaed witnesses or take sworn testimony unless a majority of the Members of the committee or subcommittee are present: Provided, however, that the committee may authorize the presence of a Majority and a Minority Member to constitute a quorum.

c. An investigating committee (subcommittee) may not delegate its authority to issue subpoenas except by a vote of the committee (subcommittee).

d. No hearing shall be initiated unless the investigating committee (subcommittee) has specifically authorized such hearing.

e. No hearing of an investigating committee (subcommittee) shall be scheduled outside of the District of Columbia except by the majority vote of the committee (subcommittee).

f. No confidential testimony taken or confidential material presented in an executive

hearing of an investigating committee (subcommittee) or any report of the proceedings of such an executive hearing shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members of the committee (subcommittee).

g. Any witness summoned to a public or executive hearing may be accompanied by counsel of his own choosing who shall be permitted while the witness is testifying to advise him of his legal rights.

Rule 15. Subject to statutory requirements imposed on the Committee with respect to procedure, the rules of the Committee may be changed, modified, amended or suspended at any time, provided, however, that not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

PRESS REACTION TO SENATOR CASE'S RADIO FREE EUROPE INITIATIVE

Mr. JAVITS. Mr. President, recently my close colleague, the senior Senator from New Jersey (Mr. Case), took an important initiative in bringing before the Senate and the Nation certain facts concerning the funding and operation of Radio Free Europe. Senator Case's initiative has attracted considerable attention in the press. I ask unanimous consent that a selection of press articles on this subject be printed in the RECORD.

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

[From the Philadelphia Bulletin, Jan. 24, 1971]

RADIO FREE EUROPE GETS SECRET AID FROM CIA, CASE SAYS; ASKS CONTROL

(By Linda J. Heffner)

WASHINGTON.—Sen. Clifford P. Case (R-NJ), charging that millions of dollars in Central Intelligence Agency funds is used to operate Radio Free Europe and Radio Liberty, is urging Congress to control the funding of the two stations.

Case said he plans to introduce legislation tomorrow calling for the two propaganda stations to be operated "under the authorization and appropriation process of Congress."

"During the last 20 years," Case said in a statement yesterday, "several hundred million dollars in U.S. Government funds have been expended from secret CIA budgets to pay almost totally for the costs of these two radio stations broadcasting to Eastern Europe.

"In the last fiscal year alone, over \$30 million was provided by the CIA as a direct government subsidy, yet at no time was Congress asked or permitted to carry out its traditional constitutional role of approving the expenditure."

MOST COSTS LINKED TO CIA

Case said that although Radio Free Europe and Radio Liberty both claim to be non-governmental organizations sponsored by private contributions, high sources indicate that direct CIA subsidies pay nearly all their costs.

According to Internal Revenue Service returns, he said, the combined operating cost of the two stations for fiscal 1969 was almost \$34 million—21.1 million for Radio Free Europe and \$12.8 million for Radio Liberty.

Although Radio Free Europe conducts a fund-raising campaign each year, Case said, he has been informed that only about \$12 to \$20 million in free advertising space is donated, less than \$100,000 is contributed by

the public and gifts from corporations and foundations are small.

The rest, or more than \$30 million each year, Case said, comes from the CIA.

Asked about Case's charges, a CIA spokesman said:

"The Central Intelligence Agency never responds to statements."

Other Washington sources report that despite insistence by the two stations that they are private organizations U.S. officials assigned to the American consulate general in Munich, Germany, maintain extremely close contact with them.

At least one of these officials, according to the sources, maintains a full-time liaison role to the two stations with a mission of assuring that their program content does not differ from U.S. policy.

To keep the stations informed, the sources said, the liaison man passes on a steady stream of classified and unclassified U.S. Government documents reporting on events in Eastern Europe.

In addition, the sources said, U.S. Government security officers regularly inspect the headquarters of the two stations to make sure the facilities for keeping the classified material are secure.

The sources added that the Government's official connection with the stations is further heightened by a State Department program which regularly brings American embassy officials throughout Eastern Europe to Munich for extensive briefing sessions.

Case's allegations bring to mind the 1967 disclosure that the CIA was funding the National Student Association.

At that time, a presidential commission, composed of John Gardner, then secretary of Health, Education and Welfare; CIA Director Richard Helms, and Nicholas Katzenbach, then under secretary of state, recommended that "no federal agency shall provide covert financial assistance or support, direct or indirect, to any of the nation's educational or voluntary organizations."

SECURITY INSPECTION

President Lyndon B. Johnson ordered the recommendation implemented by all federal agencies.

Case said the bill he will introduce tomorrow would amend the U.S. Information and Educational Exchange Act of 1948 to authorize funds to the two radio stations in fiscal 1972.

It also will provide, he said, that no other federal funds could be made available to either Radio-Free Europe or Radio Liberty, except under the provisions of this Act.

[From the Newark Sunday News,
Jan. 24, 1971]

CASE TIES CIA TO RADIO FREE EUROPE (By John J. Farmer)

WASHINGTON.—Radio Free Europe and Radio Liberty are supported almost entirely by Central Intelligence Agency funds and should be brought under direct congressional financial control, Sen. Clifford P. Case, R-N.J., charged last night.

He will sponsor legislation this week, Case said to bring both broadcast agencies under the congressional appropriation process.

During the last 20 years, he said, several hundred million dollars have been spent from secret CIA budgets to pay almost the total cost of these stations, which broadcast to eastern Europe.

"In the last fiscal year alone, over \$30 million was provided by CIA as a direct government subsidy; yet at no time was Congress asked or permitted to carry out its traditional constitutional role of approving the expenditure," Case charged.

The figures on reputed CIA spending for the stations—which claim to be non-government agencies supported by private contributions—have been published before, but never officially acknowledged. Case said his

own inquiry satisfies him that the charges are true.

Between \$12 million and \$20 million in free advertising space is donated annually to raise private contributions for the stations, Case said, but the return from the public is "apparently less than \$100,000."

Case's proposal would amend the U.S. Information and Educational Exchange Act to authorize funds for both stations in the coming fiscal year and provide that no other federal money could be diverted to either station.

A spokesman for Case said the New Jersey Republican hopes the legislation, if successful, will begin to lift the curtain on various federal secret spending, much of which, he feels, is no longer warranted.

Emergency funding of Radio Free Europe and Radio Liberty from secret accounts might be understandable in an emergency or for a year or two, Case said. But the justification has lessened as international tensions have eased, he said.

[From the Trenton Sunday Times,
Jan. 24, 1971]

CASE WOULD HALT CIA RADIO FUNDING

WASHINGTON.—If you thought that Radio Free Europe depended on private contributions solicited through its extensive television ad campaigns, you may be surprised to know that it is funded largely by the federal government's Central Intelligence Agency (CIA).

So said Sen. Clifford P. Case (R-N.J.), in announcing plans to introduce Monday legislation that would for the first time put federal funding of RFE and Radio Liberty under the control of Congress.

The New Jersey senator said that the two radio stations, which claim to be non-governmental organizations sponsored by private contributions, receive about \$30 million per year from secret CIA budgets over which Congress has no control.

FREE SPACE DONATED

CIA funding allegedly accounts for nearly all of the \$34 million operating costs of the two stations, with the remainder coming from corporate contributions and citizen donations.

Under the auspices of the Advertising Council, Case said, about \$12-20 million in free ad space is donated to RFE and RL by television and radio stations, newspapers and magazines, and billboard companies.

The reported \$100,000 in citizen donations that result from this campaign, however, are a negligible portion of the RFE and RL budgets, Case said.

Radio Free Europe and Radio Liberty were begun in 1950 and 1951, respectively. RFE broadcasts to Czechoslovakia, Poland, Hungary, Bulgaria and Rumania, while RL broadcasts to the Soviet Union.

RFE and RL programming and editorial policies often parallel those of the Voice of America, the U.S. federally funded official international radio station.

[From the Washington (D.C.) Sunday Star,
Jan. 24, 1971]

CASE TO LIFT COVER ON CIA RADIO AID (By George Sherman)

Sen. Clifford P. Case, R-N.J., will present legislation tomorrow to end what he claims are secret multimillion dollar subsidies given by the Central Intelligence Agency to private American radio stations broadcasting to Communist Europe.

According to a statement issued yesterday, Case charges that last fiscal year alone the CIA gave "over \$30 million" to Radio Free Europe and Radio Liberty "as direct government subsidy." Both supposedly are non-governmental anti-Communist stations. Both are based in Munich, Germany.

"During the last 20 years several hundred

million dollars in United States Government funds have been expended from secret CIA budgets to pay almost totally for the costs of these two radio stations broadcasting to Eastern Europe," Case charged.

SUBSTITUTE FUNDING SOUGHT

Case, a member of both the Senate Foreign Relations and Appropriations committees, said he will present legislation to bring the two stations under the authorization and appropriation process of Congress. He will call tentatively for a \$30 million authorization, he said, under the amended U.S. Information and Educational Exchange Act of 1948.

Rep. Ogden R. Reid, R-N.Y., will introduce similar legislation in the House, Case said.

In developing his case, Case said that income tax returns showed that the combined operating costs of the two stations in fiscal 1969 were nearly \$34 million (\$21,109,935 for Radio Free Europe and \$12,887,401 for Radio Liberty).

Of that amount, he charged, \$30 million came from the CIA. Less than \$100,000 came from the public, through a free advertising campaign by the Advertising Council of the media in this country, and a "small part" more came from private corporations and foundations, Case said.

EASING OF TENSION NOTED

Case charged that any possible justification for this "covert funding" has lessened over the years with the easing of international tensions.

The New Jersey Republican said he would ask that administration officials be called to testify before Congress on the needs of Radio Free Europe and Radio Liberty.

He noted that in 1967, after disclosures that the CIA was providing funds for the National Student Association, President Johnson accepted a recommendation that "no federal agency shall provide covert financial assistance or support, direct or indirect, to any of the nation's educational or voluntary organizations."

That recommendation, which added that "no programs currently would justify any exception to this policy," was made by John Gardner, then secretary of Health, Education and Welfare, Richard Helms, director of CIA, and Nicholas Katzenbach, then under-secretary of State.

"The extraordinary circumstances that might have been thought to justify circumvention of constitutional processes" in an "emergency situation" years ago, said Case, "no longer exist."

EVIDENCE CITED

Sources close to Case say evidence exists to prove that the two stations are really adjuncts of the U.S. government. They say that Radio Free Europe and Radio Liberty receive classified documents from the American consulate general in Munich for use in their broadcasts.

Furthermore, the sources say, Radio Free Europe sends messages to Washington—presumably to the CIA—using the secret coding system of the consulate general.

Observers here said Case merely is bringing out into the open a situation known in official circles for years.

[From the Baltimore News-American,
Jan. 24, 1971]

SENATOR CASE ASKS OVERSEAS RADIO CIA FUND CUTOFF

(By John P. Wallach)

WASHINGTON.—Sen. Clifford P. Case, R-N.J., announced Saturday he would introduce legislation Monday to stop the Central Intelligence Agency (CIA) from continuing to bankroll Radio Free Europe (RFE) and Radio Liberty (RL).

Case charged that the outlay from "secret" CIA funds has already cost the U.S. taxpayer "several hundred million dollars." The Re-

it ought to sue for peace. In fact, if the South Vietnamese reverses continue, Hanoi may well end up believing they are much closer to a military victory than they themselves had thought. In any case, nothing about this operation would seem to serve the cause of a negotiated settlement and final peace.

Plainly we should now be on a very different course. We should not be expanding the war, but trying to find ways to deescalate it. We should not be taking actions in Indochina which seem to assure our further and deeper entanglement. We should, instead, be deciding on a date on which to end our involvement. We should not be seeking a military solution in southern Laos; we should be seeking a political solution in Paris to end the war in Vietnam.

ADOPTION OF RULES BY COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. WILLIAMS. Mr. President, at its organizational meeting on February 18, 1971, the Committee on Labor and Public Welfare readopted its existing rules governing the committee's procedures.

I send a copy of the committee's rules to the desk and ask unanimous consent that they be printed in the RECORD as required by section 133B of the Legislative Reorganization Act of 1946, as amended.

The committee will meet again shortly to consider amendments to these rules and any amendments then adopted will also be submitted for publication in the RECORD.

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

RULES AND PROCEDURES OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Rule 1. Unless the Senate is meeting at the time, or it is otherwise ordered, and notice given, the Committee shall meet regularly at 10:30 a.m. on the second and fourth Thursday of each month. The Chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2. The Chairman of the Committee (subcommittee), or if the Chairman is not present, the ranking Majority member present shall preside at all meetings.

Rule 3. All hearings conducted by the Committee (subcommittee) shall be open to the public except:

1. Executive sessions for the consideration of bills or resolutions, or
2. For voting, or
3. Where the Committee (subcommittee) by majority vote of those present orders an Executive session.

Rule 4. For the purpose of conducting an Executive session, a majority of the Committee (subcommittee) actually present shall constitute a quorum. No measure or recommendation shall be reported from the Committee (subcommittee) unless a quorum of the Committee (subcommittee) is actually present at the time such action is taken. Votes by proxy shall be permitted.

Rule 5. For the purpose of conducting public hearings (including the taking of sworn testimony) a quorum shall be determined as follows:

- (a) For the full Committee—five members actually present.
- (b) For seven-member subcommittee—three members actually present.
- (c) For five-member subcommittee—two members actually present.

Rule 6. There shall be kept a complete record of all Committee (subcommittee) action. Such records shall contain the vote cast by each member of the Committee (subcommittee) on any question which a "yea and nay" vote is demanded.

The Clerk of the Committee, or his assistant, shall act as recording secretary of all proceedings before the Committee (subcommittee).

Rule 7. The Committee (subcommittee) shall so far as practicable, require all witnesses heard before it, to file written statements of their proposed testimony at least seventy-two hours before a hearing and to limit their oral presentation to brief summaries of their arguments. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the Committee (subcommittee).

The Committee (subcommittee) shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 8. Should a subcommittee fail to report back to the full Committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full Committee for further disposition.

Rule 9. No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full Committee.

Rule 10. It shall be the duty of the Chairman to report or cause to be reported to the Senate, any measure or recommendation approved by the Committee and to take or cause to be taken, necessary steps to bring the matter to a vote.

Rule 11. No person other than members of the Committee (subcommittee) and members of the staff of the Committee, shall be permitted to attend the Executive sessions of the Committee (subcommittee), except by special dispensation of the Committee (subcommittee), or the Chairman thereof.

Rule 12. The Chairman of the Committee (subcommittee) shall be empowered to adjourn any meeting of the Committee (subcommittee) if a quorum is not present within fifteen minutes of the time scheduled for such meeting.

Rule 13. Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee (subcommittee) for final consideration, the Clerk shall place before each member of the Committee (subcommittee) a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added.

Rule 14. Investigation Procedures

a. An investigating committee (subcommittee) may be authorized only by the action of a majority of the committee.

b. No investigating committee (subcommittee) is authorized to hold a hearing to hear subpoenaed witnesses or take sworn testimony unless a majority of the Members of the committee or subcommittee are present: Provided, however, that the committee may authorize the presence of a Majority and a Minority Member to constitute a quorum.

c. An investigating committee (subcommittee) may not delegate its authority to issue subpoenas except by a vote of the committee (subcommittee).

d. No hearing shall be initiated unless the investigating committee (subcommittee) has specifically authorized such hearing.

e. No hearing of an investigating committee (subcommittee) shall be scheduled outside of the District of Columbia except by the majority vote of the committee (subcommittee).

f. No confidential testimony taken or confidential material presented in an executive

hearing of an investigating committee (subcommittee) or any report of the proceedings of such an executive hearing shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members of the committee (subcommittee).

g. Any witness summoned to a public or executive hearing may be accompanied by counsel of his own choosing who shall be permitted while the witness is testifying to advise him of his legal rights.

Rule 15. Subject to statutory requirements imposed on the Committee with respect to procedure, the rules of the Committee may be changed, modified, amended or suspended at any time, provided, however, that not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

PRESS REACTION TO SENATOR CASE'S RADIO FREE EUROPE INITIATIVE

Mr. JAVITS. Mr. President recently my close colleague, the senior Senator from New Jersey (Mr. CASE), took an important initiative in bringing before the Senate and the Nation certain facts concerning the funding and operation of Radio Free Europe. Senator CASE's initiative has attracted considerable attention in the press. I ask unanimous consent that a selection of press articles on this subject be printed in the RECORD.

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

[From the Philadelphia Bulletin, Jan. 24, 1971]

RADIO FREE EUROPE GETS SECRET AND FROM CIA, CASE SAYS; ASKS CONTROL

(By Linda J. Heffner)

WASHINGTON.—Sen. Clifford P. Case (R-NJ), charging that millions of dollars in Central Intelligence Agency funds is used to operate Radio Free Europe and Radio Liberty, is urging Congress to control the funding of the two stations.

Case said he plans to introduce legislation tomorrow calling for the two propaganda stations to be operated "under the authorization and appropriation process of Congress."

"During the last 20 years," Case said in a statement yesterday, "several hundred million dollars in U.S. Government funds have been expended from secret CIA budgets to pay almost totally for the costs of these two radio stations broadcasting to Eastern Europe.

"In the last fiscal year alone over \$30 million was provided by the CIA as a direct government subsidy, yet at no time was Congress asked or permitted to carry out its traditional constitutional role of approving the expenditure."

MOST COSTS LINKED TO CIA

Case said that although Radio Free Europe and Radio Liberty both claim to be non-governmental organizations sponsored by private contributions, high sources indicate that direct CIA subsidies pay nearly all their costs.

According to Internal Revenue Service returns, he said, the combined operating cost of the two stations for fiscal 1969 was almost \$34 million—21.1 million for Radio Free Europe and \$12.8 million for Radio Liberty.

Although Radio Free Europe conducts a fund-raising campaign each year, Case said, he has been informed that only about \$12 to \$20 million in free advertising space is donated, less than \$100,000 is contributed by

the public and gifts from corporations and foundations are small.

The rest, or more than \$30 million each year, Case said, comes from the CIA.

Asked about Case's charges, a CIA spokesman said:

"The Central Intelligence Agency never responds to statements."

Other Washington sources report that despite insistence by the two stations that they are private organizations U.S. officials assigned to the American consulate general in Munich, Germany, maintain extremely close contact with them.

At least one of these officials, according to the sources, maintains a full-time liaison role to the two stations with a mission of assuring that their program content does not differ from U.S. policy.

To keep the stations informed, the sources said, the liaison man passes on a steady stream of classified and unclassified U.S. Government documents reporting on events in Eastern Europe.

In addition, the sources said, U.S. Government security officers regularly inspect the headquarters of the two stations to make sure the facilities for keeping the classified material are secure.

The sources added that the Government's official connection with the stations is further heightened by a State Department program which regularly brings American embassy officials throughout Eastern Europe to Munich for extensive briefing sessions.

Case's allegations bring to mind the 1967 disclosure that the CIA was funding the National Student Association.

At that time, a presidential commission, composed of John Gardner, then secretary of Health, Education and Welfare; CIA Director Richard Helms, and Nicholas Katzenbach, then under secretary of state, recommended that "no federal agency shall provide covert financial assistance or support, direct or indirect, to any of the nation's educational or voluntary organizations."

SECURITY INSPECTION

President Lyndon B. Johnson ordered the recommendation implemented by all federal agencies.

Case said the bill he will introduce tomorrow would amend the U.S. Information and Educational Exchange Act of 1948 to authorize funds to the two radio stations in fiscal 1972.

It also will provide, he said, that no other federal funds could be made available to either Radio-Free Europe or Radio Liberty, except under the provisions of this Act.

[From the Newark Sunday News,
Jan. 24, 1971]

CASE TIES CIA TO RADIO FREE EUROPE (By John J. Farmer)

WASHINGTON.—Radio Free Europe and Radio Liberty are supported almost entirely by Central Intelligence Agency funds and should be brought under direct congressional financial control, Sen. Clifford P. Case, R-N.J., charged last night.

He will sponsor legislation this week, Case said to bring both broadcast agencies under the congressional appropriation process.

During the last 20 years, he said, several hundred million dollars have been spent from secret CIA budgets to pay almost the total cost of these stations, which broadcast to eastern Europe.

"In the last fiscal year alone, over \$30 million was provided by CIA as a direct government subsidy; yet at no time was Congress asked or permitted to carry out its traditional constitutional role of approving the expenditure," Case charged.

The figures on reputed CIA spending for the stations—which claim to be non-government agencies supported by private contributions—have been published before, but never officially acknowledged. Case said his

own inquiry satisfies him that the charges are true.

Between \$12 million and \$20 million in free advertising space is donated annually to raise private contributions for the stations, Case said, but the return from the public is "apparently less than \$100,000."

Case's proposal would amend the U.S. Information and Educational Exchange Act to authorize funds for both stations in the coming fiscal year and provide that no other federal money could be diverted to either station.

A spokesman for Case said the New Jersey Republican hopes the legislation, if successful, will begin to lift the curtain on various federal secret spending, much of which, he feels, is no longer warranted.

Emergency funding of Radio Free Europe and Radio Liberty from secret accounts might be understandable in an emergency or for a year or two, Case said. But the justification has lessened as international tensions have eased, he said.

[From the Trenton Sunday Times,
Jan. 24, 1971]

CASE WOULD HALT CIA RADIO FUNDING

WASHINGTON.—If you thought that Radio Free Europe depended on private contributions solicited through its extensive television ad campaigns, you may be surprised to know that it is funded largely by the federal government's Central Intelligence Agency (CIA).

So said Sen. Clifford P. Case (R-N.J.), in announcing plans to introduce Monday legislation that would for the first time put federal funding of RFE and Radio Liberty under the control of Congress.

The New Jersey senator said that the two radio stations, which claim to be non-governmental organizations sponsored by private contributions, receive about \$30 million per year from secret CIA budgets over which Congress has no control.

FREE SPACE DONATED

CIA funding allegedly accounts for nearly all of the \$34 million operating costs of the two stations, with the remainder coming from corporate contributions and citizen donations.

Under the auspices of the Advertising Council, Case said, about \$12-20 million in free ad space is donated to RFE and RL by television and radio stations, newspapers and magazines, and billboard companies.

The reported \$100,000 in citizen donations that result from this campaign, however, are a negligible portion of the RFE and RL budgets, Case said.

Radio Free Europe and Radio Liberty were begun in 1950 and 1951, respectively. RFE broadcasts to Czechoslovakia, Poland, Hungary, Bulgaria and Rumania, while RL broadcasts to the Soviet Union.

RFE and RL programming and editorial policies often parallel those of the Voice of America, the U.S. federally funded official international radio station.

[From the Washington (D.C.) Sunday Star,
Jan. 24, 1971]

CASE TO LIFT COVER ON CIA RADIO AID (By George Sherman)

Sen. Clifford P. Case, R-N.J., will present legislation tomorrow to end what he claims are secret multimillion dollar subsidies given by the Central Intelligence Agency to private American radio stations broadcasting to Communist Europe.

According to a statement issued yesterday, Case charges that last fiscal year alone the CIA gave "over \$30 million" to Radio Free Europe and Radio Liberty "as direct government subsidy." Both supposedly are non-governmental anti-Communist stations. Both are based in Munich, Germany.

"During the last 20 years several hundred

million dollars in United States Government funds have been expended from secret CIA budgets to pay almost totally for the costs of these two radio stations broadcasting to Eastern Europe," Case charged.

SUBSTITUTE FUNDING SOUGHT

Case, a member of both the Senate Foreign Relations and Appropriations committees, said he will present legislation to bring the two stations under the authorization and appropriation process of Congress. He will call tentatively for a \$30 million authorization, he said, under the amended U.S. Information and Educational Exchange Act of 1948.

Rep. Ogden R. Reid, R-N.Y., will introduce similar legislation in the House, Case said.

In developing his case, Case said that income tax returns showed that the combined operating costs of the two stations in fiscal 1969 were nearly \$34 million (\$21,109,935 for Radio Free Europe and \$12,887,401 for Radio Liberty).

Of that amount, he charged, \$30 million came from the CIA. Less than \$100,000 came from the public, through a free advertising campaign by the Advertising Council of the media in this country, and a "small part" more came from private corporations and foundations, Case said.

EASING OF TENSION NOTED

Case charged that any possible justification for this "covert funding" has lessened over the years with the easing of international tensions.

The New Jersey Republican said he would ask that administration officials be called to testify before Congress on the needs of Radio Free Europe and Radio Liberty.

He noted that in 1967, after disclosures that the CIA was providing funds for the National Student Association, President Johnson accepted a recommendation that "no federal agency shall provide covert financial assistance or support, direct or indirect, to any of the nation's educational or voluntary organizations."

That recommendation, which added that "no programs currently would justify any exception to this policy," was made by John Gardner, then secretary of Health, Education and Welfare, Richard Helms, director of CIA, and Nicholas Katzenbach, then under-secretary of State.

"The extraordinary circumstances that might have been thought to justify circumvention of constitutional processes" in an "emergency situation" years ago, said Case, "no longer exist."

EVIDENCE CITED

Sources close to Case say evidence exists to prove that the two stations are really adjuncts of the U.S. government. They say that Radio Free Europe and Radio Liberty receive classified documents from the American consulate general in Munich for use in their broadcasts.

Furthermore, the sources say, Radio Free Europe sends messages to Washington—presumably to the CIA—using the secret coding system of the consulate general.

Observers here said Case merely is bringing out into the open a situation known in official circles for years.

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(By John P. Wallach)

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Case charged that the outlay from "secret" CIA funds has already cost the U.S. taxpayer "several hundred million dollars." The Re-

publican senator called on the two organizations to quit the pretense of acting as private organizations claiming to rely solely on voluntary contributions.

As a replacement for covert government funding, Case proposed that Congress appropriate the \$30 million that is now needed to meet the station's average annual budget. Both RFE and RL beam, in several languages, news to the nations of Eastern Europe and the Soviet Union.

Both organizations are heavily staffed by refugees from behind the Iron Curtain, but are distinct from the Voice of America, which is an official arm of the U.S. government and receives all its funding from Congress.

Case's allegation that the CIA continues to finance the two stations amounts to a direct attack against CIA Director Richard Helms, who was one of three members of a presidential investigatory body formed after the disclosure in 1967 of CIA funding of the National Student Association.

The commission, which also included John Gardner, the secretary of the Department of Health, Education and Welfare (HEW) and Nicholas Katzenbach, then secretary of state, recommended "no federal assistance or support, direct or indirect, to any of the nation's educational or voluntary organizations."

On March 29, 1967, President Johnson accepted the commission's recommendations and ordered that they be implemented by all federal agencies.

Case announced that he would call leading administration officials to testify on his bill, charging that "during the last twenty years, several hundred million dollars in United States government funds have been expended from secret CIA budgets to pay almost totally for the cost of these two radio stations.

"In the last fiscal year alone, over \$30 million was provided by CIA as a direct government subsidy; yet at no time was Congress asked or permitted to carry out its traditional constitutional role of approving the expenditure," Case said.

Congressional sources disclosed additional evidence of the links between the stations and the U.S. government—ties that Case believes violate at least the spirit of the organization's charters which enable them to maintain tax privileges and other benefits as private, non-governmental operations.

The evidence cited was:

At least one foreign service officer assigned to the American consulate general in Munich is permanently assigned to helping RFE and RL staffers in Munich prepare broadcasts. The U.S. official's chief task is to assure that the program content does not differ from U.S. foreign policy.

In order to keep RFE and RL personnel informed on current U.S. policy, the broadcasters are given access to classified and unclassified U.S. government, including CIA, documents reporting on events in Eastern Europe.

U.S. government security personnel regularly inspect RFE and RL's headquarters in Munich to make sure facilities for keeping classified material are secure.

The State Department runs a special program which regularly brings American embassy officials from Eastern Europe to Munich to brief RFE and RL staffers. The station's executives also have the use of U.S. diplomatic pouches to communicate with their offices in Washington and New York.

The Voice of America maintains separate studios in Munich, but its staffers freely exchange research, background information and other documents with RFE and RL personnel.

Case also charged that Radio Free Europe benefits from millions of dollars of free advertising under the auspices of the Advertising Council, but realizes only a fraction of this is private contributions.

"I have been advised that between \$12 million and \$20 million in free media space is donated annually to this campaign while the return from the public is apparently less than \$100,000," Case said.

"Additionally," the New Jersey senator said, "both Radio Free Europe and Radio Liberty attempt to raise money from corporations and foundations, but contributions from these sources reportedly pay only a small part of their total budgets."

[From the San Francisco Examiner,
Jan. 24, 1971]

RADIO FREE EUROPE "FINANCED BY CIA"

WASHINGTON.—Sen. Clifford P. Case said yesterday secret Central Intelligence Agency subsidies have financed most operating costs of Radio Free Europe and Radio Liberty which beam broadcasts to Eastern Europe.

He called for an end to covert government financing and said he will introduce legislation tomorrow to bring the two stations under the congressional authorization and appropriation process.

Case, a member of both the Senate Foreign Relations and Appropriations Committees, said tax returns of the two stations show combined operating costs of nearly \$34 million for fiscal 1969.

DIRECT SUBSIDIES

Although both claim to be nongovernmental organizations sponsored by private contributions, Case (R-N.J.) said, "the bulk of Radio Free Europe's and Radio Liberty's budgets, or more than \$30 million annually, comes from direct CIA subsidies."

His legislation calls for an initial authorization of \$30 million for the two stations, but Case said the figure could be revised as further information becomes available.

He noted that, after disclosure in 1967 of CIA funding of the National Student Association, former President Johnson directed that no covert financial assistance should be provided by federal agencies to education or voluntary organizations.

EVIDENCE OF LINKS

Congressional source disclosed additional evidence of the links between the stations and the U.S. government—ties that Case believes violate at least the spirit of the organization's charters which enable them to maintain tax privileges and other benefits as private, nongovernmental operations.

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In order to keep RFE and RL personnel informed on current U.S. policy, the broadcasters are given access to classified and unclassified U.S. government (including CIA) documents reporting on events in East Europe. In addition, U.S. government security personnel regularly inspect RFE and RL's headquarters in Munich to make sure facilities for keeping classified material are secure.

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The Voice of America maintains separate studios in Munich, but its staffers freely exchange research, background information and other documents with RFE and RL personnel.

CIA FUNDS

Case said from \$12 million to \$20 million in free media space is donated annually to the campaign to raise funds for the two sta-

tions, but that "the return from the public is apparently less than \$100,000" while contributions from corporations and foundations likewise account for only a small portion of their budgets.

The 1969 tax returns for the two stations show that Radio Free Europe received \$21.8 million in contributions, gifts and grants, while Radio Liberty received \$13 million, Case said.

Breakdowns of the sources are not required, but aides said Case had learned virtually all of the contributions were in fact from CIA funds.

THE NEEDS OF THE PEOPLE

Mr. WILLIAMS. Mr. President, as the new chairman of the Committee on Labor and Public Welfare, I want to set forth for Senators and for the public my views regarding the role which the committee should undertake to fulfill during the coming years.

One hundred and two years ago, the Committee on Labor and Public Welfare was established. Through the years it has been known by different names. But regardless of its name, it is the committee's mandate which will always be of first and foremost importance.

I am proud to say that our mandate today is the American people, their needs, their hopes, and their aspirations. The committee sits charged with jurisdiction over the legislative areas of education, labor, public health, and, indeed, "the public welfare generally." This is a heavy but welcome responsibility, and I know that no committee member regards it lightly. I am honored to be their chairman.

It is my intention as chairman to insure that this committee shall respond in the fullest possible measure to the needs, hopes, and aspirations of the American people in the 1970's.

To do this, the committee must play a vital and major role in evaluating our national needs and our strategies for meeting those needs. It is uniquely constituted to perform that role. It can do so through the enactment of forward-looking legislation. It can also fulfill that function through a major legislative review effort to guarantee that the promise of programs already enacted by Congress is realized by effective performance from those charged with their execution.

The constituency of this committee is as broad as the Nation itself. It includes America's 80 million working men and women as well as its 20 million senior citizens. It comprises every American in need of health care and every American who wants a decent education for his child. It includes America's 16 million poverty stricken and its 5.4 million unemployed. Included, too, are the millions of Americans who have suffered disadvantages as members of minority groups.

AMERICA'S YOUTH

Although the subcommittees of our committee have been organized so as to represent and act upon the needs and concerns of the various elements of our constituency, we have learned during the past 2 or 3 years that one major portion of our society has not been adequately represented in the councils of government: Our country's youth. I

have on a number of occasions called for the creation of a Senate unit to deal with the problems of youth, and I am now announcing the formation within the Committee on Labor and Public Welfare of a subcommittee specifically devoted to the needs and concerns of our young people—the Subcommittee on Children and Youth.

The jurisdiction of our full committee lends itself to many of the important concerns about our youth; education, health, manpower, poverty, and drug abuse directly affect the course of all young people. Yet we must also find a way to talk directly with those most intimately involved—young Americans themselves.

I intend that this new subcommittee will be much more than a forum for youthful criticism. We need intelligent, thoughtful contributions from our young people. We need answers to the disturbing questions which plague us today. We need a place where the best of our youth can present the best of their ideas. We need to talk together and to learn from one another.

The young come from every segment of society. And the vital issues within the concern of the committee are different in urban centers from what they are in small towns and rural America. Therefore, we must hear from young people from every walk of life, from all parts of America. This new subcommittee can play an important role in meeting the challenges and opportunities our young people provide.

AMERICA'S WORKING PEOPLE

During the 92d Congress this committee's concerns in the labor area will include exploration of methods for coping more satisfactorily with nationwide labored disputes consistent with our tradition of free collective bargaining. We will begin an evaluation of this country's workmen's compensation system and we will seek to make needed improvements in the Longshoremen's and Harbor Workers' Compensation Act. I also intend a continuation of the United Mine Workers election investigation undertaken during the 91st Congress.

There are a number of additional issues before the committee which directly bear upon the opportunities and well-being of our working men and women.

Millions of working people in this country live in poverty because they are working outside the protection of the Federal minimum wage law. Even those who fall within the provisions of the minimum wage laws are assured an income of only \$64 a week. One of the more effective tools to eradicate poverty and to reform the welfare system, in my judgment, is the enactment of responsible minimum wage legislation which guarantees to every working American an income sufficient to raise his family in pride and dignity. We will strive to achieve that goal in the 92d Congress.

Moreover, with unemployment now at its highest level in 9 years, and with no visible prospect of significant or substantial early improvement, one of the earliest subjects of committee action must be public service employment legislation, on which we have already begun hearings. Such legislation would au-

thorize the Secretary of Labor to contract with mayors, Governors, and other public agencies to hire the unemployed and underemployed on jobs certified to be vital and necessary—jobs in education, health programs, recreation, law enforcement, environmental protection, sanitation, and other areas of urgent public need.

A Public Service Employment Act will not only create jobs which will enhance both the immediate and long-term employment prospects of up to 200,000 Americans, but will enable our State and local governments to provide needed services which they are presently unable to support. Unfortunately, legislation authorizing such a program was vetoed by the President last year; but perhaps the specter of continually rising unemployment will persuade the President not to reject such a program this year.

A new attempt to achieve comprehensive reform of our manpower program must also be undertaken during this Congress, despite the President's veto of such legislation last year.

In addition, an important priority will be to seek approval by the Congress of the Equal Employment Opportunities Enforcement Act. This passed the Senate last year but died in the House Rules Committee. Action to provide the Equal Employment Opportunity Commission with enforcement authority is essential if we are to honor the commitment to equal opportunity which was expressed by the Congress in the Civil Rights Act of 1964.

This committee must also continue and expand its legislative concern for the needs of the Nation's migrant workers and provide new direction for national action on behalf of those who live in rural poverty. That in the America of the 1970's Americans can be subjected to the indignities still found in migrant camps and in pockets of rural poverty is a national disgrace. It must be corrected.

OLDER AMERICANS

We must also give the most serious attention to our older Americans. For the past 4 years as chairman of the Senate Special Committee on Aging, I have witnessed first hand the often amazing ability of the Nation's older and retired workers to perform invaluable public service.

I have therefore strongly advocated more effective enforcement of the Age Discrimination in Employment Act and intend the committee to perform its legislative review role in order to help achieve that goal.

There is no question that older Americans, retired or not, have many years of able service to render to society and to themselves. They can be effective in many of our new environmental programs. They can be effective in schools, in libraries, hospitals, nursing homes, and elsewhere.

I hope to make enactment of the older Americans community service program one of the achievements of this Congress. Such a program, to enable low-income elderly individuals to provide vitally needed public services, has been tried out on a pilot basis. And it works. We

must now broaden that program to attract thousands of senior citizens to public service. They are needed in virtually every urban and rural area in the country.

Another issue related to the well-being of aged and aging Americans is the role and effectiveness of the U.S. Administration on Aging. That agency was established in 1965 after hearings held before the Special Subcommittee on Aging of this committee. The Congress has since approved legislation which has considerably broadened the responsibilities of AOA. And yet, within recent months, leaders in the field of aging have become concerned about the transfer of several important programs from the direct jurisdiction of AOA. In addition, the administration is urging sizable cutbacks in the AOA budget. When the Congress established the AOA, it intended that agency to be a high-level unit with direct lines of communication to the Secretary of Health, Education, and Welfare. The time has come for a thorough evaluation of the downgrading of the AOA and the Older Americans Act.

PENSION AND WELFARE FUNDS

We shall also carry forward our investigation begun last year into the general area of pension and welfare funds with particular concern for the protections needed by American workers to insure financial security when they retire or are disabled. This will be a major undertaking, but the need is great and the time is now. All too many Americans reach retirement age expecting to receive retirement benefits but the expectation too often is merely a cruel illusion. These expectations must be made a reality.

WORKERS' HEALTH AND SAFETY

During the 91st Congress one of the committee's, indeed the Congress', proudest moments was the President's signing of the occupational health and safety bill on December 29, 1970. The signing of this legislation—preceded by enactment of the Construction Safety Act and the coal mine health and safety law—culminated decades of effort to fill the wide gaps existing in Federal safety legislation. However, it is not enough to have enacted such legislation. We have learned from bitter experience that legislation, unless strongly and effectively implemented, is meaningless. We know, for example, that the Construction Safety Act has been on the books for 17 months, yet not one safety standard has been issued under it. We know all too well that the public's outrage over the Bureau of Mines' inadequate enforcement of the Coal Mine Health and Safety Act is only surpassed by its outrage at the fact that there were more deaths in coal mining this year—after the enactment of the law—than in the previous year.

This experience reinforces the conclusion that the vital role of Congress in conducting continuing review of the administration of existing Federal laws by the executive branch is no less important than its role in enacting new laws. The Legislative Reorganization Act of 1970 recognizes this and gives particular emphasis to this obligation of Congress. We

LAOTIANS DRIVEN FROM VITAL BASE

Lose Post Used for Actions Against Foe's Supply Trail

By HENRY KAMM
Special to The New York Times

VIENTIANE, Laos, March 10 — The Laotian military command announced today the loss of a base that is vital for harassment and surveillance of the Ho Chi Minh Trail network in the southern panhandle.

Laotian troops were driven last night from a post known as Position 22 and from three smaller posts on the eastern edge of the Boloven Plateau after two days of bombardment by rockets, mortars and recoilless rifles and ground attacks.

The plateau is 80 miles south of the Tchepone area, where South Vietnamese troops are operating.

[Reports from Saigon said heavy fog was hampering United States helicopter support of the South Vietnamese attack on the enemy supply-trail complex and also was cutting down on ground fighting.]

Military sources reported that the defenders of the Boloven Plateau positions — three battalions of so-called strategic guerrilla units — had retreated in relatively good order, taking about 50 wounded with them.

No reports were available on the number of Laotian troops killed because enemy fire destroyed the base communication center before the withdrawal.

Strategic guerrilla units — which normally have about 300 men to a battalion — are part of the irregular army sponsored by the United States. In addition, the United States underwrites the budget of the regular military force, the Royal Laotian Army.

The fall of Position 22 leaves the Government without a base on the eastern edge of the strategic plateau. From there, surveillance and raids could be carried out by the guerrilla units against Route 16, the principal western branch of the Ho Chi Minh Trail.

The loss of the base presumably reduces the amount of intelligence on trail traffic that has guided the United States Air Force in its missions against the trail.

Control of Plateau Threatened

Position 22 had been the strongest Laotian base in the area, and its loss is a threat to the Government's hold over the plateau, which is the dominant terrain feature in the southern panhandle.

The base had been under heavy pressure since last December, but a strong ground attack then was beaten off.

American and Laotian planes were reported in action during the last battle.

The deteriorating Government position in the south may be a result of a North Vietnamese reaction to South Vietnam's operation in the Tchepone region. Meanwhile, Government fortunes in northern Laos appeared to be more

stable.

Despite heavy enemy pressure in the area of Long Tieng, the principal base of the irregular army of mountain tribesmen commanded by Maj. Gen. Vang Pao, optimism is growing that the North Vietnamese and Pathet Lao forces can be held off there until the monsoon rains starting in May or June halt enemy offensive activities.

Thai Troops in Action

At least four battalions of Thai troops, in addition to three battalions from the northern panhandle, have augmented General Vang Pao's battle-weary forces of Meo and Lao Theung (Mountain Lao) tribesmen.

The Thai troops, whose presence in Laos is officially denied, are occupying strong defensive positions around Long Tieng, notably at Ban Na and Sam Thong to the northeast.

The Thai troops are reliably reported to be under the operational command of General Vang Pao but are led by their own officers, reportedly including two generals.

The soldiers are wearing their normal uniforms but without insignia or other identifying markings.

The Thai troops are supplied separately from the Laotian units from the Thai Air Force base at Udorn, which is operated by the United States Air Force. Their supplies reach the Thais daily by planes operated

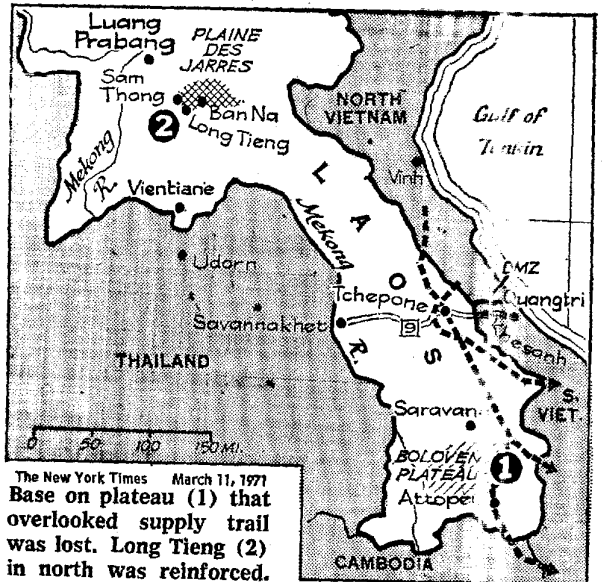
by Air America and Continental Air Services, companies under contract to the Central Intelligence Agency for the transport and supply of the United States-sponsored Laotian irregulars. Thai supplies are distributed from a separate supply facility at Long Tieng.

It is believed that the United States is financing the Thai

participation in the war in Laos as it does in South Vietnam.

Thai artillery units have been reported active in northern Laos for some time. The infantry battalions were said to have been rushed in about a year ago, after heavy enemy pressure brought about the evacuation of the civilian population center of Sam Thong.

Long Tieng appeared to be most heavily menaced last month. The base remains vulnerable to an estimated total of 12 North Vietnamese battalions in the area.



C.I.A. ROLE IN LAOS ADVISING AN ARMY

150 U.S. Agents Help Direct Secret Guerrilla Forces

By HENRY KAMM
Special to The New York Times

VIENTIANE, Laos, March 11

—A month after the enemy attack on the American compound at the northern Laotian military headquarters at Long Tieng, the station chief, case officers and other officials of the American Central Intelligence Agency continue to perform their functions there and at other regional headquarters in Laos.

Though it conducts only ordinary intelligence activities elsewhere, the C.I.A. in Laos takes an active part in managing an army at war. This came about because the 1962 Geneva agreement on the neutrality of Laos barring foreign countries from playing a military role led the United States to turn over its assistance to the agency with the greatest experience in undercover activities.

The army functions separate from the Royal Laotian army, which is equally dependent on American logistic support and is equally financed by the United States, but is commanded by the general staff in Vientiane. The clandestine army is composed largely of mountain tribesmen. Its most active element are of the Meo tribe and its dominant figure is Maj. Gen. Vang Pao, who is also the principal leader of the Meo nation and the commander of the Military Region II of the Royal Laotian army.

Between 150 and 175 C.I.A. agents stationed in Laos are believed to be engaged in helping the guerilla army. They are augmented by agents who commute from Udorn and other bases in neighboring Thailand.

Their work is coordinated by the station chief. He and his local staff occupy the entire second floor of the two-story United States Embassy. The station chief at Udorn is reported to occupy an important but subordinate command function in C.I.A. operations in Laos that is said to lead to occasional duplication and confusion in the chain of command. For operations involving the Ho Chi Minh Trail, the station chief in Saigon is said to have primary responsibility.

Professionals Preferred

For its work with the Laotian clandestine army, which Americans prefer to call by its official designation—the strategic guerrilla units—the intelligence agency has engaged under two-year renewable contracts a number of former professional soldiers—showing a preference for men of the Special Forces, or Green Berets, and marines—in addition to men whose careers have been with the C.I.A. Their average age is around 30.

Their principal operating bases are Long Tieng, Savan-nakhet in the center of the southern panhandle and Pakse near the southern tip. Long Tieng is the most active station, because General Vang Pao's guerrilla units, which are the largest, are stationed there, although since the Feb. 14 attack most are spending their nights in Vientiane. Long Tieng has its own station chief. He reports to the Vientiane chief, who figures on the diplomatic list as a special assistant to the ambassador.

The bulk of the agents are case officers, each entrusted with shepherding a combat position or unit of General Vang Pao's troops, whose present strength is estimated at more than 10,000.

Case officers visit "their" units daily, to check on their disposition and their needs. They fly out of Long Tieng in helicopters or STOL—short take-off and landing—planes operated under contract with the intelligence agency by Air America and the Continental Air Services.

They consult with their units officers, ascertain their needs in arms, ammunition, water and food, supplies, tactical air support and helicopter or plane transport for combat operations. They also help with troop morale matters.

Although the agents carry rifles or sidearms and favor camouflage uniforms, their assignment does not include active participation in combat operations.

In the past, there have been frequent violations, but the rarity of casualties indicates that the rule is widely respected.

While counseling Gen. Vang Pao and his officers, the C.I.A. does not command his army at any level, informed sources say. Laotians who know the Meo general well say that his pride and temper rule out anything more than an advisory role in combat operations combined with total dependence on the United States for all matériel, transport and pay.

After visiting their units, the case officers return to Long Tieng, where they arrange for the delivery of required supplies, supervise loading of planes or helicopters and submit air support requests to the C.I.A. contractors and the United States Air Force officers also posted at Long Tieng.

Once a week the station chief at Long Tieng submits a report to his superiors in Vientiane and Udorn on the disposition of all troops in the clandestine army.

Case officers also work closely with the Air Force forward air controllers who fly out of Long Tieng and direct fighter-bombers to targets in ground-support missions.

Freedom of the press is a constitutional guarantee in the United States; how that freedom is exercised should remain a matter for the professional standards of those who exercise it."

Freedom of the press is like freedom of competition. It doesn't guarantee perfection [if there is such a thing], but it is the surest way man has found to guarantee the public the greatest variety of opinion and the least irresponsibility. In time, it tends to bring to heel those who abuse it?

True, it can be strengthened. Mr. Moynihan suggests more competence on the part of reporters, and this is being achieved. Today's reporters are vastly better and more broadly trained than yesterday's. Mr. Moynihan also suggests a greater readiness on the part of and on the part of newspapers to criticize one another and themselves. This should go with a free press. Mr. Moynihan is certainly doing his part. We are trying to do ours.

Mr. Nixon is trying to end the war, which did so much to bring on the present crisis in journalism, and to cut down the enormous federal bureaucracy and the confusion and back biting which it entails. In time, we are sure, the activist press will do its part and get back to reporting the news instead of trying to make it.

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"AN EPITAPH OF THE LAOTIAN INVASION"

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. RIEGLE. Mr. Speaker, in this morning's New York Times, there appears a poignant and provocative article written by Mr. Tom Wicker concerning the consequences of the invasion into Laos. While ostensibly the purpose of this invasion is to save American lives, the paradox, as aptly drawn by Mr. Wicker, is that these lives were saved only at the expense of the dead Indochinese now laying on the battlefields. Mr. Wicker also points out that the present policy is only a continuation of a decade of destruction in Indochina, and he grimly concludes that there is no relief in sight for the people in Southeast Asia. I would like to draw Mr. Wicker's perceptive remarks to my colleagues' attention, a copy of which follows:

KICK THEM OFF THE SKIDS

(By Tom Wicker)

WASHINGTON, March 22.—Some South Vietnamese soldiers, in the retreat from Laos, have been clinging to the landing skids of American helicopters. Some have been fall to their deaths from these precarious perches, and in addition, "we just have to kick some of them off," an American pilot has reported. "We have to think about ourselves, too. You just cannot lift this bird with fifteen guys clinging to it."

Let that stand as the epitaph of the Laotian invasion, as it comes to an end so much less than glorious that even those who claim great things for it do not sound as if they have convinced themselves. It is an appropriate epitaph, for if the invasion had any rational purpose at all it was, in the familiar incantatory words of the Nixon Administration, "to save American lives."

This is not a purpose any American can oppose, but how high a price must the rest of the world, particularly the Indochinese, pay to rescue Americans from a decade of blunders? In the Laotian operation alone,

taking Saigon's figures at their dubious face value, more than 12,000 North Vietnamese and 1,031 South Vietnamese have been killed; in addition, 219 South Vietnamese are missing and 3,985 were wounded. When North Vietnamese wounded and missing are considered, these figures suggest that perhaps 25,000 Indochinese military casualties have been suffered. (At least 59 American helicopter crewmen have been killed, 68 wounded and twenty are missing.)

What were the civilian casualties produced by this meatchopper of an operation? It is a safe bet that no one can say, because no one in Washington or Saigon, any more than in Hanoi, bothers to make such estimates before launching big military strikes, and it is only weeks or months later that the refugees and the wounded and the dead begin to make their miserable marks. Thus, it was only last week that semi-official figures were obtained from Senator Kennedy's subcommittee on refugees: 125,000 to 150,000 civilian casualties from military action by both sides in South Vietnam in 1970, with 25,000 to 35,000 civilians killed.

These figures have not so far been disputed here or in Saigon. They do not include civilian casualties in Cambodia or Laos. They are included in the estimated 1.1 million civilian casualties, including 325,000 deaths, in South Vietnam since 1965, when Americans entered the war in force; of the total of those casualties, about a third are thought to have been children under thirteen.

Aside from the bloodshed, once more a military operation was heavily oversold in advance as a decisive action, one that proved the South Vietnamese "can give an even better account of themselves than the North Vietnamese" (General Abrams via Mr. Nixon's news conference).

No doubt this hardsell will cause Mr. Nixon domestic political problems. It is more important that, once again, the American command made the old familiar error of assuming that when it made a move, the other side would have no answer; in this case, the answer was at least partially a mass of heavy tanks. Moreover, since the President himself predicted that the North Vietnamese would fight and fight hard, it is also clear that the fighting abilities of the South Vietnamese Army were overrated. All of that suggests a continuing underestimate of the power and determination of Hanoi and the people it commands, a repeated overestimate of Saigon's ability, with or without American help, to match the effort from the North, and another mistaken effort at a quick, winning blow in a war that will not permit such a blow.

It would probably be a mistake, nevertheless, to think that the Laotian repulse will lead Mr. Nixon to a significant change of policy. If he accedes to the request General Abrams probably will make for a slowdown in American withdrawal, the President will wreck domestic political stance; and he is more likely than ever to think that pulling out at a faster rate would open both Saigon and any remaining American forces to disastrous attack.

Nor is there any reason to believe that the expulsion of the South Vietnamese from Laos signals anything but even wider and more destructive aerial warfare "to protect American lives." The heavy series of air attacks on North Vietnam at this time can be read in no other way than as Mr. Nixon's defiant message to Hanoi that he still has the will and the means to carry on the fight, if only by air.

So the long, costly, shabby policy of withdrawing while propping up Saigon and ravaging Indochina probably will go on, without any new attempt to negotiate an end to the slaughter. It is a policy of kicking them off the skids so the American bird can fly.

THE PRESIDENT'S LEGAL BRIEF ON CROSS-FLORIDA BARGE CANAL TERMINATION REVEALS HE WAS MISLEAD ON THE LAW

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23 1971

Mr. BENNETT. Mr. Speaker, one of the architects of our democracy, James Madison, wrote in the *Federalist Papers*—No. 47:

The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, few, or many and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

The President, in halting construction of the Cross-Florida Barge Canal, one-third complete, authorized for national defense reasons, and said by the Congress to be justified economically and ecologically, acted in an unconstitutional manner when he issued his top edict on January 19, 1971.

The President has the constitutional responsibility to take care that the laws be faithfully executed. Section 3 of article 2 of the Constitution.

He was misled by his lawyers in the legality of stopping "permanently" the Cross-Florida Barge Canal and should he not amend this edict it will break a contract between the U.S. Government and the State of Florida, and without authority repeal duly enacted laws of our country.

On March 23, 1971, I submitted a statement and brief to the Subcommittee on Separation of Powers of the Senate Judiciary Committee on the President's action on this needed national and very worthwhile project. The statement as I prepared it follows herewith:

STATEMENT OF CONGRESSMAN CHARLES E. BENNETT OF FLORIDA, BEFORE SUBCOMMITTEE ON SEPARATION OF POWERS SENATE JUDICIARY COMMITTEE, TUESDAY, MARCH 23, 1971

Mr. Chairman, I deeply appreciate this opportunity to appear before your Committee on "impoundment of funds." This is an important subject because it is timely and goes to the roots of our form of government; and I congratulate the Chairman and Committee for considering it.

A learned lawyer, applying for admission to the New York bar in December, 1963 wrote:

"The principles underlying the government of the United States are decentralization of power, separation of power and maintaining a balance between freedom and order.

"Above all else, the framers of the Constitution were fearful of the concentration of power in either individuals or government. The genius of their solution in this respect is that they were able to maintain a very definite but delicate balance between the federal government and state government, on the one hand, and between the executive, legislative and judicial branches of the federal government, on the other hand."

This same learned lawyer, who, incidentally, was admitted to the Bar of the State of New York and was later elected President of the United States in the 1968 elections, recently completely abrogated his thesis in the 1963 paper with an edict not unlike a Catherine de Medici decision of the 16th century.

He destroyed the "delicate balance between the federal government and the state government" by cavalierly breaking a contract between the United States government and the State of Florida, and he also dictatorially repealed an authorized law of Congress by "permanently" halting the Cross-Florida Barge Canal. He did not even give notice to the public or to Congress that he was going to do it, much less allow any objective presentation of views on the subject.

The 18th century French writer Montesquieu wrote in *The Spirit of the Laws* on the Constitution of England: "When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner."

Later, Justice Brandeis said the "doctrine of separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power."

In the recent case of the Cross-Florida Barge Canal, the President both promoted inefficiency in government by stopping a vital and worthwhile national project, one-third complete, and creating great uncertainty and loss of taxpayers' funds and predictable damage to the environment, but he also acted in an unconstitutional and arbitrary manner.

This brief discusses the President's edict to terminate the Cross-Florida Barge Canal and shows that he was misled on the law backing his decision, just as he was misled by his environmental advisors, to the detriment of the seven million citizens of Florida and the 23 million annual visitors to our state and the economy and national security of America.

The canal case is a current classic in the "impoundment of funds" field.

The responsibility of the President of the United States is as stated in Section 3 of Article 2 of the Constitution to "take care that the laws be faithfully executed." He has the power of veto in the process of enactment or repeal of a law (Section 7 of Article 1); but after a bill is signed into law and appropriations are made he cannot repeal the law himself without Congressional repealing; and the President must execute or carry out the duly enacted law. He can, of course, recommend that the law be repealed. No principle of American constitutional government is more fundamental than this to our heritage or more clearly stated in our Constitution.

The keystone of our government is its division into the three separate branches: legislative, executive and judicial. One of our founding fathers, President James Madison expressed it well in the *Federalist Papers* (No. 47) when he wrote: "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."

So in defining the powers of the new president our forefathers wrote into our Constitution: "He shall take care that the laws be faithfully executed."

The Cross-Florida Barge Canal was specifically authorized in 1942 by Public Law 77-675. Although its value to the defense needs of our country were recognized in its authorization, the shortage of manpower for its construction during World War II postponed the appropriations needed for its commencement. But the appropriations have been made continuously ever since 1964 and now total \$60 million; and the project is now more than a third complete.

Last year in the House Report on the appropriations bill the following statement was made: "The committee has included in

the bill the \$6,000,000 including carryover funds, proposed in the budget to continue construction of the project . . . the committee does not feel that it would be warranted, in the light of the current facts available, in delaying construction of the project which was started in 1964 and is now about 30 percent complete . . . Considering, therefore, the status of the construction and the need for the project, the committee recommends that the construction work continue and that every effort continue to be made to minimize any adverse effects on the environment, ecology, and fish and wildlife in the area."

It is not proposed to discuss here the merits of the canal; but only the legality of a Presidential edict to terminate the project. The merits which amply justify the project, will be discussed in another presentation. However, the facts are that about \$50 million have been spent on this canal (1) which the Joint Chiefs of Staff supported to provide an additional and shorter line of communication between the Gulf Coast and the East Coast" that would "reduce exposure of shipping to submarine attack" and (2) which several independent studies found to be justified for economic and job producing reasons, and (3) which many geologists and ecologists, and all Congressional public hearings, open to all points of view, gave a clean bill of health to on ecological grounds.

On January 19, 1971 the President issued a press release in which he said, "I am today ordering a halt to further construction of the Cross-Florida Barge Canal."

After repeated requests to the White House, on February 25, 1971 the White House staff furnished the following statement on the legal authority of the President to terminate the Cross-Florida Barge Canal without Congressional approval, reciting that this was the opinion of the Department of Justice.

"An appropriation of funds for a particular project or activity is ordinarily regarded as permissive in nature and not as equivalent to a direction that such projects or activity be undertaken or that such funds be spent. See 42 Ops. A. G. No. 32, p. 4 (1967); *McKay v. Central Electric Power Cooperative*, 223 F.2d 623, 625 (C.A.D.C. 1955)."

The only court decision cited to uphold the quoted conclusion was *McKay vs. Central Electric Power Cooperative* (an R.E.A. Cooperative). This case does not in any way support the President's action on the canal; because, unlike the canal which was specifically authorized and specifically appropriated for, the R.E.A. contracts in the McKay case depended—solely for any specific performance on such contracts—upon the language of a general appropriations law for electrical transmission facilities, while the law made no reference whatsoever to particular projects or particular contracts. In fact, the legislative history of the law in the electrical case indicated an intent to exclude the contracts sought to be performed; but this was not relied upon in the appellate decision, but only the fact that the legislation was silent on the specific project and the specific contracts involved. The court observed that the claimants might, despite the court's ruling on specific performance of the contracts, sue the government for breach of contract in another suit.

Clearly, the above cited case is not only no authority for the President's action on the canal matter; but it is in fact authority against the President having such authority when the project involved, such as the canal, is both authorized and appropriated for by specific provision of law. This would be true whether a suit is for specific performance or for breach of contract.

The only other authority relied upon by the Administration for its position was the 1967 opinion of Attorney General Ramsey Clark upholding the power of the President to impound Federal-Aid Highway funds before

they had been obligated by approval of a specific qualifying project. This impoundment was not to end any project but only to temporarily reduce the level of spending to curb inflation. No contractual obligations of the United States were involved in any way. Clearly that decision is not analogous in any way to the President's order to terminate completely a project duly and specifically authorized and funded by legally enacted law. The Attorney General said:

"It is my conclusion that the Secretary has the power to defer the availability to the States of those funds authorized and apportioned for highway construction which have not, by the approval of a project, become the subject of a contractual obligation on the part of the Federal Government in favor of a State.

Moreover, since the purpose of action here is not to reduce the total amount of the funds to be devoted to the Federal-Aid Highway Program but merely to slow the program for a limited period, hopefully it will have no adverse effect on the completion of the program 'as nearly as practicable' by the end of the period envisaged in 23 U.S.C. 101 (b)."

The Attorney General in the above opinion stated:

"The Courts have recognized that appropriation acts are of a fiscal and permissive nature and do not in themselves impose upon the executive branch an affirmative duty to expend the funds. *Hukill v. United States*, 16 C. Cl. 562, 565 (1880); *Campagna v. United States*, 26 C. Cl. 316, 317 (1891); *Lovett v. United States*, 104 C. Cl. 567, 583 (1945), affirmed on other grounds, 328 U.S. 303 (1946); *McKay v. Central Electric Power Cooperative*, 223 F. 2d 623, 625 (C.A.D.C. 1955)."

The Library of Congress Reference Service paper "Impoundment by the Executive of Funds which Congress Has Authorized It to Spend or Obligate" at page 15 observes of the above Attorney General's opinion that the cited cases do not "sustain the broad proposition for which they were cited."

In the Hukill case, above cited, the United States had enacted an appropriations law which would pay postal employees for services rendered in the South during the Civil War, under certain circumstances; and then provided that any unexpended balance would be turned over to the Treasury in two years. After the two years expired, Hukill attempted to enforce the payment terms of the appropriations law. Although holding against Hukill because he had not shown that he had not theretofore been paid for the same services by the Confederacy, the Court also held that if he had not been so previously paid he could have recovered under the above statute. In deciding this, the Supreme Court said:

"An appropriation by Congress of a given sum of money, for a named purpose, is not a designation of any particular pile of coin or roll of notes to be set aside and held for that purpose, and to be used for no other; but simply a legal authority to apply so much of any money in the Treasury to the indicated object.

Every appropriation for the payment of a particular demand, or a class of demands, necessarily involves and includes the recognition by Congress of the legality and justice of each demand, and is equivalent to an express mandate to the Treasury officers to pay it. This recognition is not affected by any previous adverse action of Congress; for the last expression by that body supercedes all such previous action."

The Hukill case is clearly not a case that supports as legal the action of the President in the canal matter. To the extent that it is in point, it would support the continuation of the canal under the duly enacted appropriation laws even if there were no prior authorization law. However, the canal has no

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might well cause carping critics of the administration to take a new look at its accomplishments. In this instance Mr. Riesel discusses, among other things, what the administration has done for blacks, and he concludes that the record is worth looking at.

Says Riesel:

There has been no Nixon alchemy for instant gold in every ghetto. But there is a record. There is a gold flow in the hundreds of millions of dollars; they are fewer hungry children; lots more housing; far more infighting to get black workers into high-paying skilled construction workers unions; more black banks, more black businessmen, more black building contractors, more black college students.

The text of the column follows under the title "White House Proud of Its Fight for Blacks."

I include the article as follows:

WHITE HOUSE PROUD OF ITS FIGHT FOR
BLACKS

(By Victor Riesel)

WASHINGTON.—At Camp David last weekend President Nixon's thoughts were as much on the bleak tobacco roads and asphalt jungles of America as on the bloody trails of jagged Laos. The poverty war at home was as much with him as the conflict abroad.

And as every realist, every insider here knows, there is a war within a war in the war on poverty. There is a Black Caucus, led by such articulate militant congressmen as New York's Shirley Chisholm, Michigan's John Conyers, Jr., Missouri's William Clay and California's Ron Dellums. They're stalking the President, anxious to see him inside the White House, eager to rip him politically outside. There was a meeting set for the week of March 21. But the gathering has been postponed.

The President and his special aides, facing a possible overheated summer, take an Al Smith posture and say, look at the record. And, comes the summer, this could be a burning question. It's worth looking at the record.

There has been no Nixon alchemy for instant gold in every ghetto. But there is a record. There is a gold flow in the hundreds of millions of dollars; there are far fewer hungry children; lots more housing; far more infighting to get black workers into high-paying skilled construction workers unions; more black banks, more black businessmen, more black building contractors; more black college students.

Attempts at profundity can be counterproductive, especially among us amateurs. Look for a moment at the untold story of the special White House task forces which have hit this nation's tobacco roads.

These are small teams, organized by Robert Brown, special assistant to the President. For almost two years now they have gone into the backroad communities in the South, in Appalachia, in Illinois, and West Virginia—wherever there are small towns, heavily populated by the poor, almost out of the money economy, missed by all the programs and unnoted by the previous poverty fighters.

In these "communities" exist anywhere from 10,000 to 15,000 folk, often hungry, jobless and almost always hopeless. But some 20 of the towns have been visited by Bob Brown's teams—made up of specialists from the Agriculture Dept.'s food section, from Housing and Urban Development (HUD) from the Dept. of Health, Education and Welfare (HEW) and the Labor Dept.

OPERATION LAMSON 719 HAS A DIS-
RUPTIVE EFFECT IN SOUTHERN

LAOS

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DEVINE. Mr. Speaker, for a number of reasons, we sometimes stand too close to the trees to see the forest. This was true for some of us when United States and South Vietnamese troops finally broke North Vietnam's stranglehold on Cambodia last May and June. As the months have passed, proving President Nixon's arguments to be correct, most of us now see the Cambodian operation in clearer perspective. Never again can the planners in Hanoi rely on Cambodian sanctuaries. The North Vietnamese can never be sure the stockpiles they build up on territory seized from a sovereign government will be available for their efforts to seize control of South Vietnam.

Operation Lamson 719 has now had this same disruptive effect in southern Laos, and I am pleased to say there are far fewer of us who are missing the forest for concentrating on the trees. North Vietnam's lifelines to its forces in South Vietnam and Cambodia have been cut. Not permanently, for there was never any intent to occupy and control southern Laos as the North Vietnamese have done for years. Instead, as President Thieu made clear when Lamson 719 began, the intent was to disrupt. In an operation limited both in time and in scope, the aim of the South Vietnamese was to upset Hanoi's timetable for aggression in the south, and to introduce a factor of uncertainty with which North Vietnamese planners have never had to cope. Just as in Cambodia since last June, the leaders in Hanoi can never again be sure their stockpiles—in fact, their entire supply system developed with such painstaking care outside North Vietnam—will be available to support aggression against their neighbors in Southeast Asia.

True enough, South Vietnam's success in Laos has not been cheaply bought. These were in fact lifelines that were being cut, and the North Vietnamese reacted strongly. On occasion, and especially at first, South Vietnamese casualties were numerous and our own losses—mainly in aircraft crews and their aircraft—reflected the bitter fighting. But the toll exacted from the North Vietnamese was far, far higher, even though that fact has not been always so well publicized. I have no doubt that the final results of Lamson 719 will be reflected only in part in the widely disparate losses for each side. Just as in Tet 1968, when North Vietnamese losses among their combat leaders were so staggering but the crippling effect took time to become evident, and in Cambodia last year, when the disruption of enemy supply lines to South Vietnam took time for us to be sure of our success, the real impact of

Operation Lamson 719 will only become clear as we approach next year's dry season. It will be then that we confirm what shows every sign of being true today—that the disruption caused by Operation Lamson 719 has seriously upset Hanoi's plans for aggression in the South.

As the operation moves now into its final stages, we can only imagine the frustration of the North Vietnamese as they face the oncoming wet season with their logistic system shredded in key locations, knowing that the aid has been ripped off the last of their crucially important sanctuaries in the territory of their neighbors.

Once again, the South Vietnamese, with our help, but this time only in a supporting role, have gained time in their fight to determine their own future without interference from outside. I applaud their bold stroke, and hope the success of Operation Lamson 719 moves us closer to the day when a negotiated settlement brings peace to Indochina.

"IT'S TIME TO REORGANIZE"

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. CONTE. Mr. Speaker, I would like to call the attention of my colleagues to an editorial on March 8, 1971, in the Boston Herald Traveler which notes that the President's recent proposals to reorganize the Federal Government have met a rather cool response on Capitol Hill.

The editorial calls Mr. Nixon's program long overdue, says it makes sense and concludes that it should be getting more serious attention and support from Congress than it has received to date.

I insert in the RECORD the full text of the editorial.

IT'S TIME TO REORGANIZE

President Nixon's recent proposals to reorganize the federal government, including a reduction in the number of Cabinet departments from 12 to eight, have met a rather cool response on Capitol Hill, and sharp opposition from several special interest groups.

The proposed reorganization, however, not only makes sense; it is long overdue. Despite the fact that the federal government's responsibilities have changed and expanded rapidly in recent years, there has been no major overhaul of its organizational structure in decades, and there has never really been a good shake-up from top to bottom.

In less than 20 years, three new departments have been added to the Cabinet, the number of major independent agencies has increased from 27 to 41, domestic programs have multiplied from barely more than 100 to approximately 1,400 (no one seems to know the exact number any more), 600,000 employees have been added to the civilian payroll and the federal budget has gone from \$42 billion to over \$200 billion.

Any private business which had experienced such phenomenal growth without examining and reorganizing its executive structure from time to time would probably have gone bankrupt long before now.

It is simply asking too much to expect departments and agencies—many of which

were created over half a century ago to deal with the problems and administer the programs of a simpler era—to cope efficiently with problems and programs that exist today.

Under the existing set-up, for example, one Cabinet department is in charge of federal parklands and another department handles federal forest lands, though there is often no real distinction between the two. One department is in charge of wilderness areas, but another handles recreational areas, though the two functions might easily be combined. Programs involving health and nutrition are administered by separate agencies, and so are educational and job training projects, to cite a few of the many additional examples which prove the same point.

If there were ever good reasons for Washington to operate in this fashion, we can't think of a single one to justify continuing the practice any longer.

Nor can we think of any good reason why the President's proposed reorganization should be opposed on an ideological partisan basis.

The President's proposals were wholeheartedly endorsed recently by *Joseph A. Califano Jr.*, a Democrat who served as a special assistant to President Johnson in the last administration. Writing in the *New York Times*, Mr. Califano said that the Nixon reorganization plan "should make abundant good sense to conservatives and liberals alike." Conservatives should applaud it, he noted, because it offers "opportunities to eliminate overlapping programs and for more efficient operation and cost reduction." For liberals, he said, the reorganization could mean "a long step forward in our ability to convince the American taxpayer that we are providing government machinery capable of giving them something for the taxes they are paying."

Surely a plan proposed by a Republican president, endorsed by Mr. Califano and other prominent Democrats which is appealing to both conservatives and liberals should be getting more serious attention and support from Congress than it has received to date.

TOWARD A MORE RESPONSIVE REGULATORY STRUCTURE

HON. TOM S. GETTYS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. GETTYS. Mr. Speaker, recently the Conference of State Bank Supervisors—CSBS—published the results of a year-long study conducted by a special committee of that organization. The study is entitled "Toward a More Responsive Regulatory Structure."

As the title suggests, this resource document has as its objective a critical examination of our present decentralized banking and bank regulatory structure and the presentation of recommendations designed to improve the efficacy of the Federal and State bank supervisory agencies as well as to provide better banking in the public's interest. It is a thought-provoking presentation and deserving of our careful consideration.

The sponsor of this study, the Conference of State Bank Supervisors, has as its regular members of the public officials in each State who are charged with the responsibility for overseeing the more than 9,000 State-chartered banks that make up the State banking segment of our dual banking system.

There were three general principles followed by the CSBS special committee in its recommendations concerning Federal regulation and law that affect State banks and State banking departments. These basic principles can be summarized as follows:

First. All supervisory authority over banks presently vested in the Federal Reserve Board and unrelated to monetary policy should be, to the extent that this authority is continued at all, transferred to the Federal Deposit Insurance Corporation. The Federal Reserve Board should concentrate its attention on monetary policy, and whatever additional authority it needs should be granted the Board in order that it might most effectively implement monetary policy.

Second. The Federal Deposit Insurance Corporation is the only Federal agency which properly should have any supervisory authority over State banks, and that authority should be limited to the management of its insurance risk. Additionally, the FDIC should be authorized to make a finding that a particular State banking department has adequate supervisory and examining capacities and to exempt its State-chartered banks from the supervision of the FDIC other than reporting requirements which would permit the Corporation to assess its insurance risk. Of course the FDIC would be able to resume active supervisory authority over any insured bank in the event continued exemption raised serious problems in connection with the management of its insurance risk.

Third. Regulatory powers and activities of the Federal Reserve Board and the Federal Deposit Insurance Corporation that are not related to monetary control or insurance risk, respectively, should, in most instances, be reassigned to other agencies at the Federal and State levels.

There are other recommendations proposed in the CSBS study, which document I understand has been transmitted to the Federal Reserve Board, the Federal Deposit Insurance Corporation, other pertinent governmental agencies, and also to the Presidential Commission on Financial Structure and Regulation.

Naturally, some of the proposals are controversial and will meet with opposition from various sources but this should not deter careful consideration of changes which could produce a banking and bank regulatory system better able to serve us. This study is the product of much research and consideration by officials who are daily confronted with the problems of providing an innovative and efficient regulatory climate that will permit the banks under their supervision to provide in a sound manner for the increasing credit needs of our country. It is unique in that it contains not only recommended changes in the present regulatory structure but the procedures to accomplish these changes.

Mr. Speaker, I would like to include in the RECORD the introductory chapter of the study to which I have referred. Inasmuch as this chapter summarizes in a clear manner the objectives and recommendations of the special committee appointed by the CSBS to report on our bank regulatory structure, I commend all

chapters in this informative study to your attention. A copy of the study may be obtained free of charge by writing to the Conference of State Bank Supervisors, 1015 18th Street NW., Washington, D.C., 20036.

The material follows:

TOWARD A MORE RESPONSIVE REGULATORY STRUCTURE BACKGROUND

Banking, to meet public needs and convenience most effectively, must not only have skilled, ambitious and creative management, but must also have meaningful, efficient, and flexible regulation. This is especially important in the period ahead when it seems likely that the nation faces a chronic shortage of capital and the banking industry will face demands requiring significant change. An improved bank regulatory structure can appreciably benefit the public during this forthcoming period.

The Conference of State Bank Supervisors' (CSBS) Special Committee on Restructuring the Bank Regulatory System was formed in December 1969, but its genesis goes back much further. In 1965, the Conference (then NASSB) decided to delay further recommendations regarding the federal bank regulatory structure until research had been carried out to determine what constituted adequate supervision at both the state and federal level and a program launched to assist state banking departments which currently might not be meeting such standards of adequacy. Initial research carried out in 1968 and 1969 resulted in the publication of a major resource document, *The Supervision of State Banks: Purposes, Standards, and Responsibilities* in June 1969. Immediately thereafter the Conference began a self-evaluation program in state banking departments designed to identify weaknesses and to obtain data needed for developing meaningful standards of supervisory performance.

Progress with the above-mentioned prerequisites as well as recurring talk of a Federal Banking Commission, the trend toward increasing federal control over all banks with a concomitant decreasing reliance upon state law as the standard for both state and national banks (e.g. Truth-in-Lending Act, Bank Protection Act), and the prospect that a Presidential Study Commission might be appointed, led the Conference in December 1969 to appoint the Special Committee. The Committee was charged with thoroughly examining the existing bank regulatory structure, assessing its strengths and weaknesses, and recommending changes that would benefit the public, produce supervisory parity, and reduce unnecessary supervision duplication.

A. NATURE AND SCOPE OF THE STUDY

The Committee's concern was with the ability of state-chartered banks and state banking departments to serve the public. While the following analysis and recommendations are not without significance to banking as a whole, attention is focused on those features of federal banking agency regulation which apply to state-chartered banks. The problems and issues of importance in banking today are many—bank powers, non-bank competitors, bank structure, credit flows, the regulatory framework—but this study deals only with the last of these: problems and issues related to the bank regulatory structure.

While such a study should not (and this one does not) ignore state regulation, the focus is on the federal regulatory structure. This is perhaps necessary because state regulation must in part be a reflection of the role played at the federal level. In addition, this study builds not only upon a close familiarity with the nation's state banking departments but also upon careful attention to the comprehensive program currently being conducted by CSBS to produce a stand-

LAOS



Joseph Kraft

The Returns From Laos

THE JURY on Laos may not yet be in, as the President put it in his latest news conference. But out of the fog of war and censorship, some big chunks of evidence are emerging.

The most dramatic was the fall of Fire Base Lolo to Communist troops early last week. News reports from the field suggest the South Vietnamese pulled out in considerable disarray. Some reports from Saigon list heavy losses. In Washington, it is thought the enemy was able to capture intact most of the big guns brought in by the South Vietnamese.

Then there is the matter of the truck traffic south along the Ho Chi Minh Trail. In his news conference of March 4, Mr. Nixon, citing as authority the American commander, Gen. Creighton Abrams, said: "There's been a 55 per cent decrease in truck traffic south into South Vietnam, which means that those trucks that do not go south will not carry the arms and the men that will be killing Americans."

But it now appears that the 55 per cent figure covered only a brief period of extremely bad weather. Even as Mr. Nixon was speaking, the electric sensors and other measuring devices were recording a rise in truck traffic south. The Central Intelligence Agency, though it has done several reports on the subject, has apparently still not certified that the Laos operation has caused any diminution in the flow of Communist supplies.

Then there is the matter of Route 92, a main north-south traffic artery in the Ho Chi Minh Trail. At the outset of the Laotian operation, a senior official of the Joint Chiefs of Staff, Lt. Gen. John Vogt, gave congressional testimony that the operation would enable South Vietnamese forces to block Route 92 within a couple of weeks.

A month later only a couple of South Vietnamese battalions have advanced as far as Route 92. That is hardly a large enough force to block off a very heavily protected area.

tion into Laos by advancing along Route 9. They first moved westward and then hooked north to Sepone.

But now much of the South Vietnamese force has been withdrawn south of Route 9. Indeed, the enemy seems to have opened a powerful salient on the other side of what started out to be the axis of the South Vietnamese drive.

NO DOUBT this evidence is far too fragmentary to be a base for conclusive judgments. Certainly there is no reason to talk of an Allied defeat—the less so as a very heavy toll has been taken of Communist troops by American and South Vietnamese firepower.

But it does seem clear that the Communists are not, as so many in the Pentagon have been saying, at the end of their strength. They have put up a strong fight, and even taken the offensive.

The indications are that the lack of Communist activity in the months before the Laotian operation was less a function of weakness than that of a deliberate decision to lie low. The returns now coming in from Laos demonstrate that any time they want to take casualties the Communists can make life very rough for the South Vietnamese forces.

What this means is that another question mark has to be put after the policy of Vietnamization. It always strained credulity to believe that South Vietnamese forces could do, minus half a million American troops, what they were unable to do with those troops. Now that rough judgment, based on past experience, is reinforced by present experience. It is more than ever doubtful that the South Vietnamese can defend themselves without substantial American help.

It makes little sense in these circumstances to proclaim the opposite. Secretary of Defense Melvin Laird does a disservice to the President when he asserts that all is going well in Laos, and that the withdrawal of American troops from South Vietnam can continue at a constant level. Indeed, it is thanks to

having to wrestle with an acute credibility problem.

The right tactic in the present circumstance is to try to give new impetus to the negotiations for a political settlement which have been allowed to lie dormant so long. The key to those negotiations has always been the prospect of change in the Saigon regime. With presidential elections due in South Vietnam this fall, that prospect is more alive than ever.

In other words, the issue required to stimulate the negotiation is at hand. And it is far better to negotiate out, assuring the safe withdrawal of American troops and the release of American prisoners, than to run the risk of a military reverse that would flush everything down the drain.

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so long as we are willing to distinguish a good investment from a bad one, and make public and private commitments to effectively meet our needs.

I view my vote against funding the SST as being fully consistent with my concern for the health of the American economy. I know that my position is in full accord with the goals of my Conversion Research and Education Act of 1971 and with my legislation to provide for a conversion loan program for scientists and engineers so they will not suffer financially in their transition from defense work to socially oriented efforts. I believe that my vote is in the best interests of American aerospace and other high-technology industries. Do not mistake my position as being detrimental to the aerospace industry or as a flagging of my interesting in high speed transportation. To the contrary, interpret it as a commitment to turning the efforts of the Lockheeds, Boeings, and others increasingly to new endeavors so that they may once again flourish, expand, and prosper. With a greater commitment by Government and an increasing interest and awareness of our problems and the solutions available to us on the part of every individual, we can again hope to see this accomplished.

THE VALUE OF THE VIETNAMESE OPERATIONS IN LAOS

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 22, 1971

Mr. DEVINE, Mr. Speaker, I wish to point out the value of the Vietnamese operations in Laos, and our appropriate support of these operations. The Republic of Vietnam armed forces have been successful in a manner that is even more important than the number of weapons or the tons of supplies that have been captured. I refer to the psychological impact of the successes, making the South Vietnamese more confident—and the North Vietnamese less so.

The principal intent of the South Vietnamese was to disrupt the enemy flow of supplies and personnel from North Vietnam over the "Ho Chi Minh Trail," rightfully reacting to that intrusion of the sovereignty of Laos which is itself a long-time communist violation of the Laotian Accords. And the very knowledge of the ARVN capability to attack them in their own lairs had an immense impact on the intruders from the North. The resultant loss of huge quantities of materiel and devastating numbers of men set the North Vietnamese off balance. Knowledge that those very Vietnamese whom they once preyed upon in the Southern homeland have risen from the ashes and can now operate successfully beyond their own borders, cannot help but be persuasive in pointing out to would-be intruders that negotiation and cease-fire could be more sensible than invasion and aggression.

Moreover, the successful ARVN air force operations against the enemy in

itself gives the South Vietnamese air force a combat initiative which cannot be denied. And the initiative itself has had an almost magical effect on raising the spirits of the struggling new nation, in a way that even their recent successes in defending their own internal areas from the aggressors could not give. Current interpretations suggest that the results will, for example, allow more peaceful and considered balloting in this year's elections.

Finally, the South Vietnamese are getting at their tormentors on grounds and at times of their own choosing, rather than his. That they have viewed the results of our support of their own air force in aerial interdiction assistance, and that they take comfort from our U.S. artillery support, does give them assurance that partners have not forsaken them. But, we must also remember that they are following their own plans—not allied direction.

The true heart of "Vietnamization" is the Vietnamese belief in their own capabilities to succeed in being masters of their own fate. The added confidence built up as a result of the Laos activities invigorates the will of the ARVN troopers and their families and neighbors at home to handle their own defense and development.

THE LATE THOMAS E. DEWEY

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 22, 1971

Mr. CHAMBERLAIN, Mr. Speaker, the late distinguished former Governor of New York, Thomas E. Dewey, is especially well remembered in the city of his birth and boyhood, Owosso, Mich. A good many of his Shiawassee County neighbors still reside there and easily recall many illuminating details of Governor Dewey's early training and character which served him so well in later life and reflect credit as well upon his native city. The Owosso Argus Press in an editorial Thursday, March 18, 1971, in its warm appreciation of the man, stresses particularly the importance of these outstanding human qualities and traits and I am pleased to make it a part of the RECORD as the Nation expresses its mourning at his sudden passing:

THOMAS DEWEY

From all walks of life there are mourners at the passing of Thomas Edmund Dewey.

He was born in Owosso and went on to worldwide fame as a prosecutor who was firm enough of spirit to aspire to choose between right and wrong and strong enough of mind and conviction to do something about it.

Thomas E. Dewey's mind was one of the nation's most priceless resources and we are all in his debt that he turned his brilliance toward lofty goals.

He was said to have lacked the "flair" which brings out votes at the polls, and thus he just missed the presidency. But to say this about Thomas Dewey is not an honest assessment of the situation. Perhaps it should better be said that he was a giant of a man among too many of us who prefer

that illusive thing called "color" to the mature judgment of a Thomas Dewey.

There are accolades pouring out of typewriters in the offices of statesmen and politicians. This is a deserving tribute to the memory of a truly great man.

But we are also mightily impressed by the earthy comments of those Owossoites who knew Thomas Dewey at those times when he was a participant on the local scene. Their observations show us an insight into the character of the young man who was destined to rise to the top, presidency or no presidency.

As we know, Dewey was a gifted vocalist and debater, an enterprising young businessman and a brilliant student.

Then comes a classmate who observes that Dewey never missed a football practice. "He had a lot of stick-to-itiveness." That he did.

Another comments that Dewey was a student "from the word go." He relentlessly pursued knowledge and a key word in his make-up was "go."

And: "He was fun to be with and very bright but a little serious."

Another of Dewey's youthful associates recalls that "Tom was kind of high-toned but underneath he was an ordinary guy."

And that young Thomas Dewey turned out to be a very extraordinary guy indeed.

His kind is sorely missed. There aren't nearly enough of them to go around.

FREEDOM FOR SOVIET JEWS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 22, 1971

Mr. SCHEUER, Mr. Speaker, many times throughout our history, we as Americans have expressed our sympathy and support for oppressed citizens of other countries. While it is true that at home we have not always lived up to our deeply held ideals of freedom, opportunity, equality, cultural diversity, and justice under law, we have, nevertheless, done much to insure a greater enjoyment of these rights by people in other lands.

Today, I and 46 of my colleagues are introducing a resolution which is completely consistent with this history and our beliefs. The resolution calls upon the President to take appropriate action to reaffirm this Nation's commitment to basic human freedoms and to persuade the Soviet Union to grant its Jewish minority the freedom to worship as they choose, to enjoy and preserve their cultural heritage, and to emigrate freely from that country.

I have held a number of conversations with Jews who have recently left the Soviet Union. These individuals indicate that the Soviet Union is sensitive to world opinion and that lawful, peaceful expressions of concern can have a beneficial effect.

The substance of the conversations has been confirmed by reports that an increasing number of exit visas are being granted to Soviet Jews. For example, the New York Times reports that an average of about 15 Jews a day are emigrating from the country, as compared to about two a day in January and six in February. Many of us are gratified and greatly encouraged by these developments.

reply to the claims of Labor and Industry for the SST.

First, that 150,000 jobs will be lost if the SST program is curtailed. Some of the most illustrious economists in America—among them Dr. Paul Samuelson, a Nobel Economist Laureate and the first American to achieve that distinction—pointed out that the amount of money we would spend on the SST would provide no more jobs than if that amount of money were spent on any other Federal project. Drs. Walter Heller, Milton Friedman, and Arthur Okun, men of widely different political persuasions, all concur.

Today, some 5,500 people are employed at Boeing-Seattle on the SST project. There are 2,500 employed at General Electric and subcontractors throughout the country list several thousand more. Nationally, only about 13,000 people are at work on the SST. Employment on the SST prototype by the end of this year is expected to have peaked at 20,000. By the mid-1970's it would have declined drastically to just a handful of jobs. The SST production stage, slated for the late 1970's or early 1980's would employ about 50,000 persons nationwide. We must bear in mind that this is 8 to 10 years away, and depends not only on a final go-ahead decision in 1974-75 but also on a marketplace demand for the construction of no less than 500 SST's. The 150,000 jobs held up so often by SST promoters as jobs that will be lost, are nothing but arbitrary figures arrived at by taking the speculative figure of 50,000 SST jobs at the end of this decade and arbitrarily tripling it.

We must keep the jobs issue in perspective. 13,000 people currently work on the SST program nationwide—a far cry from the 150,000 jobs cited as lost if we do not go ahead with the program.

Second, SST promoters say the plane will create a revenue tax base worth up to \$7 billion and that the plane will produce export sales to foreign airlines of up to \$10 billion. This figure is representative of wishful thinking. With the enormous cost of SST development, the Government stands to lose money no matter what happens. Each SST will cost about \$40 million at 1971 prices. Based on this assumption and on the plane's load factor, the estimated number of planes sold would be 139. At that number, the Government would lose \$1.183 billion on the project. If one assumes more planes sold, the Government comes out a little better. But the claim of \$7 billion in additional revenue is based upon the erroneous assumption that the SST will create 150,000 jobs. Again, these jobs simply do not and will not exist, under any set of conditions.

The next point I wish to explore is the issue of foreign competition and the reputed loss of American leadership in the world aircraft industry if we do not continue development of the SST. In 1951, the U.S. Senate authorized a subsidy to develop the first commercial jets. The Senate was told that the British and French were already underway with their programs and that the United States would lose the world aircraft market if we failed to subsidize our own

industry. The House wisely refused to support the subsidy.

Have we lost our position of aircraft leadership and excellence throughout the world? Not at all. The private sector moved in, took over the U.S. aircraft industry and went on to make it the greatest in the world—without direct Government subsidy. Now the United States dominates the world's commercial aviation. I am convinced that if the economic facts support the value of the SST, the private sector will again respond and the project will be financed by private banks at no cost to the American taxpayer.

To return to the current issue. What are the prospects for the economic success of the American SST? After all, it is on this question that the House of Representatives' present rejection of the SST program must stand. Frankly, recent dispatches from London tend to confirm doubts about the British-French plane, the Concorde. British Overseas Air Corp.—BOAC—recently reported to the British Government that the Concorde cannot be operated in an economic fashion. BOAC's calculations show that it will cost twice as much per seat-mile to operate the Concorde as it now costs to run the much larger Boeing 747. The American SST will have a larger capacity—but it is far more expensive than the Concorde. Additionally, Air France, in a recent study, showed the Concorde to be an even greater financial disaster than the BOAC study. We have also heard much about the options a number of airlines hold on the Concorde. I doubt, however, that it can be made competitive with the 747, and apparently the airlines agree. No airline has yet placed a firm order for a Concorde. And I might add, the deadline for exercising options has been extended.

Now, a great deal has been said about the Russian TU-144 prototype. First of all, the Russians have never been known for their sound economics. In the unreal world of their planned economy it does not matter if the Russian SST costs a mint and provides a small return because the Russian taxpayer has neither a voice in the decisionmaking nor a choice as to alternatives. And the Soviet economy suffers accordingly with many unsound economic schemes whose cost can only be measured fully in terms of opportunities for investment lost as well as the cost in rubles. Frankly, the Russians have never sold commercial aircraft to the West on a large scale and no Western airline has yet shown any interest in the TU-144. The problem of obtaining spare parts and service would be serious, indeed, if Russian planes were purchased by the West.

But above all, let us consider the reality of the current status of air travel and the proper priority for investments to improve the quality of air service for the people of this Nation. Earlier I stated that prominent economists—some of the finest in the United States—have said that the funds proposed for the SST would provide no more jobs than a similar amount invested in any other project. I would like to elaborate on that train of thought and say that

if the SST were not economically successful—and we have every indication that it would not be—no jobs would be lost by cutting off Federal support for the program. Let us be honest. You cannot lose jobs which never existed. These jobs would never have materialized. They are a myth.

But I would like to go further here and say that the money we in the House of Representatives voted against spending on a doubtful project must not be hoarded in the Treasury. It must be spent—on projects which promise a sure return for the taxpayer's dollar in terms of good ground transportation, improved air traffic control, better passenger and freight facilities, and new runways for the Nation's air transport system. Who among us has not experienced the frustration, inconvenience—and yes—even real economic loss of traffic jams and delays en route to work, to shopping, to home, and to and from the Nation's airports, bus stations, and other traffic terminals?

It is sheer folly to invest more and more money in ever larger and faster aircraft—assuming SST promoters are correct in their estimates of the craft's value—if we are already in a situation where it often takes longer to go from the office or home to the local air terminal than it takes to go from the Seventh District of Georgia to Washington, D.C., Dallas, Houston, Chicago, or Miami. If the SST is so big and so fast that it would carry two or two and a half times the number of passengers as the giant 747 in the same amount of time, will our ground facilities be able to handle the additional traffic? Or will they become so crowded that it will take us as long to go from our seats on the plane to our front door, with normal delays for luggage collection and crosstown traffic, as it now takes to go from Atlanta to Los Angeles?

We must not allow this to happen. Our first priority is here on the ground. Toward this end, I have joined a number of my colleagues in sponsoring House Resolution 335 to make mass ground transportation a prime national priority. I also plan to introduce legislation to commit the same funds which would have built the two SST prototypes to investment, instead, in ground transportation research and production of ground transportation equipment. By meeting this massive transportation need, a lucrative national and international market could be fully recaptured for American industry by Lockheed-Georgia and similar companies with invaluable experience if they are given the proper assistance from Government in transition, and, above all, the proper market through public investment in the future.

If we are able to put a man on the moon within 10 years of making a firm commitment and a concerted national effort toward that end, then certainly we can solve the problems of transportation, housing, health services, and the environment while we create jobs during the decades to come. I see the future of American industry and technology as brighter than ever and without parallel,

The Washington Merry-Go-Round

THE WASHINGTON POST Thursday, March 18, 1971

Air Force Turns Rainmaker in Laos**By Jack Anderson**

Air Force rainmakers, operating secretly in the skies over the Ho Chi Minh trail network, have succeeded in turning the weather against the North Vietnamese.

These strange weather warriors seed the clouds during the monsoons in an attempt to concentrate more rainfall upon the trails and wash them out.

The hush-hush project, known by the code name "Intermediary — Compatriot," was started in 1967 to hamper enemy logistics. Those who fly the rainmaking missions believe they have increased the precipitation over the jungle roadways during the wet seasons.

Their monthly reports, stamped "Top Secret Specat (Special Category)," have claimed success in creating man-made cloudbursts over the trail complex. These assertedly have caused flooding conditions along the trails, making them impassable.

The Ho Chi Minh trails will get their next monsoon bath from May to September. During this season, the South Vietnamese are expected to pull out of Laos and leave it to the rains to stop the flow of enemy supplies down the trails. Only those with top security clearance knew, until now, that nature would be assisted by the U.S. Air Force.

An Air Force weathermaker,

answering our questions guardedly, said the "Intermediary-Compatriot" project is more experimental than operational. The experts still aren't sure, he said, whether cloudbursts that occur after seeding would not have taken place anyway.

However, the evidence is persuasive if not conclusive, he acknowledged, that it is possible not only to increase precipitation but to concentrate it upon a target area.

In 1969, Philippines' President Ferdinand Marcos asked the United States to employ its latest weather modification techniques to relieve a drought in the islands. The Air Force sent its rainmakers to seed the clouds over the Philippines and a substantial downpour followed.

The only trouble with rain, as Jesus Christ pointed out, is that it falls on the just and the unjust alike. The same cloudbursts that have flooded the Ho Chi Minh trails reportedly have also washed out some Laotian villages. This is the reason, presumably, that the Air Force has kept its weathermaking triumphs in Indochina so secret.

Nixon's Secret Pledge

President Nixon withheld some intriguing information about his wife from the nine newswomen who talked to him about the First Lady on the eve of her 59th birthday.

He didn't tell how hard Pat Nixon tried to persuade him

to give up politics. Nor did he mention that tucked among her private papers is an extraordinary pledge that she made him sign after the bruising 1952 campaign.

She got him to put in writing a promise that he would quit politics. But Pat Nixon soon learned that even a wife can't count on a political promise. He ran again for Vice President, then for President in 1960.

Intimates say Pat was "supremely happy" after her husband lost to John F. Kennedy and settled down to becoming a successful California lawyer. She wanted nothing more, they say, than a real home and a husband who worked regular hours.

But Richard Nixon still hadn't gotten over the political bug. Despite Pat's strenuous objections, he ran for the governorship of California in 1962. His defeat was one of the lowest points of their lives.

Once again she persuaded him to give up public life. She encouraged him to move the family—lock, stock and law clients—to New York City. The way to make sure he stayed out of politics, she reasoned, was to pull up his political roots and transplant them in Nelson Rockefeller's territory.

She mistakenly concluded that her husband could never stage a political comeback in

Rockefeller country, and she settled down again to the private life she had always wanted.

It ended in 1968. As usual she played the good soldier and campaigned for her husband. But her friends, noting that she was less active than in the past, suspected her heart wasn't in it.

These friends agree emphatically with the President that Pat isn't the bland and brittle blonde she appears to be in pictures and that she has extraordinary stamina for a woman who seems so thin and fragile.

Of all the recent First Ladies, say intimates, Mrs. Nixon is most like Bess Truman. Mrs. Truman was a homebody who shied away from publicity. But she was an artist at the tug-on-the-coat-sleeve and the under-the-table-kick when Harry Truman was feeling explosive. Pat Nixon, if more subtle, is equally effective.

On one occasion, the Nixons were entertaining visitors, and R.N. was expounding mightily on world problems. Pat passed quietly among the guests with a tray of hors d'oeuvres. "Why don't you have some of these?" she asked sweetly. "They're much better than the baloney he's handing out."

War in Laos Imperils the Survival of Meo Tribes

By HENRY KAMM

Special to The New York Times

VIENTIANE, Laos, March 15

—The tough and fierce Meo mountain tribesmen of Laos, retreating before the North Vietnamese invaders, are nearing the end of the mountains and the limits of their strength. Their survival in their traditional pattern of life has become a matter of concern to them and to their friends.

The Meo, who in their fight against the North Vietnamese are supported and advised by the United States Central Intelligence Agency, have been moving southward from deep within China for centuries—nomads of the highlands, slashing and burning rice fields out of the wooded mountainsides and moving on when the soil is exhausted.

Hostile pressure has sometimes speeded their southward move, but there have always been mountains ahead of them.

Now the advance of the North Vietnamese, coming out of the region of their own Meo minority around Dienbienphu during the last decade, has steadily driven the Meo of Laos to the south and the west until they

find themselves near the edge of the mountains.

Stretching ahead to the broad Mekong River lies the Vientiane Plain. Beyond that is the flat paddy land of Thailand, and then the sea.

The Meo, a small people of Chinese appearance who are easily distinguished from the brown-skinned Laotians, find the plain oppressively hot because they have always lived at heights up to 5,000 feet. Furthermore, they have no taste for life in the larger communities of the plain.

As the military situation deteriorates, rockets have been falling almost daily on Long Tieng, the mountain redoubt that the Meo consider their last bastion. The missiles have shaken the faith of the Meo because their most powerful leader, Maj. Gen. Vang Pao, has always told them that Long Tieng is invulnerable and that when the war was won they would return northward to the lands from which they have been driven.

Last month the Meo again set out for the south, leaving the settlements around Long Tieng and trudging in thin columns through the mountains. Americans who have long been close to the hill tribe—the name is pronounced May-oh—estimate that about 100,

000 are either on the move or have temporarily stopped wandering until their leaders tell them to stay or until the enemy draws near.

The heart of the area around which they are gathering, the American-run relief center of Ban Xon, was struck last week by enemy guerrilla squads; Meo are nervous.

Americans have been close to the Meo because the military interests of the United States and the Meo leaders coincide, and the United States has been feeding the Meo and arming, supplying and paying their soldiers for years.

No Strong Allegiance

That has been done largely outside the Laotian Government's channels because the Meo feel no strong allegiance to it and because direct dealings have been found more efficient in view of the bureaucracy and corruption in Vientiane. Prince Souvanna Phouma, the Premier, a pragmatic man who values the military efficiency thus achieved, has offered no objection.

Knowledgeable observers report that the United States and General Vang Pao are the sources of what the ordinary Meo need to live. Permanently on the move as they are, they depend on the United States for almost all the necessities of life.

Wherever the Meo halt, for a day or for months, United States planes land or drop rice, meat, medicines, building materials and clothing. The United States is feeding and supplying 170,000 people—70 or 80 per cent of the Meo—concentrated in a small region of northern Laos south of Long Tieng, north of the Vientiane Plain and east of the Mekong.

Until last March the supply operations were centered in the town of Sam Thong, created as the administrative center of the Meo nation by the United States. Enemy attacks caused it to be evacuated, and the operation moved to the previously prepared site of Ban Xon, about 20 miles to the south-west.

Now that the enemy has struck at Ban Xon, an alternate site is under construction.

The Key Question Now

To many people sympathetic to the Meo the question is no longer where to move them in temporary safety and how to enable them to make a new stand against the North Vietnamese and their Pathet Lao allies but, rather, whether the time has come to move them out of the war while there are still enough men left to assure the nation's survival.

The mountain region that General Vang Pao and Laotian and American friends of the Meo have in mind lies southeast of Long Tieng. It is thinly settled by pro-Pathet Lao Meo, with whom an accommodation could perhaps be reached. General Vang Pao has made such temporary, local arrangements, although they were eventually upset by the North Vietnamese.

The general, who effectively replaced the traditional political Meo chieftains by virtue of the power and patronage conferred by the United States, is known as a moody man who passes mercurially from periods of military optimism to spells of deep depression, in which he has frequently talked of leading the Meo out of the war.

Last Jan. 16, at an annual meeting with about 400 tribal leaders at Long Tieng, he spoke for the first time in such a setting of a search for a haven for his people. He drew a gloomy picture of the outlook for the annual Communist dry-season offensive then gathering strength and predicted the loss of Long Tieng.

General Vang Pao is reported to be more optimistic now, buoyed by at least four Thai battalions and by three Laotian battalions from other regions that, under his command, are participating effectively in the defense of Long Tieng.

That has resulted in a halt in the general southward move, but the search for a lasting solution, if such can be found, continues.

Example of the Tibetans

Chao Saykham, who has been Governor of Xiengkhouang Province, a principal center of Meo life, for 26 years, was found at his home the other day reading a book about the fate of the Tibetans. The Governor, whose princely title, Chao, identifies him as a member of the former royal family

of Xiengkhouang and not as a Meo, said he was studying the fate of another mountain people defeated and displaced in great numbers by a Communist "war of national liberation."

A responsible American commented that Chao Saykham, widely respected as one of the rare Laotian leaders with a sympathetic interest in the mountain people, had given up the fight. The American added that the Meo had been "bled white" and were exhausted and could not be asked to do much more fighting.

The tribesmen, by all accounts, have been as good a fighting force as the Laotian Government has had, but their losses have been catastrophic. The extent is difficult to determine because even their num-

bers are subject to varied estimates in this country, whose population is put at two million to three million. Guesses on the number of Meo range from 150,000 to 300,000.

Even a brief visit to a Meo area or group discloses one essential fact: The number of able-bodied young men is disproportionately small compared with the numbers of women, children and aged or invalid men.

In the last decade, according to knowledgeable sources, 10,000 men have been killed in action; the annual rate of battle deaths over the last three years has been 2,000.

6,000 Treated in a Year

No estimate is available on the number of civilians killed in the fighting, but when the hospital at Sam Thong was functioning as the chief medical facility for the Meo, about 6,000 soldiers and civilians wounded in military action were treated in a year.

Apart from the toll of the fighting, reliable sources report that the trauma of migration leads to a death rate of 15 per cent in the first year. Moreover, the average Meo infant mortality rate—40 in 100 in the first year of life—rises steeply during unsettled periods.



United Press International

Maj. Gen. Vang Pao, who told the Meo people Long Cheng was invulnerable, has been losing their confidence because of almost daily attacks.



The New York Times March 16, 1971
 Cross marks area where refugees are gathering.

Since the North Vietnamese began their invasion of northern Laos in force in the 1965-66 dry season, the entire Meo population has been on the move.

General Vang Pao's army, after a stepped-up recruiting effort, numbers more than 10,000. Little by little the number of other mountain tribesmen, largely upland Lao, has been growing until the Meo are a minority.

The number of 12-year-old

and 13-year-old fighting men in the General's forces, appear even higher than among regular Laotian units. Although there is no effective draft, youngsters are impressed under clan and family pressure.

"The older ones always send their younger brothers," said Touby Lyfong, who was the uncrowned "king of the Meo" until General Vang Pao became the leader. "The little ones are not afraid, but they cannot carry the heavier arms. The kids become soldiers because at 18 the others marry and start worrying about their wives and children."

The Meo are polygamous, with a religion that consists mainly of worship of the spirits of their ancestors. General Vang Pao has four wives and perhaps 20 children.

Under the growing pressure on the civilian population, a number of Meo soldiers have left their units to attend to their families. While it may be a form of desertion, it is condoned by Meo custom. It emphasizes, to many here, the need to find a solution.

The question of whether the Meo can be settled on the plain, if need be, is much discussed. The consensus is pessimistic, not only for reasons of climate but also because of the

different style of agriculture and the expected unwillingness of land-owners to make sufficient land available for so large a group of what most Laotians regard as racially inferior foreigners.

Appeal to Thai King

Mr. Louby Lyfong, who has lived in Vientiane for more than a decade, is pessimistic. He unbuttoned his shirt to show that he still gets a heat rash.

He said he talked last year to King Phumiphon Aduldet of Thailand about bringing the Laotian Meo across the border and found the King sympathetic. The province of Sayaboury, on the west bank of the Mekong in Laos, has been mentioned by General Vang Pao, Chao Saykham and others, but only a few Meo have settled there.

Most observers believe that if Long Tieng remains in Government hands through the current dry season, the Meo will return there until next year. But many, including Americans, contend that time for temporizing measures has run out.

"It is the Meo who have stemmed the tide until now while the people in Vientiane don't give a damn," Chao Saykham said. "Pity must have its turn."