

Chief Engineer, Advance Section Communications Zone, European Theater of Operations, February 1944 to June 1945.

Deputy Commander and Chief of Staff, Philippine Base Section, Army Forces Western Pacific, August 1945 to September 1945.

Commanding officer, Base "K," Army Forces Western Pacific, September 1945 to March 1946.

Chief, Construction Operations Division, Office, Chief of Engineers, Washington, D.C., May 1946 to July 1949.

District Engineer, Seattle District, Corps of Engineers, Seattle, Wash., July 1949 to August 1950.

Corps Engineer, I Corps, Far East Command, August 1950 to September 1951.

Army Engineer, 5th Army, Chicago, Ill., November 1951 to April 1952.

Division Engineer, North Pacific Division, Corps of Engineers, Portland, Oreg., April 1952 to November 1953.

Deputy Assistant Chief of Engineers for Civil Works, Office, Chief of Engineers, Washington, D.C., November 1953 to March 1954.

Assistant Chief of Engineers for Civil Works, Office, Chief of Engineers, Washington, D.C., March 1954 to September 1956.

Chief of Engineers, U.S. Army, Washington, D.C., October 1956 to —

LIST OF CITATIONS AND DECORATIONS

Legion of Merit (with two Oak Leaf Clusters), Bronze Star Medal, Air Medal, Purple Heart, Order of the British Empire, Croix de Guerre with Palm (France), L'Order de Leopold Grace de Officer (Belgium), Honorary Commander of the Military Division of the Most Excellent Order of the British Empire.

PERSONAL BACKGROUND MATERIAL

Interests and hobbies: Gardening, tennis, track, and baseball.

Group affiliations: Society of American Military Engineers, American Society of Civil Engineers, Permanent International Navigation Congress, Newcomen Society, Washington Society of Engineers.

Honors other than military: Doctor of engineering from Drexel Institute, doctor of engineering from Missouri School of Mines and Metallurgy.

Publications: General Itschner has published articles in a number of magazines and periodicals, including the Military Engineer, Civil Engineering, and Army, among others.

Licenses: Registered professional engineer, District of Columbia.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 3935) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large enterprises engaged in retail trade or service and of other employers engaged in commerce or in the production of goods for commerce, to increase the minimum wage under the act to \$1.25 an hour, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POWELL, Mr. ROOSEVELT, Mr. DENT, Mr. KEARNS, and Mr. AYERS were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4884) to amend title IV of the Social Security Act to authorize Federal financial participa-

tion in aid to dependent children of unemployed parents, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. O'BRIEN of Illinois, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

RESEARCH INTO RESOURCES OF THE SEA

Mr. MORSE obtained the floor.

Mr. MANSFIELD. Madam President, will the Senator from Oregon yield, if it is understood that in doing so he will not lose his right to the floor?

Mr. MORSE. Yes.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MORSE. Madam President, the Eugene Register-Guard of Eugene, Oreg., carried an editorial on April 9 concerning the request by President Kennedy for a \$97 million research program affecting the resources of the sea. The editorial outlines the importance of this program, and the research already being conducted in Oregon on oceanography.

I ask unanimous consent that the text of this editorial appear at this point in my remarks.

In this connection, I wish to mention again, and call to the attention of the administration, the availability of the Tongue Point facility near Astoria, which was recently closed as a naval station. Use of the Tongue Point facility for oceanography research would fit admirably with the programs already underway in Oregon.

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

LOOK TO THE SEA

The world's population, soon to approach 3 billion, lives on one-third of the earth. The other two-thirds is water, a vast wasteland in our thinking thus far. From the two-thirds we draw only about 1 percent of our food. We could draw much more, and the day may come when we have to.

Almost overlooked in the news was President Kennedy's request for a \$97 million research program in the resources of the sea. There is so much to be done.

Only in a few places, notably Japan, has there been a real attempt to farm the sea. Elsewhere we hunt there, but we do not farm. Yet, the possibilities are tremendous. For all that a plankton sandwich doesn't sound good to most of us right now, there is no reason why we couldn't learn to like such a dish. Indeed, if atomic explosions start popping around the world, future genera-

tions may find that the only safe food is seafood.

But food is not the only resource that the sea must hold in untold quantity. Minerals are there, too. Water is the great eroding agent. The land is carried into the ocean where the minerals form the "salt" that distinguishes sea water. The ocean floor is a vast storehouse of precious minerals, if only we can mine them.

Climate control may be one of mankind's weapons in accommodating the population boom. One of the keys to climate control lies in the currents of the sea. But before we can control currents we must understand them.

And think of the energy that goes to waste in the tides.

Research is going on, to be sure. Here in Oregon, we have the largely overlooked marine biology lab near Coos Bay. And Oregon State University at long last has a seagoing vessel for its studies of the ocean. The Corvallis Institution, too, has been doing some work in seafood research. But so much more remains.

Research of this kind is "pure" research, research which may or may not bring a worthwhile result. But only if the effort is made will we stand a chance of learning anything about that two-thirds of the world which we now regard as wasteland.

THE SITUATION IN CUBA

Mr. MORSE. Madam President, I propose to speak for the next few minutes on Cuba and the United States-Cuban relations; and I shall not yield during the course of my remarks.

As chairman of the Senate Subcommittee on Latin American Affairs, I speak with a very heavy heart, because I am well aware of the very serious implications to the security of the United States and the peace of the world that may very well become involved in the Cuban crisis. If there ever was a time in recent years when calm deliberation was the highest manifestation of statesmanship in connection with American foreign policy, that time is now.

The Subcommittee on Latin American Affairs of the Senate has worked intensively, for some years now, seeking to help develop programs, to change Latin-American attitudes, and to secure a greater degree of cooperation on the part of Latin American governments, in order to strengthen the economic posture of our Latin American friends and neighbors. It has been the hope of the committee that through such an economic approach, we could strengthen the political choice for freedom among the masses of the people of Latin America.

The members of my committee know that this is a longtime problem. It is not going to be solved overnight. It is going to take a considerable amount of governmental modification and reform, both economic and political, in a large number of Latin American countries.

We must expect a good many disappointments over the years that I think it is going to take to resolve the great contest in Latin America between freedom and totalitarianism. But may I say, at the outset of this speech, Madam President, I am satisfied the problem will never be resolved by the exercise of military might. Oh, we can defeat any

power inside or outside Latin America, if the contest is confined to Latin America, and if it follows conventional military form. But that would give us an empty victory, because the problem is to establish a political and economic order, in country after country, dedicated to a way of life based upon political freedom.

It is very easy, in an hour such as this, when there are so many in our country willing to wave the flag into tatters, to join in the emotionalism of the hour and demand so-called United States direct military action in Cuba. I would suggest that might be the way to win a battle, but lose a peace.

After all, our generation has an obligation to generations to follow us. I think we have reached that hour in American history when the leaders of our country are called upon to lead our country into peace, and not into war.

RESPONSIBILITIES OF CONGRESS IN FOREIGN AFFAIRS

The Congress has a great obligation to this administration to put itself at the disposal of this administration in keeping with the spirit and intent of the advise and consent clause of the Constitution. We have stood ready and willing to give that advice and to consult with and cooperate with this administration in respect to the Cuban crisis. The sad fact is our advice has not been sought.

This morning I sent the following telegram to the Secretary of State:

HON. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR SIR: It is a matter of deep regret to me, as chairman of the Senate Subcommittee on Latin American Affairs, that the administration did not see fit to advise with the Committee prior to making its decision to intervene in the Cuban invasion through granting logistic and other assistance to the Cuban exiles. The administration has every reason to know that it is the unanimous desire of members not only of the Latin American Subcommittee of the Senate but I am sure of the full membership of the committees of both the Senate and the House in the field of foreign affairs and military policy to cooperate at all times with the administration in connection with any matter that involves the security of our Nation. Such cooperation calls for our making available to the administration just such information as the Subcommittee on Latin American Affairs could have presented prior to the making of the ill-fated decision to invade Cuba by means of the Cuban exiles. It is possible that the advice which the administration would have received from at least some of us on the Latin American Subcommittee might have caused a reconsideration of the invasion plans. Under the Constitution we have no right to insist upon being advised in advance of such a course of action, but I respectfully suggest that in keeping with the spirit of the advise and consent clause of the Constitution it would be a constructive administrative policy to at least touch base with foreign policy committees of the Senate and the House before the fact rather than after the fact. In further reference to the Constitution, attention is called to the fact that under article I, section 8, it is still the power of the Congress to declare war.

WAYNE MORSE.

Madam President, we should not lose sight—and the White House should not

lose sight—of the fact that under our Constitution foreign policy does not belong to the President of the United States and to the Secretary of State. They are but the administrators of the people's foreign policy. Foreign policy, under our system of representative government, belongs to the American people. Our constitutional fathers wisely set up a check and balance system for the administration of this Government. As I pointed out in my telegram to the Secretary of State this morning, the power to declare war was vested in the Congress by article I, section 8, of the Constitution.

The President of the United States is the representative of The American people in the administration of foreign policy as he is our representative in all diplomatic relations and negotiations, but he is not given the power to determine American foreign policy unchecked by representatives of our free people.

When I speak thus at a time such as this there are those who will seek to give the impression that the senior Senator from Oregon finds himself in a break with the administration. Nothing could be further from the truth. I speak out of a very sincere desire to be of every help I can, as a Member of this body, to my President. I shall stand with him in his mistakes, seeking to do whatever I can, in my small way, to keep those mistakes at a minimum.

I believe that if the Latin-American Affairs Subcommittee of the Senate had been given an opportunity to advise with this administration, the mistake of the Cuban invasion last week would not have been made. Be that as it may, I also have a duty as a Member of this body to carry out a patriotic trust I owe to the people of the State of Oregon. Many may disagree with conclusions which, as Senators, we may reach, and they may disagree with some of my conclusions about the Cuban crisis, but on the basis of such facts as I know about Latin-America I sorely wish that my subcommittee and the full Foreign Relations Committee of the Senate might have had an opportunity to advise with the President or with the Secretary of State or with other officers of the administration prior to the execution of the foreign policy about which most of the members of the Foreign Relations Committee, at least, knew nothing.

In fact, last Tuesday I appeared on the Dave Garroway television show in the morning and was asked questions about the Cuban situation. I presented what my understanding was in respect to the administration's policy. Subsequently, I found myself very much chagrined. I referred to statements the President and the Secretary of State had made about U.S. nonintervention in Cuba paraphrasing them I am sure accurately. One can say, as one analyzes the literal statements of the President and of the Secretary of State, that they referred only to invasion by the use of American troops. I hope we have not come to a pass when we have to keep a dictionary at hand and refer to it for an analysis of possible semantics or concealed meanings in statements issued by the White House and by the Depart-

ment of State. I am satisfied the impression went across this country that the U.S. Government was not aiding and abetting, was not assisting in, was not supplying the logistics or the equipment or the naval cover, for an invasion of Cuba by Cuban exiles.

I think I was quite justified in my remarks, although I owe an apology to everyone who heard me on the Dave Garroway television show. I did not speak a falsehood, because that would involve an intention to mislead the public but I did not speak the facts, because subsequently the whole country discovered that what I thought was the policy of the administration was not the policy of the administration at all.

We now know that there has been a covert program underway to be of assistance to the Cuban exiles in an invasion of Cuba, and that assistance was given by the U.S. Government.

I say most respectfully—and on this point judgments may differ—that if the administration is to expect the cooperation of the Congress, we ought to be taken into the confidence of the administration before the fact and not after the fact.

The fact is that a matter as important as this was not the subject of a discussion before either my Subcommittee on Latin American Affairs or the Foreign Relations Committee itself. It may be said that some members of the Foreign Relations Committee, because of their position of leadership in the Senate of the United States, may have been taken into the confidence of this administration at some White House conference. However, I doubt if that even occurred, at least with any number of the members of the committee. I say most respectfully, Madam President, that conferring with one or two individual Senators never can be a substitute for the administration discussing these matters with the full membership of committees of the Senate which, by the direction of the Senate, have been given the jurisdiction and the responsibility of advising the Senate in regard to foreign affairs.

Neither is it acceptable to me, to say that the administration talked to political leaders in both parties, many of whom are not even members of the Committee on Foreign Relations of the Senate. I certainly think it is fine to discuss with the leaders of both parties a matter which could be as critical as the Cuban situation, but again I respectfully say that, in addition, unless the administration wishes to give the impression to the Nation that it does not have confidence in the Foreign Relations Committee of the Senate or the Foreign Affairs Committee of the House, it should consult with those given by the Congress itself a responsibility to sit in committee as the first advisers at the legislative level in the field of foreign policy.

In a telephone conversation this morning with one of the high officials of the Department of State, I expressed these views. In fairness to the Department of State on this point, I should report that he said, in effect, "our hindsight now proves to be better than our foresight,

and we recognize that we should have followed the course of action that you suggested in your wire to Secretary Rusk."

I have mentioned this procedural subject because in my judgment the leaders—at least those of my party—in the Senate have a responsibility to try to work out a liaison with the administration so that we do not find ourselves in a situation—and it is a horrible thought—in which we are not given an opportunity to offer advice in advance of being confronted some dark day with making a decision under article I, section 8, of the Constitution in respect to a declaration of war.

In recent years I have heard the statement made on the floor of the Senate that, of course, war is not declared any more in these modern times until after a nation is involved in a war. But I think it is important to issue this caveat today on the floor of the Senate. The American people are entitled to it. No President can justify getting the United States into war and then asking the Congress to back him up with a declaration of war.

Rest assured that whoever is in control of the executive branch of the Government will be expected by the American people to avoid following a course of action that may eventually result in asking for a declaration of war without consulting, before the fact, with those regular committees of Congress on foreign affairs. The President owes it to the country to consult with the two principal committees in each body, which, in the Senate are the Committee on Foreign Relations and the Committee on Armed Services, and the corresponding committees of the House.

We all know that in an hour of crisis we will unanimously rally behind the President, no matter who he may be. But I do not believe the Senate or the House should be put in a position in which all it does is what it is forced to do; a position in which it is only a matter of formality that we vote a declaration of war in the Congress.

NEXT STEPS DEBATED IN PRESS

In recent hours two very interesting newspaper columns appeared dealing with the Cuban situation. Without having the slightest intention of engaging in any unfair criticism, but seeking only to point out the contrasts between those two articles I wish to discuss them briefly. One is an article which I interpret to mean that we should move down the road toward direct military U.S. action in Cuba. The other is an article that follows at least the spirit of the plea that I made in the Senate in the speech I made last week on Cuba, which was a plea for calmness, a plea for careful study, a plea for contemplation of the implications that will flow from any course of military intervention on the part of the United States in Cuba in light of existing facts. Of course, facts can change and facts can exist about which we may not know.

The first article to which I refer was written by a very distinguished correspondent and columnist, Mr. Stewart Alsop, and is entitled "If You Strike At a

King." I ask unanimous consent that the entire article be printed at this point in my remarks.

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

IF YOU STRIKE AT A KING (By Stewart Alsop)

Sometimes it is useful to state the obvious. After the events of the last tragic week, and especially after what President Kennedy said in his speech to the editors, Fidel Castro cannot indefinitely be permitted to survive in triumph. The prestige and even the honor of the United States are now obviously and wholly committed to Castro's ultimate downfall.

There is hardly anybody in the higher reaches of the Kennedy administration who does not agree that this commitment to Castro's destruction now in fact exists. And yet President Kennedy and his advisers certainly did not plan the commitment. On the contrary, the President's key decision in regard to the Cuban operation were specifically designed to avoid such a commitment.

There were two key decisions made by the President after he decided to give the operation a green light. The plan for the operation which the President inherited from President Eisenhower involved the use of American armed force—for example, naval air power—if necessary to assure the success of the operation. President Kennedy's first key decision was to rule out the use of any American forces whatever, under any conditions whatever. His second decision was to announce the first decision, just as the operation began.

The public announcement that American forces would under no circumstances be involved was reiterated twice by the President himself and four times with even more emphasis by Secretary of State Dean Rusk. The announcement obviously greatly reduced the likelihood of a general uprising in Cuba, which was the main purpose of the Cuban operation. It also quite unnecessarily tied the President's hands in advance.

After the operations began to go bad, at an all-day meeting at the White House on Wednesday, certain of the President's military and civilian advisers favored active American intervention. They argued that the operation simply could not be allowed to fail, if only because the United States would in that event become in the eyes of the world the most papery of paper tigers. The President might well have favored this course himself, if he had not so publicly tied his own hands in advance. Why did he do so? This reporter has tried hard to find the answer to that question, and must confess a partial failure. The fact is that there has been something oddly uncharacteristic about the President's role in the Cuban affair. To be sure, since the operation failed, his actions have been wholly characteristic of the man—he has taken the whole responsibility for the failure on himself and he has passed the word down the line that there will be no recriminations and no scapegoat hunt. The uncharacteristic phase came earlier.

Throughout his career—as for example in his decision to enter the key Wisconsin and West Virginia primaries last year—Mr. Kennedy has always looked before he leaped. He had looked very hard, carefully weighing every conceivable factor likely to affect the outcome. And then he has leaped very hard, using every conceivable means to assure success.

In the looking phase of the Cuban operation, Mr. Kennedy was certainly the victim of bad intelligence. But intelligence is and always has been two-thirds guesswork, and it is hard to believe that the President adequately weighed the consequences of failure. This is further borne out by the fact that

the leaping phase of the operation was, by past Kennedy standards, so uncharacteristically tentative. The idea that Castro could be brought down without any risk at all of using American men or arms recalls the old rhyme of dubious origin:

"Mother may I go out to swim?
Yes, my darling daughter;
Hang your clothes on a hickory limb
And don't go near the water."

At least part of the explanation for the markedly un-Kennedy-like quality of the President's role in the first phase of the Cuban operation lies with U.N. Ambassador Adlai Stevenson, whose voice is listened to with respect in the Kennedy administration.

From his own point of view it was quite natural that Stevenson should strongly favor a categorical promise that American forces would not be used in Cuba. The peculiar holler-than-thou public stance which succeeding American delegations to the U.N. have always thought it necessary to assume was difficult to sustain in any case, in view of the obvious American complicity in the Cuban operation. Without the Kennedy promise, it would have been impossible to sustain.

Kennedy has spoken of "the lessons we have learned" from the tragic Cuban episode. One lesson, surely is that what pleases the majority of the strangely assorted gaggle of more or less sovereign nations which now constitute the U.N. General Assembly does not necessarily serve the national interest of the United States. Another lesson is summed up in the old adage, "If you strike at a king, you must strike to kill."

Some day, one way or another, the American commitment to bring Castro down will have to be honored. The commitment can only be honored if the American Government is willing, if necessary, to strike to kill, even if that risks the shedding of American blood.

Mr. MORSE. I refer now to two or three paragraphs of the article.

Mr. Alsop said:

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Later in the article he said:

The public announcement that American forces would under no circumstances be involved was reiterated twice by the President himself and four times with even more emphasis by Secretary of State Dean Rusk. The announcement obviously greatly reduced the likelihood of a general uprising in Cuba, which was the main purpose of the Cuban operation. It also quite unnecessarily tied the President's hands in advance.

Later in the article Mr. Alsop further said—

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kill, even if that risks the shedding of American blood.

I reject the implication of the Alsop article that direct military intervention by the United States is the cause of action we should follow in Cuba on the basis of the facts as they have thus far developed in the Cuban situation.

Although I am sure Senators would not misunderstand my position, because they know of my record, there are those who can take my words out of context, of course, and misrepresent my position. So let me say at this point in my speech that I yield to no one in the Senate or in the administration or in the country for my hatred and detestation of what Castro stands for.

History will convict Fidel Castro of having betrayed all his professions on the basis on which he garnered so much support in Cuba and in the rest of the world at the time that he led the revolution against Batista.

Senators know that I was outspoken in opposition to Batista. Senators know that for a long time before the fall of Batista the CONGRESSIONAL RECORD is replete with warnings of the senior Senator from Oregon about the very mistaken policy we were following in Latin America by supporting that dictator as well as other dictators in Latin America.

Senators know that it was in January 1958, that my subcommittee conducted hearings in which the State Department, through its witness, admitted that Batista undoubtedly could not remain in power without American military support.

A great many of us protested the continuation of that military support. In March 1958, our Government announced that it no longer was going to give military aid to Batista. Not very long after that, the Batista regime of tyrannical fascism fell.

I cannot imagine any rebel leader who ever had such a great opportunity to put into practice his supposedly professed support of ideals of freedom and democratic government than Fidel Castro. He certainly had behind him a great wave of public support throughout the United States and in Congress.

Yet shortly after he took power we were shocked to discover that this rebel leader of Cuba was himself adopting totalitarian procedures not any different, in fact, from the procedures that Batista had followed during his reign of terror.

Castro started, Senators will recall, his blood baths in the form of his summary executions. I walked to this floor and protested those blood baths and called them blood baths, only to find myself highly criticized in and out of Congress for that description I put on his executions.

We were frequently briefed in our subcommittee with regard to what our intelligence data showed was going on inside Cuba. So when a speech was made in the other body, charging me with misinforming the American people, I answered it on the floor of the Senate the next day based upon what we knew were the facts with which our intelligence reports had supplied us.

Those reports showed that in many instances after the leader of a rifle squad had put his hand on the body of an arrested victim, that body, sometimes in 20 or 45 minutes, was a corpse in a trench grave, not even an individual grave.

So we knew there were not any military trials that could possibly meet the procedural tests of the Geneva convention for the trial of war prisoners which all civilized nations had signed. I said at the time in a speech on the floor of the Senate that it is no "out" for Castro, even though he could fall back on the technicality that these were not war prisoners taken in a war between two sovereign powers, but prisoners taken in a civil war, and therefore, technically, the Geneva convention did not apply. It certainly applied morally.

In answer to that alibi I said on the floor of the Senate that there is all the more reason that Castro should apply the procedures of the Geneva convention to his own flesh and blood, his own fellow Cubans, if these rules of the Geneva convention are recognized as fair procedures for treatment of war prisoners captured in a war with another sovereign power.

Shortly following that speech some of us in Congress received telegrams from Castro inviting us to come to Havana as observers, with all expenses paid, to attend a mass trial, which was to be held in the great amphitheater in Havana. Of course most of us refused. I refused, and sent Castro a telegram expressing my rejection of his proposal, and suggesting that it was not a mass trial that Cuba needed, but a rededication to the spiritual values of the Mass. I suggested also in my telegram that Cuba, being a member of the United Nations, if Castro wanted official observation of any mass trial, he could call upon the United Nations, in accordance with its procedures, to appoint an observation team or commission to sit through the trials and report on them to the United Nations. Of course we all know that was the last thing Castro wanted.

They went ahead with their blood baths. They went ahead with one totalitarian procedure after another. I became really convinced that freedom was not going to be implanted in Cuba by Castro. Senators will recall that the first President of Cuba to take office after the successful revolution against Batista was a great Cuban lawyer and judge, Senor Manuel Urrutia, a man who believes in the protection of substantive rights by fair procedures. A man who, incidentally, while on the bench, I believe it is generally agreed, once saved Castro's life by insisting as a judge that Castro receive procedural protection, which, as a dictator of Cuba, he was unwilling to extend to those who had opposed him in the revolution.

Sad to say, Senor Urrutia has within the last 2 days been forced to seek political asylum in the Venezuelan Embassy in Cuba.

I have documented, from time to time through my work on our subcommittee,

a whole series of objections to the totalitarian procedures of Castro. Last fall the Senator from Vermont [Mr. Aiken] and I sat in the United Nations General Assembly, and there we had an opportunity to observe at close range the conduct and the maneuvering and the extremism of this man.

I always hesitate to pass on the motivation of others, or to pass judgment concerning another person's mental behavior. It is not news to the Senate to know that I have expressed myself many times to the effect that in my judgment with Castro we are dealing with an abnormal person who gives manifestations of many psychopathic tendencies.

It is interesting that throughout history frequently men have gained seats of great power over populations with regard to whom the historians have said that they possessed abnormal mental and behavior traits. The fact is that Castro gained power over the people of Cuba and he has remained in power and he is a reality in Cuba today. The question is: What do we propose to do about it?

I now call attention to the second article to which I wish to refer in my speech; namely, the article entitled "Kennedy's First Defeat: How Will He React?" written by James Reston and published in the New York Times of April 23, 1961. Madam President, I ask unanimous consent that the entire article may be printed at this point in the RECORD.

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

KENNEDY'S FIRST DEFEAT: HOW WILL HE REACT?

(By James Reston)

WASHINGTON, April 22.—For the first time in his life, John F. Kennedy has taken a public licking. He has faced illness and even death in his 43 years, but defeat is something new to him, and Cuba was a clumsy and humiliating defeat, which makes it worse.

How he reacts to it may very well be more important than how he got into it. For this will be a critical test of the character and perspective of the new President, and of the brilliant young men he has brought to the pinnacle of American political power.

The temptation to lash back and "get even" in Cuba is very great. The politician's natural reaction to a dramatic defeat is to try for a dramatic victory as soon as possible. He has the power to do so. No doubt the proud spirit of the country would support his landing the Marines in Cuba.

Moreover, former President Eisenhower, who knows the agony of choosing between desperate courses of action, would undoubtedly support him. Former Vice President Nixon is quoted as saying publicly that he would go along even if this meant putting U.S. forces on the beaches in Cuba. And some of the President's closest advisers, deeply involved in the defeat, are eager to recoup the losses of the last few days.

SUDDEN DIPLOMACY?

Nevertheless, this is no time for sudden action, but for a little more careful reflection and staff work than went into the original decision to allow the Cuban refugees to engage the prestige of the United States.

Cuba is not a present danger to the United States. Even if and when it gets the 150 Communist MIG fighter planes and the Cuban pilots now being trained in Czecho-

slovakia—the fear of which plays such an important part in the decision to launch this week's adventure—this is no serious menace to the security of the Republic.

As the President said in his press conference yesterday, the threat of the rising power and ideology of Cuba is more of a menace to the other states of the Caribbean and the rest of Latin America than it is to the United States. But if Castro tries to use his military power against any other state in the Caribbean or the hemisphere, then the issue will be clear. At that point, the United States can wipe him out, with the requisite sanction of law on its side.

After all, the mere presence of military force in a weak country is not necessarily a threat to a strong country. Turkey, for example, has been getting from the United States far more power than Castro ever dreamed of getting from the Russians. This U.S. power, including even rockets with nuclear warheads, has been situated in Turkey for a long time, but the Russians, while annoyed by this fact, have not felt obliged to use their power to invade Turkey.

KENNEDY'S APPROACH

It all depends on how President Kennedy looks at all this. He can look at it in personal and political terms and concentrate on redressing the blunders of the last few weeks by landing two or three divisions in Cuba. In other words, he can put the immediate situation ahead of all the other worldwide social and economic programs he has been working so hard to emphasize ever since he came to power.

On the other hand, he can look at the wider world picture, now greatly darkened by the events in Laos and the sudden insurrection of the French Army that has broken out in Algeria.

He can try to deal with social and economic problems in Cuba by military means, and risk the whole inter-American and United Nations systems in the process.

But it does come back to his personal decision. He has the authority to act in historic and world terms or in terms of the limited immediate problems of the Cuban crisis.

Either way the decision will involve risks: This is a gloomy and impatient city this weekend. It is acting as if this were the last half of the ninth inning and Cuba were vital to the security of the United States, whereas the facts are that this is merely the first half of the first inning and Cuba can be dealt with at whatever time the President likes.

Kennedy, in short, is now facing not only Castro and Khrushchev but the history and meaning of the American story, and how he reacts to it will tell a lot about the kind of leadership he has in mind to offer for the United States and the free world.

Mr. MORSE. Madam President, I shall refer to two or three paragraphs on which I wish to comment especially. Mr. Reston says in his article:

The temptation to lash back and get even in Cuba is very great. The politician's natural reaction to a dramatic defeat is to try for a dramatic victory as soon as possible. He has the power to do so. No doubt the proud spirit of the country would support his landing the Marines in Cuba.

Later in his article, Mr. Reston says:

Nevertheless, this is no time for sudden action, but for a little more careful reflection and staff work than went into the original decision to allow the Cuban refugees to engage the prestige of the United States.

Cuba is not a present danger to the United States. Even if and when it gets the 150 Communist Mig fighter planes and the Cuban pilots now being trained in Czechoslovakia—the fear of which plays such an im-

portant part in the decision to launch this week's adventure—this is no serious menace to the security of the Republic.

As the President said in his press conference yesterday, the threat of the rising power and ideology of Cuba is more of a menace to the other states of the Caribbean and the rest of Latin America than it is to the United States. But if Castro tries to use his military power against any other state in the Caribbean or the hemisphere, then the issue will be clear. At that point, the United States can wipe him out, with the requisite sanction of law on its side.

After all, the mere presence of military force in a weak country is not necessarily a threat to a strong country. Turkey, for example, has been getting from the United States far more power than Castro ever dreamed of getting from the Russians. This U.S. power, including even rockets with nuclear warheads, has been situated in Turkey for a long time, but the Russians, while annoyed by this fact, have not felt obliged to use their power to invade Turkey.

It all depends on how President Kennedy looks at all this. He can look at it in personal and political terms and concentrate on redressing the blunders of the last few weeks by landing two or three divisions in Cuba. In other words, he can put the immediate situation ahead of all the other worldwide social and economic programs he has been working so hard to emphasize ever since he came to power.

On the other hand, he can look at the wider world picture, now greatly darkened by the events in Laos and the sudden insurrection of the French Army that has broken out in Algeria.

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But it does come back to his personal decision. He has the authority to act in historic and world terms or in terms of the limited immediate problems of the Cuban crisis.

Madam President I consider the Reston article to be a great piece of journalism. It is in keeping with the statesmanship that should prevail in our consideration of the Cuban crisis.

Madam President, when I find my country in the position of having to make a decision between alternatives, I am tempted to look to see if there exist any legal basis and justification in respect to the choice of alternatives. In order to describe a personal attitude, only for descriptive terms, I should say I do not give a hoot about the judgment of the Communist segment of the world, but I am very much concerned about the present and historic judgment of the free nations of the world—yes, Madam President, and of the uncommitted nations of the world. In the due course of the passage of time all within the sound of my voice, including the speaker, will be but dust.

But we do have some obligation in our time to follow a course of action which gives at least some chance of leaving a heritage of freedom to those who will follow us. In no small measure that chance will be determined by the judgment which other free nations will make of us in connection with the foreign policy which we execute. So I am very much concerned about the judgment of the free nations of the world in connection with the legal course of action—and I emphasize: The legal course of action—

which we followed by giving aid and assistance to the exiles who sought to invade Cuba.

In my judgment, that course of action was in violation of the spirit—and probably the letter, as well—of treaties to which the United States is a party. It was also in violation, at least of the spirit, and I am not sure that it was not also a violation of the letter, of existing domestic legislation.

Madam President, the charter of the Organization of American States, to which our country is a signatory, which organization I shall discuss later in my speech, provides, in articles 15 and 16:

No state or group of states has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other state. The foregoing principle prohibits not only Armed Force but also any other form of interference or attempted threat against the personality of the state or against its political, economic, and cultural elements.

No state may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another state and obtain from it advantages of any kind.

Madam President, I do not like it any better than any other Member of the Senate that the Castro regime is the official regime of Cuba. At one time it was recognized by the United States. Subsequently we broke diplomatic relations with that regime; but the breaking of diplomatic relations did not in any way change the fact that it is the sovereign Government of Cuba, with which we find ourselves in complete disagreement. Therefore, Castro's Cuba has whatever rights under existing law are available to any other signatory to any treaty, such as the Charter of the Organization of American States, which all the members thereof signed.

COMPARISON WITH LAOS SITUATION

I remember the occasion some weeks ago when the U.S. Ambassador to Laos appeared before the Committee on Foreign Relations. It is entirely within the realm of propriety to say that in our discussion with him it was pointed out that the Russians—and we suspect, at least, the Communists in Vietnam and, yes, possibly the Communists in Red China, but principally the Russians—were giving great logistic support to the Communist rebellion in Laos against the constituted Government of Laos. On this subject, the administration was in consultation with the Committee on Foreign Relations. The record is available to any Member of the Senate who wishes to go to the committee office and read it. Although it is an executive record, our long-established policy has been that executive records available to members of the committee are also available to other Members of the Senate. That record will show that there was quite a protracted consultation with the Committee on Foreign Relations.

The Senator from Arkansas [Mr. FULBRIGHT], the chairman of the committee, in his usual, statesmanlike way, gave to both the committee and the State Department officials who testified before us brilliant leadership in that discussion.

In the course of the discussion, the Ambassador and others representing our Government stressed the fact that we were supporting the recognized, official, constitutional Government of Laos, and that, under SEATO, we have not only rights but also duties to come to the assistance of a constitutional government that is being attacked. The Ambassador and others speaking for the administration bottomed their case—and did so very soundly, I believe—on that international law foundation.

All of us are aware of a good many of the problems which confront us in connection with Laos. All of us are aware that a good many persons who are familiar with that part of the world point out that it is not the best place for us to become involved in a contest of any great degree with the Soviet bloc.

But there is an international law obligation that we owe to our allies who are parties to SEATO; and I believe that the Kennedy administration has done a magnificent job in extending not only to our country but also to the world the leadership that the President has extended in connection with the Laos crisis. All of us are deeply moved and inspired by that leadership, as today we learn that a cease-fire order is coming forth—although, Madam President, all of us know that this is but the beginning of our task to find a peaceful solution of the Lao affair. Now we have a period of negotiation to enter into, but we do not yet know on what basis it will be.

However, I am satisfied that here, again, we have made a great step forward, under the leadership of the President, in at least showing to the rest of the world that the United States of America and her allies are desirous of finding a peaceful course of action in Laos, without sacrificing in any way the obligations our country owes to the other SEATO members and without in any way permitting the constitutional Government of Laos to be devoured by Communist attack.

Mr. CASE of South Dakota. Madam President, will the Senator from Oregon yield for a question?

Mr. MORSE. I previously announced that I preferred to yield after concluding my speech.

Madam President, in the course of our discussion with our Ambassador to Laos and with other members of the State Department, there was also a discussion of the Cuban situation, from the standpoint of squaring our position in regard to Cuba with our position in regard to Laos. However, this discussion was not conducted upon any indication whatsoever that the administration intended to help the Cuban exiles attempt to invade Cuba.

MONROE DOCTRINE GOVERNS OUR POLICY IN WESTERN HEMISPHERE

I raised the legal question of whether the United States is in a position of walking into a Communist trap as regards Cuba, because the Castro regime is, of course, the constitutional government of Cuba at the present time. Although we despise it—and rightly so—I raised the point that if we sought to defend our position in regard to Laos on

the ground that we have a right to intervene in support of the constitutional government of Laos, whereas the Communists are violating the international law rights of the Lao Government, would not we be found to be inconsistent if we took the position that we had a right to come to the assistance of forces which sought to overthrow the constitutional government of Cuba? It was then that I pointed out that I believe we have for too long a time minimized, if not overlooked, a long, historic obligation we have under the Monroe Doctrine.

I wish to say now that if the Russians or the Red Chinese factually seek to intervene in Cuba, by any course of conduct which can be interpreted as military intervention, I have no doubt of the soundness of our position, based upon the Monroe Doctrine, when we proceed to use whatever force may be necessary to prevent that intervention. I have a suspicion that Khrushchev knows that. If he does not, I have no doubt he will discover it if any attempt is made by Russia really to make Cuba a puppet state of Russia.

POSSIBLE REACTIONS TO U.S. INTERVENTION

But I wish to point out that we cannot ignore these problems of international law if we are interested in the judgment of many other governments which at the present time are free and uncommitted, and if we are at all interested in what millions of people in parts of the world not yet committed to communism will think and do.

I am very fearful, Madam President, that if we continue to follow the course of action we were following last week in Cuba, we shall lose the support and friendship of many of those nations and peoples. That is why I stated earlier in my remarks that even though the war we might start in Cuba does not become a nuclear war, we may lose the peace. Later in my remarks I shall call attention to what I believe some of the costs of losing the peace will be to the peoples in the Western Hemisphere.

But to return now to my thesis that there is grave doubt as to the legality of the course of action our country followed last week in regard to Cuba, I call attention to the fact that title 18, United States Code, sections 958-962, and title 50, United States Code, appendix, section 2021, and following, generally prohibits the enlistment of recruitment for foreign military service in the United States, the preparation of foreign military expeditions in the United States, the outfitting of foreign naval vessels for service against friendly powers, and the furnishing of money for military enterprises against foreign states.

The Convention on the Duties and Rights of States in the Event of Civil Strife, signed at Havana in 1928, and ratified by the United States in 1930, binds the parties—"to use all means at their disposal to prevent the inhabitants of their territory, nationals or aliens, from participating in, gathering elements, or crossing the boundary or sailing from their territory for the purpose of starting or promoting civil strife."

In my opinion, we cannot afford to ignore the judgment that is going to be

placed upon us by many leaders—and I am not talking about the Communists, because, again I say, I do not care a hoot about their judgment—in many countries who are perplexed and somewhat confused about our position on Cuba. In many respects they are very doubtful about some of the courses of action the United States has been following in American foreign policy not only in Cuba but in other parts of the world as well.

We cannot deny the fact that, certainly, what happened in respect to the Cuban exiles cannot very well be squared with what we have already committed ourselves to so far as our legal policy is concerned.

It should be noted that a protocol strengthening this convention was signed by the United States in 1957 and transmitted to the Senate with a request for advice and consent to ratification in 1959. Among other things, the protocol provided, in article 5:

Each contracting state shall, in areas subject to its jurisdiction and within the powers granted by its constitution, use all appropriate means to prevent any person, national or alien, from deliberately participating in the preparation, organization, or carrying out of a military enterprise that has as its purpose the starting, promoting, or supporting of civil strife in another contracting state, whether or not the government of the latter has been recognized.

The Senate gave its advice and consent to ratification July 30, 1959. But the U.S. instrument of ratification has never been deposited with the Pan American Union, and the protocol is therefore not in effect so far as the United States is concerned. The clear inference is that the delay has been caused by sensitivity to the fact that the United States would be in violation of the protocol if it completed ratification.

But our compromising our legal posture in respect to that protocol will not save us in the judgment to be rendered against us by many persons. In fact, it may very well make that judgment more critical, because we urge repeatedly that we stand always ready and willing to strengthen an international system of justice through law in the Western Hemisphere and elsewhere in the world. We are going to have a hard time explaining our failure to file that protocol instrument, once it has gone through all the processes of ratification, save and except the filing process.

Aside from this protocol, however, the other treaties to which the United States is a party and the domestic statutes which have been cited clearly are intended to prohibit the kind of activity now being carried on by Cuban exiles. To give this activity even covert support is of a piece of the hypocrisy and cynicism for which the United States is constantly denouncing the Soviet Union in the United Nations and elsewhere. This point will not be lost on the rest of the world—nor on our own consciences, for that matter.

The argument is made—I heard it in Evansville, Ind., last night—that we must meet fire with fire; that we must beat the Communists at their own game. I reject that argument, for two reasons.

First, if we follow that course of action, we must adopt police state techniques and tactics. My faith in freedom, my faith in constitutional government, runs too deep for me, so long as I serve in this body, ever to underwrite police state tactics anywhere in our governmental system.

That brings up the question of the CIA. I do not propose to criticize the CIA on the floor of the Senate today, because I do not know all of the facts. But that is a commentary. It is a commentary that, when we walk so close to the precipice, falling over which would be a fall into the abyss of war, we do not know, at the legislative level, through the responsible committees of the Senate, what the program and the policies of CIA really are. But I mention this caveat: I think the American people, before it is too late, should renounce the alibi or rationalization that, in meeting the Communist challenge in the world, we should ever stoop to Communist tactics based upon police state methods.

Again I say the greatest safety for the American people in the field of foreign policy is policy openly arrived at. The right of the American people in the field of foreign policy is to be informed about proposed policies that may determine the difference between peace and war. Open covenants openly arrived at constitute a historic policy in the United States.

I know all the arguments against my position—the arguments of expediency, of practicality, of necessity; the argument that we must proceed in secrecy. But I deny those arguments, because one of the great strengths of democracy is its openness. One of the great strengths of democracy is putting into practice the ideal—and it ought to be recognized as a rule—that the people are the masters of the state, and not the state the master of the people, even in an hour of crisis.

Freedom is worth too much as a human system of government for us to surrender any of our freedom to a police state system in the field of foreign policy, dictated by denying to the people the knowledge of the facts of their own foreign policy, whether it is carried out through the CIA or any other agency of this Government.

I am glad that the President has announced that he has called for a survey of the policies of CIA. I assume it is to the end of determining, if it can be determined, why our intelligence went so amiss in regard to the Cuban episode.

I am delighted that he has called in General Taylor and has assigned a part of the responsibility also to the Attorney General, because, certainly, the American people are entitled to an answer to such questions as, "How did it happen, and what steps are being taken to see that it does not happen again?"

My second reason for rejecting the argument that the United States must itself fight in Cuba is that in my judgment, Cuba is not a dagger pointed at the heart of the United States, but is instead a thorn in our flesh. It is an irritating thorn and a painful one, as thorns customarily are. But, I do not

think a case can be made, on the basis at least of events to date and prospective events of the immediate future, to sustain the argument that there must be military intervention into Cuba or Cuba will serve as a dagger striking at the heart of this Republic.

An interesting argument is made with figures of speech, seemingly plausible and to many persuasive. In my judgment, while Cuba can very well continue to be for some time a source of great irritation and annoyance—yes, to a degree a threat—in many respects to the United States, now is the time, it seems to me, for our friends in the world to join us in the support of the cause of peace.

I do not think there is any hope that the United States and Cuba can attempt to settle their differences on a bilateral basis without gravely increasing the danger of war. I know that in a time such as this any suggestion that we resort to or try to resort to peaceful procedures exercised by third parties who are nondisputants to the conflict will be attacked as too theoretical, too idealistic, and as too impractical. But what, really, is the alternative?

I do not think Russia would be foolish enough or that Khrushchev would be stupid enough to involve the world in a nuclear war over the United States-Cuban dispute. I think Russia will seek to harass us with so-called brushfire wars with conventional instrumentalities of war, but no one among us can tell where that kind of conflagration may lead.

I say to Senators today that it is my judgment that if the United States seeks to settle its differences with Cuba through the use of military might, either direct or indirect, we shall be at least a half century recovering, if we ever recover, the prestige, the understanding, the sympathy, and the confidence of one Latin American neighbor after another.

That is not because we do not, at the very hour I speak, have the support of a great majority of the governmental officials of the countries of Latin America. I think we have their complete sympathy. But we do not have their active support, and in my judgment we are not going to get it if we follow a direct course of action in Cuba.

We would set back the foreign relations program of the United States in Latin America at least 50 years by so doing. We have been a long time making progress against the old slogan which is now the Communist slogan throughout Latin America. Before the Communists came into Latin America the slogan was used by others who were Yankee haters. They said, "Yankee imperialism," based upon past use of the Marines in various spots in Latin America.

Times are different now. Although we have very friendly officials in many Latin American countries, they are uneasy officials. Their great concern is the unrest among their own people. They are insecure. Many of their governments are insecure. I have sat in the offices of many Presidents of Latin American countries. Direct action on

the part of the United States against Cuba would not make those governments more secure; it would make them less secure.

Castroism in various part of Latin America no longer is really identified with Castro as an individual. I have talked with many representatives of Latin American countries over the 3-months' period in New York, while I served my country at the United Nations. I talked with many at the Bogotá conference last September. I have talked with many in connection with my work relating to Latin America. The reports we get are that many who were at one time enthusiastic supporters of Castro as a rebel leader have lost great confidence in him as a rebel leader. Yet they still support, in their own countries, the program of social reform, of economic reform, and of legal reform which Castro was supposed to represent at the time he came into power. This demand for reform is ever present, and it will grow stronger and stronger throughout Latin America. The heads of many of those governments know it.

Before it is too late, we had better face up to the fact that if we follow a course of action which will feed the leftist forces in those countries, which will give a seemingly plausible ground for attack on the United States, which will represent to the people that what we really did not like were the reforms of the Castro regime, keeping from the people the fact that those reforms have not been very substantial, we are likely not only to weaken a good many of the friendly governments in Latin America but also to increase the great possibility of the overthrow of those governments.

I do not think I could possibly emphasize this point too strongly, Mr. President, because, in my judgment, if we seek to follow a unilateral course of action in Cuba we shall defeat Cuba but shall lose most of the rest of Latin America for years to come. Direct military action by this country against Cuba must be predicated on the assumption that it will harden and strengthen anti-American feelings in most other countries of this hemisphere, and that having intervened once, we will have to intervene again and again. We must weigh Cuba carefully against such countries as Brazil, Venezuela, Ecuador, and many other countries where economic and social change is rampant. One may say, "Senator, what else can we do? We have every reason to believe the Communist world is going to capitalize on this unfortunate development and to strengthen their tentacle-control, as an octopus throughout the continent."

OAS SHOULD ACT ON CUBAN CRISIS

As was suggested by the majority leader in a very able statement reported in the press over the weekend, certainly a plea ought to be made to the Organization of American States. Where is our formal presentation of a request to the Organization of American States? We should ask it to proceed to take jurisdiction over the disputed points between the United States and Cuba, to the end of seeking to use the procedures

of that Organization to find some accommodation that would reduce the dangerous threat of war in this hemisphere.

Earlier I said that I would make a few comments about the Organization of American States. They are critical comments. I am greatly disappointed in the operation of the Organization of American States, not only in respect to the Cuban problem, but with respect to a good many other critical and difficult problems that confront the Western Hemisphere. But being critical of that Organization, I wish to say that our constructive responsibility is to seek to strengthen the Organization. Therefore, I only suggest that there is a need for some reorganizing within the Organization of American States.

The other night I had a long talk with one of the most able and distinguished Ambassadors from a Latin American country, who explained to me a good many things about the Organization of American States procedurally of which I was not fully aware.

One of his recommendations was that we should seek to get the members of the Organization of American States to send to the Organization of American States some of their top leaders. He said, "There are some exceptions within the Organization, but the fact is that at the present time its personnel is characterized by less than top-level people. It is not exercising the influence in the formulation of policy within the respective members thereof that it should."

I believe there is great merit in that statement. He put it this way. He said, "The Organization has a beautiful building in Washington. But a beautiful building does not assure an effective program."

I sincerely hope that the Organization of American States—and I hope that we will carry our share of the burden to that end—will ask itself the question, "What does this Organization need to do in terms of its procedures and organization to make it a more effective and vital force in the solution of the troublesome problems that confront Latin America?"

But let us assume that on the basis of the present Organization and its procedures some constructive help could come from it in seeking to resolve, in an honorable and amicable way, the Cuban-United States crisis. I restate what I have said for many, many months. The Organization of American States, should move in and seek to exercise, or offer to exercise, whatever jurisdiction under its charter is available to it, rather than moving away from a hotspot such as the present situation.

Frankly, that is what the Organization of American States has been doing. It has been moving away. It has been walking out on its responsibilities.

I hope the Organization has not been moving away on the assumption that the United States is too big for it to exercise the jurisdiction permitted under the charter over every member thereof, whether it be the United States, Cuba, or any other nation. If a situation has developed which in fact threatens the peace of the hemisphere—and the dead and dying in Cuba today leave no room

for doubt as to whether the peace is being threatened—the sad fact is that we, the United States, have not offered to submit ourselves to the juridical jurisdiction of the Organization of American States. We have not urged the OAS to set up a juridical agency to which will be submitted by the disputants to the Cuban crisis facts concerning their differences.

Again I say it is no answer to point out that Castro would not go along. I do not think he would either. But let us prove it. Let us for once really offer to carry out our professions about setting up a system of international justice through law.

I know that the powerful preventive-war group in the United States will not agree. There are those in the United States who take the position this very hour that we should have none of this rule-of-law approach to the settlement of these problems, but that we should make clear the United States is boss, so to speak, in the Western Hemisphere, and lay down the law of military might. But it is the same law of the jungle, whether it is practiced by the United States or any other power in the world.

If the Organization of American States will not, or cannot act, or if Castro refuses to be a party to its exercise of jurisdiction, I think we ought to call an extraordinary session of the General Assembly of the United Nations to consider this issue, which threatens the peace of the world. Now is the time to follow peaceful procedures in an attempt to avoid a war, not to put them into practice after the war is over as a sort of rehabilitation program in order to bind up wounds, we should have made the attempt to avoid inflicting in the first place.

Let us call upon the United Nations to seek to exercise, or to offer to exercise, juridical processes for the solution of the problem. That is a much better solution of this problem than to be training exiles, supplying them, and urging them to invade Cuba, and then trying to wash off our hands the bloody spots.

I do not question the patriotism of the Cuban exiles. I do not question their dedication to freedom. However, today's news reports carry the observation from one very friendly Latin American country the truth that there is no great leader among them.

They are dedicated patriots, and I have the highest esteem for them. But what is needed to supplant a totalitarian government in Cuba with a free government, is a leadership which will inspire not only the Cuban exiles, but also the Cuban people remaining in Cuba.

It is pretty well recognized that from the very beginning the Cuban exiles have been very much split by their own factions, by a contest among them for power, by disunity, not unity. In fact, I understand that it has been necessary to try to make clear that any so-called leader among them who follows the Batista line and seeks to reestablish a totalitarian dictatorship form of government in Cuba as supplanting the tyranny which Castro already maintains is quite unacceptable as far as we are concerned.

This is why I think we need to have attention paid to this problem by the Organization of American States, so we can get other Latin-American countries to seek to bring reason to bear within Cuba, in an attempt to find an accommodation which will permit at least a reduction of the danger of the Cuban crisis as a threat to peace in the Western Hemisphere.

Mr. President, if we ask the United Nations to use its juridical power, and if Castro still refuses to conform to the jurisdiction of the United Nations, I might very well be asked, "Then would you be willing to exercise American military force in Cuba directly or indirectly?" My answer would still be no, given the facts of the present situation.

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

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Oregon yield?

Mr. MORSE. No; I will first finish my speech, and then I will be glad to yield.

My answer would still be no. If all of these attempts at seeking an honorable peace in Cuba through resort to the Organization of American States or to the United Nations result in failure, I still would not advocate direct military intervention or indirect military intervention in Cuba. I would make clear at that point that we were going to carry out to its full meaning the historic principles of the Monroe Doctrine as far as any intervention in this hemisphere is concerned. I would continue to make clear to our friends in the Organization of American States that we look to them to associate themselves with us in seeing to it that communism does not spread throughout Latin America, because their own security is even more involved than ours.

As I said earlier in my speech, I do not believe Cuba is a threat to the United States as far as being a dagger pointing at our heart is concerned. However, I do believe that Cuba is a threat to our Latin American neighbors.

We ought to make very clear to our Latin American neighbors that we are willing to stand with them in case of any direct military action on the part of Cuba against them. I think we have available to us those powers that we need short of direct military action to maintain the peace in the Caribbean until at long last the Cuban people come to understand that all we seek is to maintain the peace of this hemisphere and give them an opportunity to set up a system of freedom.

Oh, I know that it is said, by those who do not share this last point of view of mine, that the Cuban people are entitled to a Communist regime if they want it. They are. However, I know also that many people in the world are living under a Communist regime, as in Cuba, who do not want it but had it imposed upon them. We have not taken the position in other parts of the world that we intend to overthrow such a Communist regime because it was imposed upon these people without their free choice. We well know that if we

followed that course of action we would lead the world, not into a brush war but into a nuclear war.

Castro imposed his regime on the Cuban people under the false pretense that in a very short time he would give them an election, and that they would be allowed to elect the people who would exercise the powers of government over them. He has broken faith on every one of those promises.

I ask the question, Does that give the United States the right to move in and say we are going to set up the kind of government that we really think the Cuban people want, or are we to take the position we are not going to permit that government to spread its tentacles among our friendly neighbors in Latin America, but will exercise our powers under the Monroe Doctrine in the Caribbean to see to it that the Communist bloc does not in fact proceed to intervene to set up its own form of government in Latin America?

There are a great many other phases of this problem which I shall discuss at a later time. I did want at this time to make this record, at least of my present point of view, because I am very much concerned about what I think was a colossal mistake that was made last week in giving logistic support and other support to what I think cannot be justified under international law, cannot be justified under sound foreign policy, and cannot be justified in the interest in keeping the peace in the Western Hemisphere.

I desired now to yield to the Senator from Iowa [Mr. HICKENLOOPER], but apparently he has stepped off the floor. I yield the floor.

DEFENSE CONTRACT AWARDS

Mr. ENGLE obtained the floor.

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

Mr. ENGLE. I yield, provided I do not lose the floor.

Mr. HUMPHREY. Does the Senator from California wish to have a quorum call prior to his speech?

Mr. ENGLE. No. I am grateful to the Senator from Minnesota, but I do not desire a quorum call at this time.

Mr. President, in recent weeks the subject of defense procurement contracts has been under much discussion on the floor of the Senate. In the course of these discussions the State of California has come under considerable attack because a substantial share of the country's defense orders has been channeled into California's defense industries.

On a number of occasions in the past 2 years I have exchanged views on this subject with several distinguished Senators from the Eastern States. Today I shall address myself to some of the points raised recently on the Senate floor.

The other day, during a colloquy on the subject with the distinguished Senator from New York [Mr. KEATING], I said I would speak at some length about the matter. I was unable to do so then because of the lateness of the hour. Today I shall speak in some detail on this subject.

I shall begin by setting forth the basic criteria employed by the administration—by the Department of Defense—in the awarding of a defense procurement contract. They are:

First. Quality of the product to be furnished. The term quality includes performance capabilities and reliability.

Second. Delivery schedule. Obviously the earliest possible delivery is an important factor, in most instances.

Third. Price, the cost of the product to the Federal Government.

Fourth. Provision, under certain conditions, for partial and total set-asides for small business, and provision for partial set-asides for surplus labor areas.

The basic criteria for the awarding of contracts in this administration, as in the last administration, were to award them to the company or the area which can produce the best product, at the cheapest possible price, and at the earliest possible time. Those are the three criteria which are prerequisite in this administration as they were in the preceding administration.

A number of Senators have proposed that the criteria be changed so as to provide that the existence of substantial surplus labor in an area shall be a major element—possibly even a preemptory factor—in the awarding of defense contracts.

The word "preemptory" is not in the legislation, but I cannot help believing that if it were, it would not be used against the Department of Defense for the purpose of requiring it to give great emphasis to the labor surplus problem, regardless of whether a particular area could produce the best product at the lowest price and in the quickest period of time. At least, I hope that that will not become our policy. I think it would seriously jeopardize our national security and would result in an extravagant waste of the taxpayer's dollar.

Certainly, I agree with Senators that high unemployment in an area of the country is a matter not only of regional concern but of national concern. Certainly, I sympathize with the interest and desire of labor-surplus areas to have more defense orders channeled into those areas. But I certainly do not believe that the circumstance of substantial surplus labor should be used as a major or primary factor in making a plea for more defense contracts.

At the risk of laboring the point, I shall review some of the reasons why a substantial percentage of defense contracts has been awarded to firms in California.

California has historic advantages which, in combination, no other area in the country can match in the time period with which the Department of Defense is so vitally concerned.

World War II drew a large supply of skilled workers to southern California, and this manpower supply has since been continuously replenished. California has been fortunate in attracting a large percentage of the Nation's scientific personnel, engineers, technicians, highly skilled production workers, and administrative people experienced in defense activities. California also houses a large

proportion of the Nation's facilities for defense research, production, and testing. Two factors are partly responsible for this: The favorable year-round climate which gives industry the advantage of the maximum number of productive days, and the existence of vast amounts of open country available in adjacent desert areas which are ideal for the immediate testing of weapons of the nuclear age.

Any inspection of California's defense facilities will immediately demonstrate that situation, whether one goes to the AeroJet site, in the hills just east of Sacramento, or to the Los Angeles area, where there are testing facilities not only immediately adjacent to Los Angeles, in the hills just north and east of that city, but also away out in the desert country. These facilities are absolute requirements for that kind of work.

In 1910 California inaugurated one of the country's first air shows, and from that time southern California has been deeply and vitally involved in this sphere of science and in the forefront of aircraft and missile development. As early as 1945, California anticipated the changeover from manned aircraft to missiles and began diversification into missile production.

California has worked long and hard to build its capabilities for defense work. For example, it spends far more than any other State on education. The combined budget of the University of California and State colleges is approximately one-half billion dollars. Much of this goes into financing advanced programs of research in the physical sciences. California has extended itself in every way to provide the kind of efficient and modern public services necessary to keep pace with the extraordinary demands of accelerated defense activities and of an exploding population.

Because of the constant questioning as to why these great industries go to California, recently I visited two major factories which went to California. By "major factories," I refer to defense installations. The officials of those companies told me that aside from the fact that they were able to get the amount of land on which they wanted to build the factories, and aside from the fact that an ample labor force was available, one of the things which attracted them the most was the closeness to great educational centers located in California, dealing with highly scientific and academic subjects. A scientific community likes to be among scientists, schools, and colleges. Persons engaged in the field of science are especially desirous of having other scientists around them. They live in their own community; they talk together; they work together; they visit together. When they are out of a job in one place, if there are a great many scientists in a particular area, by their intercommunication they build themselves a sort of job continuity which is very helpful and useful to them.

In addition, California has built a tremendous web of freeways and highways and modern hospitals, recreational fa-

cilities, housing, and schools to meet the inordinate requirements.

In short, California has a long history of the manmade factors, plus the natural factors, so essential for taking on the tremendous and complex programs for the defense of our country. Many years are needed to build the kind of capability that California has—years of unbroken effort and experience. And it takes many millions of dollars in capital investment.

It is true that all of these factors give California a great advantage when the Pentagon is making out its defense orders. This is fortunate for California. But, more important, it is fortunate for the Nation that we have the comprehensive capacity to execute with maximum efficiency and minimum time the kind of defense programs necessary to give us a superior position in the cold war.

There has been so much talk about California's favored position in the competition for defense contracts that I think we ought to scrutinize and analyze some of the facts and figures.

In February, the distinguished Senator from Maryland [Mr. BUTLER] introduced S. Res. 82, the purpose of which is to authorize an investigation of the concentration of defense activities on the west coast, particularly in the State of California.

I regret that the distinguished Senator from Maryland is not here today. I notified him that I intended to speak about the defense contracts situation, and more particularly about his resolution. He said that later this afternoon it was necessary for him to attend a meeting in Maryland and that he could not be here, but that he would undoubtedly answer me at length later. I feel certain that that is probably an understatement. However, I regret that the Senator from Maryland is not here at this time, because perhaps he would have liked to speak about this subject at the same time I did.

I would welcome the kind of inquiry proposed by the Senator from Maryland. I think it would straighten out some of the distortions and misunderstandings that have run through this controversy on defense contract competition. I think that Pentagon procurement officials would also welcome such an inquiry. Certainly they have felt the impact of the continuing uproar, to the point where it has made them somewhat self-conscious about granting merited contracts to California. I am convinced that when all the facts are revealed, neither the people at the Pentagon nor the public generally will be any more disturbed about a large percentage of defense orders going to California than they are about a large percentage of the automobile production being concentrated in Michigan rather than in Maryland or Massachusetts or some other place.

More than 80 percent of the commercial aircraft in the Nation has been procured in California by aircraft corporations. There is a private business, just as the automobile industry is a private business. They locate in California to get delivery of the commercial air-

planes which they want to use, because they can get the best product for the cheapest price in the quickest possible time.

I think they will recognize the situation for what it is—namely, that defense contracts are being channeled into California because California has the developed plant and personnel capacities—because its defense industries embody a crystallization of experience and capability developed over the years that has not been matched by any other State; and that defense orders are not being channeled into California because of any favoritism on the part of the Department of Defense or because of any political pressures.

I wish to comment on several of the points covered in Senator BUTLER'S resolution.

The resolution states that in the fiscal year 1960, 27.2 percent of all defense prime contract awards for procurement were made to business firms whose principal place of business is on the west coast; and that 23.7 percent of all defense prime contract awards for procurement were made to business firms whose principal place of business is located in the State of California. The resolution also indicates that a large portion of defense prime contract awards to business firms for experimental, developmental, testing, and research work were made to companies whose principal place of business is located in the State of California.

I think the figures cited in the resolution bear some analyzing if we are to keep the defense contract picture in proper perspective.

The figures given in the resolution of the Senator from Maryland include funds that are actually never spent in the State of California.

The sole basis on which they are credited to California is the fact that the firm involved has its principal place of business in California. For example, Lockheed—whose home offices are in Burbank—is among the aircraft firms that received large contract awards. Yet one out of every four Lockheed employees is located outside of California—and, interestingly enough, in the States of Georgia, New York, and New Jersey. As a matter of fact, a recent billion-dollar defense contract awarded to Lockheed will be executed at Marietta, Ga. Approximately one out of five of the dollars of awards made to Lockheed also went out of the State of California—not in subcontracts, but actually in the performance of the prime contract for which the awards were made.

California's share of prime contracts has steadily declined since the fiscal year 1958-59, and is still declining. For example, we are down \$443 million in the fiscal year 1960 from the fiscal year 1959. Current figures supplied by the Secretary of Defense show that the 23.7 percent figure quoted for 1959-60 is now down to 22.5 percent. As a consequence, the percentage of defense prime contract work actually performed in California, when corrected for subcontracting and plant location, is now closer to 16 percent. It is important to note that be-

tween the fiscal year 1959 and the fiscal year 1960, while California's contract volume was declining, 17 other States enjoyed increases.

For example: Florida up 21 percent, Kansas up 27 percent, Louisiana up 30 percent, Maryland up 1.3 percent, Nebraska up 13 percent, New Jersey up 39 percent, New Mexico up 7 percent, Oklahoma up 8 percent, Tennessee up 3 percent, and Virginia up 44 percent.

I call attention to the report, issued regularly by the Secretary of Defense, entitled "Military Prime Contract Awards." This report contains in its footnotes the following:

It is emphasized that data on prime contracts by State do not provide any direct indication as to the State in which the actual production work is done. For the majority of the contracts with manufacturers, the data reflect the location of the plant where the product will be finally processed and assembled. Construction contracts are shown for the State where the construction is to be performed. However, for some contracts with large companies with more than one plant, and for contracts with service, wholesale, or other distribution firms, the location is usually the address of the contractor's main office.

Of course, that is precisely the point I made a moment ago, in connection with the Lockheed Co., which the other day was awarded a contract for the construction of large cargo aircraft. The head office of that company is in Burbank, Calif.; but the contract work will be executed at Marietta, Ga.—not in California. However, in view of the way the contract figures are cited, the general impression which is created is that the contract work will be done in California.

Mr. KUCHEL. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from California yield to his colleague?

Mr. ENGLE. I yield.

Mr. KUCHEL. My colleague is making some very telling and very important contributions in connection with a controversy which, personally, I regret. It is unfortunate that it has been waging here in the Senate.

I congratulate my colleague on his presentation.

Is it not true that the figures and facts he has been citing for the record are proof, in themselves, that the Department of Defense continues to discharge its functions on the basis of where, in its considered judgment, the people of the United States can purchase the best kind of defense arsenal at the lowest price, in the interest of preserving our country's integrity and security?

Mr. ENGLE. Yes, and that is precisely the point I am making. I regret, likewise, the constant clamor about the award of contracts to California firms.

I am stating that California firms are entitled to the contracts they have received; and that if the figures are considered, it will be found that, actually, California firms and workers are not doing so well. In fact, when I get around to discussing the employment situation, I shall point out that Califor-