

WIRE, DR. BILLY GRAHAM

"Greetings from Hawaii, where I'm speaking this morning at the Governor's Prayer Breakfast and praying that you will have the greatest prayer breakfast in history.

"Please assure President Johnson, as he leads the Nation at this critical period of history, that he has my daily prayers. And God bless you all."

And it's signed: "Billy Graham."

It is a high honor and a great privilege to present the President of the United States.

ADDRESS BY PRESIDENT JOHNSON

Senator CARLSON, reverend clergy, Vice President HUMPHREY, Speaker McCORMACK, Justice Clark, members of the Cabinet, Mr. Minority Leader of the House, distinguished guests, Governors, ladies, and gentlemen, I'm very grateful for the opportunity to participate again in an occasion which has already come to be a very valued place in the life of Washington, our Capital City, and in the lives of so many of us who must labor here.

In our history it has been popular to regard with skepticism the private motives of public men and never more than when they participate in meetings such as this.

I'm sure such skepticism has been deserved by some. But I am more certain that only the unknowing and the unthinking would challenge today the motives that bring our public officials together on occasions like this for prayer and meditation.

In these times, more than any other, the public life is a lonely life. The burden of every vote, of every decision, of every act and, yes, even of every utterance is too great to be shared and much too great to be borne alone.

I find for myself, as I know men and women throughout this great Government of ours also find, a sustaining strength from the moments of prayer, whether we assemble together or whether we pray silently alone.

What has become a tradition and practice in our times is actually one of the oldest public traditions of our national life.

Long ago when this country was struggling to come into being, there arose at the Constitutional Convention a discussion and a debate about holding prayers before each session at that convention. The great Benjamin Franklin spoke up to speak his views, and I believe it's appropriate and timely this morning to repeat and to endorse those words now.

Dr. Franklin told the framers of our Constitution, and I quote him:

"Without his concurring aid we shall succeed in this political building no better than the builders of Babel. We shall be divided by our little, partial, local interests. Our projects will be confounded and we ourselves shall become a reproach and a byword down to future ages.

"And what is worse," Dr. Franklin went ahead to add, "mankind may hereafter from this unfortunate instance despair of establishing government by human wisdom and leave it to chance and to war and to conquest."

Today, in our times, the responsibilities and the burdens imposed upon each of us are great and frightening and growing.

On us—on each of us—on our decisions that we individually and collectively make, rests the hope of mankind throughout the world for a world that is not left to chance or not left to war or not left to conquest.

I think that we could find no more appropriate way to begin our day, today, and our duties in this hour, than to pray for, as we are taught, "Except the Lord build this house, they labor in vain that build it."

Senator CARLSON. We will all stand and the benediction will be pronounced by Dr. Richard Halverson, associate executive director of International Christian Leadership.

BENEDICTION

Dr. HALVERSON. The Lord bless thee and keep thee. The Lord make His face to shine upon thee and be gracious unto thee. The Lord lift up the light of His countenance upon thee and give thee His peace, now and in the life everlasting. Amen.

(The U.S. Army Chorus sings "America.")

#### VIEWS OF SENATOR MANSFIELD ON THE CRISIS IN VIETNAM

Mr. PELL. Mr. President, the distinguished majority leader is unable to be present in the Senate today. He requested me to insert in the RECORD on his behalf a brief statement on an aspect of the Vietnamese situation. I consider his statement of such import and find myself in such wholehearted agreement with his thoughts, I shall read it into the RECORD:

STATEMENT BY SENATOR MANSFIELD

There are reports that the Soviet Union and the United Kingdom may no longer regard as operative their responsibilities as co-chairmen of the 1954 Geneva Conference. It is to be hoped that these reports are inaccurate but if they are not, that these two powers would reconsider their position, and resume their responsibility with a view to a constructive surveillance of the serious situation in southeast Asia.

The 1954 Geneva Conference, despite its shortcomings, did help to bring several years of relative order out of the then chaotic and unstable situation in Indochina. It shut off, for the time, what had become a bloody war in the Indochinese peninsula and what was tending in the direction of a massive war in Asia.

The 1954 conferees may or may not have a contribution to make in the current deepening crisis in Vietnam. But in the light of the danger of that crisis to peace in Asia and, ultimately to world peace, it would appear desirable not to foreclose that channel of possible amelioration of the difficulties. The need is to keep open doors, not to shut them. That applies not only to the Geneva Conference of 1954 but to the Geneva Conference of 1961, to the United Nations and to every routine or special avenue of diplomatic communication. It would be helpful, therefore, if the Soviet Union and the United Kingdom did not regard as at an end their responsibilities as co-chairmen of the 1954 Geneva Conference. Indeed, the responsibilities of all nations to contribute whatever they can to a just peace may be evaded but they cannot be lifted.

Mr. President, I completely support these views of the Senator from Montana [Mr. MANSFIELD] and believe that the suggestion he puts forward is an excellent and positive one. Having accompanied the Senator on a Presidential factfinding mission to Vietnam in 1962, I find myself possessed of an immense regard of his judgment and consider him in view of his many years' exposure to travel in and study of the Far East, the best informed member of our body on this part of the world. To my mind, his thoughts have great merit.

We are presently engaged in a war that appears as if it can only be won either by massive commitment of American soldiers ashore or by permitting escalation into nuclear warfare. I query whether our vital interests in that part of the world are equal to these alternatives. Nor do I believe can we pull out at this time.

Accordingly, I believe we must continue to hold on, seeking to arrive at a point where we can honorably negotiate a reasonable, solid, and forceful agreement that meets the interests of the Geneva powers, of ourselves, and, most important, of the Vietnamese people.

I also would strongly hope, too, that more of our SEATO Asiatic allies might see fit to help the South Vietnamese. So far, only the United States is playing a role in this regard and there are other countries closer to Vietnam with even more vital stakes at issue that should be more than carrying the load with us.

Finally, I wish to emphasize that at this time of decision and self-examination, I think it would be a great mistake if we withdrew from our present position, leaving a vacuum. To my mind we have no alternative but to show our determination and hold on as we are, seeking and probing for some reasonably solid and acceptable agreement.

#### AID FOR PAROCHIAL SCHOOLS

Mr. PELL. Mr. President, at this time, when the President's education program is being discussed, I think it is most important that we keep in perspective the real objective of us all—the better education of our Nation's children. All else that eventually results, the increase in college attendance, an increase in the number of our professional people, an increase in our country's gross national product, an enhancement of our general literacy, an increase in the relative strength in the world, all must build from this base of better education for all our children. Unless this base is there, preparation for jobs and careers, motivation to go on to college, and for all to take on increased responsibility in our Nation and world will fall short.

And when it comes to educating all our children, I mean all, not a portion, of our children. In this regard, I believe children in our parochial and private schools are just as important as children in our public schools; that they will play just as important a role in our Nation's life as those in our public schools. I think that much serious attention should be devoted to ways of improving their education as well.

As a Senator from Rhode Island, with 29 percent of our children in grade school attending parochial or private schools, I have a particularly deep concern with this matter.

In this connection, I believe that President Johnson has developed a very fine solution to the perennial problem of aid to nonpublic schools by his concentration upon the problems of the children themselves, as opposed to those of the schools. Much clearer thinking is needed on this whole problem, and, in this connection, I ask unanimous consent that there be inserted in the RECORD following my remarks an interesting article by Carl N. Degler that appeared in the New York Times Magazine section on Sunday, January 31, 1965.

I do not necessarily believe this article may fully answer everyone's questions on this important issue. Nor do I believe

that the situation rightly is not an issue. But, also, is it not time we stimulated discussion and thinking on it? I believe there is a fair and just solution in favor of assistance to the child in the private school.

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

**AID FOR PAROCHIAL SCHOOLS—A QUESTION OF EDUCATION, NOT RELIGION**

(By Carl N. Degler)

It is time that Americans face the question of Federal aid to parochial schools. If we truly believe in the national goal to improve education for all we should stop our shifting and squirming and try looking at the problem realistically. With good will, understanding, and leadership from the national administration the conflicting views can be harmoniously resolved.

Although the question of Federal aid to private schools affects secular as well as religious schools, the issue centers upon the Roman Catholic parochial schools. They educate the preponderance of non-public-school children and when the issue is resolved for them, it will be resolved also for Lutheran, Jewish, Episcopalian, and secular private schools as well. Therefore, in what follows, the parochial schools are used as the example, though what is advocated for them applies to all others.

The issue, it should be stressed, is not a partisan religious one. Indeed, as one who was raised a Protestant, I hold no brief for parochial schools nor for the virtues of religious as opposed to secular education. The case for Federal aid to private education, it seems to me, is pragmatic and secular.

The starting point of all discussions on the question is the simple fact that almost 6 million American schoolchildren—about one in seven—are educated in private schools, more than 90 percent of which are operated by the Roman Catholic Church. The proportion in some States is considerably higher. Massachusetts, New York, Pennsylvania, and New Hampshire, for example, have almost a quarter of their children in private schools; Rhode Island counts 29 percent and Wisconsin 27 percent. In cities like Pittsburgh, New York, and Chicago, the proportion of children in Roman Catholic schools alone is between 30 and 40 percent.

From the standpoint of numbers alone, Roman Catholic schools are functioning as quasi-public institutions. The immediate question is: As public education is steadily improved with more funds, better equipment, and higher pay for teachers, can the parochial schools match that improvement? The answer seems to be no.

Ever since the late 1950's, the parochial schools have been growing fast, considerably faster than the public schools. Between 1940 and 1963, the number of pupils in parochial schools jumped 129 percent, as compared with a 53-percent rise in the public schools.

Needless to say, this rapid growth has been a tremendous drain upon the financial resources of the parishes and dioceses, which support the schools. Stiff tuition charges are now common for parochial schools, and they continue to go up. A recent survey of 136 diocesan high schools showed that two-thirds had raised tuition since 1955; 90 of them charged \$100 or more a year. These charges, of course, are in addition to general contributions by the parishioners.

At the same time, one of the principal financial advantages of parochial schools has been waning. Because so many of the parochial schools have been traditionally staffed by nuns, instructional costs have been considerably lower than in public schools. But as the parochial schools have multiplied, the number of available nuns has

not kept pace. In 1945, nuns outnumbered lay teachers in parochial schools 13 to 1; in 1959, the ratio was 3 to 1; by 1970 it is estimated that the number of lay teachers will be double that of nuns.

In itself such a reversal means a tremendous increase in costs. A nun's subsistence and allowance runs between \$650 and \$1,250 a year, while lay teachers in parochial schools are paid an average of \$3,400. Heavy as the increase in costs will be as the shift from teaching nuns to lay teachers is made, it will get considerably heavier as the parochial schools try to staff their schools with the best lay teachers. The present average pay of the lay teacher is considerably below the average of \$5,200 for public school teachers. Moreover, few of the parochial schools provide fringe benefits like pensions, which are taken for granted by public school teachers.

In short, the quality of teaching is endangered in the parochial schools, if it has not been reduced already. As the situation now stands, parochial teachers are working under tremendous handicaps, with class sizes far above the average for public schools. Class rolls of 50 or 60 students are common and ones of 90 are not unknown. The average class size in the public schools is 26. Although the educationally optimum number of students in a class is certainly debatable, it is safe to say that quality of education must be inferior, all other things being equal, when classes reach such size.

Two points in President Johnson's recent congressional message on education would provide some oblique Federal aid to parochial schools. One calls for \$100 million of grants for library and textbooks for public and private schools. The other calls for \$100 million for the creation of supplementary education centers at which public school systems would allow parochial school children to use some of their facilities and attend some of their classes on a shared-time basis.

Revolutionary as these proposals may be considered by some, they are inadequate on both financial and constitutional grounds. Neither lifts much of the financial burden under which the parochial schools now stagger. Moreover, two States (New York and Iowa) have already indicated that shared time violates State constitutional bans on aid to religious schools. Other States, with similar explicit prohibitions in their constitutions, will undoubtedly arrive at the same conclusion in short order. In sum, the need for Federal aid to private schools in general, and parochial schools in particular, remains as crucial as ever.

To one not immediately involved with parochial education, the present crisis undoubtedly appears unfortunate, but outside his concern. He may simply shrug his shoulders, remarking that Catholic children should go to public schools. But this attitude is surely as socially shortsighted as it is insensitive. The enormous rise in parochial school enrollment in itself attests to the strong interest of many parents in religious education.

(Some critics have argued that this increased attendance is actually a result of a desire to escape racially integrated public schools, but the number of such cases is really negligible. The argument certainly does not apply at all in southern cities like New Orleans or Charleston, or in the South as a whole, where parochial schools have led the region in desegregation. Indeed, one could make a good argument that in many communities, North and South, the parochial school is more socially, as well as more racially, heterogeneous than the public schools simply because of the larger districts from which the parochial schools draw their students.)

The fact is that several million future citizens are going to continue to be educated in parochial schools, regardless of what others of us may think about their merits or demerits. In such circumstances, no one

who is alert to the central role that education plays in our increasingly technical society can afford to be indifferent to the quality of parochial schools. What kind of improvement in job opportunities and in the technical skills of our people can be achieved when one-seventh of the children are left behind in inferior schools? One does not have to be a Catholic to be alarmed at such shortsightedness—he has to consult no more than his own self-interest.

There is a further social reason for including parochial schools in Federal aid to education. Unfortunately, in the debate over this question, some overzealous Catholics have muddied the waters. They assert that those parents who send their children to parochial schools are taxed doubly for education: once for public schools and again for parochial schools.

Legally, of course, the argument is specious. No law requires Catholic parents to pay for parochial schools or denies their children access to public schools. But if the argument lacks legal substance, it carries moral force. Catholic-school parents do in fact pay more for education than non-Catholics—and, in doing so, they actually save the taxpayers hundreds of millions of dollars.

Because of this, non-Catholics who smugly invoke the doctrine of separation of church and state are no more disinterested interpreters of the principle than are Catholics. The question of Federal aid to parochial schools needs recognition of the Catholic contribution and the national good, not slogan trading.

Nor does it mitigate the Catholic parents' sense of financial burden to recall that the doctrine of separation of church and state in America as it pertains to education grew up pragmatically and not as a result of an abstract principle. Many know that all public education in America began as Protestant education, becoming secular only when Catholics, in the early 19th century, protested and demanded a share of the school funds to open their own schools. The Catholics failed to get the funds, but America got secular public schools. The point is that rigid, automatic adherence to an absolute interpretation of the doctrine of separation is a real source of social division.

To achieve the social harmony necessary for any healthy society some recognition of Catholic problems in education needs to be made by the rest of Americans. For too long, non-Catholic Americans have viewed the Roman Catholic Church as something more (or less, according to some) than a religion. Many Protestants still see it as simply concentrated power, something to be feared and fought.

Today, however, Catholics constitute a quarter of the population. The first Catholic President is as memorable for his sophisticated style as the first Catholic presidential candidate is remembered for his lack of it. Indeed, it is the new power and prominence of Catholics that constitutes the dynamite in the school issue.

To meet every plea for recognition of the Catholic parents' problem with the automatic response of separation of church and state can only drive Catholics to an unwise use of their power. One adamant response begets another. The result is social division and, ultimately, national stagnation. Social amity requires that all Americans, not just Catholics, assume part of the burden of the parochial schools' pursuit of educational excellence.

The emphasis here is on understanding, not on right. It should be clear that no private school has a right to public aid. Some unthinking advocates of such aid, it is true, have argued that the constitutional doctrine of freedom of religion implies that the state must support church schools, else they are

being denied their rights under the first amendment.

Such a contention is nonsense. Freedom of economic enterprise does not mean that all businesses must be kept afloat by the state. But, if the public good demands it, the Government may support certain enterprises, as it does the merchant marine and farming. That is a matter to be decided by public debate, not adjudicated according to immutable principles. Similarly, private education may be—indeed, should be—assisted by the Federal Government though not as a right.

But, it will be objected, the case is different in regard to education, where social need is not the only consideration. What of the constitutional doctrine of separation of church and state? Does not the Constitution prohibit any kind of support for religion, even for the schools? Actually, as I have been implying, the constitutional restrictions are less rigid than some opponents of Federal aid to parochial schools would have us believe.

Despite the decidedly pragmatic nature of their culture, Americans like to think that the separation of church and state in the United States is strict. Even John F. Kennedy fell into this cliché when, during the 1960 campaign, he spoke of believing in an America where the separation of church and state is absolute.

In truth, it has been neither absolute nor consistent. From the very first administration, Congress has provided for chaplains out of public funds, and the President has proclaimed days of thanksgiving. The Constitution itself recognizes Sunday, the Christian Sabbath, as a day of rest. To this day, at the service academies, attendance at chapel is compulsory. And, above all, both the Federal and State Governments continue to support religion through tax exemptions of millions of dollars each year.

The one unbreachable tenet, and rightly so, has been that the Government may not support any religion or church directly. And this no advocate of Federal aid to parochial schools suggests. Nor is it an argument against Federal aid to religious schools to say it would be an opening wedge to direct support of religion. For more than 160 years, in one form or another, indirect aid has been given without breaching the essential principle; there is no reason why the effect would be any different now.

The Supreme Court has recognized that the doctrine of separation is not absolute. In 1930, in the case of *Cochran v. Louisiana*, the Court set forth its first major interpretation of the meaning of separation as applied to schools. The case concerned a Louisiana law that had provided for State-supplied textbooks for private schools, including parochial, as well as for public schools. When the law was challenged by a taxpayer on the ground that public money was being spent for a private purpose, the Court rejected the argument, asserting that the books served a public purpose, namely the education of the children.

Admittedly, the Court conceded, providing textbooks indirectly aided religious institutions, but that was not the intention of the State; hence, the law was not contrary to the constitutional prohibitions. Today several States provide free textbooks to private schools.

The principle of benefit to the child was also the basis of the Court's reasoning in the *Everson* decision in 1947, which permitted the use of public funds to pay for the transportation of children to a parochial school. A year later, in the *McCollum* case, the Court outlawed an Illinois practice of allowing religious classes, under the released-time program, to be held in public school buildings. Here the aid to the child was in support of religious teaching only.

Thus, the Court drew a line between those acts of Government that aid religion directly and those which aid religion only indirectly while pursuing a broader social purpose. Presumably, the child-benefit principle, as long as it does not support religious teaching as such, is capable of extension beyond textbooks and buses.

In fact, it has already been applied, though the Supreme Court has not considered the constitutionality of any of the applications. The best known instance, of course, has been the GI bill of rights, passed at the end of the Second World War to aid veterans education. Catholic colleges and universities received funds, through their students, along with secular institutions. Even veterans studying for the ministry and priesthood could call upon the law for benefits.

Parochial schools participate today in State and Federal school-lunch programs. Shared-time programs, endorsed in the President's message and already in operation in some cities, also constitute an application of the child-benefit doctrine. Purists may argue, as they have in regard to public buses being used by parochial school children, that any such services, by saving money for religious institutions, constitute a violation of absolute separation. But neither the American people nor the Supreme Court have been purists in the past in this regard; certainly there is no reason to begin now.

There is also evidence that many Americans are becoming aware of the need for some kind of accommodation on the issue. In 1961, the Gallup Poll reported that 57 percent of the population wanted no Federal funds to go to parochial schools. But by early 1963, 49 percent favored including parochial schools in any Federal aid, while only 44 percent were opposed. (The remainder were undecided.)

With the child-benefit doctrine available in constitutional interpretation and with public recognition of the need for Federal aid to all schools increasing, the time seems propitious for the Johnson administration to take the final step. What precise form Federal aid should take is, of course, a matter to be decided in the public forum.

Obviously it should not include any direct support of religious instruction. Probably the most useful form it could take would be financial grants for augmenting salaries of teachers of secular subjects, for laboratory equipment, for new classroom construction and for outfitting libraries. The amount might well be in proportion to the total educational appropriation of the parochial schools, and be distributed on a per capita basis.

The expenditure of the funds would probably be most efficiently overseen by the U.S. Office of Education, but congressional concern about Federal control might well cause this function to be placed in the hands of State departments of education. Regardless of the level of Government that undertakes the supervision of the expenditures, though, it should be understood that with a grant of money goes the right to see that it is used as intended.

Moreover, since this aid is a matter of policy and not of right, the amount granted to any individual private school would be considerably less than the full cost of operation. Thus public schools would remain the principal recipients of public funds—indeed, the only recipients on the local and State levels. There would, therefore, be no need to fear that the public schools would be superceded either in money or in public attention by the private or parochial schools.

To bring the issue explicitly before the Nation will undoubtedly arouse heated discussion and perhaps even some latent fears and ancient animosities. But the question is too important to be weakly evaded and too urgent to be merely palliated. Of all recent Presidents, Lyndon Johnson, with his proved

powers of public and private persuasion, is eminently fitted for the task of public education and leadership that the subject demands.

Certainly the Great Society he dreams of and the mutual understanding among Americans he cherishes deserve no less. Moreover, once the thorny issue is faced and Congress has acted, the effect may well be as socially healing as the passage of the Civil Rights Act has proved to be for another threat to national amity and social progress.

#### A SPEEDY RECOVERY FOR SENATOR RUSSELL

Mr. TALMADGE. Mr. President, we are all deeply distressed over the illness of the senior Senator from Georgia, and I know that I can speak for other Members of the Senate when I say that his presence is greatly missed on the floor of this body.

I would like to join with his loved ones, his host of friends and associates, his colleagues here in the Senate, and indeed all Georgians in wishing Senator RUSSELL a full and speedy recovery.

Mr. President, there appeared in the February 9 issue of the *Atlanta Constitution* an editorial expressing concern over Senator RUSSELL's illness, and the hope that he soon will be back at his desk in the Senate.

I ask unanimous consent that this editorial be printed in the *RECORD*.

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

#### A SPEEDY RECOVERY

The illness of Senator RICHARD B. RUSSELL is a matter of deep concern and distress to all Georgians. He has served his State and his Nation well, and deservedly has been cited as the most effective of all Senators. His illness at a time of international crisis reminds us of his all-important role as chairman of the Senate Armed Services Committee, in which capacity he has been instrumental in keeping the Nation strong.

The Constitution joins with all Georgians in extending best wishes to the Senator for a speedy recovery. We trust that within a few days he will be back in his accustomed place on the Senate floor.

#### FREEDOM'S RESPONSIBILITIES— ADDRESS BY SENATOR SMATHERS

Mr. TALMADGE. Mr. President, on January 26 the able and distinguished junior Senator from Florida [Mr. SMATHERS] delivered a thought-provoking address before the Miami Woman's Club. As a member of the Committee on Foreign Relations, the Senator from Florida has a great interest in foreign affairs. The address deals specifically with the situation that presently exists in southeast Asia. I believe it will be of great interest to all Senators and all readers of the *RECORD*. I therefore ask unanimous consent that it be printed in the *RECORD* at this point.

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

ADDRESS BY SENATOR GEORGE A. SMATHERS BEFORE MIAMI WOMAN'S CLUB, JANUARY 26, 1965

I congratulate you on selecting the theme for this 65th year as "Freedom's Responsibilities." For it implies an awareness on

your part, not universally shared, that freedom is not free, and perhaps uniquely in our generation of human history, the cause of freedom can slowly rise or swiftly ebb, depending upon how we "the people" discharge the responsibilities it entails.

Here in the United States freedom is making great strides under a government that recognizes that it derives all of its powers from the consent of the governed. We are moving forward in giant efforts to push back the frontiers of literacy, of health, and of economic and spiritual opportunity. Plato said: "Governments reflect human nature; states are not made out of stone nor wood, but of the character of their citizens." Judged against this platonic standard, I foresee a continuing strive toward excellence in our own society, driven along by the character of a responsible citizenry.

However, as we pursue our own vital interests at home, we cannot be unmindful of the plight and conditions of those who inhabit this earth with us. In the past 40 years, freedom's responsibilities have fallen upon the United States to defend and to extend.

This is not a role we sought nor even wanted. But it is one which wisdom compelled us to take after absorbing the lessons of 20th century history.

Twice in my lifetime, America has watched from the sidelines as the world became embroiled in a global war; and twice the challenge to our own survival forced us, finally to take up arms, and twice we and our allies fought that total victory and peace had been achieved.

Out of these experiences we have learned two lessons—lessons that have guided this Nation's international policies since 1945. First, we learned that the costs of war inevitably exceed its rewards. Second, we learned that the maintenance of peace requires eternal vigilance, and more: It requires patience, perseverance, a willingness to be involved with other nations with whom we share common interests, and an understanding that our own freedom is inexorably entwined with the cause of freemen in every part of the world.

That is why we have made commitments to various nations of the world, and that is why 52 cents of every one of our tax dollars is spent to maintain a Military Establishment second to none.

As President Johnson said in his state of the Union address: "Our hand is out, in a gesture of friendship, but our guard must remain up." And that's the way it must remain so long as the Communist system in any country is dedicated to the destruction of individual freedom and the total domination of the world.

However, a proper understanding of the communistic system, and its evolution in various countries, is indispensable to a rational response to the challenge it poses.

Until 1948, communism could best be described as a monolithic gargantuan, whose policies were dictated from Stalinist Russia, and whose purposes were identical in every Communist state. In 1948, however, two developments in the Communist world precipitated a disunity within its orbit of influence and made it imperative for the United States to have a flexible policy toward the various Communist nations. I have reference to the Mao Tse Tung victory over Chiang Kai-shek's forces in China, on the one hand, and the breakaway of Tito's Yugoslavia from the Soviet bloc on the other.

In recent years, China has maintained that it, and not the Soviet Union, is the exponent of "pure" Marxian-Leninist communism. Its position in this regard was enhanced by the death of Stalin in 1953, and the subsequent de-Stalinization campaign within the Soviet Union. Loyal to its claim, Peiping is today, in the words of Communist William S. White "headquarters for

the most poisonous agents for war and aggression, the most noxiously infectious core of trouble for the West in all the world."

She is dedicated to the spread of communism by the violent overthrow of democratic systems of government. That vast nation, once our ally and friend, has forced the United States to defend the Korean peninsula in the third most bloody battle in all of our history. It has forcefully taken over the Himalayan nation of Tibet. It has violated the borders of neutral India. It has fomented revolution among the newly independent nations of Africa and it is greatly responsible for the recent violence in the Congo. And it is now earnestly and energetically seeking to infiltrate and dominate all of southeast Asia.

In 1835, Alexis de Tocqueville wrote in his book, entitled "Democracy in America," that "it is [no longer possible] for men to remain strangers to each other, or to be ignorant of the events which are taking place in any corner of the globe." De Tocqueville's words, written 130 years ago, could not have more applicability than they do in 1965. For today the importunities of history have constrained the United States to commit 25,000 military advisers, and to suffer the loss thus far of 247 of those American advisers, in the remote and backward nation of South Vietnam, 15,000 miles from our shores.

All of that area of the world has long been an area of conflict and unrest. For nearly 100 years prior to the Second World War, the French occupied what was then known as French Indochina, consisting of the nations we know today as Cambodia, Laos, and North and South Vietnam. Japan occupied these territories during World War II from 1941 to 1945, and thereafter, the French, largely with U.S. assistance, sought to reclaim Indochina for itself. But the Indochinese people, having developed some nationalistic feelings, rebelled and the result was the disastrous defeat for the French at Dienbienphu in 1954. They lost over 25,000 men.

A conference was called at Geneva in that year and an accord was reached among 14 nations including China, U.S.S.R., but not the United States of America, whereby North Vietnam remained in Communist hands, and South Vietnam, under Premier Diem, was supposedly guaranteed its independence.

But it soon became apparent that the independence of South Vietnam was being threatened by Communist North Vietnam, urged on and abetted by the Peiping regime. John Foster Dulles, our then Secretary of State, persuaded President Eisenhower to intervene, first with our economic assistance and later with military aid and a small number of advisers. Thus began the long struggle that continues today.

Notwithstanding policy statements issued from time to time by the State Department, I think it is accurate to say that South Vietnam, in and of itself, is of no military consequence to our Nation's strategic defenses. The United States has an impervious line of defenses in the Pacific, stretching from Alaska down through Japan, Okinawa, the Philippines, and Formosa. We have SAC forces always on the alert on the island of Guam; our 7th Fleet is in command of the far Pacific, the South China Sea, and the Formosan Straits. We are in South Vietnam, not to aid in our own immediate defense, but as the result of a considered conclusion of the needs of the free world to check the advance of Chinese communism in southeast Asia.

If South Vietnam were to fall into Communist hands, it would precipitate the demise of freedom in all the nations of southeast Asia. Malaysia, Burma, Thailand, would inevitably fall behind the Bamboo Curtain. Cambodia which is today playing both sides of the fence would be sucked into the Communist morass. It appears that President

Sukarno has Indonesia already headed straight for the Communist camp. It is not entirely unlikely that, with southeast Asia in its grasp, the next moves of Communist aggression would be into the Philippines, New Guinea, New Zealand, and perhaps even the Australian Continent. More than a billion people, people who are now free and want to remain free, would have fallen under the domination of Communist China. Her strategic position in the world would then be immensely more formidable, and her drive for world domination more aggressive and determined than ever. If that unhappy day should come, America would once again be forced to wage a great battle for survival, and while our capability for total destruction is such that we would win, it would be a victory that would leave, in the words of President Kennedy, "survivors who would envy the dead."

However, amidst this panorama of gloom, there are two facts that immensely weigh in our favor. First, while the Chinese Communists have exploded a primitive nuclear device, they do not presently have, nor will they have for perhaps another 10 years, a capability with which to wage nuclear war. Secondly, the Soviet Union, which does have such a capability, capitulated to the fearsome ultimatum of President Kennedy's in October 1962, and they withdrew their nuclear missiles from the island of Cuba. In the perilous calculations that one must make in this nuclear age, it is reasonable to believe that, having refused to risk total nuclear war over Cuba, the Soviet Union would demonstrate equal, if not greater, reluctance over triggering such a catastrophe in southeast Asia for the primary benefit of her now restive and critical ally, who perhaps in the near future, might well be her mortal enemy, Red China.

The question of what course this Nation should now pursue in South Vietnam must be resolved with a full understanding of what is at stake for America and for the cause of freedom both now and in the future.

Some of my colleagues in the Senate have raised their voices incessantly for an immediate and complete withdrawal of all American forces from South Vietnam. Paraphrasing, no one is more personally concerned about our involvement in that area of the world than Rosemary and I, for our son, John, is a naval officer aboard a destroyer operating in those very troubled waters.

But I believe that a policy of withdrawal is diametrically opposed to the long-range vital interests of the United States, especially at this time when the advantages would all accrue to the Vietcong and their ally, the Chinese People's Republic.

In the past several months, we have heard other public figures go the other way—100 percent, and say that the United States should not restrain its awesome military might; that we should unleash our forces against the Communist Vietcong rebels. In their view, the United States should not refrain from using even tactical nuclear weapons, not only in South Vietnam, but in North Vietnam, or wherever the enemy hides or supplies itself. The advocates of this bold action by the United States are not concerned if their course should precipitate a war with Red China or even the Soviet Union. It is their view that we should fight them now and get it over with.

I doubt not the patriotism nor good intentions of these people but I do believe that these well-meaning persons have let their impatience outstrip their reason.

The last time that President Johnson visited with General MacArthur, the general urged the President never to commit this Nation to fight a major land war in Asia. We could not win without using our nuclear power and by using it, we challenge the Com-

1965

## CONGRESSIONAL RECORD — SENATE

2565

S. 296

In the Senate of the United States, January 7, 1965; Mr. MANSFIELD (for himself, Mr. METCALF, Mr. BATH, Mr. BIBLE, Mr. DODD, Mr. HARTKE, Mr. HAYDEN, Mr. MONTOYA, Mr. MORSE, Mr. RIBICOFF, and Mr. WILLIAMS of New Jersey) introduced the following bill; which was read twice and referred to the Committee on Armed Services:

A bill to authorize the temporary release of one hundred thousand short tons of copper from the national stockpile

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to avoid serious economic dislocation and instability in the domestic market for copper, the Administrator of General Services is authorized, notwithstanding any limitation or requirement in the Strategic and Critical Materials Stock Piling Act with respect to the disposition of materials acquired thereunder, or in any other provision of law, to release not to exceed one hundred thousand short tons of copper now held in the national stockpile. The disposition herein authorized shall be made to domestic producers of copper under such rules and regulations as may be prescribed by the Director of the Office of Emergency Planning. One of the terms and conditions applicable to such disposition shall be that any producer receiving such copper shall agree to restore to the national stockpile an amount and grade of copper at least equivalent to that received (1) not later than one year after the receipt thereof, or (2), in the event of an emergency, as determined by the President, not later than sixty days after notice thereof.

#### STALEMATE POLICY HAS ITS VALUES

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article by the distinguished columnist Richard Wilson, entitled "Stalemate Policy Has Its Value," which appeared in the Washington Evening Star of February 10.

I recommend this article to my fellow Senators for I feel it is most informative and perceptive. It logically and briefly explains the values of the policy which this Nation has been following over the past decade and the very sound reason why we have to follow such a policy. It also points out the benefits that have been derived from that policy.

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

#### STALEMATE POLICY HAS ITS VALUE (By Richard Wilson)

With the passage of a little time, crisis-ridden U.S. officials realized that nothing was changed by the air retaliation in Vietnam. The problem remained the same—to get in deeper or to begin to get out.

All major aspects of the dilemma are very large and long range. One ground attack will not drive Americans out of Vietnam. One or two air attacks will not lessen the Communist Chinese determination to rule all southeast Asia and push the United States back to the Philippines and beyond.

This is the real issue. The difference between those who would pull back and those who would stay put is in the evaluation of whether or not a fallback would have any material effect on the U.S. strategic position in the world.

The local military action in Vietnam has postponed further discussion of a negotiated settlement but the history of events there suggests that it will arise again.

It is the contention of Henry Cabot Lodge, former Ambassador, that a stalemate has in fact been reached in Vietnam. During this stalemate he hopes that a government can be organized and maintained that will have true national aspirations equal to standing against the Chinese Reds.

He, and others, are talking in very long-range terms that imply the U.S. commitment in South Vietnam might last for decades more.

The concept of stalemate is not brushed aside by U.S. officials as something to be shunned. That is, in fact, what happened in Korea and has continued now for 10 years. Stalemate is the condition that exists, and has existed for 20 years, between the Republic of China and the Chinese People's Republic.

Stalemate is certainly regarded as better than defeat. It is very costly to us in Korea, on Formosa and in southeast Asia, but the alternative in the end might be more expensive. As is now being demonstrated in Formosa, the cost can decline and a nation can be built where none existed before.

Stalemate is hard to live with besides being expensive. It is hard to maintain and defend politically in a country where winning ranks so high in the mortality scale. Failing to win is a ready-made political issue for the party out of power. But Dwight Eisenhower survived it in Korea after failing to win caused discontent with the Truman administration.

Responsible officials are not so certain as Lodge, whose responsibility is at an end, that a stalemate does exist. They have noted that in the last year infiltration of South Vietnam from the north has doubled. But the policy being pursued points toward the creation of a stalemate, whatever President Johnson may call it.

Every military response to Vietcong attack by U.S. forces is limited to fit the situation and we are not driving north nor are the South Vietnamese. The President often reminds his advisers that the late Gen. Douglas MacArthur advised him never to get bogged down in a land war in Asia. A war had yet to be won by air action alone.

By taking the stand we have in Asia since World War II we have prevented the complete domination of East Asia by the Communists and preserved a climate in which Japan and the Philippines could grow and prosper. If we had not stood firm all of Korea would be Communist, Chiang Kai-shek would not exist, southeast Asia would be under Chinese domination and Japan and the Philippines would be in the shadow of a Peiping government stronger than it is today.

There is much to be said, therefore, for the policy of creating and maintaining a stalemate. However unsavory the word, this has been the main line of our policy since the end of World War II, not only in Asia but at the testing point in Berlin. The confrontation and stalemate at the dividing line between Western and Eastern Europe held the line until the Western nations could recover and become more prosperous than ever before.

Also, we created a stalemate in Greece and at Trieste. A neutral if not entirely independent Austria emerged. Stalemate in Asia could have the further advantage of driving a wedge between the Soviet Union and Communist China. We have much to gain from the policy and the Johnson doctrine of limited response helps to promote it.

#### AUTHORIZATION TO RECEIVE MESSAGES, FILE REPORTS, AND SIGN DULY ENROLLED BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

Mr. SMATHERS. Mr. President, I ask unanimous consent that during the ad-

jourment of the Senate following today's session until February 17, 1965, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; that committees be authorized to file reports; and that the Vice President or President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

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

#### EXECUTIVE SESSION

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

#### ENGRAVER IN THE U.S. MINT

The PRESIDING OFFICER. The clerk will state the nomination on the calendar.

The legislative clerk read the nomination of Frank Gasparro, of Pennsylvania, to be Engraver in the Mint of the United States at Philadelphia, Pa.

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

Mr. SMATHERS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### LEGISLATIVE SESSION

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Is there objection?

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

#### TRIBUTE TO LATE GREAT FEDERAL JURIST, ALBERT LEE STEPHENS

Mr. KUCHEL. Mr. President, a deep feeling of sadness recently was felt by the legal profession in California and, indeed, throughout the Western States, with news of the death, at the age of 90, of retired Federal Judge Albert Lee Stephens.

Over a career of 44 years as a jurist, Judge Stephens evidenced the finest qualities looked for in a person who sits on the bench—honesty, perspicacity, wisdom, courtesy, and understanding. In addition, while steadfastly and uncompromisingly expounding principles of equity and justice in which he believed, Judge Stephens was known as a warm human being motivated by sympathy and tolerance.

The judicial career of this learned judge covered service on both State and

Federal courts, following several years in law enforcement as Los Angeles city attorney. After rising to the position of presiding justice of the California District Court of Appeals, he was appointed to the Federal district court by President Franklin Roosevelt and shortly elevated to the Ninth Circuit Court of Appeals, on which he eventually became the presiding judge.

In his capacity as Federal jurist, Judge Stephens was an outstanding exponent of civil rights in the broadest sense. Among his opinions was one restoring citizenship to Japanese-Americans who had been incarcerated in wartime evacuation centers. In another proceeding, while concurring in the constitutionality of the wartime removal orders, Judge Stephens heatedly denounced the treatment of those Americans of Japanese descent who were summarily uprooted and transferred to the relocation camps. In another signal opinion, he delivered the ruling of his court that school segregation for children of Mexican descent was unconstitutional, 7 years before the Supreme Court's landmark decision on this practice.

Judge Stephens was a native of Indiana and a veritable child pioneer, going West at the age of 10 with his parents in a covered-wagon train.

In his role as public official, jurist, and dedicated citizen, Judge Stephens was uniformly respected. His passing is a great loss to his State and to our Nation.

#### PURPORTED SAVINGS TO BE MADE IN THE DEPARTMENT OF AGRICULTURE BUDGET

Mr. MCGEE. Mr. President, the release of the budget for fiscal 1966 confirmed the fact that this administration is doing everything possible to conserve the taxpayer's dollar and yet provide the necessary services that should come from an efficient and compassionate government. The line between efficiency at the expense of extravagance and efficiency at the expense of the future is a hard line to draw in undertakings as large and as complex as those of the Federal Government. By and large, I believe the new budget draws these lines fairly and well. However, Mr. President, I must take exception to some of the purported savings to be made in the Department of Agriculture. Unfortunately, in some instances, these savings seem to be a clear example of being "penny wise and pound foolish." We are saving money in this decade at the expense of future decades of farmers and consumers. I certainly hope that the agreement reached here yesterday will permit a reexamination of some of the alleged savings so that the long-term interests of our agriculture economy will not be unduly restricted.

Certainly, the agriculture budget represents a choice target. It is big and it is complex and there are many—farmers and nonfarmers alike—who cry for the end to these programs, perhaps because they do not understand them.

Others of my colleagues have already mentioned the fact that one of the real and most serious consequences of the

cutbacks in some of the support programs will be to further restrict the income of the smaller farmers and drive more and more of them off the farm and into our cities. It is obvious that one of the first considerations of any program curtailment should be that it not create unnecessary hardship or contradict Government programs in other areas. It makes little sense to be fighting poverty on one hand and creating it on the other.

The cutbacks on some of these support programs will be felt almost immediately as some of our small farmers and ranchers who have been skirting the edge of insolvency are pushed over the brink. But there will also be long-range detriments as bad, if not worse, than the immediate situation. Included in the reductions planned by the Department of Agriculture are the closing of 20 research stations, the elimination of 100 research projects, and a cut of from \$15 to \$20 million in funds for Soil Conservation Service technicians at the local level. Mr. President, these actions are perilously close to a reckless disregard for the demands of the future to save a few dollars today—in other words, "penny wise and pound foolish." These research stations that are being closed have done substantial and pioneering work to help the farmers in the area in which they are located to better deal with the problems of climate, soil, and crops that often are unique to the region in which they are located. Such is the case, Mr. President, for the horticultural station at Cheyenne, Wyo., which has been marked for extinction.

Wyoming has some serious agricultural problems that make it difficult for even the most dedicated and the most scientific farmer or rancher to gain a living from the soil. Their difficulties have been lessened in many instances by the work of the horticultural station. The work this station has performed in the search for crops that will grow well in Wyoming's high altitude and mature early to succeed in Wyoming's short growing seasons is outstanding. And this work brings not only benefits to the individual farmers but is an investment in the agricultural future. No one can say what the discoveries and investigations made at this station or any of the other 19 scheduled for shutdown may produce that could bring about a drastic and beneficial change in our agriculture.

Mr. President, one of the factors that has made this Nation great is our continued striving toward self-improvement. In every object of human endeavor someone has asked, "How does it work?" and "How can it be made to work better?" Many of our national heroes have been men who have questioned the adequacy of their contemporary physical world and set out to make it better or men who were not content to accept the unknown as something that should remain unknown. And at this time—in the face of the space age with its population explosion—we should not turn our backs on any effort to increase man's efficiency and the sum of his knowledge.

Another effort marked for the budget ax is the work—or at least part of it—

being done by the Soil Conservation Service. Mr. President, the work of a Soil Conservation Service technician is twofold. He is a trained scientist and technician who assists the farmer to plan his operations and to till his fields in such a manner as to make the best possible use of the potential of his land, while at the same time conserving one of our most priceless heritages—our soil.

Almost every child's geography book contains statistics about how many million carloads of fertile soil washes each year into the Gulf of Mexico. And no discussion of the great depression is complete without an allusion to the Dust Bowl and the havoc worked on a great segment of American agriculture through its failure to properly use the soil. Again, Mr. President, we see a proposed cutback in services which—while seeking immediate gains for the present—are in equal measure seeking to prepare us to meet the future and prevent a recurrence of the dust bowls, floods, and erosion that have occurred too often in our agricultural history.

Mr. President, these suggestions put forward today are for the preservation of agricultural programs that I believe to be in the Nation's best interest. I would also like to suggest a positive action in the reform of an existing agricultural service which would have the effect of greatly strengthening our farm economy and the position of the family farm in our total agricultural economy.

No problem is more acute for our farmers than the problem of credit. For rural people who cannot get credit from private lenders, the Farmers Home Administration is the only available source.

Only credit can open the door to agriculture for the young man who wants to get in. Only credit can help the small farmer enlarge his farm to efficient and economical size. Only credit can help the farmer adjust his operations to take advantage of other farm programs, new techniques, new machinery and new research.

The supervised credit services of Farmers Home Administration has contributed mightily to farm family agriculture in my State of Wyoming—

Recognizing the expanding needs for credit by farmers and other rural people, FHA made loans totaling \$10.4 million in 1964—a 239-percent increase above the 1960 level.

Late last year, FHA loaned \$520,000 to the Platte County Grazing Association, an organization of 23 farm and ranch families. The loan and private contributions permitted these families to purchase a 36,000 acre ranch and develop it as a grazing area. Now 23 farm families have adequate and efficient operations in an area where previously they had little or no opportunity for expansion.

One large ranch using mostly hired help is now replaced by 23 families, adding to the county tax base, adding to the community income. The loan will be repaid in full and with interest within 40 years.

In January of this year, FHA made five individual farm ownership loans totaling \$273,500 to five Wyoming farmers to purchase 1,646 acres of irrigated land

owned by a corporation, and operated by hired labor.

Now five small landowners have been able to expand to economical and profitable size. The stability of that rural community has been enhanced and its economy increased by the additional purchasing power of those five farm families.

These are not unusual or isolated examples of the kind of service FHA is performing. These are typical of what is going on all over rural America.

But there still exists a serious credit gap in agriculture that is closing the door to many young people who want to get in or to enlarge their operations.

The problem is this: the widening gap between the high-market price of farm real estate and the normal value of farm land based on its earning capacity. Current farm credit lending policies are based on earning capacity values—not on market values.

In recent years, the market price of farm real estate has risen steadily under the competitive pressure of land speculators, individual and corporate land investors who enjoy a favorable tax writeoff, and by locally established farmers with good credit resources who are willing to pay a premium for an extra package of land adjacent to their own holdings in order to make use of expensive farm equipment or merely for investment and speculation.

The young farmer with little or no capital resource is therefore unable to buy farm land that comes on the market for the simple reason that he does not have the cash to pay the difference between the normal price and the market price even if Farmers Home Administration or any other lender is able to make a loan for the full normal value of the farm.

As a result, the young and able farmer wanting to get into agriculture is denied the opportunity. Too much of the land put on the market by retiring farmers is bought up by absentee owners, the corporation farmer, or the doctor, lawyer or other briefcase farmer whose principal crop is a tax writeoff—farms get larger and larger—family farms get fewer and fewer.

This problem will become more acute as time goes on. The 1959 Census showed that some 17 percent of all farmers in this country were 65 years or older. An additional 22 percent were 55 to 64 years of age. By 1970, nearly half of all our farmers will be over 55 years. This situation is as true in Wyoming as it is elsewhere.

To anyone studying this problem there is one inevitable and logical conclusion: that this credit gap must be closed and closed soon if we are to preserve and maintain farm family agriculture.

One simple and effective way to do this is to adjust the credit policies of Farmers Home Administration to:

Enable FHA to loan the full fair market value to qualified applicants.

Enable terms of such loans to permit repayment first on that portion of the loan representing the true earning capacity value of the farm over a period of years and not to exceed 40 years.

Enable that portion of the loan representing the difference between the true earning capacity value and the market value to be deferred and noninterest bearing until the unpaid principal balance on the entire loan is reduced to a size not exceeding the earning capacity of the property.

I believe this kind of credit policy would be sound and is necessary. Price-support payments, commodity allotments, land retirement payments, and favorable tax writeoffs are substantially subsidizing and encouraging absentee landownership and causing excessive land prices.

If we are to halt the trend in loss of farm families, if we are to reverse the alarming migration of rural people to urban slums, if we are to reopen the door to farm family agriculture to deserving and qualified young farmers, then we need this kind of expanded farm ownership credit policy in the Farmers Home Administration.

This expansion of credit could do much to reverse the trend of the corporation farm. At the beginning of my remarks, I noted that the effects of some of these proposed budget cuts would be to create poverty on one hand while fighting it on the other.

Rather than adopt this completely shortsighted approach, Mr. President, we would do well to support existing programs which strengthen the family farm and the future of family farming and to initiate new programs which will secure the necessary progress needed to assure continued growth and development in our agricultural economy.

#### A LOOK AT VIETNAM

Mr. BYRD of West Virginia. Mr. President, the pressure of events in Vietnam in the last few days is prompting prudent Americans to take a penetrating look at the defense posture of the United States in southeast Asia, and more broadly, throughout the Pacific.

We cannot forget that the interests of the United States in the Pacific are such that we cannot remain indifferent to events which might alter the balance of power in that area. This is so because the United States is a Pacific Ocean power. Nor is this simply a boastful statement. It is, instead, an ineluctable fact of history and of geography. Two of our 50 States—Alaska and Hawaii—are thrust out into the Pacific Ocean. Our great Western States look out toward the Pacific. The American flag flies over names immortalized during the Second World War: Guam, Wake, Midway. And the United States administers in the western Pacific the trust territories of the Marshalls, the Carolines, and the Marianas. Nor does this exhaust the list, for there is also an American presence in American Samoa, in the Howland-Baker-Jarvis group and on Johnson and still other islands in the Pacific.

A thought-provoking assessment of the situation in Vietnam has been made by Prof. James D. Atkinson, of Georgetown University, in the February 3 issue of the Washington Report of the American Security Council.

Professor Atkinson's remarks were prepared prior to the sudden upsurge of military actions in Vietnam during the past week. Thus, they were given without the benefit of knowledge of the Vietcong attacks against our Pleiku installation and the American billet at Qui Nhon, which resulted in death and injuries to many Americans. They were prepared prior to U.S.S.R. Premier Alexei N. Kosygin's visit to Hanoi, where, following the American retaliatory air raids on Dong Hoi, the question has been dramatically reopened to whether Russia would back Hanoi against U.S. attacks.

Perhaps, as some predict, the intensified fighting which erupted on February 6 will subside to the level of the old war in South Vietnam. Perhaps, as others have forecasted, the Communist forces have now embarked on a determined escalation of military efforts.

Regardless, the changed situation is being used by elements both within the United States and abroad as a renewed opportunity to urge that the United States undertake negotiations to withdraw from Vietnam. Should it not be used, more prudently, to determine now, in advance of further tests of our will, or probing actions, whether we shall continue merely to counter or react to thrusts determined to be taken by Communist forces in accordance with their best interests as to time, place, character, and magnitude?

Mr. President, I ask unanimous consent to have printed in the RECORD the interesting, incisive, and provocative analysis of the situation in Vietnam by Dr. Atkinson.

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

#### NONE SO QUICK

There has been a mounting campaign to get the United States out of South Vietnam. Many reasons are given for this position. For example, we are told that the people in South Vietnam are fainthearted in the fight against the Communist Vietcong. Yet these supposedly fainthearted people have been enduring casualties measured in the thousands every year, and for many years, in defending themselves against communism.

In the vast area that is washed by the waters of the Pacific Ocean, the United States is fortunate thus far to have many staunch friends. These friends have indicated their friendship by joining with us in defensive treaties for the maintenance of peace in the Pacific Ocean area. Thus we participated with Australia and New Zealand in the ANZUS treaty. Australia, New Zealand, the Republic of the Philippines, and Thailand (Britain, France, and Pakistan are participants but are not in the Pacific) joined with us in the Southeast Asia Treaty Organization, SEATO. South Vietnam came under the protection of SEATO in accordance with article IV of the treaty. We have mutual defense treaties with Japan, Nationalist China, and South Korea. Thus the measures which we take or fail to take in Vietnam will produce a political and psychological fallout extending far beyond that strife-torn country.

#### OTHER TAKEOVER EFFORTS STARTED

Some of the far-reaching effects which might result if there were an American policy of appeasement in Vietnam have already been foreshadowed. This is because U.S. policy has sometimes appeared to be hesitant

and unsure. Thus during the last days of December 1964 a clandestine Communist radio station run by the Thailand independence movement began broadcasting propaganda against the present pro-American Government of Thailand. There has been a fresh outbreak of the Communist Hukbalahap guerrillas in the Philippines. Since the long-drawn-out Huk revolutionary activity in that country which peaked in the early 1950's was supported by the Chinese Communists, it is likely that the current terrorist operations of the Huks are once again being stimulated by the Red Chinese. If this upsurge in revolutionary action by the Communists in southeast Asia is taking place as a result of what the Communists interpret as our lethargy in that part of the world, one may well ask what the effect would be if we were to embark on a policy of appeasement in South Vietnam.

The Chinese Communists are attempting to change the balance of power in the Pacific. Their appetite is insatiable. Earlier it was Korea. Then it was Tibet and later an incursion into India. But now and for the past decade it has also been a drive into southeast Asia. And always accompanying this revolutionary advance in the Pacific has been Chinese Communist mischiefmaking in Africa and in Latin America. Almost daily the press reports details of the Chinese Communist support of the Communist guerrillas in the Congo. And no longer ago than October 26, 1964, our good Latin American neighbor, Colombia, reported that Communist-sponsored guerrillas in that country were equipped with arms supplied by Communist China and Cuba. In short, Chinese Communist revolutionary activity is in conflict with American interests not only in the Pacific but elsewhere. American withdrawal from South Vietnam will no more appease the Red Chinese ambitions than would our withdrawal across the Pacific to Hawaii. Rather, it would stimulate them to further conquests and so might well trigger an all-out war.

The Soviet Union is giving propaganda and political warfare support to the Chinese Communist efforts in Vietnam. The official Soviet news agency Tass announced December 30, 1964, that a permanent office of the Vietnamese National Liberation Front would be opened in Moscow. On January 5, 1965, the official Communist Party newspaper Pravda printed an aggressive letter to Soviet Foreign Minister Andrei Gromyko to North Vietnam's Foreign Minister. Said Gromyko: "The Soviet Union supports resolutely the just national liberation struggle of the people of South Vietnam against the armed intervention of American imperialism and the antipopular regime of Saigon. The Soviet Government demands that the United States stop all interference in the affairs of South Vietnam, that it withdraw its troops."

There are many public indications that the Soviet Union is in close touch with the Communist Vietcong. For example, on a Moscow radio broadcast of January 14, 1965, Lieutenant Colonel Leontyev of the Soviet armed forces said: "The battle at Bin Ghia made it clear that the South Vietnamese guerrilla forces can now take on big engagements, engagements involving several battalions on either side." It has since been reported that units of battalion size have been brought into the South Vietnamese fighting from North Vietnam. From all of this it would seem not only that the Vietcong is committing large units to the fighting, but also that the Soviet Union is becoming encouraged to take a more belligerent tone by what it believes to be signs of American vacillation in southeast Asia.

#### THE CHOICES

What options, then, has the United States with reference to our policy in South Vietnam? In blunt terms it would appear that we have two options: To go or to stay.

The policy of going is sometimes called a policy of neutralization. This would mean the formation of a government in South Vietnam in which the Communists or pro-Communists would participate. Sooner or later—and, if past experience with coalition governments is a guide, it would be sooner—the Communists would dominate the government. Reduced to its essentials the policy of neutralization is a policy of scuttle and run, a policy of appeasement. Both on grounds of morality and of self-interest, it should be rejected.

But why should we stay in Vietnam? The answer to this question is really the answer to another question. And that is why we are in Vietnam.

#### PRESIDENT JOHNSON'S POSITION

In his state of the Union message, President Johnson answered this question. Said the President: "We are there, first, because a friendly nation has asked us to help against Communist aggression. Ten years ago our President pledged our help. Three Presidents have supported that pledge. We will not break it. Second, our own security is tied to the peace of Asia. Twice in one generation we have had to fight against aggression in the Far East. To ignore aggression now would only increase the danger of a larger war."

Both Radio Moscow and Communist North Vietnam Radio Hanoi have commented somewhat impudently on the President's speech. Said Radio Moscow on January 7: "Once again he repeated the worn-out lines that American Armed Forces are in South Vietnam to give help and safeguard U.S. security in South Vietnam." And Radio Hanoi on January 9 said: "In his state of the Union address to the U.S. Congress on January 4, Johnson once again disclosed U.S. stubbornness in continuing its aggressive plot in South Vietnam. Johnson brazenly stated that the United States would stay in South Vietnam."

But President Johnson's words are not "worn out." His words reflect the verdict of history on the policy of appeasement. A firm policy in Vietnam today is the best guarantee of avoiding a general war tomorrow. How much might not have England—and the world—been spared had the appeasers of the 1930's listened to the advice of Sir Winston Churchill. Militarily, Communist China is still a "paper tiger"—less powerful than Hitler's Nazis in the early 1930's. Today Communist China's challenge in the Pacific can be met without excessive risk. But the peril to freedom in the Pacific will continue to rise with each year if we refuse to face up to this challenge.

#### WHAT CAN BE DONE

If we stay in South Vietnam what can we do to improve the situation? The following steps would start us in the right direction: (1) Increased interdiction of Communist supply routes into South Vietnam and such related measures as might be required. (2) Recognition that Vietnam is a theater of military operations by the appointment of a military officer rather than a diplomatic officer as chief of the country team of U.S. personnel there. The protection of the people from Vietcong terrorism is a prerequisite before any semblance of stability can be achieved and this is essentially a military operation. Appointment of a military officer as head of the country team would be in accord with the priority of requirements in what is unquestionably an area of combat operations. (3) The establishment of a naval quarantine on North Vietnam as an aggressor against the peace of southeast Asia. The pressures on the present land supply routes by such a naval quarantine on North Vietnam will not be fully effective for several years. Precisely because of this, however, a naval quarantine would signal to our friends throughout the Pacific—and no less impor-

tantly to Communist China—the long-range determination of the United States to stop Chinese Communist aggression. The display of such firmness would be a psychological act which would go far toward enlisting support for U.S. policy not in the Pacific alone but throughout the world.

A decision to stay in Vietnam is not the easy way out for the short run. Quite the contrary, it will mean an intensification of the long and hard struggle. It is to be expected in our political system that questions will continue to be raised about the wisdom of continuing to meet, indeed, even of having accepted the challenge in Vietnam. But viewed in a larger context, Vietnam is but a testing ground. Our resolve there is the measure of our will elsewhere. An American withdrawal from Vietnam would inevitably be followed by a withdrawal from other parts of the world in which it is said that we are "overextended." In such a context is Vietnam any more untenable than Berlin?

These words from "The Book of Proverbs" are helpful in evaluating the attitude of many toward our friends in South Vietnam: "None so quick to find pretexts, as he that would break with a friend; he is in fault continually."

Dr. JAMES D. ATKINSON,  
International Politics Editor.

#### WEST VIRGINIAN ON THE ICC

Mr. BYRD of West Virginia. Mr. President, the Senate last year confirmed the appointment of Mrs. Virginia Mae Brown, a West Virginian, to the Interstate Commerce Commission. Mrs. Brown was 1 of 50 women recommended by President Johnson to serve in various high Federal offices. As one who spoke in support of her confirmation at that time, I am pleased to note that recognition of her work as a member of the Commission has been made by the Wall Street Journal in a news story on February 1 and in an editorial on just last Monday. I ask unanimous consent to have these items placed in the RECORD at this point.

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

[From the Wall Street Journal,  
Feb. 1, 1965]

MRS. BROWN, ADDING FEMALE TOUCH TO ICC,  
TONGUE-LASHES MAJORITY ON SHIELDING  
RAILS

WASHINGTON.—Virginia Mae Brown, the attractive brunette President Johnson picked to bring the woman's touch to the Interstate Commerce Commission, gave her male colleagues a tongue lashing.

"The majority's fear of the forces of competition (in transportation) is unwarranted," she said. The prospects "frighten me not." The ICC's all-male majority is so concerned with protecting railroads from themselves that it is ignoring the public, Mrs. Brown maintained. "Are shippers orphans under the Interstate Commerce Act?" asked the trim mother of two.

Then, with language seldom if ever before heard in the staid old ICC, she declared: "It is well known that there are several ways to kill a cat. Drowning appears to be the most favored. The majority \* \* \* waters the facts and drowns the case."

The case at issue wasn't very big. The Monon Railroad wanted to extend its tracks slightly at Michigan City, Ind., and in Jefferson County, Ky., near Louisville, in order to set up a route for moving coal to steel mills in the Chicago area and, by Great Lakes ships, to other mills.

But Mrs. Brown wasn't alone in feeling the case involved important matters of principle. Four other commissioners also dissented from

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taxes that are additional because of the reduced withholding rate. Full payment would be required by April 15, 1966.

Mr. Speaker, the intense interest of my constituents in his tax inequity prompted me to discuss the issue in my weekly television news commentary which is broadcast exclusively by WROC-TV—channel 8—in Rochester, N.Y. For its additional expression of my feelings on this matter, I include the text of this commentary with my remarks at this point in the RECORD.

The opening reference is to Tom Decker, the station's news director and the gentleman whose newscasts carry my commentaries.

The text follows:

Thanks, Tom.

April 15 will soon be here and that means income tax time. This year, many taxpayers are going to get a shock when they discover that their withholding is not enough to cover the tax they owe.

This comes about because of the withholding reductions that were put into effect a year ago when the income tax cut was passed by Congress. Before the cut, withholding was 18 percent. The tax bill dropped it to 14 percent.

This would have been all right, except the tax cut only became partially effective in 1964. Thus, wages were underwithheld, and millions of people now face unexpected tax bills.

To help out, I introduced a bill this week to let taxpayers spread their extra payments over the next year. I am working hard to get the bill considered and I hope the administration can be persuaded to approve it so that we can relieve the financial bind so many taxpayers are facing at no fault of their own.

#### CONGRESSIONAL REDISTRICTING

(Mr. JONES of Missouri asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONES of Missouri. Mr. Speaker, I note in the RECORD where one of the subcommittees of the House Committee on the Judiciary has reported favorably to the full committee a bill, H.R. 970, to require the establishment on the basis of the 19th and subsequent decennial censuses of congressional districts. It goes on to set forth how those districts shall be established.

I fear, Mr. Speaker, that some persons may be misled by thinking that the Judiciary Committee is taking some action on what I believe is the most important issue before this Congress and the Nation today, and one which requires immediate attention. H.R. 970 does little, if anything, to counteract or offset the devastating danger which faces most of the 50 States because of the "one-man, one-vote" decision of the Supreme Court.

While the Judiciary Committee's chairman has elected to consider legislation which would not take effect for some 6 to 8 years from now, rather than to consider some of the numerous bills which have been introduced, and which are designed to meet the emergency created by the irreconcilable decision of the Supreme Court which is causing most of our State legislatures to consider reapportionment of not only congressional districts but also the senatorial and leg-

islative districts within their States, it seems to me that this Congress should take immediate action to counteract the Supreme Court's position. The subcommittee did amend the bill to provide for its effectiveness in the 90th Congress.

I am referring to proposed legislation, such as House Joint Resolution 64, introduced by my colleague, the gentleman from Missouri, the Honorable RICHARD ICHORD, a former speaker of the Missouri House of Representatives. His resolution is one of several measures introduced by other Members of this House which would provide for a constitutional amendment, the wording of which has been approved by the Council of State Governments, and which I understand is receiving favorable consideration in many State legislatures, where the leadership recognizes the imperativeness of taking some action now, and without delay.

The proposed amendment to the Constitution is quite simple, and actually spells out what I believe most persons thought was provided in the Constitution, when it states:

Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

This merely means that we would apply the same criteria to the selection of members of one house of the State legislature that is now applied to the Senate of the United States. What most of us fear, and I think with justification as long as we have a Supreme Court composed of individuals who would usurp the powers of the legislative branch of our Government, is that if the recent decision of the Supreme Court is permitted to stand, it will be only a matter of time until the Supreme Court will declare unconstitutional the present representative composition of the U.S. Senate. Certainly the Supreme Court cannot accept as consistent a position which establishes one criteria for representation in State legislatures, and permits such a wide disparity of representation by U.S. Senators. From the smug position which some Members of the other body have taken, it would seem they do not realize they will be the next target, when they will be "sitting ducks."

Mr. Speaker, I believe that the Supreme Court was entirely wrong, and that the Members of the other body who seem to be in concurrence with the Supreme Court decision will wake up someday to find they are going to be the targets of that decision, unless at this session of this Congress we take some action to correct the grievous action of the Supreme Court.

#### ARM-TWISTING PROBE BROADENS

Mr. NELSEN (at the request of Mr. GROSS) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. NELSEN. Mr. Speaker, this morning's Washington Post carried an

article by the syndicated columnists Evans and Novak commenting rather extensively on the fundraising activities of the treasurer of the Democratic National Committee. Reference is made in the article to an investigation by the FBI into the illegal solicitation of campaign funds in the Rural Electrification Administration. I was advised by letter from the Justice Department last week that the FBI had been called into the case, and I must say that I am pleased that this investigating agency is going into this sordid matter.

A complete and thorough investigation such as we would expect from the FBI will, I hope, restore the status of our Federal civil service to the nonpartisan status which is supposedly guaranteed to it by the Hatch Act and the Corrupt Practices Act.

I include at this point in my remarks the letter which I received from the Justice Department and the Evans and Novak article from the Washington Post:

OFFICE OF THE ATTORNEY GENERAL,  
Washington, D.C., February 4, 1965.

HON. ANCHER NELSEN,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN NELSEN: This will reply to your letter of January 12, 1965, with which you enclosed a copy of a letter to you from the Assistant General Counsel of the U.S. Civil Service Commission, referring to an investigation of alleged violations of the Hatch Act in the Rural Electrification Administration of the Department of Agriculture.

We have requested the Federal Bureau of Investigation to investigate the facts in this matter following which a determination will be made whether any violations of Federal criminal statutes relating to the solicitation of political contributions by Federal employees have occurred which would warrant prosecution. You are undoubtedly aware that in addition to possible criminal violations there are also involved possible administrative penalties, the imposition of which is within the responsibility of the Civil Service Commission and the employing agency.

Sincerely,

Acting Attorney General.

#### THE MYSTERIOUS MR. MAGUIRE

(By Rowland Evans and Robert Novak)  
The shadowy and shrouded world of Richard Maguire, gray eminence of the Democratic Party, is being opened up a bit by nosy outsiders.

As treasurer of the Democratic National Committee, Maguire is scarcely known even by name, to rank-and-file Democrats. Yet, as one of the most ingenious and insistent fundraisers in American political history, Dick Maguire is a law unto himself at Democratic national headquarters. He is easily the most powerful man in the national party structure.

Consequently, it is of particular interest that Maguire's fundraising exploits have attracted the attention of Washington's most aggressive seeker after sin. Maguire may not know it, but his office is now the subject of private investigation by Senator JOHN WILLIAMS, the Delaware chicken farmer with an unequalled collection of political scalp.

Maguire does not relish attention from WILLIAMS or anybody else. Alone among national political figures, he refuses to talk to the press. The records of his office are barred from the public. Even duly elected members of the Democratic National Com-

mittee hesitate to pry into Maguire's fund-raising activities.

However, the veil of secrecy is being nudged aside. The FBI is investigating charges that civil servants in the Rural Electrification Administration were illegally solicited to purchase tickets to last year's Democratic fundraising gala.

If this generates a grand jury investigation, the charges might extend far beyond the REA. Civil servants throughout the Government would love to tell all about being pressured by their Democratic superiors under the Maguire regime.

More significant is the area in which Senator WILLIAMS privately concerns himself: Maguire's sale of advertising space in the \$10 a copy program of the 1964 Democratic National Convention.

Sale of program ads (usually by the host committee) to defray national convention costs is nothing new. But Maguire added a new twist. The Democratic National Committee took over ad sales, charging \$15,000 a page—triple the previous charge.

Who paid that price for ads in a limited-circulation publication?

Maguire fired off heavyhanded solicitations to a wide spectrum of businessmen, heavily studied with Government contractors.

The result was phenomenal: A \$15 million take, according to the Democratic National Committee.

But Federal law bars corporations from making contributions to political parties. Purchase of the ads would be legal only if the money were used (as the Democrats claimed) solely to defray convention costs. If any of the money were used to finance the 1964 campaign, officials at the Democratic National Committee would be criminally liable.

National committee spokesmen assert that not 1 cent of the \$1.5 million helped finance the campaign. But they supply no detailed audit. Nor is such an audit available for public inspection. And, as ever, Maguire is silent.

There is still another aspect to this. Although political contributions cannot be claimed as tax deductions, advertising costs are deductible as a legitimate business expense. Hence, as permitted by existing law, the \$15,000 a page advertising costs—a thinly disguised gift to the Democratic Party—can be deducted from taxable income.

This amounts to Uncle Sam's subsidizing the Democratic Party in a way Congress never intended. If permitted, it is a practice likely to grow within both parties. For this reason, Senator WILLIAMS is asking the Internal Revenue Service just how much the program ads will cost the Government in lost taxes.

Nor does this begin to exhaust the questions that could be asked of Maguire.

What about the President's Club, a Maguire innovation whereby fat cats can pay \$1,000 a year and rub elbows with the great—even the President—at exclusive cocktail parties? How many members belong? Who are they? Why aren't all their names reported to the Federal Government as campaign givers?

To the cynic it might seem unlikely that a Democratic-controlled administration and Congress would press Maguire and Company for answers to these questions. But JOHN WILLIAMS' plodding inquisitiveness sometimes has a way of making strange things happen.

#### REDUCTION OF EXCISE TAXES

(Mr. LANGEN (at the request of Mr. Gross) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LANGEN. Mr. Speaker, it is most reassuring to note that the present administration has subscribed to suggestions that I and others on this side of the aisle have long proffered. I am referring to the now-popular idea of reducing or eliminating certain unneeded and unwarranted excise taxes. I have incorporated these suggestions in the form of bills on a number of occasions during prior Congresses.

Today I am again submitting a bill for the elimination or reduction of certain excise taxes, and it is my hope that it will be given serious consideration by this Congress.

It calls for the elimination of the list of retail excises such as jewelry, furs, toilet preparations, luggage, handbags and wallets, and also calls for the elimination of excises on telephone service and the reduction and eventual elimination of excises on passenger cars and parts.

#### HIGHWAY FUND TO BENEFIT

One aspect of my bill represents a distinct departure from other suggestions we have heard of late. The excise taxes on automobiles would be immediately reduced from 10 to 5 percent, and the tax on automotive parts and accessories would be reduced from 8 to 4 percent. The remaining amounts collected from the sale of passenger cars and parts, amounting to over a billion dollars a year, would be earmarked to the highway trust fund. Costs of the Interstate Highway program are running higher than expected, and my bill would keep that fund solvent, in addition to offering immediate relief to the Nation's drivers. Then, when the Interstate System is completed in 1972, the remaining half of the present car and parts tax would be removed. I consider this important, since the car cannot be considered a luxury item and must not be treated as such by our antiquated tax system.

This bill also would eliminate the levy placed against the Nation's communications systems, which is passed on to the consumer. The average household would save an annual amount in excess of 1 month's telephone bill, and the saving to the companies in line, long-distance and other services, would mean additional savings to the public and greater expansion opportunities for the companies. Like the automobile, a telephone is a necessity in the 20th century, and wartime taxes that were intended to temporarily curtail the use of communications services should be eliminated.

The retail section of this bill calls for the elimination of excise taxes on such commodities as toilet preparations, luggage, handbags, wallets, jewelry and furs. Not only will the elimination of these excises put more usable money into the mainstream of the national economy, but it will finally relieve the merchants of America of the cumbersome chore of acting as tax collectors for the Federal Government.

It is hoped that early and favorable consideration will be made of this proposal.

#### THE WAR IN SOUTH VIETNAM

(Mr. UTT (at the request of Mr. Gross) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. UTT. Mr. Speaker, the war in South Vietnam rages on. Information filtering through to the public indicates a rapidly deteriorating situation. I say filtering through because there is, and has been, a cloak of secrecy thrown around American military and political operations in that area.

The President has ordered military strikes against the staging areas in North Vietnam in reprisal for attacks against our positions in the south. These air strikes have brought on Communist reprisals and it appears that many more Americans were killed in a raid today. Senator Goldwater recommended retaliation against Communist sanctuaries in North Vietnam and for this he was labeled "trigger happy," a "warmonger," "irresponsible," and "a man dedicated to starting a nuclear war." No such left-wing charges have been leveled against President Johnson, and I think the country in general does and will support the President in any military measure aimed at victory.

The present situation in Vietnam could well escalate into a major and even a nuclear war, if the Chinese Communists pour troops into Vietnam as they did in Korea, and if they are given possession of nuclear warheads by Russia. There is as much reason to believe that Russia will supply nuclear warheads to the Vietcong as there was to supply such warheads to Communist Castro.

The present situation could have been avoided by a responsible administration and a responsible Secretary of Defense. We backed into it through a series of blunders which should not have been made even by a cadet at West Point. I submit some persuasive data:

During the Eisenhower years, from 1954 to 1960 inclusive, this country had no more than 785 military advisers in South Vietnam, and, slowly but surely, with the help and cooperation of President Diem, we were winning the war. In 1961, immediately following the Bay of Pigs fiasco, the war began to escalate and we had 2,000 military men in Vietnam in 1961, 11,000 in 1962, 15,500 in 1963, 18,000 in 1964, and 23,000 by the beginning of 1965.

During the Eisenhower period, not one American boy was killed in Vietnam, but, following the Bay of Pigs, the slaughter began. That dark day in American history was a great turning point for Communist advances. In the eyes of the Asians, we immediately became a paper tiger. To the rest of the world, we said, in fact, that we would not fight Communists 90 miles off our shore. Not only would we not fight them, but the administration agreed to protect Communist Castro from invasion by any country in the Western Hemisphere, and your Navy has been patrolling the water in the Caribbean to prevent any strike or sabotage against Castro.

any way, not to help them make money for their savers or investors, but to help the Government collect income taxes.

Mr. Speaker, I am today introducing a bill which provides that the mailing costs of these millions of information returns to receivers of dividends and interest be paid by the U.S. Treasury which in turn would reimburse the Post Office Department for the postage costs.

I feel that the Congress would be doing the fair and equitable thing to relieve the private financial institutions of this country from a part of the cost of this tax-collecting job. Even with this partial relief, there is still considerable expense involved, since the time of their employees, the stationery costs, and like factors of in-the-office expense would still have to be paid by them. Let us have the job paid for—at least in part—by the Government department which benefits from the service.

The first results of the workings of this law, the spotting by tax collectors of dividends and interest payments not hitherto reported, are reportedly good. The Treasury is the sole beneficiary of this work of the financial institutions in helping it collect taxes; the system is apparently past the experimental stage and that means it will stay in force. I am convinced that payment by the Treasury for this tax-collecting job, at least in part, is appropriate. It should be provided by Congress before another year rolls around and additional millions of dollars for postage are expended by these institutions in order to comply with the law.

I would like to point out that this is an expense which will not decrease in any foreseeable period. We are in a growing economy. We are trying to keep it growing. Every account added to a savings institution, every new stockholder a corporation acquires will add to the postage burden so that every person is reminded of the dividends or interest of \$10 or more he has received, and to tell the U.S. Treasury that he has received it. I propose that we relieve this unfair burden now by enacting legislation to permit postage-free mail by payor institutions in the mailing of form 1099's, the information returns required by our revenue laws for the benefit of the Internal Revenue Service in its collection job.

#### THE BIRTHDAY OF ABRAHAM LINCOLN

(Mr. ANNUNZIO) at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I want to join my colleagues in paying tribute to our 16th President, Abraham Lincoln. Lincoln's Birthday has been an important day to Americans for many years. But, in 1965, it is a particularly significant occasion.

We are now 100 years removed from the death of this great President who died because of his dedication to the American ideals of human freedom and dignity. And we are just 1 year removed

from the similarly tragic and violent killing of another great President who worked so hard to translate these same ideals into reality.

Both men fought the evils of bigotry and inequality. Both men won great victories in the continuing battle to make all Americans equal before the law. And both men left a great legacy of unfinished tasks to future generations of Americans.

As we celebrate the anniversary of Lincoln's birth, we must renew our determination to make the American dream, of which Lincoln has become one of the finest symbols, a reality for all. One of the most important actions we could take in this connection would be to eliminate the unjust and discriminatory sections of our immigration laws.

Last year Congress took long needed action to insure that no American will be treated as a second-class citizen because of race. Let us this year take similar action to insure that no group of Americans will feel like second-class citizens because of national origin.

Legislation to accomplish this goal has been asked by President Johnson and is now pending before this body. There could be no finer tribute to the heritage of Lincoln than swift passage of a new immigration law.

#### NEW YORK CITY IN CRISIS— PART VI

(Mr. MULTER (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues part VI of the New York Herald Tribune series on "New York City in Crisis." This installment deals with the huge loss of middle-class families in New York City due to the poor housing situation and appeared in the Herald Tribune on January 27, 1965.

The article follows:

##### CITY EXODUS TO SUBURBS

(By Barry Gottelber and Marshall Peck)

The only piece of furniture in the living room of Paul and Sondra Levine's split-level home in Merrick, Long Island, is a \$1,000 grand piano. The piano is a gift from Sondra's parents. Since buying the \$25,000 home in April of 1963, the Levines have been forced to move extremely slowly.

Yet, after nearly 2 years of partially furnished rooms and severe financial problems, the Levines have no thoughts of returning to New York City. Like thousands and thousands of other New Yorkers, the Levines have learned that the city no longer has any place for a middle-income family.

"We're city people, we always have been," says Paul Levine. "Three years ago when we decided to move because we needed more room, we had no idea of moving out of the city. But we gave up the fight. The way it adds up, the city alienates people in our circumstances. It's getting harder and harder for people such as ourselves, middle-income with children, to stay in the city."

Paul Levine is a promising young accountant, and he and his wife, both college graduates, have three children. They are precisely the kind of family a healthy city needs to attract and to keep. Yet, after 9 months of searching for a suitable apartment in Man-

hattan, Queens, Brooklyn and the Bronx, the Levines gave up—and joined the ranks of the 800,000 middle-class whites who have deserted the city for the suburbs since 1950.

They are all victims of the city's indifference, the high cost of adequate housing and the low state of public education. And their defection to the suburbs—into financial problems and the commuter mess which directly affected their future and the future of the city—is a bold example of New York's failure.

"We must do something to keep our young middle class, says Mayor Robert F. Wagner. It is obvious \* \* \* that a great many young families would stay in the city if apartments were larger and less expensive, if schools were better, if the streets and parks were safer, and if the public transportation were less painful. Yet just where the city starts to solve its multiple housing, education, safety and transportation problems staggers the imagination of the mayor and anyone else who would like to replace him.

##### A PIMPLE ON CITY'S FACE

According to one city official, the loss of the middle class is only a pimple on the face of the city, a serious one yet no more than a pimple. Before the city can hope to eliminate the pimple, it must first locate, then treat, and finally wipe out the infection that is causing it.

"We must get to the basic sickness," says Julius C. C. Edelstein, the mayor's chief aid. "That is exactly what we are trying to do right now in New York. There are no easy solutions when the problems are this great."

Yet while the city struggles in search of the big answers, as Mr. Edelstein believes, or merely sleeps, as a great many others believe, more and more young middle class New York whites are leaving or giving serious thought to leaving. (At one recent Christmas party of 36 middle-class New Yorkers, 18 already had left the city, 12 were thinking about it, and only 6 seemed content in Manhattan, and 2 of these are bachelors.

Depending on the family, it is the problems of housing or education that generally force the decision to desert. In the case of Paul and Sondra Levine, it happened to be a combination of the two.

Paul Levine, a 31-year-old graduate of Brooklyn College, earns slightly more than \$10,000 a year as a certified public accountant with Siminoff, Peyser, and Citrin, a mid-Manhattan accounting firm.

Married in June 1958, he and his wife first moved into a 3½-room, \$110-a-month apartment in Jackson Heights. When their second child was born 3 years later, they decided to move into a larger apartment in the same building, paying \$135 a month for two bedrooms. But, even with two bedrooms, the walls, as they are in most new buildings, were paper-thin and the rooms were tiny—and it wasn't long before they decided to look for a still larger apartment.

"Besides there just wasn't any place for the children to play," says Sondra Levine, a graduate of NYU and a former public school teacher. "They had to be taken down by elevator and there really was no place to take them. No park nearby.

Commuting was also a problem. Driving was immediately eliminated as a means of Paul's getting to work. In the first place, Sondra needed the car to shop. In the second, traffic on the Long Island highways is unbearable and parking in New York is too expensive (from \$1.50 to \$3) on a regular basis.

##### THE NIGHTMARE AT RUSH HOUR

Though the ride on the IRT Flushing line took only 25 minutes, passengers were backed up in the hundreds waiting to push their way into the station each morning and then jammed like sardines for the trip to work. For anyone forced to travel during rush

The erection of the Berlin wall commenced shortly after the Bay of Pigs. We completely failed to capitalize on the Russian-Red Chinese breach, and now the war in South Vietnam has driven them together again. Our State Department mistook the tactical flexibility of the Communist conspiracy for a mellowing of Russian intent to subvert the world, when in truth they have never veered from the goal of total conquest.

In Washington, as well as in many capitals of the world, there is talk of a negotiated peace. This is the pattern we followed in China when Chiang Kai-shek had to leave the mainland and 600 million Chinese fell prey to communism. This is the pattern we followed in Korea, and there has not been a moment of peace since that negotiation. This is the pattern we followed in Laos, and it fell to communism. Under the pattern set by the State Department, so, also, will all of southeast Asia fall to the Communists.

Failure to have total victory, at any cost, will surrender all of southeast Asia to the Communists and close the Indian Ocean to the British Fleet, leaving Australia as a sitting duck for Communist conquest. So, also, will Malaysia fall, and the next step will be the Philippines, and we will have to withdraw our defenses to Hawaii, or even to our own west coast.

(Mr. DERWINSKI (at the request of Mr. GROSS) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. DERWINSKI'S remarks will appear hereafter in the Appendix.]

#### HUDSON HIGHLANDS NATIONAL SCENIC RIVERWAY

(Mr. OTTINGER (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I have been assured by the administration that the President, in encouraging efforts by State and local governments to take action similar to that he proposed for the Potomac River in his national beauty message, was in no way negating the possibility of cooperative Federal action.

Thus, the administration was not in any way ruling out its support for my bill, H.R. 3012, to create a Hudson Highlands National Scenic Riverway, which in fact is presently under study by it.

On the contrary, I have received encouragement from every quarter for this legislation. I have every reason to believe that the Department of the Interior will report favorably on it and that hearings will be held on it at this session. Senator ROBERT F. KENNEDY will introduce it in the Senate.

I am extremely gratified and encouraged that the President singled out the Hudson River for specific mention of needed attention in his message. I would be the first to agree that State and local governments must take the primary bur-

den of action to protect their natural resources, rivers, and riverways.

The long neglect of rivers and riverways by the State and local governments, however, has resulted in the despoliation of these resources which abound today. Our potentially most beautiful rivers, like the Hudson, are open sewers, their banks littered with garbage and debris. In my opinion, some sort of Federal stimulant is required to induce State and local governments to take effective action. This is particularly appropriate with respect to our great interstate rivers like the Hudson.

I have every reason to believe that my Hudson Highlands National Scenic Riverway bill will be successful.

I am pleased, too, with the administration's position on the Consolidated Edison proposed powerplant in Cornwall and with its emphasis on placing future powerlines underground.

#### LIFE TENURE FOR THE JUDGE OF THE U.S. COURT OF MILITARY APPEALS

(Mr. FOGARTY (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FOGARTY. Mr. Speaker, 15 years ago the Congress brought into being the Uniform Code of Military Justice. Our purpose in doing so was to re-establish the American public's confidence in the system of military justice and to guarantee to our servicemen, caught up in the law's toils, as fair a trial as could be had in any court of the United States. Two years ago the Committee on Armed Services reviewed the history of operations under that code, and the contribution to those operations made by the U.S. Court of Military Appeals, the supreme court of the military services. In its report, the committee declared:

Through its opinions, the system of military justice contemplated by the Congress in the uniform code is perfected and explained by the court. Its insistence upon high professional performance by all legal personnel involved in trials by courts-martial, and upon strict compliance with the provisions of the uniform code, has resulted in the elimination of many of the justified grounds for the complaints lodged against the earlier procedures. These results have not only restored to a large extent public confidence in the court-martial system, but have won the support of the Military Establishment as well.

Many of the Members will recall that when we first considered the establishment of this court we provided that the judges would serve during good behavior. The other body, however, modified this by setting a fixed term of years as the judges' tenure, for the evident purpose of providing a period of probation during which we could determine in the crucible of experience the efficacy of our work. Satisfied that the uniform code, under the administration of dedicated, mature and judicious minds, could accomplish our purpose without sacrificing any of our essential needs, we agreed to provide a testing or probationary period.

But, Mr. Speaker, that period of proba-

tion is at an end. Two years ago, by a 4 to 1 majority, this House restored the original provision for tenure during good behavior, because we found that both the code and the court has passed every test to which reasonable men can subject them.

The pressures of other business, however, prevented consideration of the measure by the other body before the 88th Congress passed into history.

I am now submitting that proposal again. In so doing, I am fully aware of the reasons advanced by the Committee on Armed Services and relied on by this House as justification for the restoration of life tenure. With each of these indisputably valid reasons, I am in full accord. But I believe the time has come to express the most fundamental, yet simple, reasons of all:

The Court of Military Appeals is a legislative tribunal. It is established for the exclusive purpose of overseeing trials by court-martial under standards fixed by the Congress. During its existence of approximately 14 years, it has established an enviable record among the courts of this land, in the eyes of the members of the bar generally, and in the minds of servicemen and women as well. Indeed, it has won the accolades of the Military Establishment. Nothing about this court, as a judicial tribunal, is third-rate. It is, in every sense, a first-rate court, and its judges should be treated no differently than judges of the other courts of the United States.

To this end, Mr. Chairman, I am again submitting an amendment to the uniform code designed to restore our original provision for life tenure for these judges, and trust we will speedily enact it into law.

#### MAILING OF DIVIDEND STATEMENTS FOR BENEFIT OF INTERNAL REVENUE SERVICE

(Mr. FASCELL (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last month many thousands of institutions spent millions of dollars helping the Internal Revenue Service collect taxes on the dividends they paid out to their depositors and account holders. I am referring to the information return required by the Revenue Act of 1962. Under this act, each payor of dividends or interest of \$10 or more is required to mail to each of the persons receiving this amount of money a notice of the amount paid. This is the second year in which this expense requirement has been incurred by small businesses, banks, savings institutions, and other corporations. A substantial part of this expense is the postage required to send the information to millions of individuals.

In a time of the so-called profit squeeze, when the expenses of doing business are rising for nearly every type of business institution, this added burden has been costly. It has to be paid by them; not to develop their business in

the majority's decision to reject Monon's application.

#### REFLECTS JOHNSON POLICY

The charges leveled by Mrs. Brown, and reflected in the considerably less vigorous dissents of the other four, are the sort that have been voiced in recent years by some—usually professorial types—outside the Commission. ICC insiders on occasion have denied vigorously that the agency has tried harder to protect the railroads from competition than to encourage rival services and innovations that shippers want.

Mrs. Brown's dissent was interesting, too, because, as President Johnson's sole appointee to the ICC thus far, she was reflecting and seemed to be elaborating on the administration's transport policy. The late President Kennedy began a drive to loosen ICC control over rail rates, and Mr. Johnson has endorsed the principle of greater reliance on competition. The ICC opposed the Kennedy approach. It is waiting to see the details of Mr. Johnson's legislative package before taking a stand on it.

To Mrs. Brown, the Monon case seemed classic in terms of what the ICC's role should be. Monon proposed an innovation in coal transport, combining barge movement with an "integral train" that would shuttle between Louisville and Michigan City, Kentucky and West Virginia coal would be moved down the Ohio and other rivers, by bargeline, to a rail transfer facility Monon planned to build near Louisville, then shuttled up to a proposed rail-marine terminal at Michigan City. American Commercial Barge Lines supported Monon's application, as did a number of coal shippers, such as Inland Steel Co. It was opposed by a number of coal-hauling railroads, including the Chesapeake & Ohio, the Norfolk & Western, the Pennsylvania, and the Illinois Central.

#### JUDGMENT OF THE REGULATORS

To the ICC majority, the Monon proposal offered no "inherent advantage over existing service." Thus, the majority said: "It would necessarily follow that the construction of superfluous lines and facilities not needed to insure adequate service to the public should not be authorized, and existing carriers should not be required to face unnecessary competition." Anyway, the majority added, railroad tracks cost money "and if operations are not successful, only scrap is left." Monon's proposal wasn't "prudent," it concluded.

Mrs. Brown accused the majority of substituting "the judgment of the regulators" for that of "the marketplace." She said: "What the majority really has determined here is that no reliance can be placed on the forces of competition." Monon, she said, isn't worried its investment might wind up as scrap, so "should the commission be afraid?"

"Carried to their logical conclusion, the standards applied here would constitute such a straitjacket that any hope for modern, progressive innovations in surface transportation would disappear," Mrs. Brown said.

ICC Chairman Charles Webb, in his separate dissent, said he shared Mrs. Brown's thoughts on innovation. He also charged that the decision gives all-rail movements of coal "unwarranted protection from the competition of barge-rail and barge-rail-lake routes."

Dissenters Laurence Walrath, Kenneth Tuggle, and Paul Tierney joined in asserting that "an oversupply of coal transportation does not equate an overabundance of service available to shippers."

No. 28—4

[From the Wall Street Journal, Feb. 8, 1965]  
NEVER UNDERESTIMATE THE POWER

Though the Interstate Commerce Commission was set up to protect competition in transportation, it sometimes seems more eager to protect competitors from competition. So it's encouraging to read that the ICC's only lady member is trying to push the agency back on the proper regulatory track.

Virginia Mae Brown, named to the panel in 1964, began her shoving in a case involving the Monon Railroad. The Monon wanted to extend its tracks slightly in order to set up a combined rail-water route for moving coal to steel mills in the Chicago area.

The ICC's majority rejected the proposal. Ruling that the rail-water plan offered no "inherent advantage over existing service," it said the step would not be "prudent" for the Monon. Even if it was prudent, the majority decided other railroads should not have to face "unnecessary" competition.

"The majority's fear of the forces of competition," declared Mrs. Brown in her searing dissent, "is unwarranted." The prospects "frighten me not." Whether the majority thought the rail-water service was a prudent idea or not, she went on to say, lots of shippers apparently liked it, since they argued for approval of the plan. "Are shippers orphans under the Interstate Commerce Act?" the lady inquired.

In much the same way, the ICC's fear of change—almost any change—often has delayed introduction of more competitive rate schedules and new types of equipment and service, such as piggybacking. In the effort to preserve competitors instead of competition, the agency can thus endanger both.

At this late date, Mrs. Brown faces quite a task getting the agency to see the light, but she is certainly giving her male colleagues some powerful competition in the art of commonsense.

#### JERRY MILAN REGULI

Mr. BAYH. Mr. President, in the Nation there appears to be widespread concern about the ability of today's youth to take the reins of leadership which eventually they will inherit.

I do not share this concern, Mr. President. For one thing, those of us now in positions of authority are considering programs designed to give to all American boys and girls the maximum education they need in order to supplement their God-given capabilities.

For another thing, among the vast majority of our youth there continues the indomitable American spirit to make the most of life—not only for self-interest, but also for the interests of their fellow men.

I wish to tell the Senate the story of an Indiana boy. It is a somber story, but an inspiring one. It should serve to keep bright the flame of confidence in our young people that most of us harbor, and to kindle the flame among those who have doubts.

It is the story of Jerry Milan Reguli, of Franklin, Ind.

Jerry's father died when the boy was 5 years old. The boy grew up in a home in which there was love—love of family and love of God. At one time, he wanted to become a minister. When he was 13, Jerry planted an acre of tomatoes on his

grandmother's farm. With the profits he earned from farming, he took out a mortgage on a house. He rented the home, to help pay off the mortgage; but he protected his investment with mortgage insurance.

At 15, Jerry prepared for a church program a brief essay on what education meant to him. I ask unanimous consent that the essay, as it appeared in the November 11, 1964, issue of the Franklin, Ind., Daily Journal, be printed at this point in the Record.

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

#### WHEAT EDUCATION MEANS TO ME

(By Jerry Milan Reguli)

As we grow in childhood there comes a time for our parents to send us off to school. In the beginning I believe this is why and probably the only reason for us going to school. But there comes a time in our own lives when we ask why? What does this mean to me?

I believe to go to school is to get an education. Through education we get a good view of what life is really like. The purpose of life is to matter, to be productive, to have it make some difference that we lived at all. Through education we see clearly the qualities that make life what it is, and therefore strive to obtain these qualities. School offers a combination of things favorable for the purpose of developing my capabilities. Going to school and learning all I can about different vocations helps me to decide what I would like to do most in life. Then, when I choose my vocation I will take further schooling to increase my knowledge so I will be more able to serve God and my fellow man.

"I am only one, but I am one. I cannot do everything, but I can do something. What I can do, I ought to do; and what I ought to do, by God's grace I will do."

With this knowledge we realize the importance of God to us and through education we realize even more the awe-inspiring wonders of the creation of life.

Education makes us realize our own ignorance, instilling in us a desire to increase our knowledge. It offers faith in the present and the future. Education offers us the opportunity to understand ourselves and our neighbors, enabling us to find our place in society and suggesting a means through which we can contribute to society.

Education offers insight to the path of a rich full life of happiness.

Happiness in the ancient noble sense means self fulfillment and is given to those who use to the fullest whatever talent God bestowed upon them. I believe school trains me to use my talents to their fullest and instills in me a faith in myself that I am capable. Future success and satisfaction often depend upon an education and upon education rests the rich heritage of human life. So as Mark Twain wrote: "Let us endeavor to live, that when we come to die, even the undertaker will be sorry."

Mr. BAYH. Mr. President, among other things, Jerry said on that day, in church:

The purpose of life is to matter, to be productive, to have it make some difference that we lived at all. Through education, we see clearly the qualities that make life what it is, and therefore strive to obtain these qualities \* \* \*. Education makes us realize our own ignorance, instilling in us a desire to increase

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our knowledge. It offers faith in the present and the future. Education offers us the opportunity to understand ourselves and our neighbors, enabling us to find our place in society and suggesting a means through which we can contribute to society.

Such simple eloquence from a 15-year-old boy. Then Jerry concluded on a tragically prophetic note:

Future success and satisfaction often depend upon an education, and upon education rests the rich heritage of human life. So as Mark Twain wrote: "Let us endeavor to live, that when we come to die, even the undertaker will be sorry."

A little more than a year after Jerry Reguli spoke these words, he became a victim of leukemia. A few months ago, at the age of 16, Jerry Reguli died.

I wrote to Jerry's mother, and asked her permission to include her late son's essay in the RECORD, where it can serve as an inspiration to all who read it. She granted permission; and she told me that shortly before his illness and death, Jerry had decided to study agriculture at Purdue University; and he talked of going to underdeveloped nations, to teach farming skills. His own farming skills and his good business sense enabled Jerry to leave an estate of \$7,000 when he died at 16.

Perhaps the greatest legacy any of us can leave, though, is that our lives were meaningful and, as Jerry said, that our existence contributed something to our fellowmen. For the answer to whether this goal is achieved, each man must look into his own heart and mind and soul. I pray that each of us is pleased with what he finds.

I know that Jerry Reguli must have been.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MIDDLE INCOME HOUSING

Mr. JAVITS. Mr. President, I should like to call the attention of the Senate to a remarkable effort in the middle income housing field which has been carried out under New York State's Mitchell Lama program plan I have previously proposed in housing bills.

I have long believed in and proposed a Federal program parallel to the Mitchell Lama program which would include a Federal limited profit mortgage corporation, financed by tax-free bonds issued on the money market, to underwrite limited-profit middle-income housing at a cost within the reach of families earning between \$5,000 and \$8,000.

I ask unanimous consent that the details of this successful project in New York, as published in a New York Times article of February 10, 1965, entitled "Big Cooperative To Rise in Bronx," 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:

[From the New York Times, Feb. 10, 1965]  
A 15,500-APARTMENT CO-OP TO RISE IN BRONX  
(By Thomas W. Ennis)

A cooperative housing development with 15,500 apartments will be built on a 300-acre tract in the Baychester area of the north-east Bronx.

It will be financed with a \$263 million mortgage loan provided by the State under its Mitchell-Lama middle-income housing program.

The development, tentatively named Co-op City, will have a population estimated to total 55,000 to 60,000 persons. Its sponsor is the United Housing Foundation, a non-profit organization that has built a number of large housing cooperatives for middle-income families here.

The buildings will be of reinforced concrete faced with brick and many of the apartments will have terraces.

The site is bounded by the Hutchinson River Parkway, the New England Thruway and the Hutchinson River. The Freedomland amusement park has occupied under lease a 150-acre section of the tract. The operators of Freedomland, which is in bankruptcy, are attempting to stay in business by moving to an adjacent site of 30 acres.

Officials of the United Housing Foundation say Co-op City will be the world's largest apartment development. At present, they believe, the largest is the 12,280-family Parkchester apartment community on East Tremont Avenue in the Bronx, owned by the Metropolitan Life Insurance Company.

Details of Co-op City were given yesterday by Governor Rockefeller at a press conference in the Commodore Hotel. The meeting was also attended by Mayor Wagner; Milton Mollen, the city's new coordinator of Housing and Development; James W. Gaynor, commissioner of the State's division of housing and community renewal, and officials of the United Housing Foundation.

Initial construction of the co-op is expected to get underway this fall and take 5 years to reach completion. There will be 39 apartment structures, 24 to 35 stories high. Land will be provided by the sponsors for four elementary and two junior high schools, a community center, a shopping center, and a recreation area. Herman J. Jessor is the co-op's architect.

The architect's plan envisions the greatest possible amount of open and unencumbered land area, and he hopes to achieve this by putting underground 80 percent of the parking space for 10,550 automobiles. The co-op will have its own central air conditioning plant.

Except for Freedomland's buildings the 300-acre tract is almost vacant, so the family and business relocation problem is negligible.

Buyers of the apartments will make downpayments of about \$450 a room—the apartments will have one to three bedrooms—and pay monthly carrying charges of \$22 to \$23 a room. The downpayments will be the buyers' share of the development's construction cost of about \$285 million.

The one-bedroom apartments will have about 900 square feet of living area, the two-bedroom units 1,180 square feet and the three-bedroom apartments 1,500 square feet.

The low carrying charges compared with rentals in nongovernment aided buildings are possible because of the long-term, low-interest mortgage financing the State will provide through the issue of tax-exempt State bonds. Also helping are a 50 percent realty tax abatement the city will grant the completed co-op development.

The city now gets \$500,000 yearly in property from the 300-acre tract. It anticipates an annual tax revenue of \$5.5 million from the co-op.

The United Housing Foundation has contracted to buy the 300-acre tract from the National Development Corp. for about \$15 million.

The real estate development concern of Webb & Knapp, Inc., is reported to be the major stockholder in National Development, and Webb & Knapp is said to control the Freedomland amusement park through Freedomland, Inc. The latter is a subsidiary of the International Recreation Corp., in which Webb & Knapp is reported to own the controlling interest.

Neither William Zeckendorf Sr., chairman of Webb & Knapp, nor William Zeckendorf Jr., the company's president would comment yesterday on the sale of the Bronx tract.

Freedomland opened in 1960 and has always had financial troubles. Last September its operators filed a bankruptcy petition in Federal court, and said they would like to reduce the amusement park's area to 30 acres to help reduce expenses.

Stanley B. Hendler, a lawyer for the Freedomland interests, said yesterday that it was questionable whether enough financial problems could be settled in time to permit the amusement park to reopen this year.

The tract is about a mile from the Dyre Avenue station of the Seventh Avenue line of the IRT, and about the same distance from the Pelham Bay station of the IRT's Lexington Avenue line. Buses run between the subway stops in the vicinity of the tract.

The United Housing Foundation is headed by Abraham E. Kazan, pioneer in the low- and middle-income cooperative housing movement here. He is recuperating from an illness in California, and was represented at the news conference by Jacob S. Potofsky, president of the Amalgamated Clothing Workers of America.

Mr. Potofsky is a member of the United Housing Foundation's board. Amalgamated's pension fund has helped finance some cooperatives sponsored by the foundation.

The foundation, whose headquarters are at 465 Grand Street, recently completed Rochdale Village, a 5,860-family co-op on the site of the old Jamaica Race Track in the Baisley Park section of Queens. Rochdale Village was also built with mortgage funds provided by the State.

#### PRESIDENT SHOULD EXPLAIN U.S. OBJECTIVES AND POLICIES IN VIETNAM

Mr. JAVITS. Mr. President, I heard with the greatest interest the statement of the majority leader today on the grave crisis in Vietnam. It is extraordinary how the views of men, separately arrived at, meet in the face of a grave crisis to which they address themselves.

It seems to me the time has come for Senators to state their position when the President of the United States is taking on an awful responsibility in the grave decisions which he is making, and which could very well, as during the Cuban crisis, expose the United States and the whole world to the terrible scourge of a broadscale war.

I believe it is our duty, therefore, as responsible men, having an especial relation to foreign policy through our constitutional powers, to express ourselves on this subject.

meaning of section 4(b) of Public Law 88-309.

The principal contributing factor to the present economic depression of the industry was the near extinction of the Lake Superior lake trout population due to sea lamprey predation. The effect of this debacle on the industry was succinctly pointed out by Dr. Ralph Hile and his associates (Fish and Wildlife Service, U.S. Department of the Interior), in a paper, "Status of the Lake Trout Fishery in Lake Superior," published in the 1950 transactions of the American Fisheries Society (vol. 80):

"The fisheries of Lake Superior are so constituted that the disappearance of the lake trout would mean an end to the fishing industry as it has existed in the past. In support of this statement, it may be pointed out that during the 5 years 1945-49 the lake trout, although contributing only 14 to 20 percent of the total production in the U.S. waters of Lake Superior, brought such high prices as to account for 51 to 60 percent of the total value of the catch. Not only would the disappearance of the lake trout entail the loss of more than half of the cash income of Lake Superior fishermen; it would force discontinuation of much of the fishing now carried on for the capture of lake herring (*Leucichthys artedii*), the principal species from the standpoint of production (72 to 77 percent of the lake in 1945-49, but, because of the low price, only 20 to 32 percent of the value). The great bulk of the lake herring catch is taken within the space of a few weeks in late November and early December. At other times of the season, fishing is directed largely toward the capture of the lake trout. With that species gone, therefore, operations during much of the season would have to be discontinued. It is to be questioned whether many fishermen could afford to maintain their boats, houses, and equipment for the short-term fishery for the cheap lake herring. In all probability most of them would be forced to abandon fishing altogether and turn to other means of livelihood. At best, fishing for lake herring would become small scale and casual, with most of the present high production lost.

"The continuation of fishing for lake whitefish (*Coregonus clupeaformis*), the third important fish in Lake Superior (4 to 7 percent of the catch and 12 to 23 percent of the value in 1945-49) might be possible for a time in the local areas in which the species is abundant, but even this fishery would be handicapped by the loss of the lake trout ordinarily captured along with the whitefish. Furthermore, experiences in Lakes Huron and Michigan have demonstrated that the whitefish is in no sense immune to attacks by the sea lamprey and that predation on the whitefish increases as the lake trout becomes less plentiful.

"In Lake Superior, therefore, we face the prospect of losing the greater part of the present production of fish—a production that normally falls between 15 and 20 million pounds. This loss is not inconsiderable at a period when the maintenance of food production bids fair to become a question of national importance. Furthermore, the effects of the loss on the economies of the many local communities that depend primarily on the fisheries would be disastrous."

The predictions made 15 years ago by Dr. Hile and his associates have come to pass. The value of the Lake Superior catch is now about half of what it was during the period described above. Whereas, lake trout and whitefish made up 24 percent of the catch and 75 percent of the value in 1950-54, by 1955-59 these species were contributing only 15 percent of the catch and 59 percent of the value. In 1960-63, these choice species contributed only 5 percent to the catch, but provided 31 percent of the dollar return to

industry. Although the income of the industry has been halved during the past 15 years, the average annual catch has remained close to the 1950-54 level (14.2 mil-

lion pounds—1950-54; 13.8 million pounds—1955-59; 13.3 million pounds—1960-63), primarily due to a shift of fishing effort to lower value species such as chubs and smelt.

Year	Choice species				Low-value species				All species	
	Pounds (thousands)	Per-cent	Dollars (thousands)	Per-cent	Pounds (thousands)	Per-cent	Dollars (thousands)	Per-cent	Pounds (thousands)	Dollars (thousands)
1950-54.....	3,448	24	1,463 (0.42)	75	10,776	76	499 (0.05)	25	14,224	1,962 (0.14)
1955-59.....	2,078	15	1,024 (0.49)	59	11,699	85	720 (0.06)	41	13,777	1,744 (0.13)
1960-63.....	658	5	361 (0.55)	31	12,654	95	805 (0.06)	69	13,312	1,166 (0.99)

A clearer understanding of the present situation in the Lake Superior fisheries is described below.

**Lake trout:** Lake Superior was closed to commercial fishing for lake trout in June 1962. Whereas the commercial fishing industry landed over 3.2 million pounds of lake trout valued at almost \$1½ million in 1950, by 1961 the catch had declined to one-third of a million pounds, a 1,000-percent decrease. The economic impact of the near extinction of the lake trout population due to sea lamprey predation requires no further elaboration. The success of United States and Canadian scientists in eradicating the dreaded sea lamprey in Lake Superior, coupled with the success evident in rehabilitating the lake trout, offers a ray of hope to the depressed Lake Superior industry. Prospects look good for early resumption of limited commercial fishing for lake trout. However, the excellent fishing which the industry enjoyed pre-1950 is still a number of years away.

**Whitefish:** The only other money fish available to the fishermen is the whitefish. During the past 15 years, this species contributed as much as a million pounds per year valued at around one-half million dollars. The catch started to decline as lamprey abundance increased and hovered around 200,000 to 300,000 pounds annually until the last year or two when a small increase in catch was noted. Some further improvement in the whitefish stocks may be expected now that the lamprey is under control.

**Lake herring:** The principal species from the standpoint of production is the lake herring. This is a highly seasonal late fall and early winter fishery. Over the past 15 years, the lake herring has contributed between 8 to 12 million pounds annually to the U.S. catch. This is roughly 70 percent of the total production and 46 percent of the total dollar return to the Lake Superior fishery. This species has shown some decline in the last 2 years. Few small fish are evident in the catch. The predominance of larger, older fish is indicative of some change that is affecting the ability of this species to reproduce. This could be due to competition from the alewife (a recent invader to Lake Superior) or to some subtle environmental change. In the last few years, lake herring have not appeared in traditional areas of good production such as Duluth and Bayfield. The amount of fishing effort to catch a given quantity of this species has increased. The industry has been forced to actively search of concentrations of herring. The recent unexplained shortage of herring has everyone worried and the failure of the run to materialize in 1964 has forced the fishermen to take another look at whether they should continue in business.

**Chubs:** This species has become increasingly important in the Lake Superior catch since the lake trout failure. Whereas only 29,000 pounds of chubs was landed in 1950, the catch in 1963 was almost 1.6 million pounds. Since 1958, the catch of this species has been in excess of 1 million pounds

annually. Chubs now contribute about 13 percent of the total poundage and over one-fifth of the total value of the industry. Prospects do not look good for further expansion of the chub fishery using traditional gear. However, some new gear can be developed for exploitation of the abundant chub.

**Smelt:** This species is extremely plentiful. Smelt was relatively insignificant in the landings until recently. The catch has increased markedly since 1959, with almost 1½ million pounds landed in 1963. Most of the catch is currently used for animal food. Fishermen lack experience and gear for capture of this abundant species.

In summary, the current fishery situation in Lake Superior, along with the present economic plight of the Lake Superior industry, warrants the use of resource disaster funds to provide immediate help to the industry. Without some immediate help, the remnant Lake Superior industry will be hard pressed to survive until the lake trout come back.

#### SIXTH ANNUAL REPORT OF ADVISORY COMMISSION ON INTER-GOVERNMENTAL RELATIONS

Mr. MUSKIE. Mr. President, the Advisory Commission on Intergovernmental Relations has submitted its sixth annual report to the President of the United States, the Vice President, and the Speaker of the House of Representatives. Members will recall that this Commission was established by Congress in 1959, for the following basic purposes:

First, to bring together representatives of the Federal, State, and local governments, for consideration of common problems;

Second, to provide a forum for discussion of the administration of Federal grant programs;

Third, to give critical attention to the conditions and controls involved in the administration of Federal grant programs;

Fourth, to make available technical assistance to the executive and legislative branches of the Federal Government, in the review of proposed legislation, to determine its overall effect on the Federal system;

Fifth, to encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

Sixth, to recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

Seventh, to recommend methods of coordinating and simplifying tax laws

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## CONGRESSIONAL RECORD — SENATE

I feel I must express support of our country's policy in retaliating against the staging areas and military installations in North Vietnam, which supported and planned the actions which resulted and are resulting in such tragic casualties for United States and Vietnamese personnel. What has been done was necessary to demonstrate that we will not tolerate overt aggression in South Vietnam by the North Vietnamese and their allies without determined reaction.

But this reaction by the United States is no substitute for a policy. The American people are worried; they are wondering whether we have a policy in Vietnam as well as the will to carry it through. Americans are also worried whether or not a majority of the Vietnamese people still have the will to resist Communist aggression, or want our aid in their resistance. Americans want to know why so few of our allies have come to help in South Vietnam, grateful as we are to those who have. Americans want to know what is the real meaning of the Japanese bid to mediate in the South Vietnamese struggle; what can be the role of India, Thailand, and other Asian countries under Communist Chinese threat; and what is the proper role of Great Britain, which is now helping Malaysia, and of President de Gaulle's France. From those who counsel negotiation, Americans want to know: Negotiate with whom and about what?

The statement by the majority leader expressing the hope that Great Britain and the Soviet Union will exercise their prerogatives as cochairman of the commission appointed under the Geneva accord of 1954 is a very sound one. I express my own hope and feeling that they will. But that, too, is not the policy of the United States. Only one man can make the foreign policy of the United States, and that is the President, subject, at most, to approval in some form by the Senate.

Mr. President, I ask unanimous consent to proceed for an additional 3 minutes.

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

Mr. JAVITS. Accordingly, Mr. President—and this is a parallel to the very fine statement made by the majority leader—I feel the time has come for the President of the United States to address the Nation, and address it promptly, in the most considered way, and state to the people of the United States and the world the U.S. policy and objective in South Vietnam.

For there is nothing in the U.S. position which is inconsistent with every effort to find an honorable solution to the struggle. The assertion of American will to carry on the fight against communism and our determination to maintain our aid to the South Vietnamese, so long as they wish it and show a will to resist, may in time bring an end to this grave conflict from which South Vietnam may emerge in peace and independence. Yet, while we continue to help the South Vietnamese, we should continue to explore every means, whether by conference or direct negotiation or through the United Nations good offices, to resolve the con-

flict. There is really no profound confrontation between those Senators who feel that the war should be extended—no Senator is foolish or reckless in this matter—and those who feel that we should negotiate. Certainly we are ready to negotiate, or to see that South Vietnam negotiates, under properly controlled conditions, in an attempt to settle the conflict there. But it takes two to negotiate; both sides must be receptive to the idea, and a solution cannot be made at the expense of the people of South Vietnam.

The United States is present in Vietnam in pursuance of a policy we have maintained since the settlement which eliminated the French presence in Indochina in 1954—namely, that we would not allow the South Vietnamese people to be overwhelmed by Communist aggression and subversion so long as they had the will to resist and sought our aid. Unless we are convinced that the majority of the South Vietnamese people no longer wish to continue their struggle against the Communists or to have U.S. assistance for that purpose, we cannot desert them.

The war in Vietnam must be considered also in relation to Communist plans to expand their domination over south and southeast Asia. Vietnam is the active front at the moment, but the struggle is being waged to resist the Communist advance into the whole of Asia and the Pacific. Should the balance tip strongly in favor of the Communists in Vietnam, the rest of this vast region—including not only the smaller countries of Thailand, Malaysia, Ceylon, Burma, South Korea, and Taiwan, but also the larger nations of Japan, India, Pakistan, and the Philippines—would be under dire threat and in serious jeopardy, and Australia and New Zealand would be in a gravely exposed position. Such towering events could change the whole balance of forces in the world against us and in favor of communism.

The American people must be clearly informed that at the heart of the problem lies a question of proportion. For casualties are a matter of heartbreak to each of us; yet we must match the incidence of these tragic losses to the infinitely greater losses of American lives which could be incurred if the position of the free world was radically altered by the capture of large parts of south and southeast Asia for communism.

In the free world, we do not operate in the dark. A great country states what its policy is in the greatest moment of crisis. I do not doubt that this is no new idea to the President of the United States, and that he is fully prepared to undertake this task. But there is a question of timing, and in my judgment the time should be now. With the situation deteriorating daily in South Vietnam, the President should speak promptly, for only the President can speak with authority.

Our people want to know what the position of the United States is. They want the President to make a firm declaration of policy, to tell us how we propose to continue, so all the world can read and understand. Then he will find, as

President Kennedy found in the Cuban crisis, that all of us, without regard to party, will rally to his side, and there will be the unity which has always been forthcoming to Presidents when such crises have faced the country.

## UPPER PENINSULA PROGRESS

Mr. HART. Mr. President, again I call attention to the economic needs and aspirations of Michigan's magnificent Upper Peninsula.

The Upper Peninsula Committee for Area Progress—UPCAP—a most constructive local group representative of the counties in the area, long has been working to develop the potential of the region.

I ask unanimous consent to have printed in the RECORD a press release announcing the latest of these forward steps which offer promise of a better future.

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

## UPCAP ANNOUNCES NEW SAWMILL AT L'ANSE

David O. Farrand, industrial development specialist for the Upper Peninsula Committee for Area Progress (UPCAP), announced the completion of the \$100,000 financing of the new Leo Erickson & Son Sawmill at L'Anse, Mich. This was accomplished by UPCAP with the participation and cooperation of the Commercial Bank of L'Anse, the Superior National Bank of Hancock, and the Small Business Administration.

The new mill is equipped with a modern debarker and loader and the chipper will be installed in February. This will provide two carloads of chips per day. Erickson, who has been in the lumber business for 20 years, also has a sawmill operating in Skanee.

The new mill will employ a total of 27 more men as sawmill workers and loggers which will double the present work force. Erickson has contracts with several nationally known wood-product companies and is highly regarded as an experienced sawmill operator.

The Commercial Bank at L'Anse will act as servicing agent in the financing arrangements. Farrand expressed his gratitude for the excellent cooperation of the two banks and the Small Business Administration for their assistance in this project.

## PROBLEMS OF LAKE SUPERIOR COMMERCIAL FISHERMEN

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent, factual account of the problems plaguing the commercial fishermen of Lake Superior. Similar conditions face those of the other Great Lakes.

This material, made available to me by the Lake Superior Commercial Fishermen's Association and the Michigan Fish Producers' Association, documents the reasons why disaster aid is needed by this industry.

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

## LAKE SUPERIOR RESOURCE DISASTER

The economic depression in the Lake Superior commercial fishing industry continues to worsen and the resource on which the industry depends, to deteriorate. The current situation constitutes a commercial fishery failure due to a resource disaster within the