

March 29, 1966

## CONGRESSIONAL RECORD — SENATE

6585

## SAFETY STANDARDS FOR MOTOR VEHICLE TIRES

The Senate resumed the consideration of the bill (S. 2669) to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes.

Mr. METCALF. Mr. President, today there are tubeless tires on automobile wheels having drop center rims. From time to time plugs are placed in the tires and sometimes tubes are inserted.

I am informed that a very serious and dangerous situation occurs if one inserts a tube in a tubeless tire. In the event of a puncture, the drop center rim would create the same problem as would a blowout.

Would this measure take care of such a situation?

Mr. MAGNUSON. Mr. President, the pending legislation is mainly directed at the sale of new tires and retreads.

The Secretary of Commerce would set these minimum safety performance standards. I am sure that the standards would include a prohibition on the sale of such tires as the Senator mentions. However, if somebody bought a tubeless tire and then purchased a tube and placed the tube in the tubeless tire, that situation would not be covered by this bill.

Every State has laws that require drivers not to proceed upon the highway with defective automobiles. I suppose that a highway patrolman in Montana could say to the Senator from Montana, if he were to take the steering wheel off his automobile and use some other steering device, that it was unsafe and that he could not drive the car in that condition.

States could prohibit someone from using on the highways tubeless tires with tubes inserted.

Mr. METCALF. That would be largely a State matter.

Mr. MAGNUSON. The Senator is correct. The Secretary of Commerce could make recommendations to the States that they prohibit such a practice on the ground that it would not accord with the so-called minimum standards.

Mr. METCALF. I hope that, when the bill is passed, some investigation might be made along that line.

Mr. MAGNUSON. If anyone were to sell a tubeless tire, whether it be secondhand or new or retread, with a tube in the tire, the minimum standards would cover that situation and the man would be liable for violating the law.

Mr. METCALF. I thank the Senator from Washington.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, and the bill having been read the third time, the question is, "Shall the bill pass?"

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.  
Mr. MANSFIELD. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from Louisiana

[Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Michigan [Mr. McNAMARA], the Senator from Rhode Island [Mr. PELL], and the Senator from South Carolina [Mr. RUSSELL] are necessarily absent.

I further announce that the Senator from Florida [Mr. HOLLAND], is necessarily absent because of the serious illness of his brother.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUYE], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], and the Senator from South Carolina [Mr. RUSSELL], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from Arizona [Mr. FANNIN], the Senator from California [Mr. MURPHY], and the Senator from Delaware [Mr. WILLIAMS] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent on official business.

The Senator from California [Mr. KUCHEL] is absent because of illness.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from California [Mr. MURPHY], and the Senator from Delaware [Mr. WILLIAMS] would each vote "yea."

The result was announced—yeas 79, nays 0, as follows:

[No. 60 Leg.]

YEAS—79

Aiken	Harris	Nelson
Anderson	Hart	Pastore
Bartlett	Hartke	Pearson
Bass	Hickenlooper	Prouty
Bayh	Hill	Proxmire
Bennett	Hruska	Randolph
Bible	Jackson	Ribicoff
Boggs	Jordan, N.C.	Robertson
Brewster	Jordan, Idaho	Russell, Ga.
Burdick	Kennedy, Mass.	Saltonstall
Byrd, Va.	Kennedy, N.Y.	Scott
Byrd, W. Va.	Lausche	Simpson
Cannon	Long, Mo.	Smathers
Carlson	Magnuson	Smith
Case	Mansfield	Sparkman
Church	McClellan	Stennis
Clark	McGovern	Symington
Cotton	Metcalf	Talmadge
Curtis	Millee	Thurmond
Dirksen	Mondale	Tower
Dominick	Monroney	Tydings
Douglas	Montoya	Williams, N.J.
Ellender	Morse	Yarborough
Ervin	Morton	Young, N. Dak.
Fong	Moss	Young, Ohio
Fulbright	Mundt	
Gruening	Muskie	

NAYS—0

NOT VOTING—21

Allott	Holland	McIntyre
Cooper	Inouye	McNamara
Dodd	Javits	Murphy
Eastland	Kuchel	Neuberger
Fannin	Long, La.	Pell
Gore	McCarthy	Russell, S.C.
Hayden	McGee	Williams, Del.

So the bill (S. 2669) was passed.

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from Washington [Mr. MAGNUSON] is to be commended for his highly capable handling of the tire safety measure. Its passage was unanimous.

No greater tribute can be given to the floor manager of the bill than unanimous endorsement by the Senate. Success of such magnitude, however, is typical of legislation supported by the able and astute chairman of the Commerce Committee. His countless triumphs in this body alone speak highly for his deep and abiding devotion to the people. We congratulate him for another triumph today and we are grateful.

Additionally, we thank the distinguished junior Senator from Wisconsin [Mr. NELSON] and the senior Senator from Indiana [Mr. HARTKE] for their splendid contributions, and also the junior Senator from Connecticut [Mr. RIBICOFF] for his assistance. The articulate support of these Senators helped greatly to assure the overwhelming success of this measure. And to the Senate as a whole I express my gratitude for swift and orderly action.

## ORDER FOR ADJOURNMENT UNTIL FRIDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Friday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

## THE FACTS ABOUT SENATOR SYMINGTON'S POSITION WITH RESPECT TO AIR ATTACKS ON NORTH VIETNAM

Mr. SYMINGTON. Mr. President, last Friday, the senior Senator from Pennsylvania [Mr. CLARK] made a statement on the floor of the Senate incident to his inserting several newspaper columns into the RECORD, the first paragraph of which read as follows:

Mr. President, during the debate on the supplemental appropriation bill for Vietnam earlier this week several distinguished Senators took issue with the view of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that further intensification of bombing in North Vietnam was not desirable.

The three Senators referred to in the columns in question were the senior Senator from Georgia [Mr. RUSSELL], the junior Senator from Pennsylvania [Mr. SCOTT], and the senior Senator from Missouri.

The second paragraph of the statement of the senior Senator from Pennsylvania's statement read:

Both the Secretary and General Wheeler spelled out in the course of the hearings, in what was to me a completely logical way, their reasons for concluding that it was not wise under the present circumstances either to start bombing the cities of North Vietnam, or to attempt to destroy the oil installation and storage facilities there, or to bomb or mine Haiphong Harbor.

The other two Senators can speak for themselves, but if there is any implication here that I am in favor of "bombing the cities of North Vietnam," the Senator from Pennsylvania could not be more incorrect. I have stated many times that I would oppose such attacks.

Mr. RUSSELL of Georgia. Mr. President, will the Senator from Missouri yield on that point?

Mr. SYMINGTON. I am glad to yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. Let me say that this point has been ever present during this whole discussion, the idea that someone was urging bombardment from the air of the cities in North Vietnam.

I have not heard that suggestion made by any Senators whatever. Even the military people, who have been very anxious to get the harbor in Haiphong closed, and have so testified before our Committee, have not advocated the bombing of the cities of Hanoi or Haiphong.

I have not heard of any Senator—whatever his views may have been on the importance of putting a stopper in the bottle at Haiphong—advocating the bombing of those cities.

However, it has been used in headlines. It has been used in articles. It has been used in debate on the floor of the Senate, but it is a strawman which has been built up merely to be knocked down, because no Senator or no one in the military, so far as I know, has advocated any bombardment of northern cities which would endanger the civilian population there.

Of course, it is impossible to carry out any air raid anywhere without some danger to the civilian populace. But, so far as having such an attack as those which were carried out against Tokyo during World War II, when the habitations of thousand and tens of thousands of people were burned to the ground in a matter of hours, no one has ever advocated that—at least it has never come to my attention.

This is purely a "red herring" which has been dragged across the trail in this debate, when we are merely asking that a stopper be put in the bottle in the harbor at Haiphong, to be closed in a manner which our professional military men believe is somewhat desirable.

Mr. SCOTT. Mr. President, will the Senator from Kansas permit me to address a question to the Senator from Missouri?

Mr. PEARSON. I am happy to yield to the Senator from Pennsylvania for that purpose.

Mr. SYMINGTON. I will be happy to accommodate the Senator from Pennsylvania, but first I should like to comment on what the distinguished chairman of the Armed Services Committee said, in

effect that to the best of my knowledge no one, either in the Senate or in the Military Establishment today, on active duty, has ever recommended, informally or formally, that we bomb the city of Hanoi.

I am glad to yield to my friend from Pennsylvania.

Mr. SCOTT. I should like to join in that expression of the Senator from Missouri because while columnist after columnist has striven to set up a strawman, that some Senator has advocated the bombing of the cities of North Vietnam, so far as I know—and I am the third Senator referred to by the Senator from Missouri—none of us has advocated the bombing of any northern city.

If anything appears in the CONGRESSIONAL RECORD to that effect, it is in error so far as I am concerned, and it would be an inadvertent error. To the best of my knowledge, I have sought most carefully in public statements, in television and radio programs, and on the floor of the Senate, to make it clear that while I favor a blockade of the harbor of Haiphong or, as the distinguished Senator from Georgia stated, putting a plug in the bottle, I also would favor the mining of the harbor of Haiphong, and I have made that clear. But I have not, and do not now, advocate the bombing of the cities of North Vietnam—in the sense which the Senator from Georgia has made clear—the kind of bombing which would result in civilian deaths of an indiscriminate character.

While several Senators have expressed support of a strategy of bombing military targets throughout the whole of Vietnam, North and South, I should like the RECORD to show—because one distinguished columnist from New York has included the names of three Senators in a commentary which would appear to indicate that we do so favor—that I have not heard the Senator from Georgia, or the Senator from Missouri, and certainly have not myself, at any time, advocate the bombing of Hanoi and Haiphong, or of other cities of civilian populations, generally or indiscriminately.

I thank the Senator from Kansas and the Senator from Missouri.

The PRESIDING OFFICER. The Chair would like to make an observation at this point, if the Senator from Missouri [Mr. SYMINGTON] will suspend for a moment. I have been advised by the Parliamentarian that the previous unanimous-consent agreement entered into by the Senate was to continue with morning business following the vote at 2 o'clock.

Therefore, technically, we are still in the morning hour, with a 3-minute limitation. The Chair wishes the Senate to be aware of that.

Mr. MANSFIELD. Mr. President, will the Senator from Kansas yield?

Mr. PEARSON. I yield.

Mr. MANSFIELD. Would the distinguished Senator from Kansas consider allowing a morning hour to be agreed to, with the proviso that at its conclusion the Senator from Kansas will immediately be given the floor?

Mr. PEARSON. I am very pleased to accede to that request.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Missouri may have 10 additional minutes to proceed.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. JACKSON. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I wish to commend the distinguished Senator from Missouri in connection with the remarks he is making on the floor of the Senate.

I have come to the conclusion that it is necessary, almost daily, to keep the record clear in connection with the proposal to bomb North Vietnam.

As the Senator from Georgia has mentioned, I do not know of a single military or civilian official who has ever advocated bombing in the north to obliterate cities. The discussion has been limited exclusively to power, ports, and petroleum, with references to certain airbases in addition.

I want to say to Members of the Senate that I think it is regrettable that day after day these allegations are made that anyone who advocates bombing in the north is desirous only of obliterating the cities in the north—which is simply not true.

I commend the distinguished Senator from Missouri for the statement he has made on the floor of the Senate on this point.

Mr. SYMINGTON. I thank the able Senator from Washington, a distinguished authority in this field.

The senior Senator from Pennsylvania then refers to a column which raises another strawman to be knocked down; namely, the possible boarding of a Soviet ship by an American destroyer. I was not talking about anything of that character. These docks could be taken out of operation by air attacks, or by the same efforts against this North Vietnamese harbor that the Vietcong and the North Vietnamese have made against the Saigon harbor of South Vietnam.

The senior Senator from Pennsylvania then quotes some testimony of the Chief of Naval Operations, possibly implying that the Chief of Naval Operations opposes any attack on the transportation facilities at Haiphong because such an attack would not improve our military operations in South Vietnam.

If that was the idea, this deduction also is not correct.

The Joint Chiefs of Staff, of course, support the decision of higher authority; but from a military standpoint all members of the Joint Chiefs and the Commandant of the Marine Corps who sits with them have testified before a joint session of the Armed Services and Appropriations Committees that they were unanimous in believing a neutralization of the harbor facilities at Haiphong would help our military operations in South Vietnam.

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Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. SYMINGTON. If I may complete my statement, I will yield first to the senior Senator from Pennsylvania.

The testimony of the Joint Chiefs was deleted by the Defense Department, but because of the statement made by the senior Senator from Pennsylvania, incident to his insertion of these columns I have urged the Department to declassify said testimony.

What could be more logical than neutralizing these docks, in that we have testimony that a majority of what is going down the Ho Chi Minh trails into South Vietnam comes through this harbor.

In a report to the chairman of the Armed Services and Foreign Relations Committees last January 24 with respect to my trip to Thailand and South Vietnam, I stated:

The time is approaching when we must decide—while the decision is still ours to make—whether we will move forward or move out. Whichever course we choose, we must take it with courage, with skill, and with realism. We must be equally realistic about the consequences of avoiding this difficult choice.

That was my position then and that is my position now; and I do not understand those who want us to just hang on in South Vietnam on a quantitative basis only, one against one, one fine American youth against an illiterate Vietcong guerrilla, a ground war in Asia utilizing little of the qualitative technological advantages which have given the United States superiority to the point of supremacy on the sea and in the air.

This is why I would prefer to either "move forward or move out," instead of continuing a policy of fighting it out "1 to 1"—at times 1 to 10—on the ground.

It is mathematical that the more we successfully attack meaningful military targets in North Vietnam, the less will be the number of American casualties in South Vietnam.

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

Mr. SYMINGTON. I yield to the able Senator from Pennsylvania.

Mr. CLARK. I am delighted to know that none of the Senators who have spoken in the last few minutes wish to bomb the cities of North Vietnam. If this is a mere strawman, I am glad the Senator from Missouri and his colleagues have destroyed that strawman. It has been widely alleged in the press that there were individuals, both in the Military Establishment and in the Senate, who wanted, however, to destroy the cities of North Vietnam by bombing.

I am delighted—

Mr. SYMINGTON. Mr. President, the Senator from Georgia [Mr. RUSSELL], chairman of the Armed Services Committee, made a statement with which I agree without reservation. I have never heard of anyone, either a member of the Armed Services Committee or the Senate, or in the Military Establishment who wants to bomb the cities of Hanoi or Haiphong.

Mr. CLARK. As the Senator from Missouri well knows, because of the discussion, the information just received

from the Pentagon makes public highly classified information which was not known by me at the time of my comments. I was unaware, until the Senator from Missouri made the statement, of the position of the Joint Chiefs of Staff. I think the Senator will agree that one who read the hearings on the Vietnam supplemental appropriation bill was entitled to believe that General Wheeler and Admiral McDonald were supporting the Secretary of Defense and the President of the United States. We have now been told they do not, and that their views were overruled by higher authority.

Mr. SYMINGTON. To make the record straight, I have urged the Defense Department that the detailed testimony of the Joint Chiefs, as well as the Commandant of the Marine Corps, who sits with them in their meetings, be made public on this subject.

Without going into any detail, I present to the Senate and the people today the fact that, from the military standpoint, all the Joint Chiefs were in favor of neutralizing the port of Haiphong; also that I have requested the details of this information be declassified by the Department of Defense.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. SYMINGTON. I am glad to yield to the Senator from Pennsylvania.

Mr. CLARK. In my judgment, the Secretary of Defense, Mr. McNamara, and the President of the United States, who are higher authority in both instances than the Joint Chiefs of Staff, are correct in their present determination not to expand the bombing in North Vietnam to include the harbor of Haiphong and not to mine at this time the harbor of Haiphong; and not to take out, or attempt to take out, the oil storage installations in North Vietnam. I point out the danger of civilian casualties is not remote. To my way of thinking, this is a political decision correctly made by the President of the United States, under the advice of the Secretary of Defense, and I support them both.

I regret that the Senator from Missouri and his colleagues who have spoken do not support the present Secretary of Defense, but that is their perfect right. Certainly, the Senator from Georgia and the Senator from Missouri, with their vast experience, not only as members of the Armed Services Committee, but in one instance as a former Secretary of the Air Force, have the right to have their opinion. But I support the President of the United States.

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

Mr. SYMINGTON. Before I yield to the junior Senator from Pennsylvania, let me say I am glad the senior Senator from Pennsylvania supports the President in his decision, and only wish he would support him in more decisions.

This, however, was not the purpose of my talk today. I know how the Senator from Pennsylvania feels about all this, because he often talks about it. He has made his position clear. Some of us do not agree with him.

All I wanted to do today was correct the Record from the standpoint of fact. It is a fact that the Joint Chiefs and the

Commandant of the Marine Corps believe from the military standpoint, that it would cause less slaughter of young Americans if we took out the use of the docks at Haiphong.

I am one who believes, when we get into a war, it is logical to pay respect to those people in whom the American people have invested a great deal of money to learn how to be as successful as possible militarily at minimum cost and, what is more important, at minimum loss of life.

I yield to my friend from Pennsylvania. Mr. CLARK. Mr. President, will the Senator give me the courtesy of permitting me to raise one more question.

Mr. SYMINGTON. The Senator from Pennsylvania [Mr. SCOTT] had asked me to yield to him. Then I will be very happy to yield to the senior Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. Does the Senator request additional time?

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may be permitted to proceed for 5 additional minutes.

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

Mr. SCOTT. Mr. President, I simply wanted to take this opportunity very briefly to make my position crystal clear so that there will be no misunderstanding with reference to proposals either to blockade or to mine the harbor of Haiphong.

I have expressed a personal opinion that the interdiction of the use of this harbor by these particular measures would be in the interest of terminating or reducing casualties and shorten the period of the war.

In doing that I recall that Gen. Maxwell Taylor stressed it was his personal opinion, and not in an official capacity—and he said it at one time not so very long ago—that he felt our strategy could afford to include the mining of the harbor of Haiphong. I think he spoke in an individual capacity.

I do not pretend to know as much as the experts know here. But I want to make it clear that what I say in this regard is not criticism of the Commander in Chief or the Secretary of Defense because they have not up to this time included these measures in their strategy.

I will support the President of the United States throughout in the conduct of the war. I have said so. I have never varied from that statement. I believe the President is following the right course. I believe his advisers are counseling him to the best of their ability.

When I make a comment which might vary from a specific aspect of the present policy governing the conduct of the war I wish to have it understood that it is a personal comment based not on any expertise on my part but on the limited information available to me. Of course, as I have just indicated, I support the President in his basic position with respect to the situation in Vietnam.

Mr. SYMINGTON. I thank the able Senator from Pennsylvania and agree with him. I support the President's position. I will always support the

President's decision when I think it is right.

The purpose of my remarks today however were, first, to present that there was no effort on the part of myself, and I know on the part of the Senator from Georgia or the junior Senator from Pennsylvania, or anybody we know of, to recommend the bombing of the city of Hanoi.

The second point is I am glad the Senator from Pennsylvania [Mr. SCOTT] has brought up the fact one of the ablest and most dedicated American patriots of today, Gen. Maxwell Taylor, who also has been our Ambassador to South Vietnam, reported in open hearings of the Foreign Relations Committee that he thought it would improve our military position in South Vietnam if we neutralized the harbor of Haiphong in North Vietnam. Finally, I present the military position of the Joint Chiefs on this matter.

Now, I shall be glad to yield to the Senator from Pennsylvania if the Senator from Pennsylvania would like to make further comment.

Mr. CLARK. I thank my friend. I think that I made my point as completely as I need to, but in view of the comment made a moment ago by the Senator from Missouri, I would like to suggest that if we examine the record of support for the President, the Senator from Pennsylvania will not fare badly in comparison with the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I thank the able Senator from Kansas for his courtesy in yielding.

#### VISIT OF PRIME MINISTER OF INDIA

Mr. BASS. Mr. President, we in this Nation are extremely happy and proud to have the distinguished, beautiful, and intellectual lady of a great nation visiting us, the Prime Minister of India.

Nearly two centuries ago, President Jefferson spoke of liberty as being a contagion which would spread around the world. We have seen his prediction come true as people around the globe have demanded nationhood, individual liberty, and freedom from oppression.

Yet political liberty, we know, is worth little if there cannot also be liberty from hunger and disease. This is why another contagion has been spread by America: the contagious desire for freedom from starvation and illness.

The distinguished Prime Minister of India, Mrs. Gandhi, touched on this yesterday. Speaking of her desire to alleviate the hunger and sickness of her people, she quoted the President of the United States:

Declaring unconditional war on the pockets of poverty in your own country—

She told the President—  
you have said, "We want to give people more opportunity. They want education and training. They want a job and a wage. They want their children to escape the poverty which has afflicted them."

In a brief but moving statement, Mrs. Gandhi concluded:

Important as these words are for the American people, they cannot mean as much to them as they do to us in India who have

so long been denied the very basic decencies of life.

Last night the President replied to her moving appeal with a challenging idea. He suggested that an Indian-American Foundation be established, endowed with excess rupees owned by the United States—rupees now lying idle while some use is sought for them which will not have a damaging impact on the Indian economy.

His proposed solution is welcome and interesting to me. I support it. I agree with the President that this proposal promises a "new and imaginative venture."

We are the ones who spread across the world the contagion of liberty and the contagion of ambition. We cannot—ignore the effects of that contagion on our neighbors.

I hope that the Indian-American Foundation will receive strong support from our people, and that it will go to work soon to improve life for our 500 million friends in India, Asia's largest democratic nation.

#### PROPOSED LOCATIONS OF ELECTRON VOLT—BEV.—PROTON ACCELERATOR

Mr. RUSSELL of Georgia. Mr. President, on Tuesday of last week the Atomic Energy Commission received a report from the National Academy of Sciences recommending six possible locations as the site for the proposed \$375 million, 200-billion electron volt—Bev.—proton accelerator. It is my understanding that the AEC will now proceed to select the final site from among the six locations recommended by the Academy and its 12-member Site Evaluation Committee.

The recommended locations are Ann Arbor, Mich.; Brookhaven National Laboratory, Long Island; Denver; Madison, Wis.; Sierra Foothills, Calif., and South Barrington—or Weston—near Chicago. As the Committee said, it judges these six locations to be clearly superior to the other sites that were among the 85 proposals the AEC referred to the Academy for evaluation and recommendation.

I wish to make it perfectly clear that I do not question the qualifications or the integrity of the members of the Site Evaluation Committee. They are all distinguished scientists of national repute.

However, I do challenge the geographic basis upon which the Committee based its recommendations. It seems evident to me that the Committee gave unfair and undue weight in its recommendations to locations which, in the main, already have considerable resources in the nuclear research field. The Committee appears to have given scant, if any, consideration to the long-term advantage to the Nation of using this accelerator project as a stimulus for developing new scientific strength and resources in other parts of the country such as my own which is struggling against great odds to achieve a scientific parity with the rest of the Nation.

Mr. President, the inevitable effect of placing the national accelerator laboratory in a location such as the Chicago area or California will be to promote an

even greater geographic imbalance in our national scientific strength. It will mean a further concentration of this strength in a few areas of the country while placing a brake on the scientific development of other areas, such as the South.

Mr. President, the consequences of the Academy's site recommendations upon both the national interest and on the southern region is powerfully presented in a letter to Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, from the Honorable Eugene Patterson of Atlanta. Mr. Patterson served as chairman of the Accelerator Committee of the Atlanta Chamber of Commerce and is the distinguished editor of the Atlanta Constitution.

I wish to read Mr. Patterson's letter into the RECORD.

ATLANTA CHAMBER OF COMMERCE,  
March 24, 1966.

Dr. GLENN T. SEABORG,  
Chairman, Atomic Energy Commission,  
Washington, D.C.

DEAR DR. SEABORG: In discharging their responsibility for recommending locations for the 200-Bev. accelerator the National Academy of Sciences unquestionably employed superior judgment and objectivity—based on the locational criteria made available by the Atomic Energy Commission. It is apparent that the factor of inequitable distribution of the Nation's scientific research installations was not introduced into the locational equation.

Realizing that the NAS report is in the form of a recommendation, and that the AEC is not bound to the selected sites, we want to again impress upon your office our view of the broader national interest involved in the selection of a site for this facility. We cannot believe the thought processes regarding this facility are short range in nature. If the principal aim is to get the accelerator in operation in the shortest possible time, five of the six selected locations are logical. The discipline of high energy physics is relatively mature in those places. But we believe long-range implications should prevail in an installation of this significance.

If national policy dictates geographical balance in other areas of our society, why not in scientific strength? The cycles that the South is striving to break in the long reach toward national standards will never be broken without clear recognition, and decisive action, by federally controlled agencies in their search for new sites for major research facilities.

We would point out that Los Alamos, Oak Ridge, and Houston were not rich with scientific talent until an outside influence dictated the desirability of moving there.

Placed in the South, the accelerator would serve a catalytic function that would do more to propel this region into the mainstream of scientific excellence than five times \$375 million doled to our universities as grants. And this, we submit, is a consideration so consistent with the national purpose, and so vital to the development of the Nation's least developed region—the South—that we urge its inclusion as a primary criteria in your further deliberations on this project, in view of its projected magnitude.

Sincerely,  
EUGENE PATTERSON,  
Chairman, Accelerator Committee.

Mr. President, I want to state that I emphatically share the views and arguments that Mr. Patterson presents with great force and eloquence. I believe his rebuttal to the recommendations of the Academy Committee is too compelling

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It is also for this reason that I pay great tribute to these leaders, these individuals who have given so much of their time and energy, who have had the vision to provide for the support to meet these goals.

I believe that we are able to visualize now, advances that we will look back upon in comparison to the advances we have made will be regarded as far more exciting than ever before. I think the future now holds much greater promise in the conquest of these diseases than ever before, provided we continue to support this movement as strongly as it has been supported in the past, and even more strongly. We can only achieve the goals which Congressmen FOGARTY so eloquently referred to a moment ago by this concerted effort, by this recognition of the need to support medical research and the need to support education in these fields.

I would hope that we will do this now and continue to do this in the future.

I would like again to express my deep gratitude for this high honor and for the wonderful things that these people in this audience and at this table have done to make it possible for me as a representative of medical science to receive this honor. Thank you so much. [Applause.]

THE WHITE HOUSE,  
Washington, March 15, 1966.

DR. MICHAEL E. DEBAKEY,  
Statler Hilton Hotel,  
Washington, D.C.

DEAR DR. DEBAKEY: I am happy to express publicly my warm admiration for your work.

The James F. Mitchell Foundation could have chosen no worthier recipient for its medical research award.

Your talent and your energy in this cause will live forever in the accomplishments which bear the DeBakey mark.

Your successful leadership in marshalling the resources of this Nation to bring to all mankind the maximum benefits of medical research has justifiably earned you the world's acclaim.

Your efforts as Chairman of the President's Commission on Heart Disease, Cancer, and Stroke have advanced an endeavor to which I have long been deeply committed.

Your Nation salutes you and your President commends you.

Sincerely,

LYNDON B. JOHNSON.

#### TRIBUTE TO THE GREEK GOVERNMENT FOR ENJOINING GREEK-FLAG VESSELS FROM TRANSPORTING CARGO TO AND FROM NORTH VIETNAMESE PORTS

Mr. BYRD of Virginia. Mr. President, I rise today to commend the Greek Government for a royal decree it enacted on March 2, 1966.

As a result of that decree all Greek-flag vessels are enjoined from the transportation of cargo of any kind to and from ports of North Vietnam.

As I pointed out before on the floor of the U.S. Senate, and I point out again today, Mr. President, ships flying the flags of allied nations—those with whom our country has mutual defense pacts—are delivering goods and commodities to North Vietnam.

A large majority of these ships fly the British flag.

Merchant shipping is the sole important industry of the Greek Nation. So the initiative of the Greek Government in preventing ships flying its flags from trading with North Vietnam should receive public recognition.

This initiative of the Greek Government proves once more the sense of allied solidarity which Greece has already shown in other similar circumstances. Indeed, since 1949 Greece has restricted all trade with Red China, this in marked contrast with other allied governments, particularly West Germany, which has officially guaranteed the financing of a steel plant for the Red Chinese.

I cite another example. The Greek Government has barred all trade with the island of Cuba, the royal decree being signed on March 12, 1963, and September 24, 1963.

I am pleased today to publicly commend the Hellenic Government for its March 2 decree which prevents Greek-flag vessels from transporting cargo of any kind to and from the ports of North Vietnam.

This should be a source of great pride to the Greek-Americans, who are such an important part of our Nation. These warmhearted people have proved themselves through the years to be among the very finest citizens of our Nation.

Incidentally, last Friday, March 25, was the 145th anniversary of Greek independence from the Ottoman Empire, which was won in 1821.

#### BUSINESS ALERTED CIVIL RIGHTS IMPACT GREATER AND BROADER THAN WAGNER ACT

Mr. BYRD of West Virginia. Mr. President, I wish to insert in the RECORD an article which appeared in the February-March issue of Trial, published by the American Trial Lawyers Association, entitled "Business Alerted Civil Rights Impact Greater and Broader Than Wagner Act."

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

#### GUIDELINES FOR ENFORCEMENT—BUSINESS ALERTED CIVIL RIGHTS' IMPACT GREATER AND BROADER THAN WAGNER ACT

The U.S. Justice Department served notice it intended to increase enforcement of the anti-discrimination section of the Civil Rights Act.

Twenty-one Federal agencies handling grants for Federal assistance were given detailed guidelines from Attorney General Nicholas deB. Katzenbach on how they were to proceed under the Civil Rights Act, especially the antidiscrimination (title VI) section.

This section requires withholding of Federal monetary assistance from any program where discrimination is found.

The Attorney General disclosed he had asked the U.S. Civil Service Commission to develop and train officers and personnel in Federal agencies charged with enforcement of title VI.

#### WARNING TO BUSINESS

At the same time the Industrial Relations News—the weekly newsletter in the personnel and industrial field—called upon attorneys for business to realize that title VII (equal employment opportunity section) would have "a broader and deeper effect upon business than did the Wagner Act if the businessman would prevail competitively."

Quoting a prominent Washington, D.C., attorney, the IRN said: "What a corporation needs today to remain competitive is a corporate policy against discrimination backed by aggressive procedures, and definite action.

Damage from an unjust accusation by a disgruntled employee could be devastating to a corporation image and sales before it proves the charges baseless and unjust."

The U.S. News & World Report magazine asked in a feature article if "enforcing civil rights laws would be a prohibition-size job."

With 631 full-time workers to enforce all the laws against racial discrimination, the Federal Government would have to police: 258,000 employers of 31 million workers; 220,000 restaurants; 67,000 hotels and motels, etc.; 27,000 public school districts; 27,000 public parks; 250,000 housing units and 190 Federal aid programs—to mention but a few listed by U.S. News & World Report.

The eight-page Katzenbach directive included requirements that the agencies hold hearings to determine whether or not a recipient of Federal aid is complying with the antisegregation law. Also included is a requirement that the agencies make continuing, periodic checkups to make certain compliance is continuing.

Katzenbach, who was given the task of enforcing title VI after that duty was taken from the Office of Economic Opportunity, said:

"There should be no mistaking the clear intent and effect of the guidelines. Title VI must and will be enforced. Assistance will be refused or terminated to noncomplying recipients and applicants who are not amenable to other sanctions."

Katzenbach said also the guidelines are not to be applied retroactively. Included in the guidelines was a policy statement: "It is clearly inconsistent with our national policy of fair play and justice if any citizen is excluded on racial grounds from programs or activities receiving financial aid from the Federal Government."

The guidelines are designed to assure that Negroes will receive, among other benefits, adequate care in hospitals, equal access to surplus foods, full participation in programs for higher education, and equal employment opportunities, he said.

#### DOUBLE LEGAL STAFF

To enforce the new civil rights laws the Justice Department has more than doubled its staff of lawyers and plans to add more legal assistance. Enforcement of the Voting Rights Act alone is expected to prove a major undertaking for the Justice Department.

Some indication of the problems that may arise came in an unusual suit filed by Alaska in the U.S. district court.

The Voting Rights Act provides that a State may use a voting test if the District Court at Washington, D.C. finds that the test is not used to discriminate on racial grounds. The Alaska Constitution provides that any citizen who is 19 years of age or older who can read or speak English and has resided in the State at least 30 days can be enrolled to vote.

Alaska Gov. William A. Egan and Senators ERNEST GRUENING and E. L. BARTLETT said this test never was used.

#### PUBLICATION OF ARTICLE BY SENATOR SPARKMAN IN THE VIRGINIA LAW WEEKLY

Mr. STENNIS. Mr. President, the law school at the University of Virginia was honored recently by having an article written by the Senator from Alabama [Mr. SPARKMAN] appear in the March 10, 1966, issue of the Virginia Law Weekly. The article was on real property matters, on which the Senator from Alabama is indeed an authority.

The history and development of the standard rule of procedure for trying condemnation of land cases, especially as

it relates to the right to trial by jury, is discussed in this article. I have always favored protecting the right to trial by jury, and the Senate itself on two occasions has passed proposed legislation in line with the views expressed by the Senator from Alabama.

I ask unanimous consent that this article be printed at this point in the RECORD.

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

**REAL PROPERTY IN THE URBAN SOCIETY—SENATOR DESCRIBES NEED FOR JUST COMPENSATION**

(NOTE.—JOHN J. SPARKMAN has served since 1946 as U.S. Senator from Alabama. For 10 years prior to his election to the Senate he served as a Member of the House of Representatives. In 1952 he was the Democratic nominee for Vice President.

(Senator SPARKMAN is chairman of the Housing Subcommittee of the Banking and Currency Committee and is also chairman of the Select Committee on Small Business. He is ranking member on the Foreign Relations and Banking and Currency Committees.

(As a member of the Alabama bar, Senator SPARKMAN was active in the practice of law from 1925 to 1936. He received his A.B., A.M. and LL.B. degrees from the University of Alabama where he was a member of Phi Beta Kappa.)

(By JOHN J. SPARKMAN)

At the outset, I would like to take occasion to commend the law school at the University of Virginia and the Virginia Law Weekly for the very fine series of articles which have been called to my attention on the subject of real property and the problems both legal and governmental related thereto in the development of our society at the local, State and national levels. It is a privilege to respond to an invitation to comment on the basic subject of just compensation and the related programs for relocation aid which I consider in definite need of unification.

It is paramount in my concept of housing, urban renewal, open space, highway construction and all programs geared to aid both the individual and local public bodies, that the Congress as well as the courts should keep in mind a proper balance between private property rights as laid down in both State and Federal Constitutions and the exigencies of the times as motivated by an unprecedented population growth and a gross national product that would have staggered the imagination of both law students and faculty alike at this great institution of higher learning less than a generation ago. In fact, if the ghost of Thomas Jefferson walks occasionally amongst the pleasant and beautiful colonnades of the university that he founded, he must believe that in fact a better part of his battle against every form of tyranny over the mind of man must have been won or else no nation founded on freedom of the individual could have attained such greatness.

There is another side of the picture, however, and that is the lot of the individual who is thrown out of his property by the onrush of what might appear to be a tyrannical government with no place to go and with only an often too small sum of money in his hands that will not go very far in the modern world of high prices, to replace his castle that he called his home. He is the victim of the use of sovereign power as expressed, if need be, in eminent domain proceedings whether State or Federal—a power necessary to the public interest, but a power that should be used sparingly and with the aid of compassionate legislation which lets him know that his Government is willing

to balance sovereignty with at least the spirit of the Bill of Rights without which our constitutional form of government would not have been brought into existence in 1789.

**RIGHTS ADJUSTED**

We have made several departures from our original guaranties in the Constitution as regards individual and property rights. This has been done by the developing tide of legislation to care for the masses of the people and to refurbish the economy. It has been done also under the doctrine that the Constitution is what the Supreme Court says that it is. The Court in its own way has adjusted the Constitution somewhat to the temper and mores of the people of its generation or era.

As to the issue of just compensation, I have been extremely interested in seeing a landowner get full compensation under the fifth amendment since as a budding young lawyer in Alabama I tried my first condemnation case in Federal court. In those days prior to the Federal Rules of Civil Procedure, Federal courts operated under the Federal Conformity Act, which meant that they would conform as nearly as practicable to the law of the State. All but four States allowed a trial by jury of the issue of just compensation as a matter of right. Naturally it followed that in Federal courts a jury trial was available when demanded. This rule was abolished when rule 71A(h) of the Federal Rules of Civil Procedure went into effect.

I am an open and firm advocate of keeping high and inviolate the right to trial by jury in criminal, civil and land condemnation cases. The courts have made inroads on these rights, perhaps in the practical interest of clearing out overcrowded dockets. In so doing they have narrowed the protecting scope of constitutional guaranties in criminal matters, mainly criminal contempt and in the right to jury trials in civil matters under the seventh amendment.

Court decisions holding in effect that the seventh amendment does not assure the right to trial by jury in condemnation of land cases paved the way for the arbitrary action of the Supreme Court in abolishing it as a right of promulgating rule 71A(h). See *United States v. Iriarte*, 157 F. 2d 105 (1st Cir. 1946), which was predicated on the common law clause of the seventh amendment. See also *Bauman v. Ross*, 167 U.S. 548 (1897).

When rule 71A went into effect on August 1, 1951, I had been in the Senate nearly 5 years. I remember distinctly the great alarm held by the late Senator Pat McCarran, of Nevada, then chairman of the Judiciary Committee of the Senate, over the Supreme Court in promulgating this rule assuming that its rulemaking authority extended to substantive matters such as the right to trial by jury. He felt, as I did and still do, that the Supreme Court should restrict itself to the matters delegated to it by Congress when it was authorized to promulgate rules of procedure and not statutory rules of substantive law. In other words, it could deal with the method of selecting the jury but not with the right to jury trial itself. Here it had clearly stepped over the bounds.

An unfortunate and delicate practical situation faced the Congress, however, because the rule had to be rejected within 90 days or it became law by silence. All of rule 71A which was the whole condemnation procedure and a good one at that, had to be rejected to get at the obnoxious part which was subsection (h). This subsection sounds innocuous in its statements that either party may demand a jury trial but it clearly gives the discretion to the trial judge as to whether he shall allow a jury trial, appoint commissioners or hear the issue of just compensation himself. In other words, he can do what he pleases with a sacred and traditional right that is protected by the constitutions

or laws of practically every State in the Nation.

This is a right also which deals with the payment by the Government for the invasion of a basic property right which must yield to sovereignty. In this I have always felt that just compensation should not be merely the popular and honest sounding term "fair market value," but that something else in the nature of punitive damages should be allowed. Yet in the great maze of court decisions on this point I have not been able to suggest a clear rule that would seem to cure all of the inequities that might arise.

Senator McCarran in 1951 suggested to the Senate that in lieu of rejecting all of rule 71A, it pass a separate resolution and later a simple bill stating that if either party in a condemnation of land case demanded a jury trial of the issue of just compensation, it would be granted as a matter of law. I supported this bill and I would support another one in the future at any appropriate time. The Senate on two occasions passed this bill but unfortunately the House Judiciary Committee remained adamant and it did not become law. I cannot but feel that if and when this issue is laid squarely before the House of Representatives and is debated, then the right to trial by jury will prevail.

**COSTLY APPOINTMENTS PREVAIL**

Judges are only human and it is easy for a normal tendency toward clearing dockets by appointing commissioners to prevail. Commissioners may or may not allow as much compensation as juries. They cost much in fees and unnecessarily large records themselves, however, and the informality of their proceedings is a far cry from a court trial wherein a legal record according to the rules of evidence may be made and on which an intelligent appeal can be taken. Moreover, a report of a commission cannot be set aside and an appeal taken thereon unless it is clearly wrong—not just normally wrong. (See rule 53 F.R.C.P.) I have heard informally that judges here and there have tended to strain or abuse the discretion given them by rather consistently denying jury trial demands and appointing commissioners. Congress might well at some appropriate time look into this with a legislative purpose in mind of restoring the right to trial by jury. There has been a tendency in this direction in the field of criminal contempt and in civil rights laws. Judges can discipline themselves through judicial conferences. Above that, however, is the basic right of jury trial which the legislative branch should foster and protect, the rulemaking authority of the Supreme Court to the contrary notwithstanding. This should be done together with whatever added increments Congress chooses to give to the landowner whose property is taken or to the rental displacee whose business is destroyed or who must relocate his family in a home wherever one is available, and indeed they are not always easily available.

As a matter of fact, since the change was made in jury trial rights in 1951, Congress has enacted several laws giving added benefits to persons displaced by governmental action. By "added" it is meant that they are not a part of the court award or of the negotiated contract that led to the displacement of the landowner or the tenant. In urban renewal, court action, of course, is through State eminent domain proceedings.

This is a necessary and fair approach. Added increments as balancing compensation are but categorical responses to government intrusion. In another but related field, namely the right of privacy, the Supreme Court has used the following suggestive language: "the need for a pervasive right of privacy against government intrusion has been recognized though not always given the recognition it deserves." *Gibson v. Florida Legislative Investigation Comm.*, 372 U.S. 539 (1963).

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expanded to cover business administration, statistics, and economic development.

One result Merritt noted proudly, "We probably have more alumni in Thailand than any other university in the world."

Among many "contract" jobs over the years: training medical school teachers in West Pakistan; training clerks, typists, and secretaries in Indonesia; training nurses in Korea; audiovisual instruction for Africans.

Indiana University today is administering eight contracts:

Starting an institute of education and research in West Pakistan.

Training vocational-education teachers at the University del Trabajo in Uruguay.

Teaching audiovisual techniques in Nigeria.

Observing a Peace Corps project in Sierra Leone. Peace Corps men have trained at Indiana University.

Upgrading the economics department of Catholic University of Caracas, Venezuela.

Upgrading business methods of the National University of San Marcos, Peru.

Setting up an institute of business administration at the University of Dacca, East Pakistan.

The continuing Thailand project.

Indiana University's international-studies program got a tremendous boost in 1961 from a \$2.8 million grant by the Ford Foundation. And this year, Ford threw in \$3 million more.

#### FOUR UNIVERSITIES JOIN

Ford in 1964 also made a \$3.5 million grant to the Midwest Universities Consortium for International Activities (MUCIA), composed of Indiana University, Wisconsin, Michigan State, and Illinois.

With this money, the four universities are joining in various projects, in Nigeria, Peru, Thailand, Okinawa, and other countries, and are "sweetening" related research by their own graduate students.

Indiana University also has joined six other universities in another consortium to help develop sciences at Mindanao State University in the Philippines. This, too, is Ford financed.

In 1959, Indiana University opened a study center for Indiana University students at the University of San Marcos in Lima, Peru.

Last September, along with Purdue University, it opened similar centers at universities in Hamburg, Germany; Madrid, Spain, and Strasbourg, France. By itself it opened another at the university in Bologna, Italy.

About 30 students each are enrolled at Lima, Hamburg, Madrid and Strasbourg and nine at Bologna.

Every student is proficient in the language of that country. Most are language and literature majors, but Indiana University is trying to interest students in other major fields. One Indiana University or Purdue faculty member oversees each center.

By last May, the internationally oriented programs at Indiana University had grown so rapidly and in such profusion that the board of trustees established an International Affairs Center to coordinate them all.

#### TRAINING FOR FACULTY

The center, directed by Robert F. Byrnes, not only rides herd on the campus programs, the overseas contracts, the foreign college study centers, and folklore, international business and international development research programs.

It also has charge of student and faculty exchanges with other schools, and the summer honors program for high school students who are sent to Mexico, France and Germany, and a "nonwestern studies project" which provides training for faculty members from 34 Indiana colleges. And there are other programs.

Why this great reaching out by a landlocked State university in a State that has long been viewed—rightly or wrongly—as insular and isolationist?

"It's just a matter of living in a modern world," Merritt said simply.

"Back in the 1800's, a person in Indiana didn't expect to go abroad; he didn't expect to see someone from abroad; this country itself didn't have much to do with foreign countries.

"Nowadays you have to know what's happening abroad. It's a proper part of student training."

The university, Merritt said, has teaching, research, and service obligations "to the State, the country and the world."

"Contracts abroad are part of our service obligations, not just to the State and the world, but to the United States. The United States, for instance, has an interest in seeing that Thailand remains free. And this is tied up with its economic development.

"Universities are the only places that can carry out some of the contracts sponsored by the AID. Many involve establishing or bettering educational systems abroad."

The university has benefited, Merritt added, through a faculty that has become much more knowledgeable and experienced.

Another boon is a larger faculty. Professors on overseas contracts are paid by the AID or the foundation. State money that had been provided for their salaries is used to hire replacements on the campus.

#### REPLACEMENTS RETAINED

When the contract professors return in a couple of years, they are absorbed back onto the State payroll, while the replacements are retained.

Merritt said this practice is justified because of normal growth of the university and its departments.

Sometimes a topnotch man is hired away from another university specifically to take on an overseas contract. When that's finished, he returns to Indiana University.

Earlier this month, the Indiana University international program drew high praise in a 300-page report by Education and World Affairs, a private, nonprofit organization that studied Indiana University, Cornell, Michigan State, Stanford, Tulane, and Wisconsin.

The report said there's no ready explanation "why this small frontier college should grow into a university with a worldwide reputation and strong international commitments."

But it suggested that it "is attributable to the interplay of three elements:

"The individual enthusiasm on the part of faculty members; the backing of the administration, especially the internationalizing influence of Chancellor Wells, and the resulting climate on the campus, which helped stimulate more and more international involvement."

Whatever the reasons, Merritt obviously enjoyed telling about a recent trip he took through Africa with some fellow MUCIA representatives.

"No matter where we go, way out in the bush, we always run into a graduate of Indiana University," Merritt quoted one of his companions as saying.

#### SENATOR HARTKE CALLS FOR UN GENERAL ASSEMBLY TO MEET ON VIETNAM

Mr. METCALF. Mr. President, much has been said, and needs to be said, concerning the American position in southeast Asia, and particularly in Vietnam. The singular fact remains that we are pursuing a unilateral course to all intents, without benefit of real or promised troop support in the field by the majority of our free world allies. On Saturday, March 26, in Indianapolis, Ind., during the course of a speech that covered many topics, the Senator from

Indiana [Mr. HARTKE] made a suggestion of value which I should like to bring to the attention of Congress. The Senator suggested that a special session of the General Assembly be requested by the United States so that other free world nations may shoulder with us the obligation to stop Communist aggression.

I ask unanimous consent to have this portion of his remarks printed in the RECORD.

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

#### EXCERPTS OF ADDRESS BY SENATOR VANCE HARTKE, OF INDIANA

A cloud hangs over our beloved country \* \* \* as our manpower and our national resources are channeled into a war whose ending is not yet in sight.

Much as I regret that American youths are in a body-to-body confrontation with Asians, the fact remains that they are there.

We are locked in a battle that we can and will win. But I do not want this to become a major war, a world war or a nuclear war in the process.

If this world is plunged into the holocaust of thermonuclear war, we here tonight need never again be concerned about another election \* \* \* or anything else.

By encouraging Senate debate and open hearings, I helped to open a window to let in some fresh air, by inviting public opinion to sit at our policy table, by urging free and open discussions within bounds of national security, so that more Americans may understand what led us into our present entanglements.

A survey of American thought recently conducted by Stanford University in cooperation with the National Opinion Research Center of the University of Chicago says:

"In common with other political polls, this study shows that President Johnson has the support of the majority of the American people. Sixty-one percent of the respondents on this survey approved of the way in which the President is handling the Vietnam situation. Unlike other studies, our more complete investigation also shows widespread support for moderate deescalation of the conflict, and a reluctance to pay the increased economic and manpower costs which a substantial escalation would involve. Americans are opposed to the extreme solutions of either a massive escalation or a sudden withdrawal leading to a Communist takeover in Vietnam."

That is what VANCE HARTKE has been saying.

Believe me, VANCE HARTKE has not changed.

More than ever, I am for the principles and programs for which we fought and won in 1964. I do not want to see us lose the great gains in social legislation achieved by Congress, the principles for which our party stands.

Our deep involvement in Asia, however, is eroding, one by one, programs for which we worked so long, the school milk fund, national defense education loans and scholarships, to aid federally impacted school districts which may mean higher property taxes in nearly 100 Indiana school districts, rural electrification, on and on it goes.

Then there are the excise taxes. After 20 years—with full sanction of the administration—we finally removed most of this national sales tax, for the betterment of business, for the betterment of jobs, for the betterment of our national economy which has shown a steady upturn since we turned out the Republicans in 1960 and elected the great and beloved John F. Kennedy.

Then we laid the enduring foundations of the Great Society with another great Presi-

dent, whom history will record as one of the greatest, a man whom we support and for whom we pray—Lyndon B. Johnson.

Among my proudest moments are the opportunities I have had of working with Presidents Kennedy and Johnson, to make medicare a reality, to begin to erase poverty and the causes of poverty and ignorance in our rich Nation, to guarantee of voting rights for all, in higher education as an investment in America's future, for clean air and pure water, for interstate highways, and to cut taxes.

Now I offer our Nation, and you, a possible solution to the worldwide soul searching of our course in southeast Asia. I hope that in the near future Ambassador to the United Nations Arthur J. Goldberg will ask for a special session of the General Assembly (where there is no veto) so the entire free world may shoulder with us the obligation to stop Communist aggression.

### IS WAR ON POVERTY BECOMING WAR ON BUSINESS?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD at this point an article which appeared in the March issue of Nation's Business, entitled "Is War on Poverty Becoming War on Business?" by Paul Hencke, associate editor of the publication.

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

#### IS WAR ON POVERTY BECOMING WAR ON BUSINESS?

In some American cities the war on poverty seems dangerously close to becoming a war on business.

Consider these recent examples of this new and militant trend:

In the front window of a "consumer education" office on a boulevard near the Capitol in Washington, tax paid poverty fighters have plastered a handbill depicting the profit-bloated, horned caricature of a business leader in the act of snatching bread from the outstretched fingers of children.

In a similar center run by antipoverty workers at another Washington address, an ex-labor lobbyist—whose salary also comes largely out of tax funds—proudly shows off an exhibit of well-known foods, soaps, and cosmetic products. She uses the items to warn low-income shoppers against what she calls "the deceptive packaging practices" of some firms.

In Baltimore, poverty workers on the public payroll accompany housewives on shopping field trips, urging them to buy at large chainstores and pass up the small neighborhood markets they have traditionally patronized.

In San Francisco, the director of a pilot project in consumer action freely concedes that "consumer advisers" in his federally subsidized, \$256,000 program get many of the buying hints they pass along to shoppers from cooperatives, the columns of the labor press and from the pages of product-rating consumer magazines.

Back in Washington, a high-spirited band of social workers, civil rights activists and others on the poverty program payroll turned out on a workday recently to help the Student Nonviolent Coordinating Committee (SNCC) stage of citywide boycott of the D.C. Transit Co. in protest against a proposed 5-cent fare increase. The boycott snarled traffic and cost the privately owned bus facility an estimated 150,000 fares.

Each of these incidents suggests that the escalating consumer education phase of the Government's war on poverty is being fought with some questionable weapons and on

fronts a good deal larger than those Congress had in mind when it passed the Economic Opportunity Act of 1964.

Businessmen are well aware of the plight of the poor; with other Americans, they applaud the accomplishments of those who are struggling to eliminate poverty. At the same time, businessmen can hardly accept unquestioningly some of the things that are occurring under the guise of a war on poverty.

The 1964 Antipoverty Act, for example, did not give poverty fighters the right or mission to subject businessmen to vitriolic public ridicule. And yet this is happening.

The act did not empower poverty program operatives to propagate their own judgments as to what constitutes "deceptive" packaging. Yet this is happening—and at a time when Congress itself is still undecided about enacting so-called truth-in-packaging legislation.

The act did not authorize persons whose salaries come from Federal funds to direct customers into or away from specific places of business. Yet this is happening.

Nor did the act call for massive mobilization of the poor for purposes such as boycotts, or buyers' strikes. Yet this is happening. The potential consequences of this development alone, when considered in the light of the racial tension in some cities, are sobering cause to question the course a Government-initiated program can take, once begun.

It should be stressed that an antibusiness posture is not the conscious intent of responsible antipoverty warriors. From the press-war front office at the Office of Economic Opportunity in Washington, down to the most naive neighborhood antipoverty worker, the expressed goal is the same: To show the indigent and uninformed how they can stretch their buying dollar, and to help them avoid the few merchants who exploit the poor through high-pressure salesmanship, high-interest installment buying, trick contracts, or other devices.

It is in the execution of this objective that the program has jumped the tracks.

A poverty war adviser working in a consumer information center will step beyond simply giving poor people advice on how to draw up a family budget and tell them to avoid buying one brand because it costs more than another. Or the shopper will be urged to patronize chains, on the theory that the chains buy in large volume and are likely to charge less than a low-volume, independent retailer. This leads to naming chains and naming the smaller stores.

If a shopper is unable to read, or is slow witted, the poverty program employee may go along to pick out items for her. In one instance, a young woman assigned as a consumer aid in Washington escorted an employed, middle-aged man into an appliance store. Once there, she talked him out of buying one kind of TV set he had decided on, and into buying another, lower priced model. This young woman told Nation's Business that whenever shoppers ask her advice on buying washing machines, she always tells them: "Whatever you do, don't get a ———. I have one of those myself and it's lousy."

Large-scale federally supported consumer education programs now are operating in six cities—Washington, Baltimore, St. Louis, San Francisco, Los Angeles, and Providence, R.I.—and OEO officials say consumer-related services are available on a smaller scale in upward of 75 other communities where they are currently spending \$24 million. Federal poverty officials admit that they don't know the exact number.

In some of the larger consumer centers, a help-seeker can get anything from hints on how to use Federal food stamps to advice on planned parenthood (together with free contraceptive supplies). Legal aid, credit unions, and other related services are fre-

quently tied in, and one consumer office in Washington even sports a coffeehouse next door. There the poor of the area assemble on weekends to hear poetry readings, a jazz combo, and lectures on handwriting analysis.

Edna Johnson, director of Baltimore's consumer protection program, an activity subcontracted by the OEO through the Urban League, says the poor sometimes are more to blame than unscrupulous merchants for the buying fixes they get themselves into.

"Some of these people are trying to get something for nothing," she asserts. "They plunge into big debt apparently thinking they can get out of paying it. They know what they are doing, but they do it anyway. Why, I had a man call up the other day and ask me what he should do about \$45 worth of parking and traffic violation tickets he had accumulated."

But Mrs. Johnson has equally critical words for merchants who prey on the gullible poor. She cites a recent case handled by her office in which an 80-year-old Negro man purchased what he thought was a \$40 mattress, only to discover later that he had signed an order for a \$270 orthopedic model.

In some city neighborhoods, consumer advisers have set virtually no limits on the scope of their activities for and with the needy.

Washington is a conspicuous example of this open-ended operation. Poverty program personnel working under the United Planning Organization, the city's local agency for the Federal program, canvass entire slum neighborhoods. They acquaint residents with the new services available to them and urge the poor to form their own units for concerted action against store owners and landlords against whom they may have a grievance, whether over store conditions, credit policies, inventories, rents, or whatnot.

#### HOW TO RUN A BOYCOTT

The boycott of the D.C. Transit Co. discloses just how potent such organizing efforts can be.

While the boycott was sponsored by SNCC, publicly paid antipoverty workers throughout the Capital left their regular duties to join in. They participated in the preboycott planning, posted and distributed leaflets announcing the boycott (and bitterly attacking D.C. Transit Owner O. Roy Chalk) and drove special "freedom cars" that carried hundreds of both low- and middle-income Negro and white residents to and from their jobs during the protest.

Various rider-strike command posts were set up around the city for the boycott. Tax-salaried antipoverty workers, as well as SNCC representatives and unpaid volunteers, planned their strategy in military fashion on large maps of Washington which had been hung, war-room style, on office walls.

At one point before drivers scrambled for their cars, an otherwise soft-spoken social worker who heads up UPO activities in southeast Washington raised his voice to issue this order: "Don't forget, stop wherever you see people waiting for a bus and tell them, 'Don't ride D.C. Transit!'"

The man who issued the strident command—like most of those who were listening to him—is paid, at least in part, from UPO's Federal input of \$4.7 million.

On the morning of the boycott, traffic moved at a slow pace through streets and intersections patrolled by specially assigned police. Arteries leading into Washington over its Anacostia River bridges were thick with automobiles and almost empty buses. Some buses and trucks owned by churches and other groups were pressed into emergency service. Many workers were late in reaching their jobs and others stayed home. By the time the day was over, SNCC pronounced the boycott a "90-percent success," and began at once to lay plans for similar demonstrations.