

his appearance in public in that condition is not his volition, but a compulsive symptomatic of the disease; and to stigmatize him as a criminal for this act is cruel and unusual punishment.

This plea failed in the State courts. (*State v. Driver*, 262 NC 92, 136 SE2d 208(1964).) Thereupon he unsuccessfully petitioned the Federal district court for habeas corpus to procure release from imprisonment ordered on his sentence. (*Driver v. Hinman*, 243 F. Supp. 95 (1965).)

We find merit in his petition. Accordingly we must vacate the judgment on review and remand for the further proceedings later outlined.

The State statute is North Carolina General Statute 14-335 reading as follows:

"If any person shall be found drunk or intoxicated on the public highway, or at any public place or meeting, in any county herein named, he shall be guilty of a misdemeanor, and upon conviction shall be punished as is provided in this section:

"12. In Durham County by a fine, for the first offense, of not more than \$50, or imprisonment for not more than 30 days; for the second offense within a period of 12 months, by a fine of not more than \$100, or imprisonment for not more than 60 days; and for the third offense within any 12 months' period such offense is declared a misdemeanor, punishable as a misdemeanor within the discretion of the court."

As more than a three-time repeater in Durham County, driver was sentenced to imprisonment for 2 years for each of two offenses occurring on December 18 and 19, 1963, respectively, the terms running concurrently. While he pleaded guilty, the evidence taken as a guide to an appropriate sentence conclusively proved him a chronic alcoholic, his inebriation in public view an involuntary exhibition of the infirmity. The district judge had no doubts about it. Actually, it is a concensus in the case.

Driver was 59 years old. His first conviction for public intoxication occurred at 24. Since then he has been convicted of this offense more than 200 times. For nearly two-thirds of his life he has been incarcerated for these infractions. Indeed, while enlarged on bail pending determination of this appeal, he has been twice convicted for like violations.

Thus the question here is beyond the difficult determination of whether an accused is a chronic alcoholic. Our discussion and decision, it must be recalled throughout, presuppose an indisputable finding that the offender is a "chronic alcoholic." As defined by the National Council on Alcoholism, he is a "person who is powerless to stop drinking and whose drinking seriously alters his normal living pattern."¹

The American Medical Association defines "alcoholics" as "those excessive drinkers whose dependence on alcohol has attained such a degree that it shows a noticeable disturbance or interference with their bodily or mental health, their interpersonal relations, and their satisfactory social and economic functioning."² The World Health Organization recognizes alcoholism "as a chronic illness that manifests itself as a disorder of behavior."³ (Accent added.) It is

known that alcohol can be addicting,⁴ and it is the addict—the involuntary drinker—on whom our decision is now made.⁵ Hence we exclude the merely excessive—steady or spree—voluntary drinker.

This addiction—chronic alcoholism—is now almost universally accepted medically as a disease.⁶ The symptoms as already noted, may appear as "disorder of behavior." Obviously, this includes appearances in public, as here, unwilling and ungovernable by the victim. When that is the conduct for which he is criminally accused, there can be no judgment of criminal conviction passed upon him. To do so would affront the Eighth Amendment, as cruel and unusual punishment in branding him a criminal, irrespective of consequent detention or fine.⁷

Although his misdoing objectively comprises the physical elements of a crime, nevertheless, no crime has been perpetrated because the conduct was neither actuated by an evil intent nor accompanied with a consciousness of wrongdoing, indispensable ingredients of a crime. (*Morissette v. United States*, 342 U.S. 246, 250-52 (1952).) Nor can his misbehavior be penalized as a transgression of a police regulation—malum prohibitum—necessitating no intent to do what it punishes. The alcoholic's presence in public is not his act, for he did not will it. It may be likened to the movements of an imbecile or a person in a delirium of a fever. None of them by attendance in the forbidden place defy the forbiddance.

This conclusion does not contravene the familiar thesis that voluntary drunkenness is no excuse for crime. The chronic alcoholic has not drunk voluntarily, although undoubtedly he did so originally. His excess now derives from disease. However, our excusal of the chronic alcoholic from criminal prosecution is confined exclusively to those acts on his part which are compulsive as symptomatic of the disease. With respect to other behavior—not characteristic of confirmed chronic alcoholism—he would be judged as would any person not so afflicted.

Of course, the alcohol-diseased may by law be kept out of public sight. Equally true, the North Carolina statute does not punish them solely for drunkenness, but rather for its public demonstration. But many of the diseased have no homes or friends, family or means to keep them indoors. Driver exemplifies this pitiable predicament, for he is apparently without money or restraining care.

Robinson v. California, supra, 370 U.S. 660 (1962), sustains, if not commands, the view we take. While occupied only with a State statute declaring drug addiction a misdemeanor, the Court in the concurrences and dissents, as well as in the majority opinion, enunciated a doctrine encompassing the present case. The California statute criminally punished a "status"—drug addiction—involuntarily assumed; the North Carolina Act criminally punishes an involuntary symptom of a status—public intoxication. In declaring the former violative of the eighth amendment, we think *pari ratione*, the Robinson decision condemns the North Carolina law when applied to one in the circumstances of appellant Driver. All of the opinions recognize the inefficacy of such a statute when it is enforced to make involuntary department a crime.

¹ See footnote 1.

² See Justice Clark dissenting in *Robinson v. California*, 370 U.S. 660, 684 (1962).

³ Of the myriad authorities these citations will suffice: a Cecil and Loeb, "A Textbook of Medicine," at 1625 (10th ed. 1959); Manfred S. Guttmacher and Henry Weisbaden, "Psychiatry and the Law," at 318-322 (1952 ed.); Jellinek, "The Disease Concept of Alcoholism," at 41-44 (1960).

⁴ See concurring opinion of Justice Douglas in *Robinson v. California*, supra, 370 U.S. 660, 676.

The constitutional premise of Robinson, and so apt here, is found in the opinion, 370 U.S. at 666:

"It is unlikely that any State at this moment in history would attempt to make it a criminal offense for a person to be mentally ill, or a leper, or to be afflicted with a venereal disease. A State might determine that the general health and welfare require that the victims of these and other human afflictions be dealt with by compulsory treatment, involving quarantine, confinement, or sequestration. But, in the light of contemporary human knowledge, a law which made a criminal offense of such a disease would doubtless be universally thought to be an infliction of cruel and unusual punishment in violation of the eight and fourteenth amendments." (See *Francis v. Resweber*, 329 U.S. 459.)

The director of the prison department of North Carolina⁸ has pithily and pithily termed the prosecution of the chronic alcoholic. Driver, he said, is one of the "unfortunates whose only offense is succumbing publicly to the disease of alcoholism."

We do not annul the North Carolina statute. It is well within the State's power and right to deter and punish public drunkenness, especially to secure others against its annoyances and intrusions. (*Robinson v. California*, supra, 370 U.S. 660, 664.) To this end any intoxicated person found in the street or other public areas may be taken into custody for inquiry or prosecution. But the Constitution intercedes when on arraignment the accused's helplessness comes to light. Then it is that no criminal conviction may follow.

The upshot of our decision is that the State cannot stamp an unpretending chronic alcoholic as a criminal if his drunken public display is involuntary as the result of disease. However, nothing we have said precludes appropriate detention of him for treatment and rehabilitation so long as he is not marked a criminal.

The judgment denying appellant's petition for habeas corpus will be vacated, and the case returned to the district court with directions to order Driver's release from the impending detention by North Carolina unless, within 10 days, the State be advised to take him into civil remedial custody.

Vacated and remanded.

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

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE EXTRAORDINARY CLARITY OF OUR POLICIES INCIDENT TO VIETNAM

Mr. SYMINGTON. Mr. President, during the past several weeks this Nation has heard almost continuous debate on our policies in Vietnam in these Chambers, on television, and in the press. One of the persistent themes of those who question this policy is that it is confused and unclear. It is to such critics that I address my remarks. For I find it hard to conceive a more clearly enunciated policy.

For 70 years—starting with Lenin—the Communists have made a science of

⁸ Dr. George W. Randall.

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the study of seizing power. We are dealing in Vietnam with the latest and most insidious technique which these studies have produced.

The original Marxist-Leninist doctrine held that revolution will take place in industrial countries. That doctrine was tried out and proved faulty. No industrialized nation has ever fallen victim to the tactics then advocated.

Lenin was the first to perceive this and to point out that the greatest opportunity for revolution lay in backward and underdeveloped countries. He also perceived that war and the political, economic, and social chaos which war produces create the best possible conditions for revolution. In Lenin's words, war and chaos are "the midwife" of revolution. Russia and China were to prove this case.

But the extension of communism in Eastern Europe and North Korea after World War II was not the product of chaos, discontent, or mass uprising. It was accomplished by the Red army at the point of a gun.

Moreover, the Communists learned after the war that the less developed countries were not so susceptible to Communist revolution as their theories proclaimed. Attempts to take power in Greece, in South Korea in 1948, in the Philippines, in Indonesia in 1948 and again last September, and in Malaysia from 1946 to 1958, all ended in failure. For the Communists came up against a much more powerful force, the force of nationalism.

After that long record of failure a new and more refined Communist strategy has been conceived by Mao Tse-tung and General Gao. The new strategy is directed at destroying the whole fabric of society in developing countries, starting in the rural and remote areas and gradually moving toward the cities. The tactics call for the training of dedicated subversives in foreign countries who are then infiltrated with arms and munitions to destroy the structure of government by assassinating its local officials, mayors, village elders, teachers, police, doctors, anti-malaria workers, and anyone who is trying to maintain the fabric of society. Non-Communist nationalists are made the prime targets. The aim is to break down law and order, terrorize the population into submission and cooperation, and produce chaos.

Vietnam is not the only place where that blueprint is being tried. It was tried in Laos, and the same pattern is now beginning to unfold in Thailand.

Mr. SYMINGTON. Now is it confined to southeast Asia. Only this week the new Government of Thailand allowed reporters through a carport by Chinese Communists to train subversives in sabotage and guerrilla tactics for campaigns against independent African states.

There are many countries where the power of government is being slowly forged, where economic progress is only beginning. In such countries there are many problems to solve, and the governments should be given the chance to solve them.

Guerrillas only have to destroy; the government to construct and defend.

Guerrillas may strike anywhere. Governments must offer security everywhere. That is the reason why governments backed, albeit passively, by the great majority of their citizenry are strained to the breaking point to defend themselves against these new Communist tactics, why the government forces may require 10 to 15 times the number of guerrillas before it can end the strife, why help from outside must often be called on.

As I have said, there are a good number of countries which are vulnerable to the new Communist tactics. If we do not stand in Vietnam with the strong nationalist forces who have resisted and continued to resist revolution by terrorism, then we will surely have to face it later, and under more adverse conditions. The process of nibbling aggression must be stopped, or the ultimate outcome will either be a wider war or a disastrous shift in the world balance of power. I agree with Winston Churchill that those who believe that the road to peace lies in throwing a small nation to the wolves suffer from a fatal delusion.

The Chinese and North Vietnamese Communists have bluntly declared that Vietnam is the test case for their new strategy; and as a result, over 60,000 men have been infiltrated into South Vietnam from the North.

That strategy must be defeated in South Vietnam. What could be more clear?

The Communists have taken the position that the future of Vietnam will be settled by force. We prefer negotiation.

What is unclear about that?

We seek the end of aggression from the North. Our war aims are limited and do not extend to the destruction of North Vietnam. Nor do we threaten Communist China. What is unclear about that?

Hanoi says that the Vietcong must be recognized as the sole representative of the South Vietnamese people before any conference can be held. The South Vietnamese and we reject that contention. There are 250,000 or so Vietcong. But there are 900,000 refugees who came south in 1954, over 700,000 who have fled from Vietcong areas in 1965, 700,000 in the army of South Vietnam, a million and one-half Catholics, and millions of Buddhists and various other groupings in South Vietnam. They do not want communism, and they have fought it for a dozen years.

What could be clearer than that?

We are committed to the holding of free elections in South Vietnam.

What is unclear about that?

Since we are committed to free elections we recognize the possibility that former members of the Vietcong might be elected. We have said we will accept what the people of South Vietnam freely choose. We are confident that the Vietcong will be decisively rejected by the people of South Vietnam.

In all history, no people have ever freely elected a Communist government and the actions of the people of Vietnam indicate that they will not be the first.

We are in South Vietnam as allies of the nationalist forces that are fighting for their freedom and independence; and it is not for us to impose upon South

Vietnam any preconceived solutions to their problems. What we need in Vietnam is a Vietnamese solution, which they themselves will work out.

Questions have been raised about the details of our negotiations. I do not believe a public detailed discussion of negotiating positions is in our national interest. When negotiations start they will be difficult and complicated.

Unilateral statements, pleas in this body and in the press for concessions, serve only to raise fears among the South Vietnamese; and also to increase the demands of Hanoi.

The place to solve problems is at the negotiating table. Anyone with any negotiation experience knows that to be a fact. Unless one is deliberately planning to lose, it is the height of folly to make concessions prior to the start of negotiations, or make concessions at all except as they would, in this case, promote the larger aim of assuring the freedom of South Vietnam.

What is unclear about such a policy?

What indeed is unclear about any part of our policy in Vietnam?

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Colorado.

Mr. ALLOTT. I congratulate the distinguished Senator from Missouri for his very clear and precise statement on Vietnam. Having had an opportunity to sit with him in committee relative to discussions in Vietnam, I know of his views very well. It is my hope that many others can make such statements, not only on the floor of the Senate, but around the country, so our people can be somewhat clearer on what the war in Vietnam is all about. There is no question that if we yield inch by inch there, we are headed for having them take over Thailand. The point the Senator has made is that even though this is a small country, the people of the free world will have to realize that the cost of fighting there will not be as much as the greater cost that would take place later if we do not fight there now.

I commend the Senator very much for his statement.

Mr. SYMINGTON. I thank my very able colleague from Colorado. It has been a privilege to serve with him on the joint Appropriation-Armed Services Committee. I have already told him, but I am happy to make the statement also on the floor—that his questioning of the Secretary of Defense the other day brought out at least as many pertinent facts as the questioning of any other Senator.

I deeply appreciate what he has said this afternoon.

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from California.

Mr. MURPHY. I congratulate my colleague from Missouri on his remarks. I agree that it has helped clarify to a very great degree what has been almost contrived confusion brought about on television, the press, and also in this Cham-

ber. I am glad the Senator from Missouri has made these remarks.

As I know he knows, there was a meeting held recently which was attended by 307 saboteurs and guerrilla fighters to start campaigns in Latin America. So there is a potential source of trouble. This is the kind of situation we are confronted with.

I am glad the Senator from New York [Mr. JAVITS] is present, because he made an excellent statement after a trip to Vietnam, in which he said that what we must face is reality, and that we must not be thinking in fantasies or day dreams.

I think the Senator from Missouri has pointed out the basic realities which exist. I think the remarks he has made have clarified the situation.

Mr. SYMINGTON. I appreciate the remarks of the distinguished Senator from California. He and I have been friends for longer than either of us care to remember having been friends in college. I know of his fine contributions in this field.

If I may repeat one part of my short talk today that nails down some of my apprehensions, apprehensions others have expressed in the past and he expressed today, it is significant that as soon as the Nkruma government was overthrown in Ghana, the successful revolutionists took foreigners and showed them this guerrilla camp where people were being trained by Chinese Communists. After they rebelled and after the Nkruma government was overthrown, such Communists were flown back to their homes by plane loads.

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from New York.

Mr. JAVITS. First, I would like to congratulate the Senator from Missouri for his excellent presentation and for continuing the debate on Vietnam in a constructive manner.

I would like to raise one point with the distinguished Senator from Missouri, whose judgment I find enormously enlightening. The point has to do with the role of Communist China in Vietnam. I think this is what really troubles the American people. Perhaps the Senator is in no position to comment on Red China this afternoon; it would be unfair to ask him to do it. But I would hope he would direct his talks at some time to that question.

I think the American people feel that if the war is confined to Vietnam, they are willing to go through with it. They do not want a war with China. In order to both do the job of stabilizing South Vietnam and keep the Red Chinese out, the United States must continue to pursue limited objectives by limited military means. I think this is a basic decision on the part of the American people.

I think the declaration of the distinguished chairman of the Foreign Relations Committee about the advisability of arriving at what diplomats call a *modus vivendi* is pertinent to the subject. Senator FULBRIGHT has opened up an important point for discussion, and in do-

ing so, he expresses the feelings of Americans against expanding the war in Vietnam to China.

Mr. SYMINGTON. I do not want to interrupt the able Senator from New York but he has made several interesting observations, let me comment on them, and then perhaps he will have others.

First, I would join the Senator from California in complimenting the Senator from New York for the statement he made after his visit to the Far East. Having talked with the head marine out there who was back here for a few days, I was not only impressed, but our people in South Vietnam were impressed with the efforts the Senator made to get the facts.

The Senator made reference to Red China.

As a member of the Foreign Relations Committee I am somewhat at a loss to understand just what we do think about the Red Chinese. There is a strange dichotomy of thought in the committee itself. Some members are almost afraid to discuss Red China. The phrase "scared to death" has been used. But other members denigrate the capacity of Red China to do anything material against the Armed Forces of the United States unquestionably the strongest armed forces in the world.

Therefore, I am looking forward to the hearings which start next week—open hearings, I might add—scheduled wisely by the chairman of the Foreign Relations Committee so as to investigate this subject of China. Let us find out more truth about this country and its people.

I would hope the able Senator from New York, with his great intellectual capacity, and who has many friends interested in this field, would suggest to the committee any witnesses from some of the great universities in his State, or any State or any others, he would like to have appear before the committee.

There is one statement made by the Senator from New York with which I may not agree.

It is so important for free people to face up to totalitarian aggression—in this case Communist totalitarian aggression—that regardless of what the Chinese decide, I would not want their decision to be decisive as to what we do.

The British people waited too long against the growing aggression of Hitler, to the point where our Nation was the last shield between them and total destruction. It is difficult even today to realize that Neville Chamberlain went to visit Hitler three times in his effort to appease, his third visit ending with the sellout of Czechoslovakia at Munich. That insured the Second World War.

My point is that no one wants to see this Nation get into military trouble with the Red Chinese, but our foreign policy should not be decided exclusively by what the Red Chinese will or will not do.

In past years I have made talks on the floor of the Senate recommending that policies should establish events rather than events establishing policy.

If the Red Chinese attacked the United States, I believe that the people of the

United States would be willing to pay the price necessary for resistance, as part of the price of freedom.

I am confident in my own mind, however, that the policies of this administration are designed to prevent the Chinese from being so foolhardy; and I personally believe that the possibility of the Chinese attacking this country because of our efforts to sustain freedom in South Vietnam are remote indeed.

I thank the Senator.

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

Mr. SYMINGTON. I will be glad to yield to the Senator.

Mr. JAVITS. I think that I need to make exactly clear how I feel should the Communist Chinese attack us where we stand in Vietnam. Perhaps the Senator will or will not agree.

I am not for provoking them. I am for standing our ground, according to our strategy. If they choose to use this as a pretext for going after us, there is little we can do but fight back. That is the way I feel, and I believe there is no other choice. I would hope that Peiping would have the good sense not to misconstrue our limited objectives.

Mr. SYMINGTON. I could not agree more. Anything we would do to provoke them would be foolhardy to the extreme.

Mr. JAVITS. It is necessary to find a way to live with the Communist Chinese. Preventive war is not the answer to the problem of finding a way to live with Red China. I think it is possible over a period of time to find other ways to live with them. But I think that the essential ingredient in finding these other ways is the Vietnamese struggle and the purpose of it. We must show Peiping that we mean business and cannot be bullied, and that it is wiser for them to settle their differences with us—and many of these differences are imaginary on their part—by negotiations.

I believe so much in these exchanges with the Senator from Missouri and others, and the Senator from California.

I think that one of the issues in Vietnam, which has not been fully brought out, is whose ideas will prevail in the Communist world if we are pushed out of Vietnam; and the idea of counterinsurgency of the war; and the idea of the country and the cities, as the Chinese Minister put it in his article, with which the Senator from Missouri is familiar, will be the predominant idea in the world.

If our limited purposes—not victory—prevail in Vietnam, we have a good chance for peaceful coexistence and for the more moderate Russian way to prevail. Then, the Russians can go back to a higher priority than Vietnam—accommodation with the West and the United States. It will no longer be necessary for them to talk tough in order to maintain the leadership of the Communist world, in order to compete with Red China.

This will be one of the most decisive effects of the war in Vietnam.

Mr. SYMINGTON. I agree with the able Senator from New York who has one of the fine minds in this body.

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Not too long ago, some of us met with Mr. Mikoyan. In analyzing the question of communes, he stated he felt Soviet Russia was 30 years ahead of China in the development of communism. Let us hope that in 30 years the Chinese Communists will have as much willingness to work with us for peace as do now the Soviets, sketchy as that may be.

I have personally talked with people in the British Government, and also people in the Government of Pakistan, who told me their recognition of Red China, with consequent establishment of an Embassy in Red China meant little or nothing because, in effect, they were in house arrest in their own Embassy.

I note this morning an article on the front page of the New York Times. The headline reads:

Red China Scores U.S. War Debate; Asserts That Both Hawks and Doves in Vietnam Dispute Are Fools.

Mr. President, I ask unanimous consent that this article be inserted in the RECORD at the end of this discussion.

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

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, this is but typical of the reaction of the Red Chinese to any efforts we make toward arriving at better understanding.

I know that the able Senator from New York does not misunderstand me. I believe implicitly in doing everything we can do to reach a better understanding with these people, and with all people. This new world is very small indeed.

But the primary purpose of my talk today was to emphasize that the policies of this Government in the Vietnam problem are very clear; in fact, as laid down time and again by the President, I do not see how they could be more clear.

I feel this Government knows what it wants to do, and am also certain, whereas it may be willing to go another mile toward peace with the Red Chinese, it is not willing to let the Red Chinese dictate the foreign policy of the United States.

I am sure my able friend from New York agrees that should never happen.

Mr. JAVITS. I feel that way and I join the Senator in saying that I think that I to understand it fully.

I deeply appreciate the Senator's suggestion with regard to producing some witnesses and I will do exactly that.

Mr. SYMINGTON. I thank the Senator from New York. It is always a privilege to discuss this or any other matter with him.

EXHIBIT 1

[From the New York Times, Mar. 4, 1966]

RED CHINA SCORES U.S. WAR DEBATE—ASSERTS THAT BOTH HAWKS AND DOVES IN VIETNAM DISPUTE ARE FOOLS

(By Seymour Topping)

HONG KONG, March 3.—Communist China asserted today that both the hawks and the doves in the Washington debate on Vietnam were fools whose views differed only on the means of carrying out aggression.

Jenmin Jih Pao, the Communist Party newspaper, in an authoritative article, indicated that the Peiping leadership saw no prospect for an accommodation with the United States in proposals put forward by such critics of the administration policy as Senator J. W. FULBRIGHT, chairman of the Senate Foreign Relations Committee,

The commentary did not mention Senator FULBRIGHT, but it lumped President Johnson and his critics together as members of the U.S. ruling circles who were using the Vietnam debate as "camouflage to hoodwink the people."

NO FUNDAMENTAL DIFFERENCES

The text of the article was distributed abroad by Hsinhua, the Chinese Communist press agency, 2 days after Senator FULBRIGHT had proposed an agreement with Peiping that would provide for the neutralization of southeast Asia. The Arkansas Democrat also announced yesterday that his committee would begin hearings next week that would review U.S. policy toward Communist China.

Jenmin Jih Pao declared that an analysis of those termed "hawks" and "doves" showed that "there is no fundamental difference of opinion between them with regard to aggression against Vietnam." Both the hawks, advocates of militant action to achieve victory, and the doves, supporters of peaceful negotiations as the primary approach, refuse to "abandon the U.S. policy of aggression in Vietnam and Asia," the paper asserted.

The party organ said that the aggressive intent of all the participants in the Washington debate was demonstrated by the fact that they opposed an immediate withdrawal of U.S. troops from Vietnam and recognition of the National Liberation Front, the political organization of the Vietcong, as the sole representative of the South Vietnamese people.

The article added that although the Washington debate would never produce results, revolutionary people should consider the wrangling a good thing because it "shows up the extreme weakness of the Johnson administration and its isolation."

After describing the hawks and doves as a "bunch of fools," the article concluded:

"In the final analysis, only the complete victory of the Vietnamese people in their struggle to resist U.S. aggression and to save the country will settle the issue for them."

INFLEXIBLE POSITION ON TALKS

Analysts here said that the article indicated that the Chinese Communist position had become so inflexible as to exclude the possibility of Peiping's exploitation of the debate in the United States for some tactical advantage. The intransigent stand adopted by the Chinese Communists has tended to discourage opponents of the administration policy rather than exacerbate differences in the United States that might weaken the Vietnam war effort.

While the Vietnamese Communists have been inflexible on terms for a negotiated settlement of the war in South Vietnam, they have been less categorical than Peiping in rejecting peace overtures, and Hanoi has entered into private exploratory talks with United States and other Western officials.

The Peiping article may have been intended to disabuse Vietnamese Communists of any idea that the debate in the United States might produce an acceptable basis for negotiations.

Jenmin Jih Pao attacked the "Khrushchev revisionists," an allusion to the present Soviet leadership, for a suggestion that the Washington debate was in effect, a dispute between militarists and moderates and that a "political uprising had occurred in Congress."

"They try their best to convince others that those engaging in aggression in Vietnam are only a handful of American militarists while the Johnson administration is composed of good people only," the article asserted.

HANOI SILENT ON SOVIET EFFORTS

Observers here said the implication was that Moscow had sought to persuade the Vietnamese Communists that the Washington debate had opened opportunities for advantageous negotiations. The North Viet-

namese have not followed Peiping in charging Moscow with entering into "peace plots" in collusion with the United States.

The Peiping article made no distinction between American officials who, it said, "shout that American forces should fight their way to North Vietnam or even bomb all the way to Peiping and others who express fear at the prospect of a big land war in Asia."

Analysts said it appeared that fears of a war with the United States had abated somewhat in Peiping, possibly as a consequence of public discussions in the United States.

A series of militant editorials in the Peiping press warning that the United States intended to impose war on the country was suddenly terminated about 2 weeks ago.

The Chinese Communist press has published a summary of President Johnson's speech February 23 in which he said that the United States was doing everything it could to avoid drawing Communist China into the Vietnam conflict.

CREAT SALT LAKE RELICTED LANDS

Mr. JACKSON. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 980, S. 265.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 265) to confirm in the State of Utah title to lands lying below the meander line of the Great Salt Lake in such State.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior shall convey to the State of Utah by quitclaim deed all right, title, and interest of the United States in lands lying below the meander line of the Great Salt Lake in such State, as duly surveyed heretofore or in accordance with section 4 of this Act, whether such lands now are or in the future may become uncovered by the recession of the waters of said lake: *Provided, however,* That the provisions of this Act shall not affect (1) any valid existing rights or interests, if any, of any person, partnership, association, corporation, or other nongovernmental entity, in or to any of the lands within and below said meander line, or (2) any lands within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project.

SEC. 2. The conveyance authorized by this Act shall contain an express reservation to the United States of all subsurface mineral deposits in the Federal lands below the meander line of Great Salt Lake to the waterline of the lake as of the date of enactment of this Act, together with the right to prospect for, mine, and remove the same. The minerals thus reserved shall thereupon be withdrawn from appropriation under the public land laws of the United States, including the mining laws, but said minerals, in the discretion of the Secretary of the Interior, may be disposed of under any of the provisions of the mineral leasing laws that he deems appropriate: *Provided,* That any such lease shall not be inconsistent, as determined by the Secretary of the Interior, with the other uses of said lands by the State of Utah, its grantees, lessees, or permittees.

SEC. 3. As a condition of the conveyance authorized in section 1 of this Act, and in

describe precisely what authority would be required to permit law enforcement officers to conduct such operations.

14. The problem of providing an exception to the rules for the operations of law enforcement officers has been closely analyzed. Because of the complex and varying structure of law enforcement authority existing in the various States and their political subdivisions, it is extremely difficult to specify a source or type of authority which is common to all jurisdictions. Initially, it may be assumed that law enforcement officials conduct their activities within the framework of existing law and authority. Should these officials intend to engage in radio eavesdropping, it would be incumbent on them first to determine the validity of such practice under applicable local law. This being so, the burden of establishing that radio eavesdropping activities are being carried on under lawful authority rests with the law enforcement agency. In view of the diverse sources of possible authority, we believe that this is the best approach to follow in establishing a standard under which law enforcement officers would be exempted from the Commission's radio eavesdropping rules. However, if inadequacy of this standard should be revealed or other developments of a more basic nature occur, further exploration of this question will be undertaken and appropriate revision of the rules will be made.

15. It is important that law enforcement officers understand that this exception is by no means intended to waive the part 15 rules governing the use of nonlicensed low-power communication devices (e.g., operation within specified frequency bands, power, and radiation limitations, etc.); to authorize the use of unlicensed transmitters for eavesdropping; or to authorize the use of licensed transmitters in such a manner that other Commission rules are violated (e.g., abandonment of control, transmission of unauthorized communications, etc.).

16. CBS opposed adoption of the proposed rules on the grounds that they would hamper and impede broadcast activities heretofore generally accepted. As examples of situations which CBS feels would be prohibited by the rules, they cited (1) the CBS reports broadcast entitled "Biography of a Bookie Joint," and (2) coverage of newsworthy events in public and semipublic places or any other place where persons may reasonably expect that their conversations may be overheard. The association also questioned the effect of the rules on the radio or television coverage of public interest events, as well as the effect upon the protective or beneficial monitoring of conversations, e.g., of apartment elevators for the protection of young ladies, of assembly lines for efficiency and economy of production, and of public places for the safety, security, and comfort of those who frequent them.

17. The fears expressed by CBS and the association with respect to the coverage of news events are believed to be unwarranted. The rules adopted herein should not impede broadcast programming any more than the prohibitions against wiretapping in section 605 have impeded programming in the past. The proposed rules specifically refer to private conversations. The interpretations applied to that phrase by the courts indicate that the phrase does not embrace conversations carried on within earshot of others not engaged in the conversation.⁷ Thus, conver-

sations in public and semipublic places or in any other place where persons may reasonably expect their conversations to be overheard would not be protected by the rules. With respect to the instances of protective or beneficial monitoring mentioned by the association, the public, in those instances, should be given adequate notice of the fact that the area is being monitored. Thus, persons engaged in conversation in such an area would have consented by implication to the monitoring. The absence of adequate notice could well result in an invasion of privacy since the monitoring would then be conducted without the consent of those being monitored.

18. We are amending the rules by adding a new subpart, as set forth in the appendix hereto, the part 2 of the rules as a general prohibition against the use for eavesdropping of any device required to be licensed by section 301 of the Communications Act of 1934, as amended. (Specific reference to this prohibition will be added to those parts of the rules where it is deemed appropriate.) Additionally, we are adding a similar prohibition to subpart A of part 15 of the rules. A reference to the latter prohibition is being made in subpart E governing the operation of low power communication devices, the part 15 devices most susceptible to use by eavesdroppers.

19. The reference in the rules to both direct and indirect use has been included to encompass any radio operation in connection with an eavesdropping arrangement. For example, the amendment will prohibit the use of a part 15 wireless microphone to relay a conversation which is picked up initially by some form of nonradio eavesdropping device.⁸ Thus, irrespective of the combination of devices employed by the eavesdropper to accomplish his objection, the proposed rules will apply if any one of the combination is a radio device.

20. The rules reflect Commission policy. Their violation could result in loss of license where that remedy is appropriate (see sections 307(d) and 312(a) of the Communications Act), or the imposition of fines under section 502. What constitutes a crime under State law reflecting State policy applicable to radio eavesdropping is, of course, unaffected by our rules.

21. A question was raised as to the basis for the Commission's authority to establish rules prohibiting radio eavesdropping. The Commission, of course, has broad licensing authority over radio devices in section 301 of the Communications Act and has exercised that authority in the rules promulgated by

⁸ There are numerous other eavesdropping devices which, though not operated on radio principles, could employ a radio transmitter for purposes of relaying a conversation picked up initially by the nonradio device. These may include miniature wired microphones concealed in the room where the conversation is to take place and connected to a radio transmitter by means of wire or transparent conductive paint. A radio transmitter could also be used in conjunction with a contact or "spike" microphone which is operated by attaching the microphone to a spike which has been driven into a stud common to both the room in which the eavesdropping equipment is located and the room in which the conversation is to take place. A parabolic microphone may also conceivably be used for eavesdropping in conjunction with a radio transmitter. This is an audio device which uses an acoustically solid reflector to focus sound waves to a point where a small microphone magnifies the sound received. Such devices are used innocuously at sports events and conventions to pick up the voices of persons out of normal earshot. (See Senate hearings on electronic eavesdropping before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, Feb. 18, 1965.)

it as to both specific licensing and the Part 15 facet of its functions. Under section 303 of the Communications Act, the Commission is empowered by Congress, as the public convenience, interest, and necessity requires, to prescribe the nature of the service to be rendered by radio stations and to make such rules and regulations as may be necessary to carry out that function. Thus, the establishment of rules prohibiting radio eavesdropping is consistent with the authority of the Commission to prescribe the nature of the service rendered by radio devices.

22. In view of the foregoing, and pursuant to authority contained in sections 4(i), 301, 303(b), and 303(r) of the Communications Act of 1934, as amended. It is ordered, That effective April 8, 1966, Part 2 and Part 15 of the Commission's rules are amended as set forth in the attached appendix, and the proceedings in Docket No. 15262 are terminated.

FEDERAL COMMUNICATIONS COMMISSION.
BEN F. WAPLE, Secretary.

(NOTE.—Rules changes herein will be covered by T.S. II(64)—10.)

APPENDIX

1. Part 2 is amended by adding a new subpart H to read as follows:

"Subpart H—Prohibition against eavesdropping

"Sec. 2.701. Prohibition against use of a radio device for eavesdropping.

"(a) No person shall use, either directly or indirectly, a device required to be licensed by section 301 of the Communications Act of 1934, as amended, for the purpose of overhearing or recording the private conversations of others unless such use is authorized by all of the parties engaging in the conversation.

"(b) Paragraph (a) of this section shall not apply to operations of any law-enforcement officers conducted under lawful authority."

2. Part 15 is amended by adding a new section to subpart A to read as follows:

"Sec. 15.11. Prohibition against eavesdropping.

"(a) No person shall use, either directly or indirectly, a device operated pursuant to the provisions of this part for the purpose of overhearing or recording the private conversations of others unless such use is authorized by all of the parties engaging in the conversation.

"(b) Paragraph (a) of this section shall not apply to operations of any law-enforcement officers conducted under lawful authority."

3. Subpart E of part 15 is amended by adding a new section to read as follows:

"Sec. 15.220. Eavesdropping prohibited."
As provided in section 15.11, the use of a low-power communication device for eavesdropping is prohibited.

PANDORA'S BOX

Mr. CHURCH. Mr. President, 2 weeks ago Secretary Rusk told the Senate Foreign Relations Committee that the United States had a solemn duty not only to resist communism in all its forms, but also to work against changes abroad fostered by violence rather than by peaceful means.

Within the past week alone, the headlines of any major newspaper reported the following facts: The Ghanaian Army had overthrown President Nkrumah; the sixth such African army takeover in less than 6 months; leftists had taken over the Syrian Government and were making overtures of friendship toward Communist countries; King Faisal was asking the United States for military aid to put down opponents supported by the United Arab Republic; Castroites contin-

⁷ It has been held that a conversation between a husband and wife in a railroad station waiting room with people coming and going is not a private conversation, *Linnell v. Linnell*, 143 N.E. 813 (Mass. 1924). In *Freeman v. Freeman*, 130 N.E. 220 (Mass. 1921), the court found that a conversation between husband and wife in a public street was private because "none of the passers-by or persons in the vicinity paid any attention to them, or even could hear the words."

ued to hold out against government forces in the Peruvian Andes; terrorists were threatening to take over Guatemala after elections are held; violence continued between the government and anti-Communist students in Indonesia. Yet, the papers carried no word that the United States was in any way capable of, or involved in, putting down these acts or threats of violence in these foreign lands.

Many thoughtful people ask why the Secretary chose to protect a foreign policy objective so clearly beyond our capacity to fulfill. The editors of the New Republic wonder, and cannot find any satisfactory answers.

In the lead editorial of the March 5 edition, the editors explore such murky questions as our commitments under the SEATO treaty, the meaning of "aggression" when the aggressors are from the same country, and the strained analogy which compares Europe with southeast Asia. All of these questions deserve our most careful consideration, since failing to find rational answers will open a Pandora's box for years to come.

Mr. President, I ask unanimous consent to have the New Republic editorial printed in the RECORD.

THE RUSK DOCTRINE

The White House chose to shave its differences with Senator ROBERT F. KENNEDY over Vietnam. As an alternative to sudden, unilateral withdrawal of U.S. forces or to killing more and more Vietnamese and upping the risk of war with China, Senator KENNEDY advised admitting the Vietcong to a "share in power and responsibility." The Vice President shuddered: it would be like inviting an arsonist into the fire department. Nevertheless, 48 hours later, the President's press secretary, Bill Moyers, told newsmen the administration does not rule out the possibility of Vietcong participation, either in a provisional government preceding free elections in the south, or in a government arising out of such elections. Moyers' assurance suggests that we are not bound as tightly to the survival of General Ky's regime as we said we were in the Declaration of Honolulu. It would be wrong, however, to say that the administration is really ready to concede some place to the National Liberation Front in Vietnam's future. For alongside Mr. Moyers rejoinder to Senator KENNEDY, one must place the more detailed exposition by the Secretary of State in his appearance before the Senate Foreign Relations Committee on February 18.

It is not testimony to put heart or hope into those who want a tolerable end to this senseless struggle. For huge consequences hinge, in Mr. Rusk's mind, on who governs South Vietnam. Here, in this small country of ancient but altogether different traditions, he sees a test of whether freedom can survive; or whether world peace itself is possible. It is not experience which informs the Secretary's fear of intractable and expanding Communist rule (experience of communism in Eastern Europe, in Indonesia, in relations between China and Russia teaches another and more hopeful lesson), but his apocalyptic vision of a gathering storm.

Throughout his testimony, Mr. Rusk held aloft two words: "commitment" and "aggression." The commitment that binds us to consume a billion dollars a month and thousands of lives derives from a "fundamental SEATO obligation that has from the outset guided our actions in South Vietnam"; more precisely, article IV of the Southeast Asia Collective Defense Treaty, which says: "Each party recognizes that aggression by means of

armed attack in the treaty area or against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate [such as South Vietnam], would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." Having decided years ago, that the Vietcong did "endanger its own peace and safety" (however tenuous the evidence to justify that determination) the United States intervened.

But there is another section of article IV not cited by the Secretary in his testimony. It obliges SEATO members, in the event of "any act or situation which might endanger the peace of the area," to "consult immediately in order to agree on the measures which should be taken for the common defense." How has that obligation been met? The "outset" of our commitment to various Saigon regimes dates from 1954—beginning with U.S. economic support, followed by military advisers and then the sending of armed forces that now outnumber the hardcore and part-time forces of the Vietcong. Not until April 1963 did the SEATO Council of Ministers formally address themselves to the "common defense," and then merely "took note" of a report by Secretary Rusk on the improved military situation in Vietnam. The first explicit SEATO pledge of support (France abstaining) did not come until 1954, when the Council of Ministers expressed its "grave concern . . . deep interest and sympathy." Last year, finally, the SEATO communique did call for "defeat of this Communist campaign"—with Pakistan joining France in abstention. As for contributions to the "common defense," TRB's Washington Report in this issue gives the facts: As of February 1966, our SEATO partners have supplied the following combat strength: Great Britain, none; France, none; Thailand, none; Pakistan, none, the Philippines, none; New Zealand, 300; Australia, 1,500.

George Kennan and others believe we are dangerously overcommitted in Vietnam. Not Mr. Rusk. Indeed, Vietnam is only one of many such commitments. As James Reston describes the Secretary's view: "The United States is committed to oppose Communist aggression all along the periphery of the Communist nations from the North Cape of Norway through the heart of Europe to Greece and Turkey (NATO); along the southern frontier of the Soviet Union in the Near and Middle East (the Eisenhower resolution); and thence through southeast Asia (SEATO) to Australia, New Zealand, the Philippines, Japan, and Korea. And if you add our obligations under the Organization of American States and our obligations under the United Nations, you take in most of the rest of the world."

What exactly are we committed to defend in all these places? It is not clear. From the Secretary's testimony (and the example of U.S. armed intervention in the Dominican Republic), it seems we are committed to do more than help allies if they are militarily attacked by another country. For when the Secretary uses his second favorite word, "aggression," he includes both invasions across national boundaries and "wars of national liberation," which is to say, internal subversion and civil war. The Rusk doctrine, Mr. Reston notes, "makes the Monroe Doctrine or the Truman doctrine seem rather cheap."

In explaining this broader U.S. commitment, the Secretary reminded the Senators that "many of them (our allies) deal with these problems in their own way, without having to call upon us for direct involvement or assistance, say, with our forces." Thus Mr. Rusk reassures his countrymen that American troops are not likely to be needed in too many places simultaneously. For ex-

ample, in "Latin America, some of them have dealt with it at the ballot boxes, and some with their own local forces, and in Western Europe they made an enormous contribution by working internal arrangements and a constitutional basis that helped to protect them against pressures from the Communist side." The conclusion seems inescapable that had the governments of these countries not been able to withstand internal Communist pressures, the United States would have been committed to supply on demand its arms and men.

What does the Secretary mean by "aggression" in the context of Vietnam? Are U.S. troops there to punish invaders from without? Or is this, as others say, essentially a civil war? Mr. Rusk grants that "there are elements of civil war in this situation"; nevertheless he insists that "the heart of the problem is the external aggression." From where?

"Senator CHURCH. Chinese combat troops have not become involved in the fighting in Vietnam.

"Secretary RUSK. That is correct, sir.

"Senator CHURCH. So that we are not faced here, as we were in Korea, with an actual Chinese invasion of Vietnam.

"Secretary RUSK. * * * That is correct, sir."

The "elementary fact," continues Mr. Rusk, "is that there is an aggression in the form of an armed attack by North Vietnam against South Vietnam." (The President used the word "invader" last week; and on the day he spoke it was announced that about 96,000 men had deserted from the South Vietnamese armed forces in 1965.) Are North Vietnam and South Vietnam then two countries? Sometimes, Mr. Rusk implies they are. Thus, "we wish only that the people of South Vietnam should have the right and opportunity to determine their future in freedom without coercion or threat, from the outside." North Vietnam is referred to as a "Communist country." On the other hand, he explains the war as "one further effort by a Communist regime in one-half of a divided country to take over the people of the other half at the point of a gun and against their will."

"Senator FULBRIGHT. It is not one country. It used to be one country.

"Secretary RUSK. But there was a settlement, Mr. Chairman, on the basis of the 17th parallel.

"Senator FULBRIGHT. What kind of settlement was it? I think it would be fine if you would make it very precise. Did it divide it into two separate nations?

"Secretary RUSK. It did not establish it as two separate nations, but it provided some procedure by which this could occur if that is what the people wanted."

There has certainly been coercion and threats and more "from the outside." Perhaps then the Secretary means that "external aggression" is the heart of the problem because the Soviet Union and Communist China are meeting their commitments to their Vietnamese friends. They are, though more modestly than we are aiding "our" Vietnamese. But it is not a point to be made much of. As Senator John F. Kennedy said in 1957, "Most political revolutions—including our own—have been buoyed by outside aid in men, weapon, and ideas."

If the North Vietnamese are to be identified as the aggressors—though their troops account for a very small percentage of the forces against us in the south—then they must be outsiders. But if they are, are there two Vietnam nations? And if so, what did the Secretary have in mind when he told the South Vietnamese in April 1964, that "some day that regime in Hanoi will disappear and you [the South Vietnamese] and your brothers in the North will be able to join in a free and democratic Vietnam." Brothers?

To those who see no profit and much loss in this deepening commitment to destruction

March 4, 1966

CONGRESSIONAL RECORD — SENATE

in Vietnam and who speak out against it, the Secretary has rockbottom rejoinder: "They [the doubters] have not learned the lessons of the thirties." Mr. Rusk concludes that the 20-year struggle of the followers of Ho Chi Minh to control their country is equivalent to the march of Nazi troops across Europe, comparable in its malevolent design, comparable in its threat to the security of the United States. It is, as Mr. Kennan has said a "fatally unfortunate conclusion." Nevertheless, Operation Brainwash proceeds, assisted by General Taylor, Hanson Baldwin and other believers in the analogy with Munich. Those who would restrain our hand, who would hold and wait, who would prefer an accommodation to the brutalizing expansion of this war are dubbed defeatists. Mr. Rusk would have us believe that if victory eludes us it will not be the fault of our leaders but of doubters who stabbed them in the back.

CONTROL OF OUTDOOR ADVERTISING IN INDUSTRIAL AND COMMERCIAL AREAS

Mr. PEARSON. Mr. President, the Department of Commerce, in its draft standards for the control of outdoor advertising in industrial and commercial areas, has failed to follow the intent of the Congress. While the Department says the draft standards are, to quote them, "presented solely as guidelines for consideration and discussion purposes," the very fact that they have been drawn indicates a desire to severely restrict the outdoor advertising industry.

Of particular concern to me are departmental suggestions which, if ordered, would be a severe or even crippling injury to the industry. The draft standards fail to follow the intent of Congress by offering standards inconsistent with "customary use."

As the able senior Senator from West Virginia [Mr. RANDOLPH] adroitly advised this body on February 4 of this year, the House amended S. 2084 to include the phrase "consistent with customary use" when applied to any proposed regulation of outdoor advertising.

However, I am advised that such is not the case in this matter.

Mr. President, I have not had the opportunity to thoroughly study the so-called guidelines. But some of my constituents, successfully experienced in outdoor advertising, have pointed out portions of the draft standards which indicate a total disregard to "customary use." These suggested regulations, and that is what they are whether so stated or not, would create such severe limitations on the spacing of outdoor signs in urban areas that such advertising would be decimated.

Mr. President, I am told the guidelines for setbacks in certain areas are not only impractical but all but impossible to follow. The establishment of extreme setback limits would, in many cases, make valueless, hundreds of thousands of dollars of land purchased or leased by outdoor advertising companies.

At no time during the debate on S. 2084 was there any indication the Congress, or the administration, was desirous of such regulation which would be so harmful to the outdoor advertising industry. But the Department of Com-

merce draft standards could, if adopted, severely cripple the industry, if not destroy it.

I concur with the Senator from West Virginia and others who have urged that we maintain a careful watch on this matter, through transcripts of the Department of Commerce hearings, and hearings before the Bureau of Public Roads.

IDAHO IS PROUD OF FRANK CHURCH

Mr. GRUENING. Mr. President, an excellent editorial concerning our able colleague, the Senator from Idaho [Mr. CHURCH] was published in the Idaho Observer on February 17, 1966. It pays tribute to his vision and wisdom in the field of foreign relations.

I ask unanimous consent to have the editorial entitled, "Senator Was True to His Promise," printed in the RECORD.

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

SENATOR WAS TRUE TO HIS PROMISE

A 32-year-old Boise attorney won election to the U.S. Senate 10 years ago with a campaign based on the slogan, "Idaho will be proud of FRANK CHURCH." If ever a man delivered on a campaign promise, FRANK CHURCH did it this week.

Appearing with four other Senators on a CBS Television program dealing with U.S. policy in Vietnam, the Idahoan demonstrated a remarkable grasp of the circumstances and forces which underlie our present plight in southeast Asia.

With a logic and lucidness commanding respect even from those who do not share his view, CHURCH stated the case against further military escalation in Vietnam, pointing out that Communist containment policies evolved in Western Europe can't work the same way in Asia and Africa, and that we are doomed to failure if we erect a barrier of bayonets around the emerging nationalism of the former colonial world.

The viewpoint to which CHURCH gave eloquent and compelling expression on this occasion, as he has done in the past, may still be a minority viewpoint in this country. But it is one to which a growing number of distinguished Americans have added their support, in varying degrees, in recent weeks: Senate Majority Leader MIKE MANSFIELD; Senator WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee; former Ambassador George Kennan, the architect of the original containment policy; Generals James Gavin and Matthew B. Ridgeway; Marriner S. Eccles, chairman of the board of the First Security Corp., of Salt Lake City, and many others.

A deep tide of disquiet over the direction of our foreign policy is coming to full flow in the United States. It has found its ablest exponent in FRANK CHURCH.

Idahoans, regardless of whether they feel themselves to be a part of the tide, may well take pride in that.

THE RURAL-URBAN BALANCE

Mr. HARTKE. Mr. President, there is a great concern of late about the problems of food and people, about how to keep our food production abreast of our production of new mouths to feed.

Some time ago Mr. W. B. Murphy, president of the Campbell Soup Co., took a look at some of these problems, particularly as they appear in our domestic

economy, and at the relationship of urban and rural America. In addition to his position as the head of a major food processing company, Mr. Murphy is president of the Business Council. His address was given before the Economic Club of Detroit.

Mr. President, I ask unanimous consent that Mr. Murphy's address be printed in the body of the RECORD.

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

THE RURAL-URBAN BALANCE

(An Address by W. B. Murphy, president, Campbell Soup Co., before the Economic Club of Detroit, Sept. 20, 1965)

Michigan is well known throughout the world for its metal working industries, of course. But to those of us in the food industry, it is equally renowned for its high-quality agricultural production and for its position as a leader in education relating to foods. The food industry leans heavily on Michigan farms for a wide variety of ingredients and on its great universities for teaching and research in agriculture, biology and food distribution.

When one is in the food industry he is likely to find it advantageous and usually necessary to keep closely attuned to the people of our country if for no other reason than that there's a well-established custom of eating foods at least three times a day. Also, the food habits of the population are pretty decisive in the success or failure of a food business.

There are two subjects relating to food and people that are much discussed these days and that are of concern to anyone who is thinking of the future. The first of these is the country's and the world's ability to provide the necessary food as population shoots upward; and second, the adequacy of water supplies.

A third subject is less discussed but just as vital: the continued shifting of population from the farms and small rural places to the mammoth metropolitan areas. To a food processor who deals with and is dependent on the farmers in the rural areas, this shifting of people and what it means is a matter of more than small importance.

Today I should like to discuss briefly the first two of these subjects; namely, food production potentials and adequacy of water supply and then deal with the question of where people are going to live and work.

Now, there are many predictions about the things to come. Undoubtedly one of the least reliable has to do with the future population trend. It is estimated that the population of the United States will come close to doubling and that of the world about double over the next 35 years, that is, by the year 2000. This sounds like the distant future, but actually it isn't so far off. A growth rate of 2 percent per year means doubling in 35 years.

Can this vastly greater population be fed? This is a complicated subject in itself. There is a different answer for North America than for Asia or South America. For North America, the answer is an unequivocal "yes." For some parts of the rest of the world, the answer hinges on economic, educational, and political accomplishments more than on the technical question of the earth's food production potentials. Since food supplies are inadequate now in Asia, the future for food in that part of the globe is full of problems. For the rest of the world, the situation is less questionable.

I believe it is not too difficult to raise food production to a much higher level. The world's arable land is about 6.6 billion acres and only about 3 billion are used for agriculture. Furthermore, substantial progress

is being made in reducing the huge crop losses caused by insects, viruses, predators, weeds, and nematodes and there are continued improvements in the techniques of crop production. A combination of reduced losses and better growing methods means that the yield per acre generally can climb to much higher levels. The agricultural productivity in large areas of our country and in many countries of the world is not near its practical limit and will rise as modern agricultural research and development is applied to meet local conditions.

For example, a careful program of agricultural research in Mexico, sponsored by the Rockefeller Foundation, boosted corn and rice crops and enabled that country to become self-supporting and, in fact, an exporting nation for wheat, sugar, and cotton. Mexico is now engaged in a well-rounded research program that is showing fine results for many other crops. In the United States and Canada, the yields per acre for a long list of grains and vegetables have more than doubled since World War II and can go much further with research work now underway. The productivity figures for cattle and poultry have also climbed rapidly. Genetics research can bring resistance to some of the crop debilitating factors. Crop-growing experiments result in improved growing methods. Chemical research is producing means for more effective disease and predator resistance and for weed controls.

The adequacy of water for a population that will nearly double over the next 35 years is vital to the food industry for the simple reason that 40 percent of the water used in the United States today is for irrigation. If a higher percentage of our arable land is to be planted, a primary concern is water supply. The subject of water is just coming into its own as a national problem. The 3-year below-normal rainfall in the Northeast States triggered this sudden general interest, although water as a subject of major national and regional concern would have come to the forefront in any event sooner or later.

There is plenty of water for a doubled population and much more if water supply and its distribution is given attention. It is a sure thing that we are going to have to pay a little more for water in the future. Unmetered homes, unlined irrigation ditches, undistributed surpluses, uncaptured rain and snow runoffs, and untreated waste water, of necessity, will be frowned upon, and as a result, water supplies will probably be adequate for the foreseeable future.

INCREASED POPULATION A PROBLEM

The third subject for discussion here, namely increased population, is more difficult to deal with than food production potentials and water supply. Where is this increased population going to live and work? If the present trend toward greater and greater population concentration continues, there will be rather drastic environmental effects on most of us having to do with the way we live—our taxes—and our peace of mind—among other things.

Why would a businessman and a food processor worry much about population trends as long as they're going up? There are at least two good reasons.

1. As a food processor, he is vitally concerned with the need for continuing increases in crop yields per acre, not only to raise food prices. This increasing productivity, involving as it does fewer and fewer farms producing larger and larger crops, carries with it the problem of surplus farm and small-town population.

2. As a businessman and taxpayer, he must be interested in the massive problems and in the costs to convert the metropolitan centers into attractive, livable places.

Last March, President Johnson sent a message to Congress on housing and cities. He

said, "Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth. In our time two giant and dangerous forces are converging on our cities; the forces of growth and of decay. Between today and the year 2000, more than 80 percent of our population increases will occur in urban areas. During the next 15 years, 30 million people will be added to our cities. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each."

METROPOLITAN AREAS PLANNED

Plans are already being considered for the huge metropolitan areas of Boston, New York, Philadelphia, and Baltimore-Washington—for the enormous metropolitan areas centered by the cities of Chicago, Detroit, Miami, San Francisco, and Los Angeles. These plans involve such needed programs for cleanup, rehabilitation, and upgrading. People are to be stacked on top of each other in innumerable large apartment projects—distances from suburbs to city centers will increase—breakfasts will be served earlier and dinners later—transportation needs will soak up vast areas of valuable urban and suburban property.

This picture of greater and greater population concentration is to me unpleasant and expensive, and I would hope, not inevitable. It makes for a more impersonal existence, higher taxes, more government controls, and in most ways what can be considered a distorted existence, at least by the standards we know today.

Yet, we are on our way to this rather dismal prospect if we continue for the next 35 years the trend toward urban concentration that has characterized the past 35 years.

Thirty-five years ago, the farm population was approximately 30,500,000 people. In 1965, it was about 12,500,000. Farm population was almost one-fourth of our population 35 years ago, whereas today it is only 6½ percent. In contrast, the metropolitan areas with populations of over one million totaled 43 million people in 1930 and today about 80 million. The reduction in the farm population has come about through the tremendous productivity improvements in farming, the sharp reduction in numbers of small farms, plus the job opportunities offered in the big cities for people who had difficulty making a living in the rural areas.

An analysis of population figures by counties shows what has been happening. Counties with less than 25,000 population not contiguous to metropolitan areas represent 61 percent of all counties—they also have 61 percent of the land area but only 12 percent of the population. Counties with 25,000 to 100,000 population and not in metropolitan areas represent 26 percent of all counties and 20 percent of the population. Adding these together yields 32 percent of the population as against 42 percent, 35 years ago, yet they represent 88 percent of all counties and a corresponding proportion of the land area.

Now, let's look at the metropolitan areas of one million or over. There are 164 counties in this category that represent less than 5 percent of the land area but have 41 percent of the population. This population has gone up in a disproportionate amount over the last 35 years. If we examine the record on distribution of employment in manufacturing establishments, the most recent count shows that the metropolitan areas have 48 percent of the total.

We know that the combination of metropolitan industrialization and scientific farm developments has caused many millions of rural people to go to the metropolitan areas. What problems we created for ourselves. Had industry expanded by decentralization to a far greater extent than now is the case, and

had it gone into the thousands of small cities and towns, the rural citizens who could not make a living on their farms could have found jobs in local industry and the overcrowding of big city areas would be far less.

This isn't a phenomenon of North America. The vast slums of Caracas, Mexico City, and Lima, for example, are made up to a considerable degree of families from rural sections who are attracted to the possibility of jobs in the industry that clusters in metropolitan areas. One day the merit of industrial decentralization will be recognized throughout the world and those from the poor farms will find jobs in plants located near their homes.

I believe it is in order to suggest that in the United States the disproportionate industrial concentration in the metropolitan areas not go further and further and also to suggest that manufacturers can do themselves a favor and our country a service by allocating a fair share of their new plants to the rural areas.

We already have critical urban problems. Those problems will be compounded if the trend toward the metropolitan areas that characterized the past 35 years continues into the future.

In this city of Detroit, there is an aggressive urban renewal program led by Mayor Cavanagh that obviously is badly needed and which illustrates the kind of attack that must be carried on in all major cities. But Detroit doesn't need to have further migrations from the rural areas.

Philadelphia, where I live, is also making strenuous efforts to upgrade its character and also has a long struggle ahead. It too doesn't need further migrations from the rural counties. The conditions in New York, Chicago, and Los Angeles are too well known to need description here.

It is estimated, and I think it is a reasonable estimate, that over the next 35 years, while our population will double, the number of farms will decrease from today's 3,300,000 to about 1,500,000, and that farm population will drop from today's 12½ million to about 6 million. Since in 35 years the 12½ million will nearly double to approximately 24 million, and farms will then need only 6½ million, this means a surplus of about 18 million. These are conservative figures. Other estimates indicate that there will be only 1 million farms and a farm population of only 4 million. There is no estimate for the future reduction in numbers of people in rural towns serving the farm population. This reduction easily can match in numbers the surplus from the farms. The trend to fewer and fewer farms and lower farm and other rural population has been going on for many years and shows no sign of abating.

This does not mean that our crop production will be less—in fact, it will be far higher but it will be done by much larger farms and by further farm mechanizations and other crop productivity gains. I am not suggesting that we are going to have farm factories. An overwhelming proportion of our farms undoubtedly will be family farms as they are today, but these will be family farms of much larger acreage, operated with more sophisticated machinery and with fewer work-hours per unit of crop production. In 1930 the average value of a farm was \$10,900—today, the average value of a farm is \$68,000. It is estimated that 35 years from now the average value of a farm will be \$200,000 or more. This means that there will be fewer farms and millions of people from small farms and rural towns will be looking for jobs. If the trend of the last 35 years continues, they will go to the large cities and mostly to the metropolitan centers.

FARMING AN EXCITING OCCUPATION

Farming is an exciting occupation when the farmer has good education and training and when the farm has the potential to be profitable. This means a sizable acreage, high production modern farm machinery,

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problem. And it is vitally important because the Government must have the support of an informed and enlightened public if any law, any act of law enforcement or any administrative measure is to be effective in reaching its objective.

VIETNAM WAR THREATENS INFLATION

Mr. CHURCH. Mr. President, the threat of inflation is quite clear.

I suggest that Americans seriously consider the extent to which the war in Vietnam is contributing to the threat of inflation at home, as well as the balance-of-payments problem abroad.

The Idaho State Journal in Pocatello published an Associated Press article which illustrates this point of view, and I ask unanimous consent to have it printed in the RECORD.

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

IMPACT OF WAR ON ECONOMY BRINGS THREAT OF INFLATION

NEW YORK.—The impact of the Vietnam war on the American economy is growing.

It hasn't reached the proportions of the Korean war, when wage and price controls were imposed, but it is very real. And it brings with it the ominous threat of inflation.

Labor and material shortages are occurring and some transportation is being taxed.

Government officials and business executives face problems that will have to be solved as the Vietnam conflict escalates. Liaison between Government and business has become an everyday affair as the administration seeks cooperation on prices, balance of payments, and availability of strategic supplies.

Big orders for airplanes and helicopters are keeping the aircraft plants humming. Apparel manufacturers are having a hard time meeting Government needs for uniforms. Airlines are struggling to haul vast quantities of materials and men to the war zone.

The military demands are coming on top of a booming civilian economy that has pushed factories to capacity or near capacity production. Apprehension about inflation is rising.

All forecasts of stock market and economic activity are hedged by the uncertainty of the Vietnam situation.

The sensitive stock market has been jolted by talk of war and talk of peace. Recently a report of a peace feeler by North Vietnam sent it into a brief tallspin.

Commenting on the market's reaction, Eldon A. Grimm, a senior partner in the big brokerage firm, Walston & Co., said: "We are in a financial foxhole—a semiwartime market."

Prudential Insurance Co. of America said stepped-up military activity in Vietnam, coupled with growing inflation, has prompted it to revise upward its economic forecast for 1966.

Prudential's chief economist, Dr. William V. Freund, now sees the 1966 gross national product—total of all goods and services—at \$726 billion, up from a \$714 billion prediction issued last November.

The 1965 gross national product was \$676 billion, up 7.5 percent from 1964.

Secretary of the Treasury Henry H. Fowler said the Vietnam escalation is pulling gold and dollars out of the United States at a \$700 million a year clip. This outlay goes for troop costs, construction, and purchase of supplies that cannot be obtained in the United States.

Fowler said the administration is holding to its goal of trying to balance the U.S. international payments position this year but he warned that a fresh jump in Vietnam costs could put the target out of reach.

Fowler has quoted President Johnson as saying that the prime reason for maintaining the sales of savings bonds, on which interest has been raised, is to help meet the cost of the Vietnam war. The Secretary also said that the savings bond program could prove one of the Nation's most valuable weapons in averting inflation.

It seemed likely that Johnson's Great Society program might be a major victim of the war. Increases in appropriations for the domestic war on poverty and other programs already have been pared. Further cuts could come if war expenditures continue to rise.

In an increasing number of industries, demand-supply conditions have reached the point where manufacturers have had to allocate their products among their customers to assure a fair distribution.

BIG BROTHER CURTAILED?

Mr. LONG of Missouri. Mr. President, I wish to call to the attention of this body a very recent action taken by the Federal Communications Commission. On Monday, February 28, 1966, the FCC adopted rules outlawing eavesdropping in private conversations. Effective April 8, 1966, the use of radio devices for eavesdropping purposes will finally be somewhat curtailed.

As chairman of the Senate Subcommittee on Administrative Practice and Procedure, I have been appalled at the complete lack of controls over these radio devices which are used to pry into the private lives of too many of our American citizens. The step taken by the FCC is a small, though important, step in the uphill battle to remove these little bugging devices from the marketplace.

The rules issued by the FCC would prohibit, with the exception for law enforcement agencies, the use of any radio device to overhear or record the private conversations of others without the consent of all parties engaging in the conversations. Mr. President, I underscore the word "all."

This is a significant departure from the few State laws on this subject, most of which only require the consent of one party to the conversation. The theory behind this is that a person assumes the risk that whatever he says may be divulged without his knowledge by the other party to the conversation. According to the new FCC rules, however, both parties must consent to the use of these eavesdropping devices. This is extremely important, for our American citizens should not be forced to live in constant fear that their remarks may be recorded without specific consent.

Mr. President, I have stated that this is but a small step forward. Now that the FCC has prohibited the use of radio devices for eavesdropping purposes, it would seem to me that the advertising of these gadgets for eavesdropping purposes in newspapers and magazines should likewise cease.

Our subcommittee files are full of advertisements telling the reader that by buying one product, he can be the first

on his block to listen to his neighbors on the next block. Or that another product can be successfully hidden in a cigarette pack or vest pocket. Another advertisement informs the reader that he can purchase, at a nominal price, a fountain pen which "picks up and broadcasts everything that is being said."

And one ad reads:

Any girl can tap a phone in 10 seconds * * * just unscrew the mouthpiece and drop in the FM transmitter.

I have therefore written the Federal Trade Commission and the Department of Justice, asking for an immediate investigation with the ultimate purpose of curtailing all advertising of these snoop-ing devices for illegal purposes.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the recent FCC order referred to earlier.

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

COMMISSION ACTS TO PROTECT RIGHT OF PRIVACY: ADOPTS RULES OUTLAWING RADIO EAVESDROPPING

The Federal Communications Commission has unanimously adopted rules to prohibit the use of any radio device for eavesdropping.

The rules prohibit, with an exception for law enforcement agencies, the use of any radio device to overhear or record the private conversations of others without the consent of all parties engaging in the conversations. They are applicable to all radio devices, whether licensed or not, and violators will run the risk of the imposition of a fine of \$500 a day for each and every day such offenses occur, as well as loss of license or civil forfeitures where those remedies are appropriate. They reflect growing public indignation with increased intrusions into the traditional right of privacy through the use of wireless microphones, some so small as to be concealed in a pack of cigarettes or the now-famous martini olive.

Aspects of the rules deserving special emphasis are:

First, the rules apply unless all parties to a private conversation consent to the use of such devices. In contrast, it may be noted that of the seven States having laws on this subject, five provide that the consent of only one party is necessary on the theory that a person assumes the risk that anything he says may be divulged without his knowledge by any other party to the conversation. The Commission's policy is predicated on the view that the right of privacy is so precious that a person engaging in a private conversation should not be asked to assume the risk that his remarks are being recorded without his full knowledge and consent.

Second, the exception for law enforcement officers makes no change in what constitutes a crime under State law or existing practices in the States. The burden of establishing that radio eavesdropping is being lawfully conducted rests with the law enforcement agency. In all other respects, as has always been true, use of radio devices by law officers must be in full compliance with the Commission's rules and regulations.

Third, only "private conversations" are entitled to protection. The rules, contrary to some expressed concern, will not interfere with generally accepted broadcast practices in covering public interest events. For example, conversations carried on in public and semipublic places or where they may reasonably be overheard by others are not "private" and therefore not covered.

Fourth, the rules cover both the direct and indirect use of radio devices. In the area

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of eavesdropping, ingenuity knows no bounds; but if in any phase of the operation a radio device is used to transmit a private conversation the rules will apply. Finally, the rules adopted in the Commission's report and order in docket 15262 will become effective April 8, 1966.

IN THE MATTER OF AMENDMENT OF PARTS 2 AND 15 OF COMMISSION'S RULES TO ADD REGULATIONS PROHIBITING THE USE OF RADIO DEVICES FOR EAVESDROPPING PURPOSES
(Before the Federal Communications Commission, Washington, D.C., Docket No. 15262)

REPORT AND ORDER

By the Commission: Commissioner Wadsworth absent.

1. On January 17, 1964, the Commission released a Notice of Proposed Rule Making (FCC 64-27, 29 F.R. 577) looking toward the adoption of rules prohibiting the use of radio devices for eavesdropping. The Notice invited interested parties to file comments on or before March 16, 1964, and reply comments on or before April 16, 1964.

2. Comments were received from the following parties: Columbia Broadcasting System (CBS); Glenn A. Zimmerman, New Brunswick, N.J.; City of San Diego, Calif.; Association of the Bar of the City of New York; Fargo Co., San Francisco, Calif.

No reply comments were received. It is noteworthy that the comments filed by the Association of the Bar of the City of New York were prepared by its Special Committee on Science and Law which has conducted a study of the effect which recent scientific and technological advances are having on privacy in the United States. The Fargo Co. manufactures miniature radio transmitters for sale to law enforcement agencies.

3. At the outset, it should again be noted that the rules discussed herein do not pertain to the unauthorized interception of communications by wire or radio. That practice is prohibited by the provisions of section 605 of the Communications Act of 1934, as amended, 47 U.S.C. 605.¹ The rules with which we are concerned apply solely to the use of radio devices to transmit private conversations which have been overheard by one means or another.

4. Advances in the miniaturization of radio transmitters have fostered an apparent increase in the use of such devices for eavesdropping. Virtually every radio eavesdropping device known to be used today is essentially a wireless microphone; i.e., a unit having the combined capabilities of a sensitive microphone and a radio transmitter. Though wireless microphones are often used by entertainers, lecturers, and others for innocuous and useful purposes (provision is made for the use of these devices in certain licensed services and under part 15 of the rules), most of those devices are readily adaptable to an eavesdropping use. Wireless microphones which are constructed specifically for eavesdropping are designed either to permit easy concealment or to resemble some commonplace items, e.g., a pack of cigarettes, or the now-famous martini olive.²

¹ A common violation of section 605 involves the unauthorized interception of telephone communications. This practice is popularly known as wiretapping and is normally accomplished either by making direct contact with the telephone wire or by placing an induction coil within the magnetic field surrounding the wire. (The words "unauthorized interception" when used with respect to section 605 in this document include the divulging or beneficial use of the intercepted communications.)

² See Senate hearings on electronic eavesdropping before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, Feb. 18, 1965.

5. Each of the parties who filed comments commended the Commission for its recognition of the problems raised by the increased use of radio eavesdropping devices, and the city of San Diego and the Fargo Co. recommended adoption of the rules as proposed. The other parties raised questions concerning the proposal which we shall discuss in the following paragraphs.

6. The Association of the Bar of the City of New York (association) urged initially that public hearings be held (preferably before a congressional committee but under Commission auspices if necessary) to review the whole subject of eavesdropping, its effect upon society, the state of the existing law in this area, the need, if any, for additional laws or regulations, etc. The association believes that without such a hearing the commission risks changing the vital balance of society without an adequate understanding either of what is involved or the consequences of its actions. They feel the Commission will affect the public consensus as to where the line should be drawn between encroachments on privacy which are permissible and those which are not.

7. Senate hearings encompassing the question of eavesdropping were held on May 9-12, 1961, before the Subcommittee on Constitutional Rights of the Committee on the Judiciary in connection with four bills dealing with wiretapping and eavesdropping which were introduced in the 87th Congress, 1st session. On February 18, 1965, Senate hearings on electronic eavesdropping were initiated by the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary. Testimony regarding this Commission's role in the matter of radio eavesdropping was submitted by the Commission on May 5, 1965. The information developed during both these hearings has been of benefit to the Commission in formulating this report and order.

8. The Commission's decision to take action with respect to the matter of radio eavesdropping is consistent with its public interest responsibilities under the Communications Act. Eavesdropping, by any means, has traditionally been regarded as contrary to the public interest. Blackstone (4 Commentaries, chapter 13, section 5(6)) defined the practice as a common nuisance punishable before the court. Section 605 of the Communications Act of 1934, as amended, though enacted to prohibit the unauthorized interception of communications by wire or radio, reflects the intent of Congress to preserve the privacy of communications in those areas where the Federal Government has unquestioned jurisdiction to act. This concern for the privacy of communications has been stressed by President Johnson.³ Eavesdropping by means of a listening device has been held to be an actionable violation of one's right of privacy.⁴ Moreover, seven States have seen fit to adopt statutes prohibiting electronic eavesdropping.⁵ Thus, the Commission's action is calculated to insure that the authority to operate radio devices, whether under a license granted by the Commission or pursuant to part 15 of the Commission's rules, cannot be claimed to permit the use of those devices for eavesdropping purposes.

9. Objection was made by the association to that provision of the proposed rules which

³ See the New York Times, July 16, 1965.

⁴ See *McDaniel v. Atlanta Coca-Cola Bottling Co.*, 2 S.E. 2d 810 (Ga. 1939); *Roach v. Harper*, 105 S.E. 2d 564 (W. Va. 1958); and *Hamberger v. Eastman*, 206 A. 2d 239 (N.H. 1964).

⁵ See Cal. Ann. Codes, Penal Code sec. 653j (West 1956); Ill. Ann. Stat. ch. 38 sec. 14-1 (Smith-Hurd 1941); Md. Code Ann. Art. 27 and 125(A) (Michie 1957); Mass. Ann. Laws ch. 272 sec. 99 (Michie 1956); Nev. Rev. Stat. ch. 200.650 (1957); N.Y. Consol. Laws Ann., Penal Law Art. 73 sec. 738 (McKinney 1944); and Oreg. Rev. Stat. sec. 165.540(1) (c).

would make the prohibition against eavesdropping inapplicable where the use of the device is authorized by one or more of the parties engaging in the conversation. It was contended that this approach fails to recognize a distinction between the risk that a party to a conversation may divulge what he remembers from the conversation and may be believed by others, and the risk that a party to a conversation will use a radio device to overhear and record the conversation verbatim, or authorize another to so overhear or record it. Doubt was expressed as to whether most persons assume or should assume, the risk that their conversations are being overheard or recorded by the use of such devices. The association also expressed the view that the real significance of this provision of the proposed rules would be to enlarge the area of permitted eavesdropping beyond that likely to be condoned by the public or by the courts.

10. Our proposal was based upon the tentative view, set forth in paragraph 6 of the Notice of Proposed Rule Making, that anyone who engages in conversation with others must assume the risk that anything he says may be divulged without his knowledge by any other party to the conversation. However, upon further consideration, we have decided that the objections to this view are well founded and that we should not sanction the unannounced use of listening or recording devices merely because one party to any otherwise private conversation is aware that the conversation is in fact no longer private.

11. The right of privacy is precious, and should not be sacrificed to the eavesdropper's needs without compelling reason. We cannot find such reason here, subject to the single exception made in paragraph 13, infra, for law enforcement officers operating under lawful authority. We agree that the ordinary risk of being overheard is converted into another risk entirely when the electronic device is made the instrument of the intruder. Coupled to a recording device, this new eavesdropping tool puts upon the speaker a risk he has not deliberately assumed, and goes far toward making private conversation impossible. We do not believe the assumption of such a risk should be made the basis of our rules. We are commanded by the Communications Act to "encourage the larger and more effective use of radio in the public interest," section 303(g). Upon reflection, we do not believe it to be consistent with the public interest to permit this new product of man's ingenuity to destroy our traditional right to privacy.

12. As stated in the notice, there are precedents in this or analogous fields which lend support to the adoption of the rule as proposed, i.e., with an exemption where one party consents to the radio eavesdropping.⁶ But the matter is one of policy and, for the reasons just stated, it is our judgment that the appropriate policy balance should be struck in favor of protecting the traditional right of privacy. The position we take here on this question is the same one we took in requiring that telephone recording devices be equipped with an automatic tone warning device, so that all parties to the conversation may be on notice where any party is making a recording of a telephone conversation. See "Use of recording devices," 11 FCC 1033 (1947).

13. The proposed rules would except the operations of law enforcement officers conducted under lawful authority. The association and Mr. Zimmerman commented that the phrase "under lawful authority" does not

⁶ For example, the statutes of California, Illinois, Massachusetts, Nevada, and New York do not apply if any party to the conversation has consented to the eavesdropping. The statutes of Maryland and Oregon apply unless all parties to the conversation have consented.

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farming techniques, in school and hospital construction, and in critical industry; make the land reforms, tax changes, and other basic adjustments necessary to transform their societies; face the population problem squarely and realistically; create the climate which will attract foreign investment and keep local money at home.

"These are just a few steps on the road to modernization. But they are absolutely necessary. Without them, outside help is wasted. Neither we nor they can afford waste, and we will not continue any partnership in which only we recognize that fact."

The President, in our belief, will have little trouble getting congressional approval of a new foreign aid program keyed to the proposition that we will help only those who help themselves.

His problem, once such guidelines are approved, is to administer the foreign aid program within them.

STEVENSON: A 20TH-CENTURY MAN

Mr. CHURCH. Mr. President, 1965 was a year in which the world watched the passing of several great men including Churchill, Schweitzer, and Stevenson. Of these figures, Adlai Stevenson will long be remembered whether as Governor, presidential candidate, party leader, or Ambassador.

In an article written by Clayton Fritchey in the February 4, Washington Post, Stevenson is remembered as a 20th-century man:

In fact, in his maturity he sometimes—not always to his own advantage—was close to being a 21st-century man.

Mr. President, I ask unanimous consent to have Mr. Fritchey's article printed in the RECORD.

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

STEVENSON: A 20TH-CENTURY MAN (By Clayton Fritchey)

If Adlai Stevenson had lived, he would have been 66 tomorrow. He was born on February 5, 1900, and so was the same age as the century; he liked that, for it made it easy for him to remember how old he was.

Unlike some of his contemporaries and political opponents, he did not kick and scream at being brought into the 20th century. He liked it at once. His family swears the first thing he did was to let loose not with a yell, but a smile.

It is quite believable, for he was always very much the 20th-century man. In fact, in his maturity he sometimes—not always to his own advantage—was close to being a 21st-century man. He discovered the hard way that in politics it often doesn't pay to be ahead of your time.

Perhaps the most painful example of that was his pioneer effort, during the 1956 presidential campaign, to promote the then radical idea of a nuclear test ban. It cost him many votes for he was premature, but, as his successor, Arthur Goldberg, said, that was only of passing moment to him.

"Much more important," Goldberg rightly added, "was that 7 years later the United States and the world caught up with him, and the air we all breathe is now cleaner and purer. If he achieved nothing else in life, this would have been enough."

In a Stevenson memorial service, Goldberg said, "We have come here today not to mourn the sadness of his death, but to remember the joy of his life." Unfortunately, others have cultivated the impression that he died

disappointed and depressed. The best clue to his outlook, however, was a Christmas card he once sent his close friends after being defeated for President. It said:

"I asked for all things, that
I might enjoy life;
I was given life, that I might
enjoy all things * * *
I got nothing that I asked for—but every-
thing I had hoped for
Almost despite myself, my unspoken prayers
were answered.
I am, among all men, most richly blessed."
—AUTHOR UNKNOWN.

And it is true, he was richly blessed, even in temporal ways. Few remember now that, like Eisenhower, he was a late bloomer. Both could have posed for ads on "Life Begins at 40," or even later. Stevenson at 48 suddenly emerged from anonymity as Governor of Illinois; Eisenhower at 50, hitherto an unknown lieutenant colonel, just as abruptly became a general. The war shot both of them out of a cannon.

Another singular thing that few remember is that when they ran against each other in 1952 for the Presidency, neither had any national political experience, either elective or appointive. Eisenhower won, but never (except in name) became the real head of his party. Stevenson lost, but in losing he did become the true leader of his party. Perhaps that was his greatest achievement.

Generally, there is no has-been like a defeated presidential candidate. Whatever became of Goldwater, for instance? And Nixon, even after the closest election in modern history, could not get the nomination again in 1964. Dewey is a forgotten man. Willkie wilted after his defeat, as did Landon. On the Democratic side, Al Smith, John Davis, and James M. Cox also were overshadowed by defeat.

It is necessary to go back 50 years or so to William Jennings Bryan to find another defeated candidate who, like Stevenson, not only continued to lead his own party, but also influenced all sectors of American society even though out of office.

Bryan's failure as Woodrow Wilson's first Secretary of State cost him his reputation and following, but Stevenson, as Ambassador to the United Nations, enjoyed some of the most fruitful years of his life. He became everybody's Ambassador, regardless of party.

While he was at the United Nations he was asked to run for the Senate both from Illinois and New York. He was not interested, but in the last year of his life he was filled with pride when his oldest son led the entire ticket in the statewide election for the legislature. The political pros in Illinois have a quiet hunch that, with a little luck, this attractive and intelligent young man might ultimately succeed where his father didn't.

Adlai, Sr., couldn't beat an Eisenhower, but Adlai, Jr., in his first race did. He ran far ahead of Eisenhower's younger brother, Earl, who, fortunately for young Adlai, had never won a war. But that's the kind of break you need in politics.

THE PRESIDENT'S HEALTH AND EDUCATION MESSAGE

Mr. CASE. Mr. President, I am happy to have the President, as he did in his health and education message, join with those of us who for some time have been calling for greater Federal aid for modernization of hospitals and nursing homes.

As I pointed out 6 months ago, the need for hospital beds and short-term convalescent care in nursing homes has

been drastically increased by enactment of the historic medicare bill.

And officials of the New Jersey Department of Institutions and Agencies tell me that, even apart from the increased demand under medicare, we could use two to three times the \$5.3 million in Hill-Burton funds allotted to New Jersey in fiscal 1966. It is not difficult to imagine how great our State's need for medical facilities will be when medicare becomes fully effective.

The President's draft bill has been submitted to Congress. It provides for a 10-year program with \$975 million for each of the first 2 years and unspecified amounts after that. The program includes three avenues of Federal aid.

First, it would offer to private non-profit hospitals and nursing homes, but not to public institutions, Federal guarantees for loans covering up to 90 percent of the cost of any qualified project designated by a State. Second, if a guaranteed loan could not be obtained under reasonable conditions, the Government would make a direct loan, again for 90 percent of the project cost, but this time to either public or private non-profit hospitals and nursing homes.

To help repay these loans and cover the interest paid on them, the Government would make grants for up to 40 percent of the cost of the project. These grants would be paid in regular installments over a 10-year period after the loan was obtained and the modernization underway.

I am particularly pleased that the President's program includes funds for modernization of nursing homes and I would hope that in the future additional funds could be provided for new construction of more nursing home facilities.

I hope this program will be given speedy consideration by Congress because help along these lines is urgently needed.

VIETNAM

Mr. RIBICOFF. Mr. President, all of us in Congress are deeply concerned about Vietnam. The situation overrides our every thought and action.

I had the opportunity to speak on the subject at the Hartford College for Women in Hartford, Conn., on February 14. Later, it was my privilege to discuss at length the content of my speech with President Johnson.

Mr. President, I ask unanimous consent that this speech, the statement I issued following my conversation with the President, and some of the editorial comment about the speech, be printed in the RECORD.

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

VIETNAM: THE HISTORY, THE PROBLEM, AND A PROPOSAL

(By Senator ABRAHAM RIBICOFF, Democrat,
of Connecticut)

I want to talk to you today about the most pressing problem facing our Nation and the world. I want to talk to you about Vietnam.

And when I speak about Vietnam I do not really speak about a single nation—or an isolated event in the history of mankind.

The situation in Vietnam is much broader. It has meaning and relevance for every citizen of our country—for every nation—in deed, for every person on this planet. We cannot yet know its impact on the future—but we can be sure it will be substantial. We cannot yet know the breadth and depth of the impression Vietnam will make on the history of the world—but we can be sure it will not be a mere footnote on the pages of time.

Never have we been so conscious of the dangers inherent in clashing national wills. Never has our world seemed so small.

There are lessons to be learned from experience—and Vietnam is no exception to that rule. So the first question we must ask is simple: How did we get into Vietnam? How did the United States become involved in a war more than 10,000 miles from her shores?

The U.S. involvement in Vietnam falls into four phases. The initial phase followed World War II, when America gave its help to France.

Vietnam, along with the Kingdoms of Laos and Cambodia, then comprised what was called Indochina. French colonial rule, which dated back to the 1800's, had been briefly replaced by Japanese occupation during the war. Soon after V-J Day in August 1945, Ho Chi Minh, the creator and leader of a revolutionary movement called the Vietminh, set up the provisional Vietnam Republic in the north. Hanoi was the capital, and there the movement directed a campaign to get independence for their country from the colonial rule of France. Soon the Vietminh, which contained both Communist and nationalist elements, established a committee of the south as well. And in September 1945 the committee managed to occupy the government buildings in Saigon. Their victory was short lived. In a few days French troops, recently returned to the scene, seized the government buildings and came back to power. The tricolor flew once again.

The French now tried to extend their control from the cities to the rural areas. But the Vietminh—whom we now know as the Vietcong—dominated the countryside, just as they do today. Peasants by day and warriors by night, they assassinated village leaders, burned and destroyed houses and schools under the cover of darkness. This brutal, primitive war, carried on by the people of the land throughout the countryside, is what we call a guerrilla war. It is the pattern of war in the so-called developing nations, the war that is suited to the jungles and the swamps, the war of national liberation.

Shortly after the French returned to Vietnam, the United States began to supply their troops with surplus war equipment. Thereafter, during the running 8-year battle, the United States furnished large sums of money and great quantities of materiel to the French—around \$500 million worth a year.

This country's concern with the situation was closely connected with U.S. interests in Europe. Washington was determined to bring the French firmly into the structure of the European defense community.

Clearly, it was in the interest of a realistic American foreign policy that Washington help France end the Indochina war as quickly as possible. France could then share the weighty burden of defense in Europe.

But despite U.S. assistance, the Vietminh defeated the French at Dienbienphu in May, 1954, and the resulting cease-fire provided for temporary partition of the country. This division was to become permanent, with Hanoi the capital of the Communist Peoples Republic of Vietnam in the north, and Saigon the capital of the non-Communist Republic of Vietnam in the south.

A conference was called at Geneva to arrange an armistice. This was the Geneva Conference of 1954 we're now hearing so

much about—and I shall refer to it again later. The agreements finally signed at Geneva have a special importance in our current drive for negotiating a settlement of the Vietnam conflict.

The Geneva Conference was attended by France, Britain, Cambodia, Laos, Communist China, the Soviet Union, and delegations representing the Communist Vietminh and the non-Communist Vietnamese. Representatives of the United States came as observers. The agreements provided for the following:

1. An end to the fighting.
2. Communist forces to be confined to the area north of the 17th parallel, and French Union forces to the south.
3. A ban on the introduction of fresh troops and arms.
4. The independence of Cambodia and Laos.
5. General elections to be held in July 1956 for the purpose of establishing a unified government of Vietnam. An international commission composed of representatives of the member states of the International Commission was to conduct the elections.
6. An International Commission of Canada, Poland and India—to see that the agreement was carried out.

Neither the South Vietnamese nor the United States signed the agreement, because they felt too many concessions had been made to the Communists. In fact, the elections were never held.

The United States did issue a statement, however, saying that it would "refrain from the threat or the use of force to disturb" the agreements, in accordance with the charter of the United Nations. The statement also said the United States would "view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

The second phase of the U.S. commitment began in 1954, soon after Ngo Dinh Diem came to power in South Vietnam. Diem had an unfortunate personality for one in a position of leadership. A member of an old, aristocratic nationalist family, he had been a prominent nationalist in the thirties. But there was no verve or excitement about him—none of the spirit that characterized the Communists, or that inspired the student, nationalist, and religious groups. It is significant that he was an aloof personality—a man who remained apart from the people and trusted very few individuals. As time went on, he depended almost exclusively on the advice of his brother and sister-in-law. The Nhu's enjoyed their influence and power. They insulated Diem further from the outside world and he became thoroughly dependent on them.

Diem's personality complicated his position. But aside from that, his government was plagued from the beginning by the Vietcong's activities throughout the countryside.

The nationalist elements in the Vietcong ranks were being replaced more and more by Communists. At first their operations were isolated incidents—vandalism and banditry, kidnaping, and murder. But these incidents were strategically placed and cleverly designed to show that the South Vietnamese Government was not capable of protecting the people or maintaining order. Diem needed help.

In a letter from President Eisenhower to Diem, dated October 1, 1954, Eisenhower pledged American aid to assist in moving several hundred thousand Vietnamese out of areas passing under de facto Vietcong rule. He also informed Diem that the American Ambassador to Vietnam would examine with him new programs for strengthening the Vietnamese nation against the forces of aggression.

This letter is now a well-known document. It has been quoted often in recent years by

both the Kennedy and Johnson administrations, to justify the American presence in Vietnam. This is why I have discussed it in some detail.

The letter marks the beginning of the second phase of the American commitment in Vietnam. In its wake, the United States and the South Vietnamese also reached an agreement for training and advising Vietnamese military forces. The first military assistance group numbered 600.

By late 1958, the problem of security in the countryside was so serious that the government, whose popularity had waned for some time, was in deep trouble. Armed guerrillas—originally southerners who had gone north in 1954—were returning to the south to reinforce the ranks of the Vietcong in the villages. The assassinations of village chiefs, teachers and government officials became more widespread.

Alongside the military aspect, the political aspect of the Vietcong movement was now developing rapidly. In the villages, the Vietcong set up their own administrations which indoctrinated the population and collected taxes. By threat and examples, methods of terror brought them much success. It was estimated in 1960 that the hardcore of guerrillas numbered some 10,000 or 12,000. They continued to work the rice paddies by day and attack government outposts by night. In 1961, the Vietcong political apparatus was named the National Liberation Front. Everywhere, Diem's government troops were on the defensive.

The Communist offensive of 1960-61 was the reason for increased U.S. assistance to Vietnam. President Kennedy, after commenting on the campaign of terror being "supported and directed * * * by Hanoi," wrote to Diem in December 1961: "We shall promptly increase our assistance to your defense effort." He added: "If the Communist authorities in North Vietnam will stop their campaign to destroy the Republic of Vietnam, the measures we are taking to assist your defense efforts will no longer be necessary."

By 1962, there were some 10,000 U.S. military advisers and service forces in South Vietnam. Dissatisfaction with Diem's government was rife on every front. Reforms failed to materialize. The press was shackled. Not even fiction or poetry could be published unless it was first submitted to censorship. There were some 30,000 political prisoners crowding the jails.

As the military situation grew worse, so did the position of the Buddhists—who were discriminated against as people were moved from place to place because of the war. There was talk of a Buddhist revolt. As the government grew more frightened, the air was filled with increased social and political, as well as religious dissension. Finally, in early May at Hue, on the northern coast, a Buddhist rebellion erupted and nine worshippers were shot.

Then, all over Vietnam, government forces raided Buddhist pagodas. Student demonstrations followed in Saigon and Hue. Countless numbers were jailed. Tension, dissatisfaction and suspense hung heavy throughout the country. The time was ripe for action. Several high military officers, who had been meeting secretly since mid-1962, decided to move against Diem and his brother Nhu. Both were murdered in cold blood.

Political life in Vietnam during the next months was marked by one crisis after the other. From November 1963, to June 1965, the Government changed nine times. The one fairly consistent personality during this period of chaos was General Khanh. Like Diem, his promised reforms never materialized. The air was filled with dissension. In June 1965, Marshal Ky, the present Premier, came to power.

March 4, 1966

During this crucial period, the political situation, kept in constant turmoil by mistrust and jealousy among almost all of the generals, politicians, and religious leaders, prevented any teamwork among those responsible for the war effort.

The U.S. military commitment was stepped up in the summer of 1964 and early in 1965. The immediate cause was the attacks by the North Vietnamese on American warships in the Gulf of Tonkin and by Vietcong attacks on American installations in the south.

The United States retaliated with bombs. U.S. planes have been bombing bases, supply lines, and communications in North Vietnam for over a year now. This intensive bombing—accompanied by a sizable increase in the number of military advisers—constitutes the third phase of the U.S. commitment in Vietnam.

The present phase of the commitment began last fall. During the early months of this past summer, there were large-scale military actions in South Vietnam—multi-battalion attacks and ambushes by the Vietcong reinforced with troops from the North Vietnamese Army. Large numbers of American troops were sent during the fall and winter months to reinforce the South Vietnamese.

And now there are many over 200,000 American soldiers in Vietnam. Their role has changed. They are directly involved in combat. This is the fourth phase of the military commitment in Vietnam.

I now come back to my original question. How did we get in Vietnam?

It has been stated time and again that the United States is in South Vietnam to help the South Vietnamese people stay the forces of aggression, and to preserve their right to live under the form of government they choose. The United States wants neither territory nor bases in South Vietnam. Certainly we have no intention of becoming involved in a land war in South Vietnam. This is clear from the manner in which we slipped deeper and deeper into a larger commitment than we originally intended. Long established military doctrine tells us that we should not become involved in a land war on the Asian Continent. Our finest generals have pressed this point. General MacArthur, who fought the Korean and war, insisted that the time-honored American doctrine was sound. He termed the use of U.S. ground troops on the land mass of Asia "master folly." Gen. Omar Bradley concurred: "I do not believe we should get involved in a land war in Asia if we can possibly avoid it." Gen. Matthew Ridgway made the same point in his memoirs. Yet, there is no denying that we have troops in southeast Asia and they are fighting on the ground.

I ask again—how did we get there?

A brief survey of our progressively enlarging commitment has shown that, like slow-moving quicksand, the conflict in Vietnam sucked us in—deeper and deeper—until we now find ourselves deep in a war we didn't want to fight. With each successive step of the commitment, the American public was led to believe that that step would be the last. Just a bit more support was needed for the South Vietnamese to turn the tide.

These predictions have consistently proved too optimistic—or unrealistic—or based on faulty information.

We must understand the extent of our commitment, for the citizens of a democratic nation must be fully informed. It is the people of a nation who carry out the commitment that its government makes.

I see the conflict in Vietnam as a struggle on two levels. It is a struggle in which the people of a small nation are trying to win the right to live their lives free from the forces of aggression. This level of the struggle has the most basic and crucial implica-

tions for the whole developing world. But just as important—and I think too little has been said about this level—it is a struggle to maintain a balance of power between the great nations of the world. As you will see, both levels are tightly joined.

The outcome of the Vietnamese conflict, for the other nations of southeast Asia, may mean the difference between a future in which southeast Asians live within the political systems of their choosing—and a future in which they bow to the dictates of a system encouraged, if not imposed, from beyond their boundaries.

To a great extent, the future of these nations will depend on the success or failure of a constructive U.S. foreign policy in southeast Asia. It will depend on whether or not the United States has learned the lessons of more than a decade of observation and participation in the bitter experience of South Vietnam. The lesson should be clear by now: We can shore up governments; we can even support them for some time. But if governments are not responsive to the deepest needs of the people, all our help will be wasted. If the government does not provide a way for the people to realize their desires, our aid merely postpones the day of reckoning.

We cannot assume the burdens of whole sections of the world indefinitely. Instead, we must direct our energies and resources toward helping governments become responsive to the needs of their people, and thereby gain stability through the support of the people. We have learned from Vietnam that we must do what it takes to accomplish this. And I believe that we must use all the leverage at our disposal.

In Vietnam, as we have seen, the Government has never won the loyalty of its people. There are many reasons, and the United States must share the blame.

Political reform: The people must have a voice in the future course of their nation's development, if they are to identify with their government. In South Vietnam, for example, political reform has been talked about ever since Diem came to power in 1954. Yet, we are hard put to find advances in the situation. A constitution was promulgated in 1956, but the executive was given the power to rule by decree in an emergency. South Vietnam has been governed by decree during much of the time from then to now. Diem was forced to create a national assembly because of promises he made during an early political crisis. A rubberstamp body, it's referred to in Saigon as the government's garage. The provincial government became the creature of Saigon. Elections for village chiefs and municipal councils were abolished. And just as important, the personal rule of a family excluded the Buddhists, other religious and nationalist groups—comprising almost half of the population—from any voice in national life. Now, personal rule has been replaced by military rule. There have been some provincial elections recently; yet, the situation has changed very little. Some outstanding Vietnamese citizens are now writing a constitution. We will see if it's put into effect.

Judicial reform: The Vietnamese people suffer from the lack of an equitable system of justice. Will a people feel kindly toward their government—much less give it strong support—if their government does not provide them with a fair trial?

Economic and social reform: People living in an agrarian culture must share the bounty of the land, if they are to defend the land.

It is no secret that the main Communist attraction in Vietnam is land distribution. Forty percent of the nation's rice land was owned by one-quarter of 1 percent of the rural population in 1954. Influential politicians held a big share—especially Diem's family. Since then, the South Vietnamese

have launched several agrarian reform programs—but none has ever reached port.

Land reform is expensive—for landlords must be reimbursed for the land that is redistributed. Any program of assistance to Vietnam must have land reform as its central theme. Yet, though the United States has spent billions of dollars in Vietnam, our program invested only \$4 million in land reform from 1954 to 1960, nothing from 1960 to 1965, and only \$1 million is allocated for this present year in which we are supposedly emphasizing social and economic programs.

Nobody can deny that reforms in every phase of the national life of Vietnam have been imperative from the beginning. The United States has made efforts to get reforms—yet, the results have been negligible at best. For we have never held the Vietnamese to their word. We have never asserted that the United States would withdraw from the scene if promises for reforms were not kept. I think it is time to change our approach to aid, and—though in Vietnam the hour grows later—I hope we have learned this lesson. It is time we make clear that when we offer assistance to a nation—whether military or economic—we are striking a bargain. We will uphold our end of the deal; but we will insist that the aid recipient uphold his end of the deal.

I am not saying that the United States is a father who always knows best. There are objective standards on which reasonable men can agree—standards to which any democratic government must adhere if it is to be worthy of the name.

Our foreign aid will bring results only if the efforts it supports are efforts aimed at making the receiving nation more responsive to the needs and the desires of the people. The lives of American boys and money are far too dear to spend for any other purpose. We can only hope we have not squandered too much already.

This Nation has neither the means nor the desire to carry the burdens of the developing nations indefinitely. Nor do we wish to police the world. But our aid programs can do much to prepare developing nations—so that they will become strong enough and stable enough to share the responsibilities of the world.

Vietnam is but an example in the pattern of crisis among emerging nations. We think most often of Vietnam as a small nation fighting for its freedom. That is only half the story—for there is a world perspective to the Vietnam problem.

History shows us that the world knows peace when there is a balance of power among the great nations—or blocs of nations—and balance between nations within blocs. The key is equilibrium in international politics.

The United States and the Soviet Union have marched too often to the brink of war. And after a long and continuing series of threats and confrontations, they have—despite their conflicting philosophies—come to deal with each other—if only at arm's length. The Soviets, advocates of violent revolution for over 3 decades, took peaceful coexistence as their watchword during the Khrushchev era. This policy became more firmly entrenched with the experience of the frightening Cuban missile crisis of 1962. The Soviets have been close enough to nuclear war to understand its horrors. As the second greatest industrial power in the world, they have much to lose. Their greater restraint during the last few years indicates that they fully realize the stakes involved.

China, on the other hand—an aggressive nation of some 600 million people—both overpopulated and underdeveloped—is plagued by grave agricultural and industrial problems. For Mao Tse-tung, life is cheap. He readily admits that his country

could lose half of her population and still fight a war. China has the use of nuclear power within reach. World apprehension that Mao may become reckless is a real one, for he upholds the use of force to communize the world.

This is the basis for the ideological dispute raging between China and Russia now. China seeks to challenge the Soviet Union's leadership of the Communist world. The words that fly within the Communist bloc are sharp. We continue to follow their conflict with great care.

It is clear that our policy in Vietnam must be planned within this context.

China does not disguise her desire to communize southeast Asia, and she is even now supplying armaments to North Vietnam.

In South Vietnam, we are face to face with China. We are thwarting her ambitions to change the balance of power in Asia. This is a delicate situation, for we must take into account not only China's reactions, but also those of Russia—her sometimes reluctant ally. We must always be aware of the relationship between those two land giants of Europe and Asia—Russia and China—for that relationship will always be meaningful to our policy in southeast Asia.

First, we must be resolute in helping our southeast Asian friends remain free to choose the form of government they want. It is here that the two levels of the struggle are joined. Neither Vietnam—nor any other developing nation—will be able to maintain its freedom and independence if the Communists succeed in tipping the delicate balance of powers existing today. Conversely, this balance will not be tipped if the developing nations have the support of their people and if they are developing in the direction that responds to the people's desires. For the support of their people will allow them to become strong enough to shoulder their share of responsibility in the world. And while nations are developing, we will use our power—not to impose on anyone a new brand of colonialism, but rather to protect their rights to develop as their people see fit.

Second, we will let the world know that we are always ready to negotiate—to talk out our differences, whatever they may be. And President Kennedy gave us an example of this wisdom in the Cuban missile crisis. He backed up his firm stand against the Russians with the threat of using America's great strength. Yet, at each step of the crisis he left enough elbow room for the Soviets to back down gracefully. Tactfulness and flexibility are essential pillars of diplomacy. President Kennedy's handling of the Cuban crisis is a poignant lesson our Government must take to heart today. As President Kennedy declared: "Let us never negotiate out of fear. But let us never fear to negotiate."

President Kennedy's phrase is still appropriate, and efforts to begin negotiations have been carried far and wide by the foremost citizens of the world. President Johnson's peace offensive reaches across the continents to some 115 countries. The President has taken the conflict to the Security Council of the United Nations. The President has offered time and again to sit down "anywhere, at any time" to hold "unconditional discussions" on Vietnam. There has been no clear answer.

We have seen reports of letters from Hanoi to other governments—including France and India and Algeria—asking that those nations use their good offices to bring about peace. We have seen an abortive attempt by Premier Fanfani of Italy to bring about an exchange of views between our Government and Hanoi. U Thant, the Secretary General of the U.N., has tried to foster communication between parties—and perhaps most actively of all—Pope Paul has searched consistently for a way to bring about peace. His moving appeal

to the United Nations—"No more war—never again war"—still rings in our minds and hearts.

But all these efforts have foundered. And they have done so because we have received no clear response—or because we are so concerned about the so-called credibility gap that private diplomacy has been turned into propaganda exchanges.

It is time we faced the realities in Vietnam, and cut through the fog of rhetoric and slogans that billows around the subject. It is time to stop talking about escalation and deescalation. What we must do is defuse the explosive situation in Vietnam.

I believe we must be specific. Let the world and all the parties to the Vietnam conflict know exactly what we propose.

First, I urge the President to issue a call for a preliminary conference on Vietnam. I believe he should name the date—and name the place—Geneva. And he should make it crystal clear that no subject will be barred from the agenda, and that the whole situation in Vietnam—every issue—may be discussed. This is not a proposal for an ultimatum. No conditions should be expressed or implied.

Let all who are involved in Vietnam—the parties to the Geneva accords of 1954, and the parties now involved in the fighting—attend the preliminary conference. And if there is a refusal to attend, then it should truly be apparent to the world that the United States has gone to unprecedented lengths to bring about negotiations.

Some may say that for the President to call a conference with our adversaries—naming the date and the place—is unprecedented. It is—but so are the stakes in this conflict.

Some may say that the proposal is too simple. But experience proves that the best plans are those which are the least complicated. If, as the ancient proverb holds, a "journey of a thousand miles begins with a single step"—let us take that first step.

We must begin to talk directly with the parties involved in Vietnam. We must open up the channels of communication. Perhaps nothing will materialize—at first. It took 2 years of talk to bring about an armistice in Korea. But at least the way will have been opened.

Second, I propose that with our call for a preliminary conference we make clear our willingness—once the conference is convened—to defuse the situation further. To demonstrate our willingness to abide by the original Geneva accords, we should offer a token withdrawal of 10,000 troops, matched by a similar withdrawal by the forces of North Vietnam. This too would be a further step toward peace—and another turn toward removing the fuse.

Third, I propose that the U.S. representatives to such a preliminary conference be the very best negotiators our Nation has—Arthur Goldberg and Arthur Dean. Only the most experienced, wise, and deeply thoughtful men will be able to do the task justice.

And because of the abiding importance of the discussions, the American people should be represented by their leaders in the Congress—and I can think of no better men than the majority leader, Senator MIKE MANSFIELD, of Montana, and the minority leader, the Honorable EVERETT DIRKSEN, of Illinois, who have shown such loyalty and comprehension of the problems in Vietnam. Other Senators with deep experience in foreign affairs should also be called on for counsel—for there is a vast reservoir of wisdom in the Senate too often untapped in the making of policy in foreign affairs. After all, the Senate has a constitutional responsibility to advise and consent in the making of foreign policy.

Fourth, and as an immediate step, we must use every means at hand to prevail upon the governments involved in Vietnam to arrange an exchange of prisoners through the offices of the International Committee of the Red Cross.

That committee has already been instrumental in alleviating suffering on both sides. During the monsoons of this past year, for example, the Red Cross was able to provide thousands of refugee families in flooded parts of South Vietnam with blankets, food, and clothing. The committee has arranged through the Red Cross of North Vietnam for the shipment of mail and packages to American and South Vietnamese prisoners of war.

I urge, therefore, the United States to make every effort to bring about an exchange of prisoners through the International Committee of the Red Cross and the Red Cross organizations in North and South Vietnam. If Hanoi is sincere in its desire to reduce the toll of war—here is another place to begin.

There is a fever abroad in the world. And that fever has different names in different places: "Nationalism"; "Self-determination"; "Anticolonialism"; and, yes, even communism. It is a fever characterized by violence—and wars of liberation are the most obvious signs of the disease.

Men want to make up their own minds about their destinies and control their futures. We can understand and sympathize with their wishes. But ironically, that desire for self-determination is strongest where the institutions of self-government are weakest.

And when one of the newly emerging nations is struggling—as South Vietnam is struggling—against the practical ambitions of its neighbor, or against the subversive force of a minority of its own people, we are forced into a dilemma. For the more we try to help, the less those men believe in their own power to control events.

In one way, this new world of ours is like two children struggling in the street. Down the street comes the compassionate father, who sees his son being beaten by the town bully. He wants to help—yet he knows that if he intervenes his son will lose his self-respect. But if he doesn't step in, his son will be beaten into the dust.

And so it is in Vietnam. South Vietnam is struggling with Hanoi and with the Vietcong. We want to help—but the more we do, the less the effort is South Vietnam's and the more it is our war. Yet if we step aside, South Vietnam will disappear under the tide of aggression.

If the world is not to be swept by an epidemic, we must learn to deal with this fever. If we do not learn from the mistakes of the past, we are doomed to fail and fail and fail again.

We must bring about an end to this dilemma. And we must begin pulling the fuse out of the bomb that is Vietnam. I say we must begin to talk—for weapons are no substitute for reason.

STATEMENT BY SENATOR ABRAHAM RIBICOFF
FOLLOWING CONVERSATION WITH PRESIDENT
JOHNSON, FEBRUARY 14, 1966

The President called me in Hartford today and said that he had received my letter and speech, which he had read carefully, word for word. We discussed all the points that I had raised, and we had a very constructive and lengthy exchange. The President indicated that as far as he is concerned—he is willing to go to Geneva at any time. However, he feels that under the Geneva accords, agreements, and protocol, the invitation should be issued by the cochairmen of the conference. He would certainly be willing to have the United States represented at such a meeting.

The President said that he would be ready to discuss the reduction of troops at a proper conference. He would be willing to discuss an equitable and fair reduction of troops by both sides.

Concerning representation by the Vietcong, the President stated—as he has before—that should Hanoi sit down at a conference, a way could be found for Vietcong

representation. But the Vietcong could not be recognized as the sole representative of South Vietnam.

As far as the exchange of prisoners is concerned, the President said that, as a humanitarian, this is something he would always be willing to consider. He agrees with me that Arthur Goldberg and Arthur Dean would be fine U.S. representatives. They are outstanding, able men. He shares my admiration for them and for MIKE MANSFIELD and EVERETT DIRKSEN.

Our discussion of the entire situation showed me again that the President is deeply concerned to bring about a just and honorable end to the conflict in Vietnam.

[From the Bristol (Conn.) Press, Feb. 25, 1966]

A CONSTRUCTIVE IDEA

A proposal by the distinguished junior Senator from Connecticut for a no-holds-barred conference at Geneva to be called by the United States has been espoused with enthusiasm by the national newspaper, the National Observer, Senator RIBICOFF's proposal is called by the Observer "the most constructive idea on the subject in months."

The editorial comment on Ribicoff's proposal suggests that President Johnson should be interested in its implementation even if he doesn't go all the way with the Senator's proposal.

"Otherwise, the Ribicoff idea deserves more consideration than President Johnson and his advisers have given it up to now, indeed, the proposal calls for such a forthright, honest, and direct gesture by Washington that all arguments against the idea fall apart," the Observer says.

What Senator RIBICOFF suggests is a series of preliminary talks, with no agenda, open to any nation or faction involved in Vietnam.

It has been taken for granted, but not based on anything except diplomatic protocol as far as we can see, that the Geneva Conference of 1954 cannot be reconvened unless the cochairman of that conference, Great Britain and the Soviet Union, agree to call it.

Senator RIBICOFF would bypass the co-chairmen if necessary and have the United States initiate the conference.

As the Observer correctly points out, the President could hardly object to this proposal as a breach of diplomatic courtesy in the light of his unconventional actions in the recent peace offensive during which he sent his top officials to the four corners of the earth in an effort to get support for the opening of negotiations and the cessation of hostilities.

Adoption of the Ribicoff proposal would surely weaken the anti-American propaganda constantly being sent around the globe by Peiping, Moscow, and Hanoi. How could the Communists counter any program which showed the United States willing and ready to talk to anyone concerned in Vietnam at any time without any agenda?

Senator RIBICOFF says that the talks should not be accompanied by any conditions or ultimatums. The Observer adds that neither should they be accompanied by any slackening of the war effort until an agreement is reached to provide for negotiations.

The Ribicoff proposals may or may not receive acceptance at the White House. But, at least, the Connecticut lawmaker cannot be said to be derelict in his duty and desire to find some sort of approach to a solution of one of the most distressing problems of our times.

[From the National Observer, Feb. 21, 1966]

Oratory, pious proclamation, interrogation—all the week's clamor about Vietnam—have buried the most constructive idea on

the subject in months, Senator RIBICOFF's proposal for a no-holds-barred Geneva conference called by the United States.

SENATOR RIBICOFF'S PROPOSAL

The Connecticut Democrat's idea needn't be swallowed whole by President Johnson. For one thing, Mr. Ribicoff proposes that the American delegation arrive at the conference with an offer to withdraw 10,000 troops if Hanoi would agree to yank 10,000 North Vietnamese troops from the south. The Senator sees this as token deescalation. But the removal of 10,000 American troops, even out of a total of some 200,000, could result in more than a token weakening of the U.S. ground effort. Meanwhile, it would be impossible to tell whether Hanoi were matching the U.S. reduction; it's hard enough to determine how many troops North Vietnam is sending southward.

Otherwise, the Ribicoff idea deserves more consideration than Mr. Johnson and his advisers have given it up to now. Indeed, the proposal calls for such a forthright, honest, and direct gesture by Washington that all arguments against the idea fall apart.

RUSSIA NEEDS A NUDGE

Mr. Johnson himself protests that any call for talks in Geneva must come from the two cochairmen of the 1954 conference on Vietnam. True, any settlement probably would have to be wrapped up in a full-dress conference of the 1954 signatories. But Mr. RIBICOFF is proposing preliminary talks, with no agenda, and open to any nation or faction involved in Vietnam. Besides, Russia, one of the 1954 chairmen, refuses to join the other, Britain, in reconvening that conference. Preliminary talks might be just the nudge the Kremlin needs. The necessity for a formal conference is an argument for, not against, the Ribicoff idea.

If the President is objecting to unconventional diplomacy, the objection is unconvincing in light of his recent "peace offensive." A preliminary meeting in Geneva, furthermore, would have much less the appearance of a circus than the hither-and-yon scurrying of diplomats in recent weeks. Any Red propaganda questioning U.S. sincerity would have a tinny ring with a U.S. delegation on hand ready to talk face to face with any and all comers.

Barry Goldwater complains that the post-Christmas peace effort gave the United States the appearance of "groveling" before our adversaries. Mr. Goldwater and others undoubtedly would object to Mr. RIBICOFF's suggestion on the same grounds. They would argue that if the Reds decline the invitation—as well they might—the United States would be left sitting in Geneva with egg on its face and no one to talk to.

WHAT ROLE FOR THE VIETCONG?

On the contrary, the Government's prestige would be enhanced, not diminished, by the candid willingness to discuss those matters the Reds say now block formal talks. The meeting certainly should take up the question of how the Vietcong would be represented at formal talks; the administration already has said, many times, that the problem is not whether the guerrillas should be represented, but how. A Communist boycott of Geneva would be hard for Peiping, Hanoi, or anyone else, to justify. The egg would be on Red faces.

Finally, there need be no appearance of groveling if the United States continues to apply military pressure in Vietnam. Mr. RIBICOFF says the call for talks should not be accompanied by conditions or ultimatums. Right. Nor should it be accompanied by any slackening of the American intention to fight it out until the Reds agree to formal negotiations.

This, of course, is why the Ribicoff idea makes good sense.

[From the Hartford (Conn.) Courant, Feb. 15, 1966]

THE DEBATE TAKES SHAPE

Thanks to the hearings before the Senate Foreign Relations Committee, we have at last begun the debate on Vietnam that has long been lacking. Last week the doves held the spotlight. This week the hawks are to have their turn. So complex are the intertwined values in our involvement in Vietnam that there is no cheap or easy solution. But the continued frank expression of views by both sides should at least make clear which direction we should head in, to avoid the twin dangers of defeat or major war.

Another contribution to the debate, from outside the hearings, has now come from Senator RIBICOFF. In an interview in Washington and again in a speech at Hartford College yesterday he proposed cutting through the tangle with an action this country could take all by itself. His aim, said Senator RIBICOFF, is to "cut through the fog of slogans and rhetoric" so as to "defuse the explosive situation in Vietnam."

Because both we and the North Vietnamese have expressed willingness to return to the principles of the Geneva accords of 1954, Mr. RIBICOFF would have the President issue a call for a preliminary conference on a specified date in Geneva. Once such a conference met he would have us offer a token withdrawal of 10,000 troops, to be matched by North Vietnam. Arthur Goldberg and Arthur Dean, the experienced negotiator who represented us at Panmunjom and elsewhere would represent us, together with Senate Leaders MANSFIELD and DIRKSEN and others. A fourth suggestion, likewise designed to set the stage for subsequent negotiations, would be an exchange of prisoners through the Red Cross.

"Let the world and all the parties to the Vietnam conflict know exactly what we propose," says Senator RIBICOFF. This is a sound idea. If the other side does not come, "then it should truly be apparent to the world that the United States has gone to unprecedented lengths to bring about negotiations."

Such an approach would give a clarity to American policy that it still lacks, despite President Johnson's multiplex peace efforts during the bombing lull. There can be little doubt that the President genuinely wants negotiations, just as there can be little doubt that this country overwhelmingly rejects the idea of just withdrawing. But the showy effort to get negotiations going, the appeal to the United States, and the Honolulu plan for economic and social reconstruction in South Vietnam do not stand alone. When coupled with the resumption of bombing in the north, talk of again doubling American forces in Vietnam, and Premier Ky's uncontradicted refusal of any compromise the whole leaves a fuzzy and confused picture.

Mr. Johnson says plaintively that he has tried everything: "I think I have taken every single suggestion that anyone has made that seemed to offer any possibility, and carried it out." What he has not done is to develop a single, consistent, overall policy and then to explain it in terms that convince this country, and the non-Communist world, that we are right.

Perhaps the reason can be seen in a capsule description of administration policy given in Saigon the other day by Vice President HUMPHREY. "Can the war be won?" he asked. "I will answer unequivocally: Yes. The war to defeat the aggressor can be won." It is this simple view that Vietcong is but a matter of resisting military aggression that many in this country, and most of our allies, cannot bring themselves to accept.

The reason is that there is more to Vietnam than simple military aggression. As former Ambassador Kennan put it before Senator FULBRIGHT's committee: "I have * * *

great misgivings about any deliberate expansion of hostilities on our part directed to the achievement of something called victory—if, by the use of that term, we envisage the complete disappearance of the recalcitrance with which we are now faced, the formal submission by the adversary to our will, and the complete realization of our present stated political aims."

To think only in military terms is to miss the essential point that, no matter what military force we bring to bear on North Vietnam, we are still not going to halt the predominant social and political changes in process in Vietnam. This is why many object to our simply applying ever more military pressure, despite the risk that Red China will come in exactly as it did under similar circumstances in Korea.

Senator STENNIS and General Taylor may say we should disregard this risk, and if China comes in use "every weapon at our command." That means making nuclear war on China. But that in turn means that we would be putting heavy pressure on Soviet Russia to use nuclear weapons against us. Or, at the least, we would be inviting Russia to expand in Europe while we were too heavily committed in Asia to do much about it.

For what? Again as Mr. Kennan said, "Vietnam is not a region of major industrial-military importance." Is it not wiser, before being sucked into the major land war in Asia that until the Johnson administration it was always our policy to avoid, to remember our stake in Europe, in Latin America—and indeed in Asia itself? Countries like Japan and India and the Philippines may know the political realities of Asia as well as we do.

So let the debate go on. For only when all points of view have been fully aired, and discussed back and forth, can the debate end. Only then will our present doubts and confusions disappear in a decision that is genuinely American, because it is politically realistic and morally right.

[From the New Britain (Conn.) Herald, Feb. 14, 1966]

SENATOR RIBICOFF'S PEACE PLAN

Senator ABRAHAM A. RIBICOFF has built his reputation as a forthright, able, creative leader in domestic policies ranging from environmental pollution to urban transportation problem from medical care needs to human rights concerns.

Over the weekend, he made what must be considered a rare foray into the realm of foreign policy. But in that venture, he managed to show the same kind of sensible realism that has characterized his work over the years. He has proposed, in a letter to President Johnson, that the President ask the 1954 Geneva Conference members to reconvene in that city, along with the present war participants, to discuss the Vietnam situation. He repeated and enlarged on the idea in a major talk at Hartford College for Women today.

Further, Mr. RIBICOFF has suggested a formula which could well spell the beginning of the end of the fighting in Vietnam. His suggestion: That there be a simultaneous token withdrawal of 10,000 men each by the United States and North Vietnam—said withdrawal to be carefully supervised. Also, he would like to see a prisoner exchange negotiated.

Now, nothing may ever come of RIBICOFF'S idea, but that is not to say that in an era when many in Government have been reduced to name-calling and/or generalization about Vietnam, we ought not to be afraid to recognize and praise a solid, substantive proposal.

The RIBICOFF scheme is all of that. It has the basic appeal of action without obligation. It has the substance of a well-thought-out, calculated proposal which could have im-

mense appeal throughout the world, yet would not jeopardize our own gains in the war with the Vietcong.

We eagerly await President Johnson's response to Mr. RIBICOFF. The President, in his quest for peace, has vowed to leave no stone unturned. Here is an opportunity, particularly effective for its timing, which could well be initiated by our Government.

[From the Hartford (Conn.) Times, Feb. 16, 1966]

ROAD TO CONFIDENCE

The democratic spirit of debate and enlightenment over crucial decisions on American foreign policy again is abroad in the land. It is a good development, led off by hearings before the Senate Foreign Relations Committee on issues affecting the United States presence in Vietnam.

The very resumption of the process of public consultation and participation is reassuring.

For we have faith in that process; it is our political heritage and really, we can muster no lasting confidence in any determinations made without it.

The Nation can go a certain distance in support of the Presidential initiative; it will to a point follow the counsel of those with posts of responsibility in whom it has trust.

Then the country wants the chance to have its own say and form its own opinions.

We have reached that latter stage, and it is a healthy thing that there is a growing insistence that the books be opened on our accomplishments and our aims in southeast Asia particularly and on our relationships with the Communist world in general.

Within the past few days the Hartford region has been fortunate to have had the debate and the consultation brought into local focus.

Senator RIBICOFF opened with his initiative on Vietnam, outlined at Hartford College for Women. His, like others, was a voice not of dissent but of constructive proposal.

His suggestions of a unilateral American call to a Geneva Conference, of token withdrawal of troops in North Vietnam would match it, of an exchange of prisoners and of the formation of a peace team received prompt Presidential notice.

The measures proposed are worthy; of equal note is the fact that Senator RIBICOFF is joining in the growing public voice and expression of the public will on the issues of peace and war.

Notable too was the appearance here at the University of Hartford of Norman Thomas, the grand old man of socialist idealism, who had a viewpoint to describe.

It was his claim that although the United States has strongly bid for peace it has not made its policy convincingly dependent on peace.

We have not gone as far as we should, in his opinion, to clinch the case for negotiations with Hanoi—and one inclines to lose Mr. Thomas there, where a rather vague appeal to reason is developed, assuming that Hanoi, of a certainty, will listen.

But Mr. Thomas reaches ahead with an interesting assumption that might influence our thinking. We cannot win in Vietnam on the current course, he asserts; in fact, between democracy and communism there will be no long-run winner.

Instead, he thinks, as was the experience after Europe's bitter and inconclusive religious wars, an accommodation will be reached.

Such views shape his approach to a Vietnam settlement.

What has occurred here, with Senator RIBICOFF and Mr. Thomas as advocates, is taking place now not only in Washington but across the land.

A public examination of the course of the Nation is underway. It has reached a level

beyond the surge of demonstration or of instinctive and automation reaction.

We are putting the public intelligence to work, encouraging responsible thoughtfulness rather than blind acquiescence or prejudice.

It is good, for that is the very essence of our strength and being.

[From the Middletown (Conn.) Press, Feb. 15, 1966]

SENATOR RIBICOFF'S PROPOSAL

Since being elected as the junior Senator from Connecticut, ABRAHAM RIBICOFF has shown increasingly how correct the voters were in their choice. His current position on Vietnam is a contribution to that debate, and the views he has now expressed took courage to state. The question is not so much whether he is right or wrong, although this is a matter of grave pertinency, but rather whether his constituents will benefit from the dialog which he has opened up. We would hope this is the case; we think it will be the case.

Senator RIBICOFF made a number of points but one of the most salient was his view that any negotiations have to include the Vietcong. This is a precondition to peace, and it always will be one. The reluctance by President Johnson to negotiate with the Vietcong, despite an offer of "unconditional" discussions, has not prolonged the war by itself, but it has added to the thicket of qualifications.

Although there is considerable evidence that the Vietcong, North Vietnam, and Red China do not now wish to negotiate, the RIBICOFF proposal to invite all involved to a conference at Geneva holds considerable merit. However difficult it is to prosecute both peace and war at the same time, as the rhetorical perambulations of the President have established in the last week, the position of the United States should be kept in focus. Our dedication to peace is not and should not be a bow to world opinion, it must be a constantly clear desire.

There is reason to doubt the real position of the United States—as the world sees us. In an effort to soothe Congress, the President has again contributed to the confusion by noting that "I gather from what General Gavin said in summary there is not a great deal of difference between what he and Kennan are saying and what the Government is doing."

Now, of course, there is considerable difference between the Kennan testimony and the Johnson action—a difference of almost 200,000 troops, perhaps, certainly a difference in strategy. Ambassador Kennan urged that we dig in and wait for a political solution to emerge. General Gavin although apparently modifying his enclave position slightly, was advocating a similar, if slightly different, policy. Many administration officials feel that either strategy would allow the Vietcong undisturbed political control of the country. There the argument now rests.

The President adheres to his view that no one has put forth a better suggestion on how to fight the war in Vietnam; an increasing number of Congressmen are asking what point there is in arriving at a stalemate at a higher level of engagement. It may be said that each retort begs the question; the question must still be asked.

Senator RIBICOFF has not been so much involved in the strategy of war as the tactics of peace. His suggestion cannot of itself end the war, but the spirit of his view tends to advance the possibilities of peaceful solutions. He has presented a fresh initiative and this is just as helpful, perhaps more so, than the declarations of Honolulu. If neither one can guarantee the objective of the United States, which is to prevent the seizure of South Vietnam by force, the country should not go further down the road to

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war without the kind of real debate we have at last come to.

[From the Manchester (Conn.) Herald, Feb. 14, 1966]

RIBICOFF TAKES HIS STAND

The entry of Senator RIBICOFF into the Vietnam debate is the more impressive because it has been so long delayed. For a long time Connecticut people have been wondering if they were ever to be represented in the great national discussion of the most controversial foreign policy commitment of our national history. Senator RIBICOFF himself explains his own silence hitherto by saying that he has had a general instinct to support the policies of the President, and that his own previous service in the Cabinet led him to appreciate the burdens the Presidency must carry in such a world crisis.

Now that he has felt it his own duty to formulate a position and make recommendation, Senator RIBICOFF can be given credit for taking a stand which does not equivocate in the least in the matter of direction.

Recognizing full well the twin stakes being contested in Vietnam—the one the right of the South Vietnamese people to have something to say about their own political destiny—the other the maintenance of that practical power politics style balance of power which the world is still trying to substitute for law—Senator RIBICOFF nevertheless formulates recommendations which would aim at defusing the situation rather than allow it to continue automatically into its quicksand of progressive and unlimited involvement for everybody.

We are not very sure—perhaps even the Senator himself is not very sure—that the specific recommendations he makes have a chance of being adopted by the White House, or of meeting with favorable response elsewhere if the White House should adopt them.

But Senator RIBICOFF judged, rightly we think, that it was important to offer something in specific terms rather than merely to reiterate generalities which have, so far, not lacked for distinguished endorsements.

The RIBICOFF proposals, to be debated in the light of their propriety and feasibility, along with their prospective chances of success, are four in number. He would deal with the problem of how to get the old Geneva Conference going again by having the President himself issue a call to a preliminary conference on Vietnam, the call to name Geneva as the site, and the invitation to go to all the nations which did attend the 1954 Geneva Conference, together with any representatives of groups now fighting in the war.

Once such a preliminary conference—which would obviously itself have to decide whether it ever would become a formal reconvoation of the original Geneva Conference—had met, Senator RIBICOFF would have the United States offer to make a token withdrawal of troops from Vietnam, to be matched by a similar withdrawal of North Vietnamese forces.

Senator RIBICOFF's third point calls for the selection of Arthur Goldberg, the present Ambassador to the United Nations, and Arthur Dean, disarmament negotiator who has now served several administrations, as our delegates to such a preliminary conference, to be accompanied by the two party leaders in the Senate—Senators MANSFIELD and DIRKSEN.

Fourth, as a minor immediate move toward that defusing effort he considers so vitally necessary before the situation gets even more out of hand than it is, Senator RIBICOFF suggests a new effort to use Red Cross international mediarics to arrange exchange of prisoners in Vietnam.

These specific recommendations are open to discussion and debate, and one hopes they get them.

Meanwhile, the main stance taken by Senator RIBICOFF, after his long examination of the issues and his own inner guidances, can also be taken, we think, as something pretty close to the way the American people themselves are feeling these days, which would explain what seems to be the unusual response the RIBICOFF proposals have already begun to receive.

The Senator put his main thought well enough in the closing portion of his speech on Vietnam, as follows:

"There is a fever abroad in the world. And that fever has different names in different places: 'Nationalism'; 'Self-determination'; 'Anticolonialism'; and yes, even communism. It is a fever characterized by violence—and 'wars of liberation' are the most obvious signs of the disease.

"Men want to make up their own minds about their destinies and control their futures. We can understand and sympathize with their wishes. But ironically, that desire for self-determination is strongest where the institutions of self-government are weakest.

"And when one of the newly emerging nations is struggling—as South Vietnam is struggling—against the piratical ambitions of its neighbor, or against the subversive force of a minority of its own people, we are forced into a dilemma. For the more we try to help, the less those men believe in their own power to control events.

"In one way, this new world of ours is like two children struggling in the street. Down the street comes the compassionate father, who sees his son being beaten by the town bully. He wants to help—yet he knows that if he intervenes his son will lose his self-respect. But if he doesn't step in, his son will be beaten into the dust.

"And so it is in Vietnam, South Vietnam is struggling with Hanoi and with the Vietcong. We want to help—but the more we do, the less the effort is South Vietnam's and the more it is our war. Yet if we step aside, South Vietnam will disappear under the tide of aggression.

"If the world is not to be swept away by an epidemic, we must learn to deal with this fever. If we do not learn from the mistakes of the past, we are doomed to fail and fail and fail again.

"We must bring about an end to this dilemma. And we must begin pulling the fuse out of the bomb that is Vietnam. I say we must begin to talk—for weapons are no substitute for reason."

The forces of restraint and reason have, this weekend, gained an important recruit.

[From the New Haven (Conn.) Register, Feb. 15, 1966]

SENATOR RIBICOFF OFFERS HIS PEACE TALK PLANS

ABRAHAM RIBICOFF, our junior Senator from Connecticut, has proposed that President Johnson invite the original participants, plus some others, to the 1954 Geneva Conference to convene again to seek a settlement of the war in Vietnam. The Vietcong, RIBICOFF said, should not be barred from the discussions.

As evidence of good faith, the Senator suggested that both the United States and North Vietnam agree to withdraw 10,000 troops from South Vietnam. Since Hanoi claims it has none of its troops in South Vietnam, it would be placed in an embarrassing position to meet these terms. Despite the denials the United States knows differently—from battlefield contact. The RIBICOFF proposal is that no preconditions be set for the conference, that it be wide open.

President Johnson, in a telephone conversation Monday with Senator RIBICOFF,

gave partial endorsement to the plan. The President said he was willing to go to Geneva but only if Great Britain and the Soviet Union called such a conference. These nations were cochairmen of the 1954 convention.

If the Communists boycotted such a meeting it would be proof to the world, RIBICOFF believes, that the United States went to an extreme for peace but its appeals were not heard by its military and political enemies.

Almost immediate disagreement with the RIBICOFF plan came from some other Senators. JACOB JAVRS, Republican, of New York, said peace efforts cannot be unilateral. He also saw no hope for peace until our military position is better established in South Vietnam, at least with some heavily defended enclaves in key coastal areas.

Others believe that if the RIBICOFF proposal is adopted by the administration and we go to Geneva, we would be left abandoned like a bride at the altar.

RIBICOFF at least has made an overture in the hope of ending the fighting and the bombing. His proposal is another suggestion in the right direction. His recommendation that we recognize the Vietcong, at least for purposes of deliberation, is another indication of a change among some in Washington toward dealing with the Communist National Liberation Front.

As we pursue the war, we must also pursue peace. This course goes hand in hand. Until the hand for peace gets stronger the war will go on.

[From the Stamford (Conn.) Advocate, Feb. 17, 1966]

RIBICOFF'S FOUR POINTS

Senator ABRAHAM RIBICOFF has advanced a four-point program designed to bring the Communists to the negotiating table at Geneva. He proposes that the Vietcong be admitted to the bargaining table; the matched withdrawal of 10,000 troops each by the North Vietnamese and by us; the conduct of negotiations without an agenda; and that prisoners be exchanged.

The RIBICOFF proposals received a quick reaction from the White House. President Johnson, who has been trying in every way short of total surrender to the Communists to get negotiations, called the Senator and exchanged views with him for 40 minutes by telephone. The President told the Senator that he would go to Geneva at anytime but that he felt the invitation should be issued by the cochairmen of the conference, Russia and Britain. The President told Senator RIBICOFF that once such a call was issued the United States would certainly attend.

The President said that if the Hanoi Communists would agree to sit down at the conference table a way would be found to have the Vietcong subversives seated, but he refused to recognize the Vietcong, as the sole representatives of the South Vietnamese people.

The President said that as a humanitarian he favored the prisoner exchange at any time. As to the Senator's suggestion that our negotiating team be made up of Ambassador Goldberg, Arthur Dean, and Senators MANSFIELD and DIRKSEN the President said that he admired these men greatly.

Senator RIBICOFF was convinced that the President is indeed devoted to ending this war which we never wanted to fight. The quick response to the Senator's proposals by the President should not be ignored by those in charge of protocol in Geneva. The invitation to negotiation should be made to all sides. The onus of continuing the war will then be on the side that does not answer. Under any circumstances, our Senator has made an interesting proposal. He joins distinguished company in making an effort to find some way to end this conflict with honor.

[From the West Hartford (Conn.) News, Feb. 17, 1966]

TIMELY SENATOR

The enterprising little Hartford College for women was the setting, and a pretty passel of eager-eyed girls was the backdrop on Monday for what could be a big paragraph in world history, and under any circumstances at least a small footnote.

The girls had invited Senator ABRAHAM A. RIBICOFF to speak to them while he was in Hartford. As occasionally happens among political leaders, the time had come when the Senator had something especially timely, and especially significant, to say. So it was at Hartford College that he made his most important foreign policy speech in which he called for reconvening of the Geneva Conference of 1954. Beyond that suggestion the Senator traced the course of America's enlarging commitment: "Like slow moving quicksand, the conflict in Vietnam sucked us in—deeper and deeper—until we now find ourselves deep in a war we didn't want to fight." And he concluded: "We must be resolute in helping our southeast Asian friends remain free to choose the form of government they want."

Between these two poles the Senator had a good deal to say that the President would just as soon wasn't said right now with quite the authority that a Senator has. But the President, who called the Senator from Washington and talked 45 minutes about the Ribicoff proposal for a preliminary conference on Vietnam and token withdrawals of troops (plus a Red Cross exchange of prisoners), knows that the Connecticut Senator has his ear about as close to the public heart as anybody around.

He touches a sensitive nerve when he raises the pointed question whether indeed South Vietnam's record of political, judicial, economic, and social reform justifies our hope. The hope is, of course, that given a free choice, the people would identify their military government as the image of democracy for which America risks its prestige in an Asian land war.

It is fair to ask, what social progress could be expected in a nation torn for 20 years by revolution and war? And before that mostly fiefdoms and religious hierarchies. But such realizations are not new. They are the same ones upon which "old China hands" both diplomatic and military have founded their belief that the United States was not going to make its point with a land war. Yet, as Senator RIBICOFF pointed out, the desire for self-determination is "strongest where the institutions of self-government are weakest."

His solution to the dilemma is a deliberate, immediate policy of open negotiation in which we attempt to bring the weight of the Russian people to bear for peace, rather than brinkmanship. In this week's proposal, and its rationale, the Senator ranges himself on the reflective side of the Vietnam argument. He would substitute new creative thinking for old shibboleths. For this he should find a grateful nation.

[From the New Britain (Conn.) Herald, Feb. 17, 1966]

IDEA AT AN IMPASSE

That Senator RIBICOFF's proposal for a conference at Geneva on the Vietnamese situation met with agreement, in principle, from President Johnson is a healthy development.

It is encouraging to note that the President's only immediate objection to the Senator's plan is the stipulation that the cochairman of the 1954 Geneva Conference, Britain and the U.S.S.R., issue invitations to the talks. This is only a matter of protocol. A far more serious point could have been raised if the President had objected to the proposed representation of the Vietcong at the talks.

However, the President's conversation with Senator RIBICOFF on Sunday gives a pointed reminder that he is indeed ready to talk peace as a means toward ending the conflict. RIBICOFF's stipulation that no subjects be barred from discussion at the conference would insure that the talks were not an empty gesture, and his proposals that both sides implement a token withdrawal of troops and exchange of prisoners would help to smooth the way for such a discussion.

The road to the conference table is difficult, especially in view of the fact that proceedings would have to be initiated by both England and the U.S.S.R. A conference at Geneva is a possibility, however slim, and we can only hope that the chances for such a talk will increase with the passage of time.

[From the Willimantic (Conn.) Chronicle, Feb. 16, 1966]

CHRONICLE COMMENTARY: THE RIBICOFF PEACE PLAN

The speech Senator ABRAHAM RIBICOFF delivered before the student body of the Hartford College for Women Monday in which he proposed a four-point plan to defuse the explosive situation in Vietnam is the result of a great deal of study and thought on the Senator's part. It is understandable that the Senator should have waited until now to make an appraisal of the southeast Asian situation. As a former Cabinet officer in the Kennedy administration his remarks could have easily been misinterpreted.

While there is serious question about the propriety of the United States issuing a call for a conference to be held on Vietnam at Geneva, the basic thought put forward by the Senator is a valid one. If there is the need to pinpoint a cause for the crisis in Vietnam it most certainly can be traced to the Geneva accords and the failure to effectively implement and police them. Without question, there is something to be said for the White House suggestion that either Britain or the Soviet Union as cochairmen should initiate the call for the meeting. The response to such a call would again indicate clearly who is interested in a just peace in Vietnam and who is not.

The Ribicoff proposal to make a token removal of 10,000 troops once the conference is convened is the one that could be the toe stumper. This evidence of good faith is fine, but meaningless without corresponding action by the North Vietnamese forces.

The Senator acted wisely in suggesting that the majority and minority leaders of the U.S. Senate be included among the negotiators sent to the Conference. The Senate is, of course, the place from which the phrase "advise and consent" originates and it seems appropriate that they have a full and complete comprehension of a matter as important as possible settlement of the Vietnam war.

No one, we are sure, could think of faulting the Connecticut Senator for suggesting that the International Red Cross be employed to arrange for the exchange of prisoners. This is a humanitarian and sensible approach.

Taken as a whole, the Ribicoff peace plan was one which deserved the serious attention of the national administration and such attention was evidenced by the President's telephone conversation with the Senator while he was in Hartford. It truly was one of the most responsible reports on the Vietnam situation to be brought to public notice in recent days. The Senator is to be commended for his well done homework.

[From the Danbury (Conn.) News-Times, Feb. 15, 1966]

SENATOR RIBICOFF'S FOUR-POINT PLAN

Senator ABRAHAM RIBICOFF, former Governor of Connecticut and former Secretary of the Health, Education, and Welfare Depart-

ment, has made a number of contributions in the field of domestic affairs since entering the Senate.

He has now made a significant contribution in the field of foreign relations.

He has proposed a four-point plan to, in his words, "defuse" the explosive situation in Vietnam. Highlights of these proposals are:

1. That the President issue a call for a preliminary conference on Vietnam, to take place at Geneva, at a date selected by the President, with all concerned with the Geneva accords of 1954 invited and with no subject barred.

2. That the United States offer, once the conference is convened, to make a token withdrawal of 10,000 troops, with a similar withdrawal to be made by the North Vietnamese.

3. That Senators MANSFIELD and DRISKEN be named to attend the preliminary conference along with two of America's "very best negotiators," Arthur Goldberg and Arthur Dean.

4. That every means be used, as an immediate step, to arrange an exchange of prisoners through the Red Cross.

Senator RIBICOFF revealed his four-point proposal Sunday and elaborated upon it in a talk Monday at the Hartford College for Women.

"In South Vietnam," he pointed out, "we are face to face with China. We are thwarting her ambitions to change the balance of power in Asia. This is a delicate situation, for we must take into account not only China's reactions, but also those of Russia—her sometimes reluctant ally."

Asserting that we must continue resolute in helping the people of South Vietnam remain free to choose the government they want, Senator RIBICOFF reviewed the difficulties the United States has experienced in efforts, so far unsuccessful, to get North Vietnam to the negotiating table.

His call for an unconditional preliminary conference to "defuse" the situation again demonstrates the willingness of the United States to seek peace.

The imaginative steps he offers, if accepted all around, could well pave the way for a final and conclusive peace conference, restoring some semblance of peace to a disordered world.

[From the New London (Conn.) Day, Feb. 15, 1966]

OUR FUTURE IN VIETNAM

Clearly, the debate over our role in Vietnam is beginning to get down to cases. And that's a good sign. It is, in fact, the only encouraging factor in the assessment of where we stand and what might lie ahead.

Although President Johnson takes a dim view of Senate Foreign Relations Committee hearings, they are producing some positive ideas. One may question but cannot ignore the counsels of such men as retired Lt. Gen. James Gavin and of George Kennan, former head of the State Department's Policy Planning Board. Nor can one disregard the proposal of Senator ABRAHAM RIBICOFF, who calls for a Geneva Conference which would be based on withdrawal of 10,000 U.S. troops if Hanoi agrees to do likewise. Barry Goldwater states the traditional theory of warfare, to hit the enemy again and again, with air power, until he capitulates; here again this argument cannot be jettisoned, because, like it or not, we are at war to defend the long-accepted ideal of self-determination.

The weakness of the Kennan-Gavin point of view (dig in, hold our ground until Hanoi, recognizing it cannot win, agrees to negotiate) is that South Vietnam is a checkerboard, an area here held by us and an area of few miles distant controlled by the Vietcong. To effect a stalemate would not guarantee that the Vietcong would be driven to its knees; rather it likely would result in an intolerable standoff as in Korea, precipitating many long years of unrest and trouble

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for the South Vietnamese, and little prospect of political stability.

The important thing is that the debate is becoming far more responsible, intelligent and clear. The vocal element which demanded immediate retreat has been all but silenced. The Foreign Relations Committee has more witnesses to hear and how Chairman FULBRIGHT (an opponent of current U.S. policy) handles this testimony can have a profound effect on the course of debate and on future decisions.

**ALASKA CONSERVATION SOCIETY
 URGES RESTORATION OF SNETTISHAM DAM PROJECT**

Mr. GRUENING. Mr. President, I spoke at some length on the Senate floor regarding the proposed 1967 budget cutbacks in public works projects and specifically, of the Snettisham Dam which was programed for construction beginning this spring. These funds were eliminated in the President's budget and simply must be restored. Cutting it out is not an economy. Quite the contrary. The dam will be a great revenue producer.

It is interesting to note that this project was approved by many different groups which are in accord that the dam will perform a worthwhile function by supplying needed power in the vicinity of Juneau, Alaska, and will be even more needed than when first authorized because of the subsequent vast timber sale on the Tongass National Forest, and the prospective pulp and paper industries resulting therefrom. They will bring in increased tax revenues to the Nation and State and employ hundreds of taxpaying workers.

As an example of this accord, I ask unanimous consent to have printed in the RECORD a resolution passed by the Alaska Conservation Society recommending that the dam be constructed.

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

RESOLUTION BY THE ALASKA CONSERVATION SOCIETY'S BOARD OF DIRECTORS

Resolved, That the Alaska Conservation Society supports the efforts of our State government officials and members of the Alaska congressional delegation to have Federal funds made available for the early construction of the Snettisham hydroelectric power project near Juneau, Alaska. Inasmuch as the need for this additional power has been clearly demonstrated, and the preliminary research indicates that damage to fish and wildlife resources will be negligible, the society feels this project is worthy of approval by all citizens of the State of Alaska.

Attest:

CELIA M. HUNTER,
 Executive Secretary.

**WHEAT EXPORT CERTIFICATE
 HELD CONSTITUTIONAL**

Mr. MCGOVERN. I ask unanimous consent, Mr. President, to have printed in the RECORD an article from the current, March 1, issue of the Southwestern Miller which reports that Federal District Judge Charles L. Powell has ruled in Spokane, Wash., that wheat export certificates authorized in the voluntary wheat certificate act in 1964, are constitutional.

The case contesting the legality of the wheat certificates was brought February 3, 1965, by the wheat export tax committee of the Washington State Farm Bureau. The ruling was handed down February 28, 1966.

Since wheat export certificates are authorized in the present farm law, although managed on a variable basis at the present time, this ruling has great significance in relation to the present wheat program. I need not say that I am gratified by the ruling and am sure that other Members of this body, interested in the economic welfare of our wheat and other agricultural producers, will be equally pleased.

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

WHEAT EXPORT CERTIFICATE CONSTITUTIONAL

Spokane, Wash., February 28.—In a decision announced last week, a U.S. Federal district court judge in Spokane ruled that the section of the wheat certificate program requiring the collection of the export certificate levy does not violate the Constitution. Previously, a three-judge Federal panel had denied a motion to grant an injunction to prohibit the enforcement of the export marketing certificate regulations on wheat.

Following announcement of the decision by Federal Judge Charles L. Powell, a group of Washington wheat farmers who had filed suit in Spokane district court last spring to test the constitutionality of the export marketing certificate indicated they are giving serious consideration to an appeal. The group, comprising the wheat export tax committee of the Washington State Farm Bureau, expressed keen disappointment with the judge's ruling. They have launched an immediate study of the feasibility of appealing the decision to a higher court. A decision may be reached by the committee at a meeting to be held March 12 in Yakima.

The suit, sponsored by the wheat export tax committee, was originally filed February 3, 1965, against Secretary of Agriculture Freeman. It was amended in the spring of 1965 to include the Commodity Credit Corporation. It contended that the export certificate collection of 25 cents a bushel in effect during the 1964-65 crop year and imposed by the Agricultural Act of 1964 was in direct violation of article I, section 9, clause 5, of the Constitution of the United States, which states, "No tax or duty shall be laid on articles exported from any State."

CONCERNED 2,872-BUSHEL EXPORT SALE

Named as plaintiff in the suit was Shiril Moon, dryland wheat farmer from the Horse Heaven area of Benton County, Wash., who did not participate in the 1964 wheat certificate program and thus received no certificate payments. The action concerned his sale of 1,872 bushels of wheat to a buyer in Rotterdam, The Netherlands, in January 1965. The plaintiff, in his original complaint, asked for a judgment for refund of \$168.52 against the Secretary of Agriculture and an injunction against his further encroachment for a payment for export marketing certificates. The three-judge panel denied the injunction. The case was then referred to Judge Powell of Spokane to determine whether the wheat export marketing certificates constitute a tax or duty in contravention of the Constitution.

The refund of \$168.52 sought by Mr. Moon in the suit represented the difference between his export certificate payment of \$411.93 and a refund of \$243.41 as an export subsidy payment.

WHETHER REVENUE OR REGULATORY

"The question for determination is whether the act is a revenue measure within the

prescription of the Constitution or whether it is regulatory and thus permitted," Judge Powell said in his decision. "Under the commerce clause of the Constitution, article I, section 8, the Congress has the power to regulate commerce with the foreign nations and among the several states. That regulation may be effectuated by price control. Such regulation has been held to be within the legislative power of Congress."

Judge Powell also pointed out that the regulation of agriculture is recognized to be within the power of Congress under the commerce clause, and he said that "it includes the power to regulate prices of commodities in commerce and the practices which affect such price." He also noted that "the production and marketing of wheat has been the subject of repeated legislation."

DEPENDS ON OBJECTS OF STATUTE

Judge Powell's decision included the following:

"The test to determine whether a statute imposes a tax or whether it is regulatory is determined by consideration of the purposes and objects of the statute as a whole. If the revenue for the general support of Government is the primary purpose and regulation incidental, the imposition of a tax is controlled by the taxing provisions of the Federal Constitution. If regulation is the primary purpose of the statute then the statute is not controlled by the taxing power but by the power of Congress to regulate the particular commodity or subject matter of the statute.

NO MOTIVE EXCEPT REGULATION

"The purpose of the wheat marketing certificate program is not to raise revenue for meeting the general expenses or obligations of the government. There appears to be nothing in the context of the act or in the legislative history of the act to lead one to believe that Congress was prompted by any motive other than to regulate the price and production of wheat. The act provides:

"In order to expand international trade in wheat and wheat flour and promote equitable and stable prices therefor the Commodity Credit Corporation shall, upon the exportation from the United States of any wheat or wheat flour, make a refund to the exporter or allow him a credit against the amount payable by him for marketing certificates, in such amount as the Secretary determines will make U.S. wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices and fulfill the international obligations of the United States."

"The legislative history of the act as set forth in appendix C to defendant's supplemental brief leaves little question but that the act was intended as a regulatory measure. The purpose is stated as follows:

"Since the purpose of requiring certificates on wheat and wheat products exported is not to obtain revenue, but solely to regulate the price at which such products are exported and eliminate the possibility of windfall profits."

TO FULFILL WORLD OBLIGATIONS

"In Board of Trustees of the University of Illinois v. United States, it is held that the United States of America may regulate or prohibit certain imports. The power to regulate commerce by prohibiting either importation or exportation of a commodity would include the lesser power of permitting exports only by compliance with certain regulatory controls. Such is the provision here in question. The use of export marketing certificates in conjunction with the refund provisions of the act or credits as provided by the act enables the exporter to meet world competition and also prevents him from selling below the world market and thus permits the United States to fulfill its obligations under the International Wheat Agreement.

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"It is my opinion that the act is regulatory and not a revenue measure and that it is constitutional. The plaintiff's motion for summary judgment will be denied and the defendant's motion for summary judgment granted."

IMPACT ON OTHER COMMODITIES

Leon Willard, of Prosser, Wash., chairman of the wheat export tax committee, said he foresees the possibility of the court's decision reaching beyond wheat exports into the marketing of other commodities abroad. "The impact of this opinion could affect many other export markets and industries," he said. "What is there to prevent the control of all exported goods by similar regulatory measures?"

Max Benitz, president of the Washington State Farm Bureau and an ex officio member of the committee, commented that "at a time when great emphasis is being placed on the expansion of world trade, the control of export prices through such devices could make a shambles of our Constitution." He contended that "the issue of whether or not a regulatory device such as the export certificate is unconstitutional has not been met squarely by the court."

In addition to Mr. Willard and Mr. Benitz, members of the wheat export tax committee are Roy Eslick, of Dayton; Joe Fulton, of Fairfield; Richard Klicker, of Walla Walla; Richard McWhorter, of Prosser; Richard Perkins, of Palouse; and Oliver Dilling, of Connell.

EDUCATIONAL BENEFITS OUR VETERANS DESERVE

Mr. CHURCH. Mr. President, yesterday the President signed into law the Veterans' Readjustment Benefits Act of 1966, which was recently passed unanimously by both Houses of Congress. I was very pleased to support this measure in the Senate.

The men and women who have served our country deserve the educational experiences which may have otherwise been lost to them because of military service.

The February 28 newsletter of the National Education Association summarizes this act very well. I ask unanimous consent to have the summary printed in the RECORD.

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

PERMANENT GI EDUCATION BILL SENT TO PRESIDENT JOHNSON

President Johnson is expected momentarily to sign a permanent GI benefits measure with an estimated eventual price tag of \$500 million a year. The measure, which will take effect no later than June 1 of this year, accents education and homebuying aid for all military personnel with more than 6 months of active duty since January 31, 1955, the date benefits ceased under the Korean GI Readjustment Act.

Passed last year by the Senate and February 7 of this year by the House in different forms, the compromise bill advanced through the Senate on February 10 by a vote of 99 to 0 and was whisked to the President without a dissent after a voice vote in the House later the same day.

The Johnson administration had recommended that benefits be limited to men who serve in combat situations, instead of covering all personnel regardless of where they served their military time. The estimated cost of the administration bill was \$150 million a year. The cost of the program as passed is expected to level off at around \$500 million annually after 5 years. Its first-year cost is estimated at \$335 million.

VETERANS' READJUSTMENT BENEFITS ACT OF 1966

As sent to President Johnson, the measure contained the following major provisions:

Authorized payments to meet, in part, the expenses of the veterans' subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

Provided 1 month of educational assistance for each month or fraction thereof spent on active duty after January 31, 1955.

Prohibited a veteran from receiving more than 36 months of training or educational assistance under the 1966 act or under a combination of benefits from the 1966 act and the World War II or Korean GI Readjustment Act, the war orphans' educational assistance program or the vocational rehabilitation program for disabled veterans.

Stipulated that a veteran pursuing a full-time course receive \$100 a month in educational benefits, \$125 if he had one dependent and \$150 if he had two or more dependents. For a 3/4-time course, stipulated that a single veteran receive \$75 a month, that a veteran with one dependent receive \$95 and that a veteran with two or more dependents receive \$115. For a 1/2-time course, stipulated that a single veteran receive \$50 a month, that a veteran with one dependent receive \$65 and that a veteran with two or more dependents receive \$75.

Required veteran to complete education within 8 years following his last discharge from active duty after January 31, 1955, or within 8 years after the educational section went into effect (June 1, 1966), whichever was later.

Defined an eligible veteran as one who served on active duty for more than 180 days, any part of which occurred after January 31, 1955, or who was released or discharged because of a service-connected disability after January 31, 1955.

Provided that a person who had served 2 years on active duty and was continuing on active duty could take advantage of the educational benefits by attending nearby institutions during off-duty hours, but stipulated that these persons would receive payments only for fees and tuition. Specified that the allowance would be computed at the rate of the established institutional charges for tuition and fees or at \$100 a month whichever was less.

Defined educational institution as any public or private secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above.

Defined program of education as any curriculum or any combination of unit courses pursued in an educational institution which is generally accepted as necessary to fulfill the requirement for attainment of a predetermined educational, professional, or vocational objective.

Prohibited enrollment in courses of apprenticeship or on-the-job training, institutional on-the-farm training or a course to be pursued by open circuit television or radio, unless the latter was part of a regular course offered by an institution of higher learning.

Prohibited enrollment in an avocational or recreational course unless the veteran submitted evidence that such a course would be of bona fide use in the pursuit of his present or contemplated business or occupation. Specified other types of courses which would not qualify a veteran for benefits.

Other noneducational features of the measure also authorized Veterans' Administration home loans and home loan guarantees for Armed Forces veterans who were defined by the bill as eligible for educational benefits; extended medical care in Veterans' Administration hospitals, when there was room and the veteran demonstrated a financial need, to veterans with non-service-connected disa-

bilities who served after January 31, 1955; extended job counseling and job placement assistance by the Department of Labor to persons serving after January 31, 1955; and extended preference in securing Federal jobs to persons serving after January 31, 1955.

WORLD HUNGER: ENEMY OF U.S. PROSPERITY

Mr. McGOVERN. Mr. President, the current issue of Forbes magazine, dated March 1, has an excellent "roundup" article and an editorial on the world food and population situation, from a business point of view.

Forbes is unabashed by the fact that America has an economic interest in ending hunger in the world. The magazine even lists major corporations that "will help feed the world," and can thereby benefit economically.

The magazine comments:

Humanitarian motives aside, the President and his aids know full well that the U.S. economy cannot continue to grow without an expanding world market. Moreover, as the President has noted, quoting Seneca, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers."

I am happy to see Forbes' analysis of the situation, for I have always regarded food for peace, which the President proposes to rename food for freedom, as a fine blending of humanitarianism and self-interest.

I ask unanimous consent that the Forbes article, and an editorial in the same issue concluding that we must "make a mighty effort," be printed in the RECORD.

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

WORLD HUNGER: ENEMY OF U.S. PROSPERITY

Two-thirds of the people of the world are now face to face with famine. Humanitarian reasons aside, the United States cannot let them starve, because a starving nation is not a market.

One billion people, a third of the world's population, drag themselves through the day weak from hunger, an easy target for disease and frequently for death from starvation. Another billion are badly malnourished, almost on the borderline of starvation. What we call progress, civilization, prosperity is meaningless to two-thirds of the human race. These people are only half alive. They are half dead from hunger.

The average American consumes 3,100 calories a day in foods rich with proteins, vitamins, and minerals. In the underdeveloped nations, the average person must drag his body along on a mere 2,030 calories a day, and his food usually is deficient in those nutrients. While the United States, Western Europe, Japan, and a few other nations get richer, the hungry get hungrier, because, in the underdeveloped part of the world, human fecundity is outstripping agricultural fecundity. In Asia and Latin America in the past 5 years the population has risen by 12 and 17 percent, respectively. In contrast, production of food has risen by only 10 percent. The result is that per capita food production has fallen by 3 percent in Asia, by 7 percent in Latin America.

The deadly effects of the population explosion aren't for tomorrow. They are here and now. Today.

As Chairman Robert S. Stevenson of Allis-Chalmers puts it: "The United States, Canada, and Australia are going to have to feed the world, or we're going to have to help the

American programs of the Peace Corps. During this period, the number of Peace Corps volunteers in Latin America grew from 123 to nearly 3,000. He played a significant role in this growth, and helped originate the community development programs in both rural and urban areas. In April 1964, he was appointed U.S. Ambassador to Panama, where he proved to be a popular and effective representative of our country. Since March 1965, he has been Assistant Secretary of State for Inter-American Affairs.

Mr. President, Jack Vaughn is well qualified to assume the leadership of the Peace Corps. His experience in Latin America and Africa, as well as his clear knowledge of the problems which afflict all the underdeveloped areas of the world, are essential assets. His personal qualities—the simpatico so loved by Latin Americans—are an unexpected bonus both in the Peace Corps and for the entire Nation. In selecting Mr. Vaughn to be Peace Corps Director, President Johnson has again demonstrated his unusual capacity for choosing able administrators to fill critical leadership posts in his administration.

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**THE RUSK DOCTRINE:
DULLES REDOUBLED**

Mr. CHURCH. Mr. President, the late, indefatigable John Foster Dulles gave us treaties the effectiveness of which many felt were more apparent than real. Small wonder, then, that many Americans were surprised when Secretary Rusk did him one better.

He not only said that the SEATO treaty was a sanction for U.S. intervention, as Mr. Dulles might have done, but that the treaty committed us to act. The St. Louis Post-Dispatch has entitled this "Mr. Rusk's Specious Case," and comments:

The treaty was always a facade for unilateral intervention and no more. Of the eight signers, only Thailand and the Philippines are southeast Asian nations. India, Indonesia, and Burma refused to join it. One signer, France, is an active opponent of our Vietnam policy. Great Britain has contributed just 12 personnel to the war effort, the Philippines 70, New Zealand 150, Australia 1,400, Pakistan none.

Mr. President, I ask unanimous consent to have the Post-Dispatch editorial printed in the RECORD.

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

MR. RUSK'S SPECIOUS CASE

Secretary of State Rusk is an able advocate, as he demonstrated again in his testimony before the Fulbright hearings on Friday. But his thesis that the Nation is solemnly committed by the southeast Asia treaty to an unlimited war in Vietnam will be persuasive only to persons who forget the origins and character of the treaty.

SEATO was, in fact, the device by which Secretary Dulles set out to undermine the Geneva agreements of 1954. These accords, which among other things forbade either South or North Vietnam to enter into a military alliance, were reached in July of that year. The treaty was signed in September, and the United States immediately began fashioning its military alliance with a Saigon government which the CIA helped establish.

The treaty was always a facade for unilateral intervention and no more. Of the eight signers, only Thailand and the Philippines are southeast Asian nations. India, Indonesia and Burma refused to join it. One signer, France, is an active opponent of our Vietnam policy. Great Britain has contributed just 12 personnel to the war effort; the Philippines, 70; New Zealand, 150; Australia, 1,400; Pakistan none.

Far from justifying American intervention in Vietnam, SEATO is but the instrument of it; and from the beginning that intervention has been a major cause of the guerrilla insurrection which Mr. Rusk so righteously denounces as aggression on the Hitler model.

Mr. Rusk is quite right in rejecting demands by Hanoi that would condition peace talks upon prior recognition of the Vietcong as sole representatives of the South Vietnamese people. There must be a compromise by which a broadly representative coalition government holds temporary power until the people make their own choice in free elections. Yet the administration has given no clear sign that it will accept a compromise itself.

While denouncing Hanoi for seeking total victory for the Communists, we seek total victory for the Saigon government. While declaring that we want no permanent bases, we seek to establish in all South Vietnam an anti-Communist government which could retain power only under the protection of permanent American bases.

Hanoi does indeed stand in the way of peace talks, but not all the obstacles are in Hanoi. Until the United States is ready to accept genuinely limited objectives, including the goal of a neutralized Vietnam instead of an American satellite, fruitful negotiations seem unlikely and the dangers of a steadily escalating war will steadily mount.

**MINUTEMAN OF THE YEAR AWARD
TO SENATOR STENNIS OF MISSISSIPPI**

Mr. ROBERTSON. Mr. President, the Reserve Officers Association of the United States on February 25, 1966, awarded to Senator JOHN STENNIS, of Mississippi, its Minuteman of the Year Award, recognizing him as the man who has done the most for our national security the past year.

This was a most deserving award. Senator STENNIS is not only one of the ablest Members of the Senate, but one of the best posted on our military requirements.

The American people can rejoice in the fact that Senator Stennis is a patriot, dedicated to the best interests of our Nation, and is guided by fundamental principles in all of his legislative actions.

The Reserve Officers Association award was presented at the association's annual dinner in Washington. In the resolution making the award, the Reserve officers recognized the vast knowledge of military affairs possessed by the Senator from Mississippi, and the leadership he has given the Nation in this field. The resolution commends him for "his devotion to the highest concept of duty to country; his nobility of purpose; his steadfastness of dedication, and his clarity of judgment to insure strength, effectiveness and high morale to the Nation's military force."

Mr. President, I ask unanimous consent to have printed in the body of the RECORD the address delivered by Sen-

ator STENNIS on the occasion of the presentation of the award.

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

Mr. President, distinguished guests, officers of the military Reserve and the Regular Establishment, ladies, and gentlemen, I am honored and humbled to be with you tonight and to receive your award for my small efforts to keep this great country of ours strong, free, and secure. While no one could fully deserve the distinction which you so generously confer upon me, your award will be all the more cherished because it comes from a group of citizen-soldiers whose patriotism and dedication to duty I have long admired.

The Reserve Officers Association has great traditions and has rendered fine service to our Nation. The honor you give me tonight both strengthens and inspires me to greater effort.

I highly commend Gen. Donald Dawson and his associate officers for an outstanding administration in this truly great organization, and especially Col. John T. Carlton for the outstanding service your organization has rendered throughout the years. He is highly respected on Capitol Hill and also throughout the Nation.

I am a staunch believer in the citizen-soldier concept and have long admired all of our Reserves for their marvelous spirit, for their devotion to duty, and for their continued willingness to serve despite repeated discouragement and lack of full support. Winston Churchill described the Reserves officer accurately when he said they were "twice the citizen."

In many of our wars, you were the first to accept responsibility for military service. In the early days of conflict you have borne, and in future conflicts you will bear the great brunt of the enemy's offensive. For your assumption of this key responsibility you are entitled to and receive a special tribute from a grateful nation.

The war in Vietnam very properly has top priority and first call upon our military manpower, material, and other assets. Certainly, it has the topmost priority with me.

However, tonight I wish to discuss and emphasize certain additional problems brought about and made unmistakably clear by our fighting in southeast Asia.

The Vietnam war has placed a heavy drain upon our military equipment and resources—particularly the Army, but also the Navy, Air Force, Marine Corps, and Coast Guard. We have repeatedly been told that our Army is in the best condition in peacetime history—that we have 16 active Army divisions, fully equipped and ready for sustained combat. These statements ring hollow today, as the Army is forced to struggle and strain to support and maintain the equivalent of less than four actual combat divisions in the field in Vietnam.

The heavy drain of Vietnam has brought on serious problems in personnel, equipment, repair parts, and other materials. Our worldwide military capability has suffered, and this fact concerns me greatly. Requirements for Vietnam have almost exhausted our strategic reserve of trained and ready active military forces. General Westmoreland has stated a requirement for a substantial number of additional troops. We are confronted with the hard fact that we would be hard put to supply them without calling up Reserve Forces or drawing down our forces in Western Europe and Korea, perhaps both.

If Army contingency planning had been followed, specialized combat support and support service units in the Army Reserve and Army National Guard already would have been called to active duty.

Some action is now underway to replenish the manpower, equipment, and assets of our

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supplemental appropriation bill the funds needed to meet present entitlements under Public Laws 815 and 874.

To do less would be to turn our backs on our goal to provide the best possible education to every American.

I have received letters from the Washoe County School District and the Nevada Congress of Parents and Teachers which outline objections to the argument that the Elementary and Secondary Education Act justifies drastic reductions in the impacted areas program.

I ask unanimous consent that these letters be printed in the RECORD.

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

NEVADA CONGRESS OF PARENTS AND
TEACHERS,

February 4, 1966.

HON. HOWARD CANNON,
Senator, State of Nevada,
Capitol Building,
Washington, D.C.

DEAR SENATOR CANNON: The Board of Managers of the Nevada PTA at their January board meeting went on record as opposing any reduction in the Federal impact program Public Laws 874 and 815.

We do not feel that categorical Federal aid through the Elementary, Secondary Education Act can in anyway substitute for the funds received by the several school districts in the State through the impact bills. We support your efforts for a supplemental appropriation to pay the full entitlement to the school district receiving this aid.

The PTA feels the proposed legislation to reduce the funds would discriminate against the children of our service men and women and other employees of the Federal Government.

We want you to know we support your positive stand to retain the impact legislation 874 and 815.

Please accept our thanks for your efforts on behalf of children and youth in the past.

Sincerely yours,

LAMAR LEFEVRE,

President, Nevada Parents and Teachers.

WASHOE COUNTY SCHOOL DISTRICT,
Reno, Nev., February 21, 1966.

HON. HOWARD W. CANNON,
Senator from Nevada,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: Thank you for your letter advising me of the cuts in Public Law 874 and Public Law 815 which were proposed in the administration's fiscal budget for 1967 and also for your second letter dated February 14, 1966, notifying me that you have introduced a bill to extend the life of Public Law 815 until 1968.

For your information I would like to supply the following information to you concerning the number of students leaving and the number of teachers affected at the Stead Air Force Base. It appears that when the Stead Air Force Base is totally phased out, and we expect this to be in June of this year, we will lose 973 class "A" pupils (those whose parents live and work on Federal property) and 454 class "B" pupils (those whose parents work on but reside off Federal property), making a total of 1,427 students that we will lose from the Stead Air Force Base. This will leave us 890 federally connected students.

We have budgeted a total of \$266,000 for Public Law 874 funds for this present year. Unless there is an appropriation to make the full payments it is our understanding that we may lose 10 percent of this which would be approximately \$26,600.

Of the 890 students we would expect to have next year, 131 would be classed as "A" students and 759 as "B" students. If the reimbursement amount remained the same as it is now this would mean \$123,672 for the district. However, I also understand that there is some intention of raising the percentage of eligibility from 3 percent to 6 percent and having the local school districts absorb the first 6 percent. If this change were made Washoe County would not become eligible for any funds.

If we lose 1,427 federally connected students this would also mean a loss of approximately 44 teachers if we use 30 pupils to a class. We are expecting the county to continue to increase in population and, therefore, we are not anticipating cutting 44 teachers although we are at the present time planning to cut quite a number.

We will, of course, have some problems in that we have a school (elementary) located at the Stead Air Force Base which will house close to 1,000 students. This school will go down considerably in population and we will be operating a school probably with a very small number in attendance. In the course of time as the growth in that area continues we will eventually have full use of the school again.

In addition to this information concerning our losses in Public Law 874 money, we have also received a letter from the State supervisor of school lunch programs stating that the reimbursement rate for the national school lunch program assigned to Washoe County will be cut one-half cent effective December 1, 1965, and a notice to the effect that we probably shall be allocated even less money next year. I would like to further add that in respect to the lunch program that we are providing between 130,000 and 150,000 free meals to needy children each year under this program which in my mind is considerably in line with the President's poverty program. If the school lunch program is cut further this may mean that the needy children may suffer further because we would be unable to make the lunches available to them.

It seems rather peculiar to me that so much in the way of Government funds is being made available under the Elementary and Secondary Education Act and the Educational Opportunity Act, and yet at the same time such programs as impacted area funds and national school lunch programs are being cut. Expression was made by the school board members at their last meeting, to which I thoroughly agree, that if we had a choice we would prefer receiving funds under the impacted program and the Federal lunch program.

Again let me say that we have always appreciated your stand.

Sincerely yours,

PROCTER R. HUG,
Superintendent.

NATIONAL RURAL ELECTRIC CO- OPERATIVE ASSOCIATION FOR TRUTH-IN-LENDING AND OTHER CONSUMER PROTECTION

Mr. DOUGLAS. Mr. President, I was encouraged to receive from the coordinator of the Women's Activities Committee of the National Rural Electric Cooperative Association official notice of the resolution passed by that organization at its annual meeting on February 17 in support of truth-in-lending.

This declaration of support for truth-in-lending and other consumer legislation represents the considered opinion of this association of 979 consumers owned and controlled electric systems, as voted by 8,949 representatives at the annual

meeting. I ask unanimous consent that this resolution of the National Rural Electric Cooperative Association be printed in the RECORD.

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

CONSUMER PROTECTION RESOLUTION OF THE WOMEN'S ACTIVITIES COMMITTEE

Whereas National Rural Electric Cooperative Association is an association of 979 consumer-owned and controlled electric systems, vitally interested in all matters affecting consumers; and

Whereas we recognize consumers have a responsibility in the economic life of this country to support with their patronage the honest and efficient producers and distributors who offer the best value for the lowest price: Now, therefore, be it

Resolved, That we support legislation that helps consumers fulfill their role in an intelligent and responsible manner by giving them access to clear, unambiguous information about products and services available for sale; and be it further

Resolved, That we support legislation that helps consumers shop for the best buy in credit by requiring a clear statement of the cost of credit and the annual rate of interest; and be it further

Resolved, That we support legislation that assures the safety of food, drugs, and cosmetics before they are offered for sale; and be it further

Resolved, That we reaffirm our support for full representation of the consumer in the highest councils of government and commend the President for again appointing a Consumer Advisory Council to work with his Special Assistant for Consumer Affairs; and be it further

Resolved, That we urge rural electric systems and their State and national associations to make consumer information available to their members.

JACK HOOD VAUGHN

Mr. BAYH. Mr. President, let me add my word of commendation to those who have already spoken favorably on the appointment of Jack Hood Vaughn to be Director of the Peace Corps. His broad experience, keen intellect, excellent training and demonstrated ability suit him admirably for this important post.

Secretary Vaughn has long been associated with the administration of American foreign policy. After obtaining his A.B. degree from the University of Michigan in 1943, he entered the U.S. Marine Corps as a private. He was honorably discharged from the corps in 1946, having attained the rank of captain, and resumed his studies at Michigan, where in 1948 he received the M.A. degree with specialization in Latin American affairs.

After teaching at Michigan and the University of Pennsylvania, Vaughn joined the U.S. Information Agency and served in La Paz, Bolivia, and San Jose, Costa Rica. He likewise was assigned to Panama City as a program officer of the Foreign Operations Administration and to La Paz for the International Cooperation Administration mission. Service with the ICA later took him to the Federation of Mali and the Republic of Senegal.

From October 1960 to April 1961, Secretary Vaughn supervised the Latin

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But nothing that has been said about this brave youth has touched me as did the comments of his father, Jose Fernandez, when he talked to a reporter about the death of his son.

I should like to have those comments, reproduced from the Albuquerque Journal of February 21, printed in the RECORD.

The comments follow:

"I lived in fear all the time he was away that something like this would happen," his father said Sunday, the day of the funeral.

Mr. Fernandez said his son was very generous and always volunteering for something, but the last thing he would want is to be known as a hero.

"Daniel was no different than any other American boy. We have many of them here in Los Lunas, you have thousands in Albuquerque and there are millions in the United States.

"I feel that the circumstances made him do this thing because he was a generous boy. He liked to help others.

"From my viewpoint, Daniel's action was not an unusual thing for him to do", Mr. Fernandez said.

"I feel very humble. I don't measure up to those standards.

"I told Daniel, 'we want you home alive'; that's a parent's feeling, wanting your own safe."

On the possibility of his son being awarded the Congressional Medal of Honor, Mr. Fernandez said, "What can you say? It's overwhelming. Daniel had too much life and too much courage."

INDIANA'S EASTER SEAL CHILD FOR 1966

Mr. BAYH. Mr. President, this year for the second time, Mrs. Bayh and I have the privilege of serving as cochairmen of the Indiana Easter Seal Campaign. Through our work with the campaign in 1965 and during the past few weeks we have associated with and have come to know many inspiring handicapped children and adults. Among them none is more noteworthy than our Indiana Easter Seal Child for 1966, 13-year-old Kay Slickers, of Lafayette, Ind., who typifies thousands of persons throughout the Nation who are working bravely to overcome their handicaps.

Kay, who was selected for this position of honor by the Women's Civic Club of Indianapolis, is the daughter of Mr. and Mrs. Allen Slickers. Both her parents are active in their county Easter Seal Society and, along with her two older brothers and younger sister, have helped Kay to compensate for her handicaps, a congenital hip and curvature of the spine, which she has had since birth.

An extremely energetic young lady, Kay has learned to walk with the help of braces and crutches, and she exercises constantly to strengthen her leg muscles. Kay attends junior high school and receives treatment from the Tippecanoe County Easter Seal Society in Lafayette.

Under the firm guidance of her family, Kay has assumed the normal home responsibilities of any 13-year-old. A talented pianist, she often entertains her close-knit family and friends.

As Indiana Easter Seal Child of 1966, Kay has many duties. She came to Washington to help us tape radio and television appeals for Easter Seal contributions, and she has officiated at ceremonies in Indiana's treatment centers for the handicapped. With a ready smile and quick wit, Kay is a delightful coworker as well as an inspiration to others who must contend with physical handicaps.

Young Miss Slickers deserves much credit for her courage and determination to overcome her own handicaps, her work to aid others, and her ability to show us all what Easter Seals can accomplish. It has truly been a rewarding pleasure and an inspiration to be associated with this fine young Indiana girl to whom much credit belongs for the success of this important endeavor.

A DISSENTING VOICE FROM VIETNAM

Mr. CHURCH. Mr. President, among the many difficulties of intervening in the affairs of other nations—no matter how good the cause or the intentions for doing so—is the effect outsiders have on indigenous people. Particularly for a people wearied from decades of war, it is easy to "Let George do it" and take advantage of the plentiful supply of new money.

These are two of the reasons a young American soldier has written, "I've never been so disillusioned with our country as after my experiences over here in the past 5 months or so." In a notarized copy of a letter he wrote to a friend, which I hold in my hand, he also takes aim at the game of manufacturing statistics which satisfy Washington, but have no relation to reality. He talks about reports of officials claiming to have distributed 4 million pills and treated several thousand villagers, when in fact the officials had no pills or medicine at all.

Mr. President, this letter from the field presents a far different picture from that given in optimistic official reports. It deserves to be soberly considered.

I ask unanimous consent that a notarized copy of this letter be printed in the RECORD.

Appropriate deletions have been made to protect the soldier's identity.

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

"DEAR CHRIS: Hello from Vietnam. I'm presently about [deleted] miles south of the border between North and South Vietnam in a compound near [deleted]. I'm here for a few days to recon out some bridges that we'll have to strengthen before I can hope to get our tanks and other armor over. I am newly assigned to the [deleted] Cavalry (Vietnamese) and will take over advising a troop as soon as I get some of these recon and administrative problems out of the way. The cavalry over here uses tanks and armored fully tracked scout and support vehicles. They are fast moving and kill lots of Vietcongs. I went on a couple of operations with them last week. I went out with a troop that is about [deleted], because this is the one I will take over in about 4 weeks. They moved and shot very well and I doubt if our

own cavalry could do much better than this. However this excellent state of morale and training of these particular troops is the exception rather than the rule in the Vietnamese Army.

"Chris, I've never been so disillusioned with our country as after my experiences over here for the past 5 months or so. For the first time I am on the scene where the news is being made and I realize that reporters for the most part do not strive to present an accurate picture of what is taking place—rather they write what will sell and make them the most as far as money and reputation. Most of the combat photos are either posed or else they are behind the lines training photos captioned as frontline combat photos. After having been in combat for the past few months I have a pretty good idea of what can and cannot be done. When you see a picture of a Vietcong coming out of a cave with hands held high—you can bet it is a posed picture. When you see a Vietnamese mother shielding its child's body from bullets, you can bet that photographer would have his [deleted] down too. What a bunch of baloney.

However most of my disillusionment comes from the sorry [deleted] attitude of the Vietnamese people. Especially the educated leaders of this country are rotten, dirty, no good thieves. They are Communist-haters but all have fat bank accounts in foreign banks. They deposit every month several times their salary in these bank accounts outside of country. In this one area—where I was adviser to the [deleted] and also adviser in psychological warfare—the U.S. Government (through Vietnamese channels) was paying salaries of 338 cadres.

The cadres were supposed to be pacifying an area five villages in size. However, there were only about 50-60 cadres working in the area. So this meant a group of about three minor government officials (Vietnamese) were stealing \$4,000 per month. I reported this but nothing was done. I raised so much [deleted] about it that they transferred me out to a straight combat unit. At the same time his was going on, the Vietnamese reports were very rosy and you would believe the war was almost won. They said that we distributed some 4 million pills and treated several thousand villagers when we had no medicine at all—it had disappeared before it reached us—more than likely sold in the big cities. They said my battalion (250 men) killed or captured 175 Vietcong. However, I have seen only two bodies and about eight prisoners in all of our actions. Even accounting for the ones dragged away after they're dead by the Vietcong, I think we killed only 20. However, we lost 50 of our men killed and 35 wounded and 16 captured. I personally saw and helped carry out about 25 of our own dead—but they report we lost about 12. But these false paper reports satisfy Washington. The emphasis is not on what are we accomplishing and what actual progress is being made. Rather if you put down on paper that progress is being made it is sufficient. They are living in a dream world—but I'm afraid they are fooling only themselves—and the American public: both will suffer in the long run.

"I have been trying to analyze this corrupt and inefficient plan for winning the war and determine just what is the basic reason for our continuing failure here (we are falling no matter what the newspapers and the Johnson administration says). I think it boils down to this: We have committed ourselves here in Vietnam and have stated that we will stay as long as is necessary and will put into this country as much as it takes to win the war. However, the money is given to the Vietnamese Government officials to use as they see fit. Since they are spending our money and they know we will give them as much as is necessary

they accept no responsibility whatsoever to insure that the money and supplies are used for its intended purpose and efficiently. They are on the gravy train and know it and intend to stay on it. It is a paradox—the longer the war lasts, the more money they can steal. The more money they steal, the longer the war will last; if the war is won and the United States pulls out—the salaries of these officials would drop 100 times of what it is now. So why should they try to end the war? They have nothing to gain by it and plenty to lose.

"The Vietnamese people themselves—the merchants, the farmers, etc.—do not appreciate what we are trying to do for them. The restaurants and shops have two prices, one for the Vietnamese and one for the American soldiers (who are dying for these people). It costs about 16 cents for a Vietnamese to buy a beer, 40 cents for a soldier. It costs 60 cents for a Vietnamese to buy a block of ice, \$2.50 for a GI. A ride on a cyclo costs a Vietnamese 20 cents, the same ride for a GI \$1. I could quote these prices forever. If you insist on paying the Vietnamese (lower) price they laugh at you and refuse. No matter how many shops you try the story is the same. They have you over a barrel. A GI who spends 60 days living in a foxhole full of mud like an animal cannot just refuse to pay. If he is to get any relaxation on the half day off in town his CO has given him he must pay the outrageous prices or do without. Most just grit their teeth and pay.

"Another thing the Vietnamese people do is steal from the GI. I've had cigarettes snatched out of the seat next to me while driving my jeep down the street at daylight in downtown Da Nang. I once caught the man who did it. The Vietnamese policeman I took him to spoke a few words in Vietnamese to the man and turned him loose. He smiled very sweetly at me and said, "Very sorry." Yes, they are very appreciative of what we are doing for them. The other day a friend of mine, Capt. [deleted] was killed in a Vietcong ambush. With him were about 10 Vietnamese soldiers. Though [deleted] was killed the Vietnamese soldiers who were with him managed to fight off the Vietcong. But when his body was returned to our command post, his watch, pistol, rifle, money, etc., was gone. Another friend of mine went to pay a visit on the company and found one of our Vietnamese allies with his pistol, another his rifle, and another with the watch. It was easy to tell since the rifle is only a type carried by U.S. personnel and the pistol was a personal 1917 model German Mauser. When I heard this I wanted to go and kill some of them myself. It is so damn rotten and unbelievable. So far we've only been able to get them to give back the rifle. The [deleted] Vietnamese officers are balking in returning his things.

"Well, I was for 5 months with a Vietnamese infantry battalion and saw quite a bit of combat in our area [deleted] miles south of Da Nang. I came very close to death several times (earned Combat Infantryman's Badge and was put in for Bronze Star). I'm going to advise a cavalry troop just north of [deleted]. The past year they had three different advisers. Two were killed and this last one was wounded. Two were good friends of mine. It makes me very angry to see my friends killed and wounded here and to put my own life on the line daily when you see the Vietnamese themselves are not trying and don't give a damn for your efforts and sacrifices. I see Vietnamese guys and their wives laughing and having a good time together. I see many young men not in the Vietnamese military. And I ask myself why I must be on the other side of the world from my wife, and, I wonder why I must fight and risk death when many young Vietnamese men do not. There is no penalty for draft dodging and if a man deserts and is found by the authorities he is only scolded and returned to the army even if it has been

years. They are not so much as fined. However, we are aware of the penalty for desertion in our own Army in time of war—death.

"I suppose it might seem that I am feeling sorry for myself and using your shoulder to cry on and I suppose to a certain extent this is the case. But mostly I feel like I need to tell at least one person back there what is really happening over here. Hope I didn't make you too angry.

"Right now I'm in bed with dingy fever. It is sort of like the flu, except you have amazing diarrhea and sharp pains in the muscles. I am usually sick about 2 or 3 days per month. This country is so filthy. More men are evacuated to the United States from disease than for wounds. At least it is a good way to keep slim. I've lost 45 pounds since I left [deleted] a year ago. Will have plenty of time for eating when I get back.

"I a really jealous of you, you old son of a gun, those boys are really good-looking kids. Boy I'll bet you're proud. I know I sure would be if I were their father. As you know [deleted] and I don't have any yet but I plan on going into mass production soon as I get back. Next time you write be sure to send a picture of you and Betty.

"I certainly appreciate your invitation to spend a few days with you and your family. As you know my favorite sport is trout fishing. Also I like to hunt pheasant, etc. When I get back from here it will be about the end of September. Will there be anything in season then? [Deleted] likes to fish, too. Does Betty? Boy I sure am looking forward to it if I can make it. How long does it take by auto from [deleted]? I can already taste the trout rolled in cornmeal and cooked in butter. And pheasant cooked with wine and mushrooms. I can hardly wait. What other employment opportunities are there for a retired Army [deleted]?"

"What is Brooks doing and where is he? And Don McCall and any of the others? Let me know what everyone is doing and addresses if possible. I dropped by the [deleted] house about 1 month before I came over here. Had a nice chat with Warren Morris and some cookies and milk. He had a 63 Caddy and was still playing the horses. Said Frog was getting his masters degree somewhere.

"Well, I sure enjoyed hearing from you and hope you write again soon. I'll write when I can. Take good care of the family and best of luck and happiness to you all.

"Your friend,

"[Deleted]."

STATE OF IDAHO,
County of ADA, ss:

This is to certify that I have seen the original of this document and that this is the true and exact copy of the original.

FRED SHUPAL,
Notary Public.

Date: February 28, 1966.

THE IMPACTED AREA SCHOOL PROGRAM

Mr. CANNON. Mr. President, I was very gratified to learn of the recent sharp reaction of members of the Senate Appropriations Committee against administration plans to curtail drastically funds for the impacted area school program.

This vital program provides funds for thousands of school districts which are burdened by the attendance of children of servicemen and other Federal employees. Since these programs were established in 1950 to provide for operation and maintenance, teacher's salaries, and school construction, they have been the very model of cooperation between the

local school districts and the Federal Government to provide the best possible education for dependents of Federal workers.

At a meeting of the Appropriations Subcommittee on Health, Education, and Welfare earlier this week, many Senators expressed their determination to fight cuts in the impacted areas programs.

The distinguished Senator from Rhode Island [Mr. PASTOREL articulated the position of those of us who oppose the reduction of the impacted areas programs when he challenged the administration's argument that funds for the Elementary and Secondary Education Act passed last year are a substitute for impacted area funds.

The Senator was absolutely correct in his statement. The philosophy behind the impacted area program is clear. Funds are paid to local school districts to remove inequities resulting from the concept of intergovernmental immunity. Since local and State governments cannot tax Federal property, and since the local property tax is the primary source of financing for the American schools, it is obvious that school districts in which the Federal Government has large holdings must operate on impaired tax basis. Further, the presence of Federal property within the school district usually leads to the imposition of a distinct Federal burden on the local schools which must provide education for the children of the Government employees who work on the Federal property.

There is no doubt, therefore, that the impacted area programs were initiated to require the Federal Government to meet its obligation to help provide for the education of the children of its employees. The Elementary and Secondary Education Act, on the other hand, is designed to meet totally different education problems—especially those in lower socioeconomic school districts.

During the recent questioning of Secretary Gardner by members of the Appropriation Subcommittee, the Senator from Colorado [Mr. ALLOTT] said the impacted area funds "provide the bones, blood and muscle for those needy districts."

The Senator from Alaska [Mr. BARTLETT] termed full impacted area aid "absolutely essential."

I associate myself fully with the remarks of my colleagues on this most important subject.

Opposition is being generated in every quarter to the proposed reduction of more than \$200 million in impacted area aid. Educators in my State and throughout the Nation are virtually unanimous in opposition to the cutback, and more and more Members of Congress are speaking out on the need to retain this critical program.

The proposed reductions are not in the best interests of American education, and I am confident that the Congress will appropriate the funds needed to continue the impacted area programs at their same level as recent years. I am also confident that action will be taken to extend Public Law 815 which is set to expire on June 30 of this year, and that the Congress will soon add to the

I repeat: No President and Secretary of Defense should be allowed to exercise such arbitrary and capricious power.

EXHIBIT 1

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EXHIBIT 2

McNAMARA ADDING 30,000 IN VIETNAM, DENIES U.S. STRAIN—10,000 MORE TROOPS ARE IN WAR AREA, WITH 20,000 ADDITIONAL ON THE WAY—FORCE TO REACH 235,000—SECRETARY SAYS MILITARY CAN MEET ALL COMMITMENTS—DISPUTES SHORTAGE CHARGE

(By Jack Raymond)

WASHINGTON, March 2.—Secretary of Defense Robert S. McNamara insisted today that the Armed Forces were not overextended or suffering shortages but were fully capable of meeting their commitments anywhere.

At a news conference, he disclosed that the United States now had 215,000 military men in South Vietnam, an increase of 10,000 over the previous official estimate. He also said that 20,000 additional men were on the way to join the war against the Vietcong.

This would bring the total commitment in South Vietnam to 235,000, not counting the offshore forces with the 7th Fleet.

Mr. McNamara, apparently including forces in neighboring Thailand, estimated total U.S. military strength in southeast Asia at 300,000 men.

MORE REQUESTS EXPECTED

He said that the current reinforcements for South Vietnam had been requested by Gen. William C. Westmoreland, the American commander there. He said he expected more such requests but did not indicate what the planned total might be.

The Defense Secretary, however, did not dispute an observation by a questioner as to the premise underlying recent articles about requirements in Vietnam. This premise was that General Westmoreland had requested reinforcement to bring his troop strength to 400,000 by the end of the year.

Mr. McNamara said that he had no current requests from General Westmoreland beyond

the 20,000 he noted today. His disclosure of the deployment of the additional troops came 5 days after President Johnson, also emphasizing that the general's requests were being met, said he had no "unfilled requests" on his desk at the moment.

TWENTY-ONE BATTALIONS AVAILABLE

It appeared that, while General Westmoreland's requests for troops in some undisclosed quantity were being fulfilled, these requests were not being announced immediately.

The Defense Secretary, who is known for his unemotional management of the Pentagon, seemed edgy and angry at times in the news conference.

In support of his rebuttal of allegations concerning troop readiness, Mr. McNamara said that 21 more trained battalions, estimated at a minimum total of 147,000 men, could be deployed to South Vietnam by July 1.

He emphasized, however, that this assertion should not be construed as a hint of their pending deployment. He said that he believed it would probably not be necessary to send that many additional forces for the fighting in Vietnam.

Mr. McNamara called the news conference at the Pentagon on 4 hours' notice. He explained he had been prompted by certain articles in the press recently that he said had given "the erroneous impression that we are dangerously overextended" because of the war in Vietnam.

If that were true, he said, it "would indeed represent a serious situation, but it is not true."

The Defense Secretary did not identify the articles he had in mind, but it is known that one was by Hanson W. Baldwin, military editor of the New York Times, which appeared February 1.

In addition to the articles, however, a speech by the chairman of the Senate Preparedness Subcommittee, JOHN STENNIS, Democrat, of Mississippi, has gained notice here. Mr. STENNIS, addressing the Reserve Officers Association last Friday night, said: "The heavy drain of Vietnam has brought on serious problems in personnel, equipment, repair parts and other materials."

Mr. STENNIS' committee has also prepared a report on Army readiness, much of which has been labeled classified by the Pentagon. Asked about it, Mr. McNamara said he had not seen the final report but that he was not standing in the way of the committee's publishing any unclassified material in it.

FINDS POSTURE IMPROVED

In advance of the news conference, Mr. McNamara issued a 3,000-word statement, drawn mostly from his testimony on United States "military posture" last week before the Senate Armed Services Committee. In the statement he declared:

"Far from overextending ourselves, we have actually strengthened our military posture."

After the news conference, Mr. McNamara's aides issued a 4,000-word statement listing 23 charges of military deficiencies and giving his answers to them.

Mr. McNamara was accompanied to the press meeting by his deputy, Cyrus R. Vance, to whom he turned a few times for corroboration, and by his Assistant Secretary for Public Affairs, Arthur Sylvester.

At one point Mr. McNamara refused to answer additional questions from one correspondent. In an exchange between them, the correspondent accused Mr. McNamara of evading his questions.

On another occasion, the Secretary flared up when a newsman with a foreign accent asked a question about the readiness of troops in Europe in view of the requirements in South Vietnam.

CALLS U.S. EFFORT "UNIQUE"

The Secretary demanded to know where the questioner was from and when he heard the answer Germany, he pointed his finger and said that the reporter should especially realize that the United States forces were ready everywhere.

"I am sick and tired of hearing the implication that we've drawn down the readiness of forces in Europe," Mr. McNamara said angrily.

Throughout the news conference he insisted that the United States' current effort in southeast Asia was "unique in our military history."

"Never before has this Nation, or any other nation, been able to place so large a force in combat in so short a period of time and some 10,000 miles from its shore without calling up reserves, extending active duty tours on a widespread basis and involving the kinds of strict economic controls normally associated with military emergencies."

CLAIMS BACKING OF CHIEFS

Repeatedly Mr. McNamara said that his views on the readiness of the American forces were shared by the Joint Chiefs of Staff. He said that there would obviously be "difficulties" and that he was not contending there were no shortages of any kind anywhere. But he stressed that the total effort must be seen in perspective.

ADDITIONAL TARGET LICENSE OVER NORTH VIETNAM

Mr. SYMINGTON. Mr. President, I was very glad to learn this morning that additional target license to attack strictly military targets has now been granted to our Air Force and Naval Air pilots who are risking their lives daily over North Vietnam, in their effort to reduce the number of soldiers, and the amount of ammunition which the Government of North Vietnam is moving through Laos down the Ho Chi Minh trails for the use of the Communist troops; their own troops, as well as those of the guerrilla organization which they have set up in South Vietnam in order to further their determination to conquer the people of South Vietnam. This latter organization, organized in 1960, the Ho Chi Minh government named the National Liberation Front.

It is my conviction and, what is more important, the conviction of high military authority, especially in the Far East theater, that this decision will result in fewer American casualties during the weeks and months to come.

It bears out the position I took upon returning from South Vietnam several weeks ago; namely, that, if these hostilities are to continue, we should either move forward or move out.

TAX ADJUSTMENT ACT OF 1966

Mr. LONG of Louisiana. Mr. President, my task today is not a pleasant one, for I rise in support of a bill, H.R. 12752, which will increase the tax payments of most American taxpayers. The members of the Finance Committee recall with nostalgia the years 1962, 1964, and 1965, years in which they were able to recommend significant tax reductions—reductions which had so much to do with the attainment of the current high levels of employment and production. Al-

March 4, 1966

though it was not a pleasant duty, there was general support for the bill when the committee voted to report it to the full Senate, for we realize that additional revenues must be raised to finance the expenditures required by the conflict in Vietnam.

The increase in expenditures attributable to our operations in Vietnam is responsible for this bill. When the Excise Tax Reduction Act of 1965 was before Congress last June, we could not anticipate that the situation in Vietnam would require the expenditure of an added \$4.7 billion in the fiscal year 1966. Nor could we anticipate that the emergency requirements of the struggle would add \$10.5 billion to Federal expenditures in the fiscal year 1967. These sharp increases have exceeded the significant increases in Federal revenues caused by the growth of the economy—increases in revenues which now approach \$7.5 billion a year.

ALTERNATIVES TO H.R. 12752

Some Senators may ask why the increased expenditures needed for Vietnam must be paid for by increased tax collections. They may argue, for example, that these expenditures could be made by reducing expenditures for the civilian needs of the Government. I am as much in favor of reducing wasteful or unnecessary expenditures as any other Senator. But the President had already trimmed civilian budget expenditures to essential minimums before he submitted the budget.

This is indicated by the fact that the 1967 budget provides for an increase in expenditures in areas not related to Vietnam of only \$600 million.

This is so despite increased interest costs for the Federal debt and the impact of pay raises for civilian employees and military personnel that the Congress approved last year, and also in spite of the fact that the Federal Reserve Board increased the cost of carrying that Federal debt by increasing interest rates.

He has achieved this result by offsetting increases in expenditures approved by Congress and normal expenditure increases under existing programs with dramatic savings in many areas. I do not believe that Congress will be able to trim expenditures under this tight budget to the extent necessary to finance the war in Vietnam. In fact, Congress has already approved a new GI bill which will increase budget expenditures.

I can only conclude that it is unrealistic to expect Congress to be able to match increased Vietnam expenditures with reductions in other areas of the Federal budget.

Of course, we could borrow to pay for expenditures in Vietnam. This approach, however, would encourage inflation. From 1961 to mid-1965, we could safely approve bills, such as the tax reduction bills, that would initially create the need for Government borrowing because there was slack in the economy. During those years some doubted whether the rate of unemployment in the civilian labor force would ever again be as low as 4 percent. Under those circumstances, the stimulus of tax reductions resulted in an increase in em-

ployment rather than an increase in prices.

The situation is different now. The policies of the past several years have achieved their objective. The slack in the economy has been taken up. In January the rate of unemployment in the civilian labor force dropped to 4 percent for the first time since 1957. Capacity utilization figures indicate that industry is now using almost as much of its available plant and equipment as it prefers to use. We have reached the point in which sharp increases in Government expenditures must be met by increased revenues if we are to avoid the risk of inflationary price increases.

WHAT THE BILL WILL ACHIEVE

Let me now turn to the bill itself. It is designed to raise revenues for both the fiscal years 1966 and 1967. The provisions of the bill increase revenues in the current fiscal year by \$1.1 billion. They will add \$4.8 billion to receipts in fiscal year 1967 over and above the amount that would be generated under existing tax rates.

These amounts differ only slightly from the effect of the provisions recommended by the President, which would have increased administrative budget receipts by \$1.2 billion in fiscal 1966 and \$4.8 billion in fiscal 1967.

These revenues will be sufficient to reduce the anticipated administrative-budget deficit for the fiscal year 1966 from \$7.6 to \$6.5 billion. In the fiscal year 1967, the added revenues provided by this bill will reduce the administrative-budget deficit to \$1.9 billion. In the absence of the bill, the 1967 deficit would be \$6.7 billion, or only slightly less than the 1966 deficit.

When the revenues and expenditures of the trust funds are considered, the results of this bill will be even more significant. The consolidated cash budget deficit anticipated for the current fiscal year will be reduced from \$8.1 to \$7.0 billions. In the fiscal year 1967, the deficit will be eliminated entirely and a small surplus achieved as a result of a \$5.0 billion increase in cash receipts under this bill.

The increase in tax payments required by this bill will moderate the expenditures of households and business firms. The most important provision affecting tax collections is one which accelerates the transition to full current payment of estimated corporate tax liabilities in excess of \$100,000. Some 13,000 large corporations are affected.

Many of these corporations set aside funds to meet tax liabilities as those liabilities accrue, often by purchasing tax-anticipation notes. Some corporations, however, will have to postpone investment outlays or forego dividends to provide the cash to meet their tax payments. Such postponements will not impair economic stability, since business expenditures for fixed investment are currently at very high levels. These levels are so high in fact that some economists are concerned about the possibility of a repeat of the experience in 1956 and 1957.

The postponement of some planned investment, therefore, may well be con-

ducive to the maintenance of the proper balance between investment in expanded capacity and growth in the demand for the goods produced by that capacity.

The graduated withholding procedure contained in the bill will moderate consumer expenditures. After May 1, the amount of tax withheld from wages and salaries will be increased by about \$100 million a month during the rest of 1966 and in the first few months of 1967. The additional amounts withheld will be offset as far as individual taxpayers are concerned by lower tax payments due in the spring of 1967 or through tax refunds. Some consumer spending, however, will have to be postponed during the rest of 1966 and in the early part of 1967.

The bill is also important to our balance of payments. It is essential to the success of our efforts to eliminate the persistent deficit in the U.S. balance of payments that inflation be prevented. Inflationary increases in the prices of the goods the U.S. exports would discourage export sales. This development would narrow or close our favorable trade balance. A serious outflow of gold would be the result.

EFFECT ON TAX LIABILITIES

The bill will accomplish the effects I have outlined without requiring significant increases in tax liabilities. The various changes in collection procedures proposed in the bill will speed up the collection of existing liabilities. In other words, the timing of tax collections will be changed so that some revenues will be collected in fiscal year 1966 that would not otherwise be collected until fiscal 1967. Even larger amounts will be collected in fiscal 1967 that would not otherwise be collected until fiscal 1968 and later years.

The changes in collection procedures include graduated withholding, quarterly payments of estimated social security taxes by the self-employed, tighter requirements regarding payments on declarations, and an earlier completion of the transition to full current payment of corporate tax liabilities in excess of \$100,000.

The excise tax provisions of the bill will restore the tax rates on telephone service and passenger automobiles which were in effect at the end of 1965. The bill simply freezes these rates for 2 years, or until April 1, 1968. At that time the excise tax rates will fall to the levels that would have been reached at that time if the provisions of the Excise Tax Reduction Act of 1965 remained in effect.

The revenue impact of the bill is largely temporary in the sense that the changes in collection procedures will produce only a temporary increase in revenues rather than a continuing increase. Such an effect is appropriate at this time. While there has been much speculation about it, we do not know what the financial requirements of the war in Vietnam will be beyond the relatively near term. Therefore, it is appropriate that we should plan our taxes at this time on the basis of the figures in the President's budget.

As for fiscal 1968, it is important to remember that Federal revenues will in-

So much has been said, so much has been written, so many reports have been compiled that it was felt this step to be a desirable undertaking.

Therefore, to that end, it suggests the creating of such a joint committee. I ask unanimous consent that this be allowed to lie on the desk for the next 6 calendar days.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Illinois.

The concurrent resolution (S. Con. Res. 78) was referred to the Committee on Labor and Public Welfare, as follows:

S. CON. RES. 78

Resolved by the Senate (the House of Representatives concurring, That there is hereby established a Joint Committee on the Economic Opportunity Act of 1964 (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

SEC. 2. (a) The committee shall make a full and complete study and investigation of the administration of the Economic Opportunity Act of 1964.

(b) On or before August 1, 1966, the committee shall submit to the Senate and the House a report of its study and investigation together with its recommendations for any amendments to the Economic Opportunity Act for 1964 or any other action which it considers to be necessary or desirable. Thirty days after making such report the committee shall cease to exist.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) With the prior consent of the department or agency concerned, the committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate or the House, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee provided for herein determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the committee over the signature of the chairman or any other member designated by him, and

may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

(e) The expenses of the committee, which shall not exceed \$400,000.00 shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

LEGISLATIVE REAPPORTIONMENT—
AUTHORITY TO FILE INDIVIDUAL
VIEWS

Mr. DIRKSEN. Mr. President, on September 8, last year, the Committee on the Judiciary ordered reported, the joint resolution on legislative reapportionment. The intervening time was provided for preparation and filing of minority reports. They have all been filed.

On Wednesday of this week, the committee then took further action to send all of these reports to the Senate.

I ask unanimous consent that members of the Committee on the Judiciary be authorized to file individual views on Senate Joint Resolution 103, commonly referred to as the reapportionment amendment.

All this has been fully agreed to on both sides of the aisle.

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

AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED—
AMENDMENT

AMENDMENT NO. 497

Mr. KENNEDY of Massachusetts submitted an amendment, intended to be proposed by him, to the bill (H.R. 12169) to amend the Foreign Assistance Act of 1961, as amended, which was ordered to lie on the table and to be printed.

AMENDMENT TO THE VIETNAM SUPPLEMENTARY ASSISTANCE ACT

AMENDMENT NO. 498

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may be permitted to proceed for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

Mr. McGOVERN. Mr. President, on Tuesday, the Senate passed by an overwhelming margin a supplemental military authorization bill for Vietnam. A number of us in the Senate voted for that measure only after making it clear that we were opposed to many of the policies that our Government has followed in recent years which have involved us so deeply in the Vietnamese war. As I said on Tuesday before the vote on the military authorization bill:

My vote reflects my conviction that we must protect men we have sent into battle no matter how we might question the policy that sent them to that battlefield.

I did consider joining with a number of like-minded Senators in offering an amendment that would make it clear that the vote for military equipment should not be interpreted as an endorsement of

past policy or future policy in the Vietnamese hostilities but simply an effort to protect our soldiers. I was persuaded not to offer such a resolution when the chairman of the Armed Service Committee, the Senator from Georgia [Mr. RUSSELL], who presented the bill on the floor, stated unequivocally that the bill "could not properly be considered as determining foreign policy, as ratifying decisions made in the past, or as endorsing new commitments."

The Senator from Georgia [Mr. RUSSELL] further said:

Under the division of legislative labor that Congress has prescribed for itself, the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs are the instrumentalities specializing in foreign relations. Accordingly, I think it is important to emphasize that it would be inappropriate for this—Armed Services Committee—authorization to be used as a poll of congressional opinion on whether our foreign policy is sound.

Mr. President, because of these considerations, I decided that the appropriate place to offer an amendment to legislation affecting our Vietnam involvement would be on the assistance legislation now pending before the Senate Committee on Foreign Relations. I have drafted an amendment which I think makes clear that Members of the Senate who vote to sustain our men and our assistance programs in Vietnam do not necessarily indicate by such votes that they approve of the policies that have involved us in hostilities in southeast Asia. I believe that a considerable number of Senators have grave misgivings about past decisions with reference to Vietnam and that such Senators are deeply concerned less this limited war take on dangerously enlarged proportions.

I strongly believe that the most urgent task in the U.S. foreign policy field today is to find an honorable way for ending the war in Vietnam on terms and improving relations between our country and the people of Asia in general. I believe that is the goal of our President and that he is courageously resisting pressures from those who would push our forces into a major conflict.

Mr. President, toward that end, I offer an amendment to the bill authorizing additional economic assistance for Vietnam, H.R. 12169, and send the amendment to the desk and ask that it be printed and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 498) was referred to the Committee on Foreign Relations.

Mr. McGOVERN. Mr. President, I also ask unanimous consent to have the amendment printed in the Record.

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

At the end of the bill add the following new section:

"SEC. 4. (a) The Congress hereby declares that its action in authorizing the additional assistance for Vietnam provided by this Act—

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against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3025. A bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3025 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 6,772,000 pounds of muscovite block mica, approximately 528,000 pounds of muscovite film mica, and approximately 22,666,000 pounds of muscovite mica splittings from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that these quantities are excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3026. A bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3026 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 3,765,000 pounds of phlogopite mica splittings and approximately 205,640 pounds of phlogopite block mica now held in the national stockpile established pursuant to the Strategic and Critical Material Stock Piling Act (50 U.S.C. 98 98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that these quantities are excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3027. A bill to authorize the disposal of molybdenum from the national stockpile.

The letter accompanying Senate bill 3027 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of molybdenum from the national stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 1,034,300 pounds of molybdenum from the national stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against

avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed bill to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3028. A bill to authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3028 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill "To authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile."

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 166,500 short tons of crude silicon carbide from the national stockpile and the supplemental stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

JOINT COMMITTEE TO INVESTIGATE THE OFFICE OF ECONOMIC OPPORTUNITY AND THE SO-CALLED ANTIPOVERTY PROGRAM

Mr. DIRKSEN. Mr. President, I submit, for appropriate reference, a concurrent resolution to create a joint committee for the investigation of the Office of Economic Opportunity and the so-called antipoverty program.

"(1) shall not be construed as a ratification of any policy decision heretofore made with respect to hostilities in Vietnam, or as an endorsement of any future commitment with respect to such hostilities; and

"(2) is taken with the hope that such additional assistance will contribute to an early cessation, rather than a widening, of such hostilities.

"(b) Recognizing the desire of the President to limit the scope of hostilities and to reach an honorable settlement of the conflict and cognizant of the desirability of improved relations between the people of the United States and the people of Asia, it is the sense of the Congress that United States foreign policy in Asia should seek to minimize the risks of military involvement and to promote orderly economic and social development."

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND AMENDMENT

Mr. BREWSTER. Mr. President, at his next printing, I ask unanimous consent that the name of my colleague, the junior Senator from Maryland [Mr. TYNINGS] be added as a cosponsor of the bill (S. 2987) to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes.

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

Mr. PROXMIRE. Mr. President, although yesterday was the last day set aside for cosponsors for the special school milk bill, S. 2921, I ask unanimous consent that the names of the Senator from Nevada [Mr. CANNON] the Senator from Nebraska [Mr. HRUSKA] be added as cosponsors.

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

Mr. METCALF. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 2962, a bill relating to the Redwood National Park introduced by the distinguished Senator from California [Mr. KUCHEL].

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

Mr. METCALF. Mr. President, I am not completely in favor of this bill. I have submitted an amendment, No. 487, to enlarge the park, but I want to applaud and commend the distinguished Senator from California for introducing the administration's bill, a bill supported by President Johnson and the Secretary of the Interior.

I would rather have half a loaf than nothing at all. If my amendment fails, I intend to support the bill introduced by the Senator from California.

When the matter comes up for discussion in the committee, the Senator and I both being on the committee, we will try to work out some reasonable settlement, but I wanted to indicate my approval of the action of the Secretary of the Interior in sending the bill to Congress and the action of the Senator from California in introducing the bill. I would add my name as a cosponsor of it, reserving the right to call my amendment up.

On February 28, 1966, the Washington Post published an excellent editorial pertaining to the proposed Redwood National Park in northern California. The editorial questions the adequacy of S. 2962 and points out the park value of the Redwood Creek area which would be incorporated within the proposed Redwood National Park under amendment No. 487 to S. 2962. I introduced amendment No. 487 on February 23, along with 15 cosponsors. The cosponsors of the amendment are listed on page 3674 of the February 23, 1966, CONGRESSIONAL RECORD and now have been augmented by the Senator from Alaska [Mr. BARTLETT], the Senator from Texas [Mr. YARBOROUGH], and the Senator from New Jersey [Mr. HARRISON WILLIAMS].

Mr. President, I ask unanimous consent to insert in the RECORD the Washington Post editorial and also the February 26 letter to Members of the Senate from William F. Ragan, counsel for the Stimson Lumber Co., which operates in the area which would be included in the Redwood National Park under the proposed S. 2962.

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

[From the Washington (D.C.) Post, Feb. 28, 1966]

LOSING THE REDWOODS

The enthusiasm generated by President Johnson's forthright endorsement of a Redwood National Park in northern California is dampened by examination of the details of his proposal. Critics offer two major complaints. Many conservationists, including David Brewer, executive director of the Sierra Club, think that the proposed park is located in the wrong place. The other widespread complaint is that it would not be big enough to accomplish the purpose of saving a reasonable portion of the virgin redwoods endangered by the lumbermen's saws.

What the President has recommended is a linking together of the Jedediah Smith and Del Norte State Parks near Crescent City, with a substantial expansion of the area to include the Mill Creek watershed. The park would also take in an attractive coastal strip running as far south as the Klamath River. Its total area would be about 43,600 acres, including some 13,000 acres in the existing State parks. Much of the new land to be added is no longer covered with virgin redwoods.

Under the plan originally favored by the National Park Service and many conservation groups, part of this area would have been saved under a grants-in-aid system. The Redwood National Park would have been located about 25 miles farther south by linking the existing Prairie Creek State Park to a superb area of virgin growth on the Redwood Creek watershed. Within this 53,600-acre area are the tallest, second tallest, and sixth tallest trees in the world.

Acceptance of the original plan would give the country two magnificent redwood parks with the possibility of a scenic linkage along the ocean front. It would also have the advantage of saving a much larger number of the incomparable *sequoia sempervirens*, some of which are 2,200 years old. The administration plan makes one concession to the experts' preference for the Redwood Creek area. About 1,400 acres would be acquired so as to save the tallest trees, and this would become a separate unit of the national park.

Herein lies the chief disappointment. Under the original proposal the tall-trees section and the charming valley of Redwood

Creek would be the center of a national park ranking with the finest in the world. If only 1,400 acres of this wonderland are preserved, it will be but a token of a heritage that has been lost.

Especially ironical is the fact that the very magnificence of this area may spell its doom. Land prices in the redwood country are reckoned on the basis of the board feet of standing timber per acre. The larger the trees, the larger the potential harvest. So some of this land has been selling for more than \$5,000 per acre. Conservation of 40,000 acres at that price would mean an outlay of \$200 million. Undoubtedly this is one reason why the administration turned to the Mill Creek watershed where the land is somewhat less expensive.

But can the country afford to let this unique and irreplaceable recreation area be mutilated because the cost is high? If the President's plan is to be carried out, the least that can be done, in our view, is to expand the proposed tall-tree enclave into a park of manageable size. Congress needs to consider not only the cost of this rescue operation but also the greater cost of not doing it.

RAGAN & MASON,
Washington, D.C., February 26, 1966.

We are writing this letter to you as counsel for the Stimson Lumber Co., owners of the Miller Lumber Co. located in Del Norte County, Calif.

It is the purpose of this letter to request, for the reasons set forth below, that you withhold your support of S. 2962, a proposal for the establishment of a Redwood Park in northern California, until the matter has been fully aired.

The Redwood Park, as proposed by the administration, would be located in Del Norte County and would destroy the single industry in the county, namely the lumber industry. We ask you merely at this time to withhold your support of the administration's proposal until the facts have been fully considered. We sincerely feel that the hearings and other disclosures will indicate to you that the location of this park in Del Norte County would be a serious mistake. We feel this way for the following reasons:

1. Del Norte County is already a depressed area with a 4.6-percent unemployment ratio. It is accepted that the establishment of the park will increase this unemployment ratio to over 11 percent.

2. There are already two State parks in the county which are now indicating a decline in visitors.

3. The establishment of the park cannot displace the economic chaos that will be caused by the destruction of the sole industry in the area.

4. Until November 22, 1965, and for the previous 3 to 4 years the administration and the Department of Interior considered Del Norte County to be an undesirable location for the park and preferred the park to be in that area presently considered in the bill introduced by Senator METCALF as amendment No. 487 to S. 2962, which area is within reasonable distance to the population centers of the State of California, an area incidentally which must be passed through in order to reach Del Norte County.

Without any logical reason disclosed to date, on November 22, 1965, the Department of Interior reversed itself and decided the park should be located in the Del Norte County area.

5. The administration's bill was introduced on February 23, 1966. Yet, the Department of Interior in December 1965 hired Arthur D. Little & Co. to do a study as to the economic plausibility and feasibility of establishing a park in Del Norte County. The study is not scheduled for completion until the end of March 1966. It is inconceivable that the administration would in-

roduce the bill before they had the results of a study for which they are paying and which we fully expect to be negative.

6. As was noted by Senator METCALF, virtually all interested groups, running from the Sierra Club to the lumbermen's industry groups do not favor the park in Del Norte County.

7. The administration has indicated the park in Del Norte County would cost approximately \$45 to \$55 million. An evaluation by outside objective sources for the privately owned land alone has been placed between \$70 and \$100 million.

8. It is beyond understanding why the administration would pick admittedly the most undesirable site for the park at a cost of what must exceed over \$100 million when, in the very same budget, the funds for milk for schoolchildren have been cut by \$79 million, the entire defense educational program has been deleted, and the assistance to impacted areas has been cut by 50 percent.

For these reasons we most respectfully request that until the matter is fully aired in hearings and otherwise, you withhold your final determination on the administration's proposal.

For your information, enclosed herewith is a copy of an editorial from the New York Times of February 24, 1966, which substantiates what has been stated above.

Very truly yours,

RAGAN & MASON,
WILLIAM F. RAGAN.

Mr. KUCHEL. I thank the Senator for his comments.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the names of Senators BYRD, of Virginia, HICKENLOOPER, and SCOTT be added as cosponsors of the joint resolution (S.J. Res. 130) to establish May 8-14, 1966, as National School Safety Patrol Week.

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

Mr. METCALF. Mr. President, I ask unanimous consent that at the next printing of amendment No. 487 to Senate bill 2962 the names of the Senator from Alaska [Mr. BARTLETT], the Senator from Texas [Mr. YARBOROUGH], and the Senator from New Jersey [Mr. WILLIAMS] be added as cosponsors.

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

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 10, 1966:

S. 2921. A bill to provide a special milk program for children: Mr. AIKEN, Mr. ALLOTT, Mr. BARTLETT, Mr. BASS, Mr. BIRLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOMINICK, Mr. DOUGLAS, Mr. EASTLAND, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HRUSKA, Mr. INOUE, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. KENNEDY, of Massachusetts, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCGEE, Mr. MCINTYRE, Mr. METCALF, Mr. MILLER, Mr. MONDALE, Mr. MONROE, Mr. MONTROYA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MURPHY, Mr. NELSON, Mrs. NEUBERGER, Mr. PEARSON, Mr. PROUTY, Mr. RANDOLPH, Mr. RUSSELL of South Carolina, Mr. SCOTT, Mr. SIMPSON, Mr. SMATHERS, Mr. SPARKMAN, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, Mr. Young of North Dakota, and Mr. Young of Ohio.

Authority of February 23, 1966:

S. 2962. A bill to authorize the establishment of the Redwood National Park in the State of California, to provide economic assistance to local governmental bodies affected thereby, and for other purposes: Mr. ANDERSON, Mr. CHURCH, Mr. COOPER, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MOSS, and Mr. SCOTT.

HEARINGS ON CHINA POLICY

Mr. FULBRIGHT. Mr. President, I wish to announce that the Committee on Foreign Relations will begin hearings on U.S. policy with respect to mainland China. The hearings will be open and are expected to continue for several weeks.

The first witness will be Prof. Doak Barnett, professor of government and member of the faculty of the East Asian Institute at Columbia University, New York City. The hearing will be held in room 4221, New Senate Office Building, at 10 a.m. on Tuesday, March 8.

The second hearing in this series will be with Prof. John K. Fairbank, professor of history and director of the East Asian Research Center at Harvard University. This hearing will be held at 10 a.m. on Thursday, March 10, in room 4231.

ANNOUNCEMENT OF HEARINGS ON ATLANTIC UNION RESOLUTIONS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on International Organization Affairs, I wish to announce that the subcommittee has scheduled hearings on March 23 and 24 on related Atlantic Union resolutions. I ask unanimous consent that a press release of this announcement be printed at this point in the RECORD.

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

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

Senator FRANK CHURCH, Democrat, of Idaho, chairman of the Subcommittee on International Organization Affairs, today announced plans to hold public hearings on related Atlantic Union resolutions pending before the Committee on Foreign Relations, on March 23 and 24, 1966.

These resolutions are Senate Resolution 128, introduced by Senator CHURCH (for himself and Senators CARLSON, CASE, CLARK, COOPER, DODD, and MCCARTHY), which would establish a Commission for a Stronger Atlantic Union; and Senate Concurrent Resolution 64, introduced by Senator MCCARTHY (for himself and Senators CARLSON, METCALF, BARTLETT, BASS, DODD, FANNIN, FONG, GRUENING, HARTKE, INOUE, JAVITS, LAUSCHE, MOSS, PROUTY, PELL, and WILLIAMS of New Jersey), which would establish an Atlantic Union delegation.

Members of the subcommittee in addition to Senator CHURCH are Senators CLARK, CARLSON, WILLIAMS of Delaware, and CASE.

All persons wishing to testify on these resolutions are requested to communicate with the chief clerk of the Committee on Foreign Relations, Mr. Arthur M. Kuhl, as soon as possible.

Mr. CHURCH. Mr. President, even while our attention of recent days has been focused very much on the situation across the Pacific, witnesses before the Committee on Foreign Relations have

reminded us of the importance of Europe and of the need to reexamine our commitments there. With the approaching opportunity in 1966 for members to denounce the North Atlantic Treaty, it is important that the concept and organization of the Atlantic community be studied at the highest level.

It is my hope that the hearings which I have just announced will bring forth the best testimony possible on our relationship to the Atlantic community.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. KUCHEL:

Address entitled "DeMolay: Character Builder," delivered by Barney W. Collins on occasion of his election as Imperial Potentate, A.A.O.N.M.S., July 16, 1965, Washington-Hilton Hotel.

By Mr. ANDERSON:

Article entitled "Henry Agard Wallace," published by Corn Industries Research Foundation, November-December 1965.

By Mr. CHURCH:

Article entitled "Idaho: Good Place To Build, Commerce, Development Department Tells Rest of Nation," published in the Idaho Falls Post-Register, February 25, 1966.

By Mr. MUNDT:

Original oratory entitled "Continuance of Small Centers a Contribution to Preservation of American Democracy," written by William Poppen, De Smet, S. Dak., junior at Huron College, and presented at the University of Omaha intercollegiate forensic tournament.

WAR ON HUNGER

Mr. MCGOVERN. Mr. President, Mr. Herschel Newsom, master of the National Grange and president of the International Federation of Agricultural Producers, made a statement this morning before the Committee on Agriculture and Forestry on the problems of world hunger and appropriate U.S. response.

Since Mr. Newsom is one of the Nation's most respected agricultural spokesmen, I ask unanimous consent to have the statement printed in the RECORD.

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

FOOD FOR FREEDOM

(By Herschel D. Newsom, master of the National Grange, president of the International Federation of Agricultural Producers, before the Committee on Agriculture and Forestry of the U.S. Senate, Mar. 4, 1966)

It is a privilege to appear before this distinguished committee as master of the National Grange and as president of the International Federation of Agricultural Producers.

Both of these important organizations have a record of concern for the developing programs in the field of world food needs, international trade, and agricultural development.

I will indicate at the proper time in my testimony where and how the program of the International Federation of Agricultural Producers relates to the legislation before this committee.

March 4, 1966

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The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated February 1966, which, with the accompanying report, was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 2540. A bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes (Rept. No. 1049); and

S. Con. Res. 71. Concurrent resolution to approve selecting of the U.S. Olympic Committee and to support its recommendations that the State of Utah be designated as the site for the 1972 winter Olympic games (Rept. No. 1059).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. 2266. A bill to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art (Rept. No. 1048).

Mr. DIRKSEN subsequently said: Mr. President, I ask unanimous consent that the names of the Senator from New York [Mr. JAVITS] and the Senator from Pennsylvania [Mr. SCOTT] be added as co-sponsors of S. 2266, to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

By Mr. PROXMIRE, from the Committee on Banking and Currency, with amendments: S. 2729. A bill to amend section 4(c) of the Small Business Act (Rept. No. 1057).

REPORT ENTITLED "THE FEDERAL JUDICIAL SYSTEM"—REPORT OF A COMMITTEE (S. REPT. NO. 1050)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Maryland [Mr. TYDINGS], from the Committee on the Judiciary, I ask unanimous consent to submit a report entitled "The Federal Judicial System," pursuant to Senate Resolution 45, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "TRADING WITH THE ENEMY ACT"—REPORT OF A COMMITTEE (S. REPT. NO. 1051)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Arkansas [Mr. McCLELLAN], from the Committee on the Judiciary, I ask unanimous consent to submit the annual report on the Trading With the Enemy Act and War Claims Act of 1948, pursuant to Senate Resolution 51, 89th Congress.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "IMMIGRATION AND NATURALIZATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1052)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTAND], from the Committee on the Judiciary, I submit a report entitled "Immigration and Naturalization," pursuant to Senate Resolution 44, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "ADMINISTRATIVE PRACTICE AND PROCEDURE"—REPORT OF A COMMITTEE (S. REPT. NO. 1053)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Missouri [Mr. LONG], from the Committee on the Judiciary, I submit the annual report on administrative practice and procedure, pursuant to Senate Resolution 39, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "REVISION AND CODIFICATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1054)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from North Carolina [Mr. ERVIN], from the Committee on the Judiciary, I submit the annual report on "Revision and Codification," pursuant to Senate Resolution 50, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

AMENDMENT OF COAL MINE SAFETY ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1055)

Mr. McNAMARA. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE], from the Committee on Labor and Public Welfare, I report favorably without amendment, the bill (H.R. 3584) to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines, and I submit a report thereon, together with individual views. I ask that the report be printed, with individual views. I ask unanimous consent that the individual views may be filed any time before midnight tonight.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

AMENDMENT OF SMALL BUSINESS ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 1056)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, with an amendment, the bill (S. 2499) to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes, and I submit a report thereon, together with the minority views of Senators BENNETT, TOWER, THURMOND, and HICKENLOOPER. I ask unanimous consent that the report, together with the minority views, be printed.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

REPORT ENTITLED "REFUGEE PROBLEMS IN SOUTH VIETNAM"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1058)

Mr. KENNEDY of Massachusetts. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to submit a report entitled "Refugee Problems in South Vietnam," pursuant to Senate Resolution 49, 89th Congress, together with the individual views of the junior Senator from Massachusetts [Mr. KENNEDY].

I ask unanimous consent that the report together with the individual views be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Massachusetts.

U.S.C. 71 that all claims and demands by the Government of the United States shall be settled and adjusted in the General Accounting Office and from 31 U.S.C. 93 which provides that the General Accounting Office shall superintend the recovery of all debts finally certified by it to be due to the United States.

Decisions of the Comptroller General: The Comptroller General is required by law to render decisions as to the legality of expenditures of public funds to heads of executive departments or independent agencies, or disbursing or certifying officers, who are authorized to apply for a decision upon any question involving a payment to be made by or under them or pursuant to their certification. In addition, many legal questions arise in the audit and settlement work of the General Accounting Office which require determination.

Under certain circumstances, contracting officers may request advance decisions on questions involving the awarding of a contract. Also, any bidder may request a decision on the legality of a proposed or actual award of a contract adversely affecting him.

By law, the decisions of the Comptroller General are final and conclusive on the executive branch of the Government and establish the validity of the individual payments and, in some instances, the legality of entire programs.

Special assistance to the Congress: In addition to the work which it initiates, the General Accounting Office makes many special audits, surveys, and investigations at the specific request of congressional committees, as required by law. Special audits, surveys, and investigations are also made and information, often relating to the legality of specific transactions or to their conformance with existing regulations, is furnished at the request of Members of Congress.

General Accounting Office representatives may be assigned to assist specified committees at their request and are called upon frequently to testify before congressional committees on various matters. Another service to the Congress consists of furnishing comments on proposed legislation.

Rules, regulations, and decisions: The Comptroller General makes such rules and regulations as deemed necessary for carrying on the work of the General Accounting Office, including those for the admission of attorneys to practice before it. Under the seal of the Office, he furnishes copies of records from books and proceedings thereof, for use as evidence in accordance with the act of June 25, 1948 (62 Stat. 946; 28 U.S.C. 1733).

The General Accounting Office "Policy and Procedures Manual for Guidance of Federal Agencies" is the official medium through which the Comptroller General promulgates (1) principles, standards, and related requirements for accounting to be observed by the Federal departments and agencies, (2) uniform procedures for use by the Federal agencies, and (3) regulations governing the relationship of the General Accounting Office with other Federal agencies and with individuals and private concerns doing business with the Government.

Following is a summary of the activities of the General Accounting Office which appears in its most recent annual report to the Congress (covering fiscal year ending June 30, 1964):

"During the year our staff carried out its work at 2,782 locations throughout the world, including 41 foreign countries in which we carried out assignments at some 340 various locations.

"Refunds, collections, measurable savings, and other financial benefits resulting from the work of the General Accounting Office amounted to \$321,489,000. This amounted to a return of over \$7 for every dollar spent

by the General Accounting Office for the year. Actual refunds and collections made by or through our efforts during the year amounted to \$27,166,000.

"We made 480 examinations and audits at 273 plants and offices of contractors and subcontractors holding contracts with the Armed Forces, and at 127 plants and offices of contractors and subcontractors holding contracts with civil departments and agencies of the Government.

"In the civil departments and agencies, we made 980 reviews of selected activities and programs at 1,460 locations within the United States, including 275 non-Federal locations, such as State and local governments, public works sites, and various other recipients of Federal grants, loans and funds.

"We made 356 reviews of selected defense activities and programs and 94 reviews of selected international activities and programs at 780 military installations and 142 nonmilitary locations, including 31 agencies of foreign governments and 108 other locations in foreign countries.

"During the year we audited 4.8 million bills of lading covering freight shipments and 2.5 million transportation requests for passenger travel, and issued 73,251 claims against the carriers for overcharges totaling \$11.4 million. We also settled 22,673 claims from carriers against the Government totaling \$19.1 million for \$15 million, or \$4.1 million less than claimed. In addition to these direct settlements, we furnished assistance to the Department of Justice in some 134 legal actions involving claims against the Government for \$5.3 million which were settled for \$4.1 million, or \$1.2 million less than claimed.

"In our legal work, we handled 5,330 decisions and related legal matters. Included in the total were 788 legislative and legal reports submitted to committees and Members of the Congress on information of interest to them and 86 reports to the Director of the Bureau of the Budget on proposed, pending, or enrolled bills and on other legal matters.

"We settled and disposed of a total of 7,450 general claims against the United States, consisting of 615 claims involving Government contracts, 3,236 claims involving military personnel, and 3,599 claims involving civilian personnel and other public creditors of the United States. In the settlement and disposition of these claims we certified the sum of \$33,879,969.13 for payment. We also adjusted and settled 43,267 claims by the United States and collected \$6,410,067.98. At the end of the fiscal year 1964 we had 14,052 claims under collection representing accounts receivable in the total amount of \$6,304,874.85. During the year we reported 3,842 claims to the Department of Justice for collection by suit, if appropriate, and at the end of the year the accounts receivable for claims pending with that Department totaled \$3,422,258.35.

"During fiscal year 1964, we issued 1,010 audit reports, an increase of 192 over the previous fiscal year. We submitted 293 reports on audits or investigations to the Congress and 187 reports to congressional committees, officers of the Congress, or individual Members of Congress on audits or investigations made at their request. Of the 490 congressional reports, 229 related to activities of the civil departments and agencies of the Government, 225 pertained to activities in the Department of Defense and the three military departments, 34 related to international activities including military and economic assistance to foreign countries, and 2 related to Government-wide activities. In addition, we issued 520 reports to officials of the various departments and agencies and furnished copies in many cases to the congressional committees or interested Members of the Congress.

"As a consequence of our reports and other work, our representatives testified be-

fore congressional committees on 23 occasions and on a variety of subjects during the fiscal year. Ninety-eight General Accounting Office attorneys, accountants, auditors, and investigators were assigned to the staffs of 21 congressional committees or subcommittees during the 1964 fiscal year. Over 9,200 man-days of technical assistance were provided for work directly with and under the control of the congressional committees.

"Our operating expenses for the year amounted to \$43,713,000, approximately \$2 million less than appropriated. Our staff at the yearend totaled 4,350, as compared with 4,659 at June 30, 1963, a net decrease of 309. During the past 10 years, our staff has been reduced by 1,563, or approximately 26 percent."

JAMES R. CALLOWAY,
Chief Clerk and Staff Director.

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

Mr. McCLELLAN. I yield to the Senator from California.

Mr. KUCHEL. I am delighted to join my friend from Arkansas in the comments he has just made concerning the Comptroller General. I share his feelings. I have known Elmer Staats and have had occasion to work with him from time to time in his capacity in the Budget Bureau. I simply congratulate the American people for having this kind of public servant in this new field of responsibility.

Mr. COOPER. Mr. President, the nomination of Elmer B. Staats to be Comptroller General of the United States merits the highest praise. I have had the privilege of knowing and working with Mr. Staats over a period of many years, since I first came to the Senate in 1947.

As a public official, Mr. Staats has served as Deputy Director of the Bureau of the Budget under each of the last four Presidents. His Government career began in 1939, and although he did spend several years as an executive in private industry, he has given the greater part of his career to high public service.

I know that others have spoken of his achievements and accomplishments, but I would like to say that he also has shown himself to be a man of patience, thoughtfulness, and fairness in his consideration of problems that come before him. Each year, the Members of Congress from Kentucky have met with him and his staff as an official group—to present their views on budget items affecting Kentucky—and he always heard us with careful attention and acted objectively.

His qualities and his experience will stand the Congress in good stead, and I am pleased that the Senate will confirm his nomination today.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination?

The nomination is confirmed.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The legislative clerk read the nomination of Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission for a term of 3 years.