

Americans who live far beyond the borders of the fabulous Tennessee Valley Authority, because the work Don McBride does for one area has always been so well designed as to be worthy of repetition elsewhere.

The late Senator Kerr was at his side in all of the promotion of water development and soil conservation that took place during his years of service here.

I feel sure that the Senate will confirm overwhelmingly and unanimously this able public servant.

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

Mr. MONRONEY. I yield.

Mr. KUCHEL. Mr. President, I would not want this moment to pass without expressing my own high esteem of the Presidential nominee, Donald Opie McBride, to serve as a member of the Board of Directors of the Tennessee Valley Authority.

His public service has been intimately connected with this field under the sponsorship of my able friend and his former colleague, the late Senator Robert Kerr, of Oklahoma.

In my earlier years in the Senate, I served on the Public Works Committee. That committee fashioned much of the legislation under which the Tennessee Valley Authority now operates.

I remember the excellent contribution which Don McBride gave to the members of the Public Works Committee in the fashioning of that legislation.

I have no doubt that he takes with him to this new public service a unique skill and background in dealing with the problems of administering the Tennessee Valley Authority.

I simply rise to express my gratification from the minority side of the aisle for the appointment by the President of one who is completely qualified for the task that he now faces.

Mr. HARRIS. Mr. President, the President of the United States could have appointed no person better qualified by background, education, training, and experience to serve as a member of the Board of Directors of TVA than Don McBride.

I have known Don McBride for many years. In Oklahoma, we call him the "third U.S. Senator" from our State. First on the staff of my distinguished predecessor, the late Senator Robert S. Kerr, and then on the staff of my distinguished senior colleague [Mr. MONRONEY], Don McBride has had a greater hand in the development of Oklahoma's soil and water resources than probably any living man.

We will sorely miss him in Oklahoma, but I am confident that he will continue to render outstanding service for his country and his fellowmen in the new post to which he has been appointed.

Mr. President, I was honored to have the opportunity to preside at the hearings of the Senate Public Works Committee which considered Don McBride's confirmation for this position. I am happy to report that the approval of his appointment by our committee was unanimous.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of William Howard Shaw, of Delaware, to be an Assistant Secretary of Commerce.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. COAST GUARD

The legislative clerk read the nomination of Capt. Leon G. Telsey, of the U.S. Coast Guard Reserve, to be rear admiral.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Capt. Chester I. Steele, of the U.S. Coast Guard Reserve, to be rear admiral.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. INOUE. 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, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. INOUE, and by unanimous consent, the Senate resumed the consideration of legislative business.

OFFICIAL RECOGNITION OF WATERLOO, N.Y., BIRTHPLACE OF MEMORIAL DAY

Mr. INOUE. Mr. President, I ask unanimous consent that the Chair lay before the Senate a concurrent resolution which earlier today was received by the Senate from the House.

The ACTING PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 587, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States, in recognition of the patriotic tradition set in motion one hundred years ago in the village of Waterloo, New York, does hereby officially recognize Waterloo, New York, as the birthplace of Memorial Day, and authorizes and requests the President to issue, prior to May 30, 1966, an appropriate proclamation calling the attention of all citizens to the centennial anniversary of the first observance of Memorial Day in Waterloo, New York.

Mr. INOUE. I ask unanimous consent that the Senate proceed to the consideration of the concurrent resolution.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to its consideration.

Mr. INOUE. Mr. President, I ask unanimous consent that the remarks of the junior Senator from New York [Mr. KENNEDY], who is necessarily absent, be printed at this point in the Record.

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

STATEMENT BY SENATOR KENNEDY OF NEW YORK

I strongly support House Concurrent Resolution 587, which the House of Representatives passed earlier this week. This Resolution, introduced by Congressman STRATTON of New York in the House, recognizes the One Hundredth Anniversary of the birth of Memorial Day at Waterloo, New York.

As the first anniversary of the end of the Civil War rolled around in early 1866, many communities across the country paused to decorate the graves of their sons who had been lost in that tragic conflict. But according to the records of the Library of Congress and other historical data, Waterloo, New York, was the first community to declare the existence of an annual holiday to pay tribute to those who had fallen. On May 5, 1866, following some weeks of planning by local civil leaders, the people of Waterloo began the annual observance of Memorial Day by holding services at each of the community's three cemeteries and placing wreaths and flowers at each veteran's grave.

Since that time, Memorial Day has become not only a time to remember those who gave their lives in the Civil War, but an occasion on which we remember all of those who have sacrificed their lives for their country, all of those who gave their fondest hopes so that we could live in freedom.

I congratulate the village of Waterloo at this time. The recognition which it receives today from the Senate is well deserved. Its leaders in 1966 have shown the same patriotism and initiative as its leaders did in 1866. The village has scheduled a centennial parade and observance on May 28, 29, and 30, which will fittingly mark the 100th anniversary of Waterloo's initiative in 1866. Again, I congratulate the village of Waterloo. Its people have my best wishes for a successful and fruitful centennial celebration.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 587) was agreed to.

THE TRAGIC FARCE IN SOUTHEAST ASIA

Mr. GRUENING. Mr. President, the situation in southeast Asia grows steadily worse and increasingly perilous. Its tragic aspects vie with its farcical ones. Never has a great nation, never before has the United States, been made to look so utterly ridiculous than in its efforts to make a patently worthless cause appear a worthy one and to create an image of it which exists only in the purpose of those who, having unjustifiedly and in violation of our solemn treaty commitments involved us militarily, feel they must now justify their past errors by intensifying them. Blown up are all the pretenses that a brave and gallant regime has asked for our help to repel aggression. The fact is that the United States invited itself into Vietnam. The self-imposed outfits—nine of them since the fall of Dien—which our administrations have supported and support now are corrupt, concerned only with their own perquisites, uninterested in the welfare of the South Vietnamese people, who are now openly rebelling. Thus we have a civil war within a civil war. The rebels against the government we are seeking frantically to prop up and which exists only by virtue of our lavish military and financial support, have now shot down

an American plane. Americans are warned by our own leaders to keep off the streets of Saigon lest they be attacked.

While last year there were 96,000 desertions from the South Vietnamese Army, we are drafting our young men to go and fight and kill people against whom they have no grievance and against whom the United States has no legitimate grievance, and be killed in the process.

We are now threatening to extend the war to Cambodia and bring it ever closer to China—a steady escalation and expansion which can only lead to greater and greater disaster.

And this is the cause the President asks us to support.

I ask unanimous consent that a few recent publications be printed at the conclusion of my remarks. They are: first, a leading editorial from the New York Times of this morning, entitled: "The Childish, Divisive Things"; second, an article by Joseph Kraft entitled: "Insight and Outlook: Degringolade," which appeared in the Washington Post of May 18; third, an article by Art Buchwald from the Washington Post of Thursday, May 19, entitled: "Testing the Testers"; and, fourth, an article by James Reston which appeared in the New York Times of Wednesday, May 18, entitled: "Washington: The Evaded Moral Question in Vietnam."

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

[From the New York Times, May 19, 1966]

"THE CHILDISH, DIVISIVE THINGS"

Of President Johnson's earnest desire for peace we have no doubt, nor have we ever had any doubt. But we take strong exception to some of the President's other statements at the Cook County Democratic fund-raising dinner, night before last.

What is unacceptable in the speech the President made in a highly political context to a highly political audience is his clear intimation that critics of his Vietnam policy are somehow just a little less American, just a little less patriotic, than those who go down the line for it. This is a most dangerous tack for the President to take, particularly in an election year, and it is not the first time that spokesmen for his Administration have taken it.

"I ask every American to put our country first," said the President, with the unmistakable implication that those of us who believe that the continued escalation of the war in Vietnam is dangerously unwise are putting our country second. It apparently has not occurred to Mr. Johnson that untold numbers of patriotic Americans are critical of present policy just because they do love this country, just because they are uneasy over the moral, legal and political position of the United States in Vietnam, and just because they fear that the side-effects of this war may even be bringing the American democratic ideal into jeopardy.

"Put away all the childish, divisive things," said the President, demanding "unity" and an end to "the luxury of fighting each other back home." Perhaps the critics of Vietnam policy are wrong—what man is wise enough today to know that his is the right solution? But certainly the President is wrong in thus dismissing the questioning, the dissent, the criticism. And he is even more seriously wrong in his subtle suggestion that "every candidate for every office" who is a critic of the war's conduct becomes by that very circumstance a mere self-serving demagogue.

Few responsible critics, and certainly not this newspaper, have ever suggested that the United States "run out" on its Vietnam commitment, as the President would have his listeners believe. Few have even questioned the primacy of the American commitment, at last while there seemed some hope of a popularly based Vietnamese government to be committed to. But many question the large-scale bombing, the constant build-up, the apparent belief of the Administration that the United States' commitment is to whatever group of Vietnamese generals happens to be in power. And many question whether the present policy and strategy of the United States, however well meant, will, in President Johnson's words, insure that "the gallant people of South Vietnam have their own choice of their own government."

We do not pretend that it is easy to counter Communist attempts to control Southeast Asia. We do not dispute President Johnson's comment that neither Communist China nor Communist North Vietnam has—at least in recent months—shown any interest in peace negotiations; nor that if they wanted to, the Communists could speedily bring the hostilities to an end at a negotiating table.

But that is quite different from saying that all American policies have been wise, that the emphasis and the actions have always been well judged, that things could not have been done differently or even better, or that those who are in disagreement are somehow unpatriotic. On the contrary, we believe it to be the right and the duty of every American to voice his criticism and dissent when he thinks it.

[From the Washington Post, May 18, 1966]

INSIGHT AND OUTLOOK: DEGRINGOLADE

(By Joseph Kraft)

Degringolade is a French word meaning how everything slowly came apart. It is the only word I know that adequately indicates what has been set in motion by the events of last weekend in South Vietnam. For the military seizure of Danang is an episode so many-sided in its potential dangers that the perils have to be counted in order to be realized.

The first danger is the reinforcement of the regime of Air Vice Marshal Nguyen Cao Ky. But the Ky regime is unfit to govern South Vietnam, or any other country. As now organized, it is not suited even to fight a war. It has little capacity to clear and hold territory in the wake of American military successes, still less to provide security and social services.

Most of the leading generals in the regime—particularly the regional, or corps, commanders—are quite simply racketeers, selling off jobs, contracts, real estate, supplies and anything else that comes under their control. Marshal Ky, though evidently honest, is a hot-headed young pilot. The immediate seat of all the recent trouble seems to be a kind of temper tantrum last March that led him to sack the former corps commander at Danang.

Secondly, there is the probable alienation, not only of the militant Buddhists but of virtually the whole elite of the central coastal plain stretching from Hue to within a few hours of Saigon. Though cool to the Saigon government and suspicious of all foreigners, including Americans, the center has at all times represented a distinctly nationalistic strain.

Probably the best way to repel communism in Vietnam is to mobilize the xenophobic nationalism of the center. But now the center is under the gun of the government. It will be a very lucky thing if the center, and in particular the militant Buddhists, do not commence private negotiations with the Communists. It will not be the first time that militaristic efforts to repel communism by force have driven local nationalists into the arms of the Communists.

Thirdly, the avenue for moving from military to civilian rule has now been blocked. Even if some kind of elections are held, nobody can have any faith in their honesty or seriousness. General Ky has already indicated that he intends to rule no matter what the result of the poll.

Lastly, the other side can only be further convinced of the utility of keeping up the fight. The only true possibility of heading off the insurgency is to divert its support to a genuinely nationalistic regime—a regime that might have emerged from free elections. But against a regime that is as inherently weak and unstable as the Ky regime, the Communists are bound to keep up the pressure.

The American role in all this is murky. But it is certainly no good pleading that the United States was caught by surprise. Virtually everybody in South Vietnam knew for weeks that some such move was in the offing. On April 27, this column, written from Saigon under the title "Coups and Counter Coups" suggested the possibility of a move by Marshal Ky "aimed at preserving the present military crowd in power."

The truth of the matter is that in the face of this plain menace the American response was uncertain and weak. Ambassador Henry Cabot Lodge never made it clear that the United States absolutely insisted on free elections without any advance military horse-play. When Ky first said that he would stay in power for another year, Secretary of State Dean Rusk said only that he must have been misinterpreted. No effort seems to have been made to forestall Ky's airlift to Danang by putting a tight check on fuel supplies. On the contrary, all signs indicate that American officials, by turning a blind eye and deaf ear, actually encouraged Marshal Ky to move to Danang.

Perhaps Rusk and Lodge have some clear program for South Vietnam. But to me, anyway, that is not the way it looks. To me, it is not clear that they know what they are doing. And maybe that is why, at every juncture, President Johnson finds that his only choice is to send in more troops and step up the bombing.

[From the Washington Post, May 19, 1966]

CAPITAL PUNISHMENT: TESTING THE TESTERS

(By Art Buchwald)

The recent test given to college students by Selective Service officials to help decide whether they would be deferred or not has been up for some criticism. As one college student put it, "What they're going to wind up with is a dumb army."

I'm not against giving college students tests to see if they go to Vietnam or not, but I think it's only fair that we give tests to people who are responsible for our Vietnam policy, including all State Department, Defense, and White House officials.

Here are some of the questions that could be included in the tests:

(1) Name one (just one) South Vietnamese official whom we could support to head up a South Vietnam government.

(2) Explain in a short essay what the Buddhists want in South Vietnam.

(3) Explain in a short essay what the Catholics want in South Vietnam.

(4) Describe in detail how there can be free elections in South Vietnam under the present government.

(5) If you can't get the South Vietnamese military to talk to the Buddhists and you can't get the Buddhists to talk to the Catholics and you can't get the Catholics to talk to Ambassador Lodge, how you can get the North Vietnamese to talk to the Americans?

(6) If the South Vietnamese troops in the south are used to protect Gen. Ky in Saigon and the South Vietnamese troops in the north are used to protect Gen. Dinh in Danang, what troops will be left to fight the Vietcong in the countryside?

Answer true or false:

- (a) The State Department has no idea of what is going on in South Vietnam.
- (b) Secretary of Defense Robert McNamara, by nature, is an optimist.
- (c) The CIA knows more about what is happening in Hanoi than what is happening in Saigon.
- (d) President Johnson would like to buy back his introduction to Gen. Ky.
- (e) Buddhists in South Vietnam are anti-Communists.
- (f) Buddhists in South Vietnam are anti-American.
- (g) It would be much better if South Vietnam were made up of Moslems.
- (h) Dean Rusk is looking forward to his next appearance in front of Senator FULBRIGHT's Foreign Relations Committee.

The following are choice questions. Select just one.

1. If it takes 500 B-52 bombers 3000 tons of bombs to shut down one road from North Vietnam, it will take the Vietcong how long to open that road? (a) One week. (b) Five days. (c) 24 hours. (d) They bombed the wrong road.
2. If you can kill 159 Vietcong in one week, how long will it take to kill every Communist soldier in South Vietnam? (a) Two years. (b) Five years. (c) Ten years. (d) The rest of this century.
3. The bombing of Halphong and Hanoi as advocated by some military and Senators would bring this about: (a) A better morale situation among the South Vietnamese troops. (b) A new bomb shortage. (c) Student protests. (d) World War III.
4. The reason the U.S. is in so much more trouble in South Vietnam is that: (a) Sen. MORSE is against them, (b) Walter Lippmann is a dove. (c) President Johnson is doing the best he can. (d) Administration policymakers have tests for college students, but they haven't come up with any for themselves.

[From the New York Times, May 18, 1966]
 WASHINGTON: THE EVADED MORAL QUESTION IN VIETNAM

(By James Reston)

WASHINGTON, May 17.—President Johnson has been confronted for some time with a moral question in Vietnam, but he keeps evading it. The question is this: What justifies more and more killing in Vietnam when the President's own conditions for an effective war effort—a government that can govern and fight in Saigon—are not met?

By his own definition, this struggle cannot succeed without a regime that commands the respect of the South Vietnamese people and a Vietnamese army can pacify the country. Yet though the fighting qualities of the South Vietnamese are now being demonstrated more and more against one another, the President's orders are sending more and more Americans into the battle to replace the Vietnamese who are fighting among themselves.

THE TWO OPTIONS

Ever since the start of this latest political crisis in Saigon, the President has had before him two courses of action. The first was to make clear to all the contending South Vietnamese leaders that the United States was going to limit its reinforcements, its military and economic aid, its casualties, and its military operations to the minimum until they had composed their differences.

The objective of this course was to try to produce unity, and falling that, to provide time for a basic reappraisal of the American commitment.

The second course was to appeal to everybody to get together and meanwhile to keep the war going as best we could with the American forces. President Johnson chose the second course. He is appealing and fighting, though he has even less reason to believe

in the formation of a stable government now than he had at the beginning of the crisis.

WHAT JUSTIFICATION?

Justifying this historically, and particularly, justifying it personally to families of the casualties in the coming monsoon offensive will not be easy. If there were a reasonable expectation of political stability, the thing might be done, but lacking that, it is hard to see why the President rejected the course of a defensive pause.

The latest review of the war here with Ambassador Henry Cabot Lodge did not deal primarily with fundamental policy, but with operations. It did not focus on where we now stand or where we mean to go from here, but on what to do about the inflation and the shipping in Saigon, and the tactical problems in Danang and Hue, and how to pump a little more sawdust into the ruling generals in the capital.

There is little reason to believe that President Johnson's latest "appeal" to the Buddhist leader, Thich Tri Quang, will have any more effect than the other innumerable appeals that have been made to that militant monk by other Americans in the last few weeks.

He is clearly not thinking much about putting aside "the lesser issues in order to get on with the great national tasks." He is summoning his followers to new demonstrations against the military junta in Saigon and the generals in the Government are moving troops of the Seventh Infantry Division out of the operations against the Communists to deal with the expected rioting in the capital.

Plenty of appeals have been made by President Johnson, among others, to General Ky, to "compose his differences" with the Buddhists and get on with the formation of a civilian government, but his answer to that was first to increase his military power by kicking out the rival general in the First Corps area, and lately sending his marines to Danang and bringing the country to the verge of civil war.

It may be that, in the face of all this petty and provocative folly, President Johnson is playing a waiting game and being more clever than anybody here can see. What he will do if his latest appeal to Tri Quang is ignored and followed by more chaos in the streets remains to be seen.

WHAT COMMITMENTS?

At one point, however, if the present trend continues, there will have to be a new definition of all the commitments that have been given. Our commitment to Saigon originally rested on Saigon's commitment to fight and govern, neither of which it is now doing effectively. The President's commitments in this war involve not only a handful of generals who seized power, but involve the Vietnamese people and the American people as well.

Our commitment was to a "legitimate government" and what we now have in Saigon is neither "legitimate" nor a "government." Our commitment was to help them win the war not to replace them on the battlefield. Our arms were provided to fight the aggressors and not to start a civil war. Our promise was to help South Vietnam, not to destroy it.

THE EVADED MORAL QUESTION IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, the time has come for us to consider what possible justification there is for us to continue fighting in Vietnam, killing Vietnamese men, women, and children when there is no effective government in

Saigon or in South Vietnam. We should not evade this problem any longer.

It is interesting to note that upon his recent return to the United States, Ambassador Lodge remained vacationing in New England for about 5 days instead of coming direct to Washington to report to the President. One could conjecture as to whether by deliberate action he came to the United States knowing that civil war inside another civil war was going to erupt.

What are our commitments to justify more killing when there is no Saigon government capable of pacifying the country and no Saigon regime exercising authority even over Saigon itself and admittedly not exercising authority over three-fourths of the area of South Vietnam?

With the South Vietnamese fighting one another instead of the Vietcong, the President now apparently has two alternatives. One, to send 100,000 to 200,000 more American GI's to Vietnam, bringing our forces in Vietnam, Thailand, and in the South China Sea off the coast of Vietnam, close to 600,000. This is one alternative, and a bad one. Why should we send more and more Americans into Vietnam to replace South Vietnamese soldiers who desert by the thousands, who in some recent weeks have had fewer battle casualties than we Americans and who seem interested principally in fighting among themselves?

The action our Commander in Chief should take seems to me, is the other alternative—to announce that we are suspending all bombing of areas of Vietnam north of the 17th parallel and that this bombing pause will be followed by efforts to go to the conference table with representatives of the National Liberation Front, or Vietcong, and representatives of what is left of the Saigon government, and delegates of North Vietnam, seeking a cease-fire and an armistice in Vietnam.

This should be followed by elections later this year under the supervision of the International Control Commission consisting of representatives from Poland, India, and Canada, or under the auspices of the United Nations. Then, when there is a Saigon government capable of maintaining authority over the area south of the demarcation line, or the 17th parallel, we could effect an orderly withdrawal of our Armed Forces.

President Johnson in the past repeatedly has laid down the condition that there must be an effective war effort by a friendly government in Saigon that can really govern and fight to maintain itself against the Vietcong. It has been his position all along that the friendly forces of South Vietnam, so called, headed by generals who overcame the civilian regime in Saigon last June and then placed Ky as Prime Minister, must exercise authority, command the respect of the South Vietnamese people and be supported by armed forces capable of pacifying South Vietnam.

We have sent hundreds of thousands of our best soldiers to aid the Saigon regime. We have suffered casualties

frequently exceeding those of the South Vietnamese forces. We have provided enormous economic aid. Now the time has come for us to reappraise the entire situation and then act without delay.

What have been our commitments in the past? President Eisenhower offered in 1954 in a letter to the then Premier of South Vietnam to—

assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means. * * * The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government.

This was the extent of the commitment made by President Eisenhower. During his administration the U.S. military advisory group in Vietnam never exceeded 685. The Vietnamese were fighting, it is true, but American GIs were not waging a land war in Vietnam or any other place in southeast Asia.

Then, President Kennedy on September 3, 1963 shortly before his assassination said:

Unless a greater effort is made by the Government—

Referring to the Saigon government— to win popular support the war cannot be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last 2 months the government has gotten out of touch with the people.

Also, on another occasion, our late great President John F. Kennedy said:

Transforming Vietnam into a Western redbout is ridiculous.

It is crystal clear that those two Presidents made no commitment whatever for our GIs to fight and die in Vietnam.

Recently President Johnson urged Prime Minister Ky to compose his differences with the Buddhists and form an effective viable government. Instead, Ky threatened to kill the mayor of Da-nang and ordered 2,000 marines to Da-nang and suddenly and without any warning assailed the Buddhists and the Vietnamese forces led by a rival general.

The PRESIDING OFFICER (Mr. SIMPSON in the chair). The 3 minutes of the Senator have expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

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

Mr. YOUNG of Ohio. Mr. President, Prime Minister Ky talks big. He acts small. His is not a legitimate government. It was based on the military seizure of power.

Premier Nguyen Cao Ky cannot be depended upon to so run his country that peaceful preparations for the elections can be held. Another interim head of government should be found, and found quickly.

We are involved in a miserable civil war in South Vietnam. If we continue in combat there, we will help depopulate South Vietnam. We shall be adding to the millions of refugees whose homes have been destroyed. President Johnson no doubt considered that everything he has done has been done to help Vietnam. Now, he must know what we are doing over there will really result not in helping but in destroying Vietnam.

Vietnam was never of any strategic importance to the defense of the United States. Certainly it is not now of any economic or strategic importance to the defense of our country.

Throughout Asia the unfortunate facts are that we Americans are now regarded as a neocolonial power. In other words, the French who sought to retain and reestablish their huge Indochinese colonial empire and who were fought by the forces of the National Liberation Front, have been succeeded by us.

In 1953 and 1954 it was unfortunate but it is a fact, that under President Eisenhower and Secretary of State John Foster Dulles the United States provided massive military aid to the French and in addition to providing war planes, munitions, trucks, machineguns, tanks, and bombs, we contemplated making an actual military intervention. At that time reason finally prevailed and the French colonial forces of 200,000 withdrew. This, directly after their so-called offensive base at Dienbienphu which Gen. Henri Navarre had established and garrisoned was overrun and surrendered May 8, 1954.

Following that, through the operations of our CIA, we established the first puppet government in Saigon and President Diem was brought from the United States to Saigon as President by our CIA. He called off the elections stipulated in the Geneva accords. President Eisenhower, in his reminiscences, stated that had the elections been held as provided in the Geneva agreement which we approved Ho Chi Minh would have received 80 percent of the vote of the Vietnamese living to the north and south of the demarcation line.

Now we are in the unfortunate situation of aggressor and neocolonial oppressor. Here is the time and opportunity for our President to announce a pause in bombing and propose a cease-fire to be followed, we would hope by an armistice agreed to by delegates representing the National Liberation Front or Vietcong, and delegates of the Hanoi government and our own delegates and those of the Saigon regime.

Mr. President, the hour is late. The opportunity for a suspension of bombing of North Vietnam and putting an end to waging an American ground and air war in Vietnam is here. That highly respected columnist, James Reston, referred to the situation in his column published in the New York Times of May 18, 1966 under the caption, "The Evaded Moral Question in Vietnam." The statements made by James Reston are irrefutable. I ask unanimous consent, Mr. President, that this column be printed at this point in the CONGRESSIONAL RECORD as part of my remarks.

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

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He is clearly not thinking much about putting aside "the lesser issues in order to get on with the great national tasks." He is summoning his followers to new demonstrations against the military junta in Saigon and the generals in the Government are moving troops of the Seventh Infantry Division out of the operations against the Communists to deal with the expected rioting in the capital.

Plenty of appeals have been made by President Johnson, among others, to General Ky, to "compose his differences" with the Bud-

dhists and get on with the formation of a civilian government, but his answer to that was first to increase his military power by kicking out his rival general in the First Corps area, and lately sending his marines to Danang and bringing the country to the verge of civil war.

It may be that, in the face of all this petty and provocative folly, President Johnson is playing a waiting game and being more clever than anybody here can see. What he will do if his latest appeal to Tri Quang is ignored and followed by more chaos in the streets remains to be seen.

WHAT COMMITMENTS?

At one point, however, if the present trend continues, there will have to be a new definition of all the commitments that have been given. Our commitment to Saigon originally rested on Saigon's commitment to fight and govern, neither of which it is now doing effectively. The President's commitments in this war involve not only a handful of generals who seized power, but involve the Vietnamese people and the American people as well.

Our commitment was to a "legitimate government" and what we now have in Saigon is neither "legitimate" nor a "government." Our commitment was to help them win the war not to replace them on the battlefield. Our arms were provided to fight the aggressors and not to start a civil war. Our promise was to help South Vietnam, not to destroy it.

THE 150TH ANNIVERSARY OF SOUTHBRIDGE, MASS.

Mr. SALTONSTALL. Mr. President, this year marks the 150th anniversary of Southbridge, Mass. Incorporated in 1816, the town was first settled in 1730. Southbridge is a valley town, rich in heritage, and situated in the heart of a New England abundant in tradition. Among its first settlers were French-Canadians, and many of their descendants live and work there today, contributing to this manufacturing community.

The first factory in Southbridge was built to make cotton yarns. Later it became a woolen mill. Today the town's economy is based on a wider range of manufacturing activity and includes tool and die, machinery fabricating, electronics and instrumentation, optical products, research and development, and others.

It is my pleasure to join with the people of Southbridge today as they celebrate their 150th anniversary.

ADDRESS BY MAJ. GEN. CHARLES E. BROWN, JR., CHAIRMAN OF THE ARMED FORCES CHAPLAINS BOARD

Mr. RUSSELL of Georgia. Mr. President, I have had the privilege of reading an inspiring address delivered by Maj. Gen. Charles E. Brown, Jr., chairman of the Armed Forces Chaplains Board, at the luncheon of the Women's Organizations' Services of the National Jewish Welfare Board on April 28, 1966.

Chaplain Brown's remarks offer a close-up picture of the vital work that is being performed for the spiritual welfare of our servicemen by members of the Chaplains Corps of all religious faiths. The importance of the chaplain's role is underscored by a significant statistic cited by Chaplain Brown; namely, that

although only about 60 percent of the people in civilian life have a church or synagogue affiliation, in the military more than 97 percent state a religious preference and most participate in the religious program.

In discussing the religious programs in the Armed Forces, General Brown calls attention to the interfaith activities of the Chaplains Corps and observes that—

Every chaplain has a concern for all men in his unit, regardless of faith * * * Christian chaplains have been concerned for the needs of Jewish personnel and have served Jewish personnel (and) Jewish chaplains have helped in counseling and serving men of all faiths.

It is this demonstrated universality of the Chaplains Corps and the dedication and devotion of the individual chaplains that is in a large measure responsible for the high morale of America's service men and women everywhere. Certainly this is true of our men who are fighting under their country's flag today in Vietnam.

As chairman of the Senate Committee on the Armed Services, I commend and salute the Chaplains Corps for its great work. I think Chaplain Brown has made a most worthwhile contribution to a better knowledge and understanding of this work, and I ask unanimous consent to have his remarks printed in the RECORD.

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

ADDRESS AT 25TH ANNIVERSARY TRIBUTE LUNCHEON NATIONAL JEWISH WELFARE BOARD, WOMEN'S ORGANIZATIONS' SERVICES, APRIL 28, 1966, AMERICANA HOTEL, NEW YORK, N.Y.

(By Chaplain (Major General) Charles E. Brown, Jr., Chairman, Armed Forces Chaplains Board Department of Defense, Washington, D.C.)

I am delighted to have the opportunity to bring you greetings from the Department of Defense. Although I serve as Chief of Chaplains of the Army, I am here today in my capacity as Chairman of the Armed Forces Chaplains Board which is on the Department of Defense level and is composed of the Chiefs of Chaplains of each of the three services. The Executive Secretary of this Board is a Jewish chaplain, a Captain in the Navy—Chaplain Samuel Sobel. At present he is the only chaplain serving full time on the Department of Defense level.

The basic mission of the chaplaincy is to provide for the morale and religious needs of our military personnel. No military force in history has ever had a more fully rounded religious program than the men and women in the American Armed Forces. Americans are God-fearing people. Although in civilian life only about 60% are church and synagogue affiliated, in the military more than 97% state their religious preference and, for the most part, participate in the religious program.

The chaplaincy is held in high regard by all Commanders. In fact, in my trips throughout the United States and around the world I am continually amazed, even after 25 years of service, at the high priority Commanders place on the service of the chaplains and the credit which they give them for the maintenance of high morale among the troops. The military was highly sophisticated administrative and technical means for dealing with the life of the soldier. They have recognized, however, that no matter how well a soldier is clothed,

fed, housed and trained, the indefinable factor which is most significant in his effectiveness is morale. The chaplain is a valuable instrument in helping to develop this morale. We take pride in the superb group of clergymen of all faiths that we have trained and put into the field to serve the needs of the men and women in uniform.

I think you might be interested in knowing how we obtain chaplains to serve in the military. Because of our historical tradition of separation of Church and State, the government can never set up seminaries to teach and ordain military chaplains. Therefore, the military merely sets up the basic requirements for commissioning a chaplain. An applicant for the chaplaincy must be a college graduate, have completed a course of study at a theological seminary, and have been validly ordained by his denomination. The actual recruiting and endorsement of these chaplains is turned over to the denominations themselves.

To accomplish this, the major denominations of this country have set up their own ecclesiastical endorsement agencies. For the Jewish group the recruiting and endorsing of chaplains is done by the Commission on Jewish Chaplaincy of the National Jewish Welfare Board. One of my purposes for being here today is to express, on behalf of the Department of Defense, and more particularly The Department of Army, our appreciation to all the various Jewish groups (I know that you are fragmented just as we Protestants are) who have united themselves under JWB's Commission on Jewish Chaplaincy to provide us with Jewish chaplains to serve our military personnel.

Today, I want to pay tribute to the three rabbinic organizations—for the Reform, the Central Conference of American Rabbis, for the Conservative, the Rabbinical Assembly and for the Orthodox, the Rabbinical Council of America—which have worked together through the Commission on Jewish Chaplaincy to provide Jewish chaplains to the military. I am especially appreciative that they have recognized the importance of this obligation and, in spite of their severe manpower shortage, have given first priority to the needs of the military chaplaincy. The records show that since the Korean War, one third of the graduates of your seminaries have served as chaplains in uniform.

I am here to praise the National Jewish Welfare Board not only for past services but for having created a new retention program for Jewish chaplains so that many of them may be persuaded to make the chaplaincy a life-time career. This will be most helpful, not only in providing mature and experienced Jewish chaplains to serve Jewish personnel, but even more, it will provide for more Jewish chaplains to move up in the administrative ranks and become senior supervisory chaplains with responsibility for chaplains of all faiths. Navy Chaplain Sobel is in such a position now. Army Chaplain Kleinberg is a full Colonel in such a position; Army Chaplain Messing, who will soon become a full Colonel, is in such a position now. Air Force Chaplain Levitan is in such a position now. These are only four when there should be a score or more in such positions in the three services. There is no reason why eventually a Jewish chaplain should not be named a Deputy Chief or a Chief of Chaplains of one or more of the three services. This can only be accomplished if enough rabbis remain in the service for long periods of time to develop a substantial, mature Jewish leadership. I am convinced that the Chaplaincy Retention Program that is soon to go into effect will get a long way toward making these possibilities a reality.

I especially want to pay tribute to the Jewish chaplains serving in Vietnam. There are three Jewish chaplains there—two Army and one Marine. They each serve a different

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geographic section of Vietnam and provide religious services for all Jewish personnel in their respective areas. They are constantly on the move by jeep and by helicopter to cover the various units for which they have responsibility. The work closely with the Christian chaplains who constantly help by bringing together their Jewish personnel for brief services, counselling and religious educational programs. This service is highly regarded by the Command which has already cited each of the Jewish chaplains serving there. I treasure with you the cherished memory of Chaplain Meir Engel who lost his life in Vietnam a year and a half ago. He was an unusually fine and capable chaplain, whose devotion to duty is symbolic of the chaplaincy.

Now I want to turn specifically to the work that the Women's Organizations' Services of the National Jewish Welfare Board has been contributing to our national defense effort.

The Military itself, and I speak to you in terms of my travels around the world to large and small installations over a long period of time, has set up a fine logistical system of support chaplains' activities. It provides chaplains with nondenominational chapels, religious and educational programs and materials, church and synagogue appurtenances. Although the military tries to provide for all faiths on an equal basis, the vast majority of the people in the military are of the Christian faith. Naturally, the programs are geared toward the well over 95% of the military population which is Christian. We are, however, very much concerned about the religious requirements of the Jewish personnel and a fine program has been developed for them too. In planning and executing that program we have had the help and cooperation of the National Jewish Welfare Board's Commission on Jewish Chaplaincy.

Special thanks are due to the Women's Organizations' Services. You have recognized that Jewish Personnel are widely dispersed and very often in small numbers at hundreds upon hundreds of installations throughout the United States and the World over. Because they are so widely dispersed, it is difficult to reach the individuals at far-off installations. Your ingenious program called "Serv-A-Chaplain" has provided an excellent service which has won significant recognition. Jewish chaplains, especially overseas, cover large areas. They are distributed the world over on the basis of geographic need. Each chaplain serves many installations, often hundreds of miles apart. Through the Serv-A-Chaplain program you have made available to the Chaplain resources such as books and records, ceremonial items, holiday gifts, decorations and foods, pre-kindergarten materials, and other items which he can distribute as he makes his rounds from one small congregation to another in the geographic area which he covers.

I remember, during the Korean War, the exceptionally fine work done by your organization when you provided your chaplains with Polaroid cameras so that as they visited the sick and the wounded they could take a picture of the young men which they would then send on to their families. Parents and wives who had previously received information from the military that their sons had been wounded, were naturally filled with deep concern. When they received a picture of their son or husband, smiling and lying comfortably in a bed, it was a tremendous morale factor not only for the families but for the soldier himself who knew that the picture would be reassuring to his loved ones at home.

Christmas is a great time for exchanging gifts. Our Post Exchanges stock many gifts but almost all carry Christian symbols. Hanukkah falls during the same season. Post Exchanges do not carry gifts which are of a Jewish character. The gifts which you

women provide to Jewish chaplains for distribution to the servicemen and their families play a very important role in providing a Jewish atmosphere and a sense of Jewish identification at a time when the Christmas spirit seems to pervade the atmosphere of the entire military establishment. It is important that, at this time, Jewish children should be taught the difference between Hanukkah and Christmas and be strengthened in their own religious faith.

I am aware of the hundreds of thousands of paperback books on Judaism which your organization is distributing to chaplains for their libraries so that personnel of the Jewish faith can increase their knowledge of their religion, history and traditions, and of the fine contributions which your religion has made in the field of ethics and morals. Your gifts of ceremonial objects, ark curtains and table covers with Jewish symbols, and Jewish art objects help create an atmosphere conducive to worship and a link with home. I am especially appreciative that, on Passover, you are concerned about individual Jewish GI's in hospitals, at radar stations, at anti-aircraft placements, and other far-off, lonely places, who can not attend a Passover Seder. The "Solo Seder" packages which you send to these individual men containing Passover foods, a Haggadah and pamphlets which explain the holiday, are tremendously helpful to these individuals who would otherwise be denied the opportunity of participating in the Seder observance.

The concern which you have shown for the wives of servicemen by organizing Jewish Military Chapel Women's Associations and providing them materials, advice and assistance has not only helped enormously in raising the morale of these young women far from home but has helped strengthen Jewish family life amid strange surrounds, in parts of the world where organized Jewish communities do not exist.

It is for these unique services to individuals that we of the Department of Defense salute you and express our heartfelt thanks. Indeed, you are one of General Harold K. Johnson's, our Army Chief of Staff, strong arms in his determination to put the personal back into personnel.

America is great. We are a people of diverse background, of diverse ways, of diverse faiths, and of diverse opinions—but we are all Americans. The spirit of universality which has been dominant in civilian religious life in the last few years is not new to the military. The chaplaincy has been practicing it for years. Christian chaplains have been concerned for the needs of Jewish personnel and have served Jewish personnel. Many of us have helped organize Jewish services and preached at Jewish services. Jewish chaplains have helped in counseling and serving men of all faiths. Every chaplain has a concern for all men in his unit, regardless of faith. Your organization, too, has shown its concern for men of all faiths. During World War II and in Korea your chaplains distributed the gifts you sent to all men, whoever had need of them. Today in Vietnam, the thousands of comfort items, the battery operated fans and other gifts, are distributed in that same broad spirit.

In the armed forces of every other country the chaplaincy is divided into faith groups. There is a Chief of Chaplains for each religion in their Armies, Navies and Air Forces. In America all chaplains are under one Chief and one never knows if he will be a Protestant, Catholic or Jew. America has taken the view that men of all colors—white, black, red and brown, and of all religions—Catholic, Protestant and Jew, fight and die side by side. And we know it is much harder and much more important for us to live together than it is for us to die together. We are therefore dedicated to the proposition that they must also learn to live side by side. We have a great country with great ideals. All of us, in

uniform or out, whether of the Department of Defense or the National Jewish Welfare Board, should be and are highly resolved that we are going to do our very best to make sure that the United States remains just that, a united people striving to obtain liberty and justice for itself and for all mankind.

IMPACTED AREAS

Mr. KUCHEL. Mr. President, the administration budget for the fiscal year ending June 30, 1967, provides for a reduction of \$217 million in payments to school districts under Public Law 874, better known as the impacted areas program.

Proposed amendments to this program would reduce the number of districts entitled to participate from 4,077 to 2,846. In my State of California alone, this reduction would amount to more than \$35 million; the number of districts participating would decline from 515 to 374.

As a member of the Senate Committee on Appropriations, I oppose these cuts. I urge that the school districts of this Nation be given their full entitlement for the coming year. No Federal program has been provided to compensate for this loss, nor did Congress intend with the passage of recent advances in Federal aid to education that the impacted areas program be curtailed. I believe it is a false economy to cut back programs in this critical area of education without providing a satisfactory replacement.

Reduction in impacted area funds means essentially a transfer of the cost of necessary education expenditures to the local taxpayers. Unlike other Federal programs of assistance to education, Public Law 874 support is noncategorical; it can be used directly in local school budgets as needed. It can only be replaced by the local revenue of individual school districts.

In California the proposed reduction would mean an increased tax burden of \$778,000 on the citizens of Oakland, \$1,083,000 on the citizens of Long Beach, \$1,268,000 on the citizens of San Francisco, and over \$5 million on the citizens of San Diego. Moreover, if as proposed by the administration, the formula is changed for assistance to large cities, the citizens of Los Angeles will lose expected revenues of \$3,069,233 for the next year's school budget.

Proposals to reduce impacted areas payments were introduced earlier this year. If they should become law between now and the close of this session, and the budget for fiscal year 1967 reduced accordingly, in all probability there would not be time for school districts to put through measures to raise necessary taxes to pay for expenses accruing next fall. School districts are planning now for next year, and they need to know what their income will be. On this ground alone the administration's proposals for fiscal year 1967 are hasty and are inconsiderate of local problems.

When the impacted areas program was passed in 1950, during the Korean war, it became the declared policy of the United States to provide financial assistance for "local education agencies upon

able to survive in the New World in its traditional form. They felt that the Jewish religion should express itself in new forms, closer to those of the Christian majority.

The founders of conservative Judaism believed that it was important that the ancient values be conserved, hence the term "conservative Judaism." They believed the liturgy should remain Hebrew. They were convinced that Jewish children should be nurtured in a tradition of scholarship, based on the knowledge of the Bible and other religious writings in the original Hebrew and Aramaic. They were confident that the Jewish immigrants from Europe would not want to reject the heritage of their fathers, sustained over thousands of years.

The vision and faith of the founders of conservative Judaism were justified. Today the conservative movement includes the largest number of Jews affiliated with synagogues. Its seminary is recognized as one of the greatest institutions of learning in the world. The United Synagogue is a leader in the areas of religious education textbook publishing, social action, adult education, and in many other related fields.

As President of the Rabbinical Assembly, Rabbi Bohnen will have a prominent place on the boards of the Jewish Theological Seminary and of the United Synagogue, and will have intimate contact with national and international Jewish religious and service organizations.

The presidency of the Rabbinical Assembly is one of the highest offices within Jewry. The president joins illustrious predecessors in this office who include Rabbi Louis Finkelstein, chancellor of the seminary; Rabbi Simon Greenberg and Rabbi Max Arzt, vice chancellors; Prof. Mordecai Kaplan, founder of the reconstructionist movement in Judaism; and Rabbi Edward Sandrow, president of the New York Board of Rabbis; Prof. Robert Gordis, professor of Bible at the Jewish Theological Seminary.

The Rabbinical Assembly has given to the armed services of our country military chaplains from every branch of the services. Indeed, no one is eligible for membership in the Rabbinical Assembly unless he has volunteered to serve as a military chaplain immediately following his ordination.

The Rabbinical Assembly publishes "Conservative Judaism" a quarterly devoted to ideas and philosophies of Judaism. It has a special department for the publication of prayer books adapted for conservative congregations. It assists in the publication of textbooks for religious schools in English-speaking countries.

PRICES BETWEEN FARM AND STORE

Mr. CARLSON. Mr. President, the accusation that the farmers are largely responsible for the present inflationary trend is completely unjustified.

Farm prices are now at 80 percent of parity and the farmer is earning only about 60 percent as much as his city cousin.

The prices farmers receive for most commodities are lower now than they were 20 years ago, while the cost of farm

operations has increased sharply year after year with no end in sight.

The American consumer is today buying more food and fiber at the smallest percentage of his take home pay than at any time in our Nation's history, while the American farmers and rancher are receiving much less than parity for their products.

The American farmer and rancher are entitled to their fair share of our national income and they do not ask for more. They both deserve praise instead of criticism.

I ask unanimous consent to have printed in the Record as a part of my remarks a very excellent article by Sylvia Porter, which appeared in a recent issue of the Evening Star.

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

PRICES BETWEEN FARM, STORE (By Sylvia Porter)

The U.S. farmer will be getting an average of 4 cents for a pound of lettuce in the final quarter of 1966, according to authoritative projections. But the U.S. consumer will be paying an average retail price of 26-28 cents for the same lettuce. Lettuce doesn't go through a transformation between farm and store—comparable to, say, the change from a pound of hog on the hoof to a pound of pork on the counter. A head of lettuce is a head of lettuce is a head of lettuce.

The farmer will be getting about 33 cents for a dozen eggs at year end, according to the same projections. But you'll be paying an average of 52-54 cents for these eggs. Eggs don't go through a transformation either. An egg is an egg is an egg.

A pound of potatoes should be bringing the farmer 1.7 cents in the last quarter while you'll probably be paying 5½-6½ cents. The above observations apply to potatoes, too.

Where does the money go between farm and store? It goes into all the operations lumped under "food marketing": Transportation, processing, packaging, displaying, advertising, promoting, selling. It goes into an ever-widening number of store services: Big parking lots, check-cashing, baby-sitting.

The farmer's share of the \$1 you spend for food rose from a postwar annual low of 37 cents in 1964 to 41 cents in the first quarter of this year, reflecting generally higher farm prices and bringing net realized income per farm to an estimated \$4,600 in 1966, an increase of 55 percent since 1960.

Nevertheless, a full 59 cents of your dollar still is going to the "intermediaries." Since 1950, the cost of marketing of food has climbed 25 percent while the farm value of food actually has declined.

The food price spread has risen so relentlessly—in times of falling as well as rising farm prices—that Congress in 1964 established a National Commission on Food Marketing and ordered it to make an exhaustive probe into every aspect of the spread. After more than a year of investigation, the commission is slated to release its findings June 30.

Its recommendations to Congress well may carry some explosive implications. While the commission's findings are a secret, an informed report is that it will make "critical observations" about the parts played in retail food prices by advertising, trading stamps and such marginal services as babysitting.

Of course, much of the rise in the spread between farm prices and retail food prices is easy to explain.

On our side, we're demanding and getting an enormous array of services ranging from elaborate parking lots to dazzling dis-

play cases for perishables. We're trading up to more and more convenience foods, pre-cut, pre-cleaned, pre-frozen, all processes which cost money. We're generally buying more expensive meats, fruits, vegetables.

On the marketer's side there's no doubt that costs of most processing and marketing services have been increasing steadily. In food marketing firms, average hourly wages are 86 percent above 1950. Also on the retailer's side, there are the inevitable hidden expenses of spoilage and trimming.

Relatively speaking, food remains a bargain, taking an average of only 18.2 cents of each of our after-tax dollars.

But the warning to the food industry, largest in our nation, is clear: With the Marketing Commission's report on the price spread coming up and with consumer resentment over food prices so widespread, it will be in a hot spotlight in coming months.

What's more, if a substantial percentage of the projected slide in farm prices is not reflected in declining food prices, the industry also could be on a hot spot.

THE SITUATION IN SOUTH VIETNAM

Mr. RIBICOFF. Mr. President, during the past two weeks, I have addressed the Senate twice on the subject of Vietnam. The thrust of my argument has been that elections in South Vietnam must be held. Most important, these elections must be free and fair. And it will take an international presence to assure that the elections are, indeed, free and fair. The United Nations, it seems to me, must undertake this task.

There has been a wide and positive reaction to my proposal. Mr. President, I ask unanimous consent that the most recent editorials supporting my position which appeared in the Hartford Times, the New York Times and the Litchfield Enquirer, be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Hartford (Conn.) Times, May 17, 1966]

AGONY OF DECISION

The nearest thing to a clear-cut policy decision the United States has made in many months of trouble in its involvement in Viet Nam is the Honolulu announcement of support for the military junta ruling South Viet Nam under Premier Ky.

Now that junta is in serious trouble. It may not survive. The threat of civil war, with Buddhist rebels shooting at government supporters, raises the prospect of a double war—the fight against the Communists going on at the same time as the Buddhist rebellion. There is a chance that the internal troubles may so vitiate the South Vietnamese determination to fight the North Vietnamese that the war of South versus North will collapse, leaving the United States to choose whether to carry it on alone.

American policy in Viet Nam has been for a long time a series of compromises, all dodging essential moral and political questions. In the present turmoil, there are only a few really clear courses open to the United States:

Continue our support of the Ky government, backing it with military force against the Buddhists.

Abandon the Ky government in favor of the Buddhists, which would involve an attempt somehow to disarm the present government.

Determine to carry on the anti-Communist fight alone if necessary, promising to cooperate with whatever Vietnamese government turns out to be dominant in the South.

which the United States has placed financial burdens by reason of the fact that such agencies provide education for children residing on Federal property or such agencies provide education for children whose parents are employed on Federal property."

Since the Land Ordinance of 1785 the American system of public education has been based chiefly on revenue earned from land. The State of California has been greatly benefited by this program and would in turn be greatly affected by its reduction. While 90 percent of the people of California, the Nation's most populous State, live in urban areas which require a high rate of investment in schools and other public services, 45 percent of the lands of the State of California are federally owned. There are over 250,000 Federal employees in the State of California. The normal tax base of our State, the Nation's third largest, is greatly reduced by large scale Federal land ownership. I might choose one example to illustrate. The school district of China Lake in Kern County is organized to educate a group of students each one of which is the child of parents employed in or living on Federal lands. China Lake School District has no other means of support than funds provided under Public Law 874.

The method of Federal payment under Public Law 874 has met wide approval not only in California, but also throughout the United States and has been consistently supported in testimony before committees of the Congress since establishment of the impacted areas program in 1950. The Congress has recognized that the burden imposed on individual school districts has required continuing Federal support. This Federal commitment has been particularly vital to rapidly growing communities, of which we have a great many in California. In new communities there is an immediate requirement for investment not only in schools, but also in streets, lighting, sewers, fire and police protection and other items referred to by economists as "social overhead." In 1966, as we face a period of rising prices, the costs of providing each of these facilities has increased rapidly. In California, these costs have imposed an unusually high tax burden, over \$10 per \$100 of assessed valuation in many urban communities. The cost of education has moved relentlessly forward both as a result of increasing prices, including the necessary adjustments in teachers' salaries, and also because of a rising demand for education on the part of an enlightened citizenry.

The administration's proposed reduction of impacted area funds comes at a time when school districts in California are having increasing difficulties in balancing their budgets, when citizens are attaching an increasing value to the education of their children and when every phase of economic activity in our country is demanding higher educational and intellectual standards. It comes, moreover, at a time when throughout the Nation, and particularly in California, there is the same increase in Federal activity and Federal employment which was ex-

perienced during the Korean war and which was one of the principal causes of establishing this program.

Despite the burgeoning costs of defense I would argue, as in earlier years did the late Senator Robert A. Taft:

If a million children who are not receiving education today continue without education, it will be lost and gone to them forever.

Today education has been recognized at last as a vital element in the foundation of American life—indeed, we cannot survive in these complex times without it.

I refer to one of the most urgent and critical situations which the reduction in these funds would affect. Oakland, one of the largest cities of the State of California, employs a highly qualified body of teachers and has established a school system that is moving effectively to assist the disadvantaged areas in the city. Well over half of the school population of Oakland can be classified as "culturally disadvantaged" under the Elementary and Secondary Education Act. The school system draws \$2.5 million for specialized purposes under this law. Nevertheless, even with this help the system will have to reduce its staff by 180 teachers in the next year because of increasing costs and limited revenues.

The citizens of Oakland are working hard to establish the bonds of community trust and to provide for all the necessary stake in society through education which will lead to civil peace. Foremost among them are the teachers of the Oakland school system. I am informed that a reduction of impacted area money would contribute substantially to the loss of teachers which Oakland must face next year.

This is wrong. I do not believe the administration has thought through its proposal for substitution of other educational programs for money long provided under Public Law 874. The Elementary and Secondary Education Act, despite its enormous value, was not designed to meet the problems of loss of land from the tax rolls to the Federal Government. It would not save the situation in Oakland because, while it will aid the children who are not now enjoying the full benefits of American life, it does not meet the need for teachers' salaries.

The case is clear. No adequate arrangement has been made to provide replacement of funds under Public Law 874 by other programs. These funds are needed for the education of our children, for their education as citizens who later will be the leaders of our country. Their preparation for this task may ultimately decide the future of our country. I believe that process should not be disturbed.

TRIBUTE TO RABBI ELI A. BOHNEN, AS PRESIDENT OF THE RABBINICAL ASSEMBLY

Mr. PASTORE. Mr. President, a distinctive international honor has come to Rhode Island because it has come to one of its most prominent citizens.

Word comes from Toronto that Rabbi Eli A. Bohnen, of Temple Emanu-El of Providence, has been chosen president

for a 2-year term by the Rabbinical Assembly. This is the International Association of Conservative Rabbis with 500 in attendance at the assembly's 66th annual convention at Toronto.

An interesting sidelight is that this honor comes to Rabbi Bohnen in the very city of his birth.

The Rabbinical Assembly is an organization of 800 rabbis serving in the United States, Canada, South America, Europe, and Asia. Its members constitute the rabbinic arm of conservative Judaism. The academic arm of conservative Judaism is the Jewish Theological Seminary, whose chancellor is the world-famous Dr. Louis Finkelstein, and whose chairman of the board of overseers is Ambassador Arthur Goldberg. The lay arm of the conservative movement is the United Synagogue, whose president is Mr. Henry Rapaport.

Rabbi Bohnen is at present president of the Rhode Island Board of Rabbis. In Rhode Island he has served innumerable civic and religious organizations. He has been on the boards of the United Fund, Council of Community Services, Community Workshops, Narragansett Council Boy Scouts of America, Big Brothers, the General Jewish Committee, the Miriam Hospital, Jewish Family and Children's Service, the Governor's committee on refugees, the mayor's committee on juvenile delinquency, and so forth. He was cited as "Man of the Year" by the Conference of Christians and Jews, and has received many other citations and awards.

Rabbi Bohnen has served the Rabbinical Assembly as secretary and then vice president before his elevation to the presidency. He has been chairman of the placement commission, which is comprised of representatives of the Rabbinical Assembly, United Synagogue, and the Jewish Theological Seminary. He has been chairman of the ethics committee and a member of the committee on Jewish law and standards.

Rabbi Bohnen came to Providence from Temple Emanu-El, Buffalo, N.Y., where he served for 10 years and was active in both civic and religious work. Prior to this he was, for 4 years, assistant rabbi of Congregation Adath Jeshurun, in Philadelphia, Pa.

During World War II Rabbi Bohnen served with the 42d Infantry—Rainbow—Division and rose to the position of assistant division chaplain with the rank of major. He was with the division during its training period at Camp Gruber, Okla., and its combat experience in France and Germany. He remained with the division during most of its service as occupying force in Austria where he was able to do a great deal in furthering the division's work with displaced persons. He was awarded the Bronze Star and the Army Commendation Ribbon.

Conservative Judaism is one of the three groupings within the Jewish religious life in America. It began in the United States in the middle of the 19th century as a reaction to a trend, whose leaders had abandoned many of the ancient traditions of the Jewish faith, in their belief that Judaism would not be

Get out of Viet Nam.
Assume as an American responsibility the maintenance of order, the operations of civil government and the direction of the armed forces of South Viet Nam until the people are capable of electing a stable and competent government.

Every one of those policies involves terrible difficulties and not one of them has much to recommend it. Yet unless there is a choice, we shall go on in an interminable muddle of doubt, insecurity, sacrifice, loss, expenditure and death with no prospect of any gain worth a fraction of the cost.

One more possibility offers itself, but first let us briefly consider these five.

Continued American support of the Ky government or any successor with the same political orientation implies contravening the obvious will of a majority of the politically active population of South Viet Nam. Neither the Ky regime nor any of its predecessors has been stable.

Abandonment of the Ky government would involve, in all probability, a bloody fight between Americans and Ky supporters, who will not willingly surrender control of their forces to the Buddhists.

Carrying on the anti-Communist fight alone while the South Vietnamese iron out their own political troubles would multiply our military investment in a war in which our objectives are becoming less attractive every day, and it might prove an intolerable burden.

Pulling out of Viet Nam entirely would be a betrayal of every American who has lost his life there. All the sacrifice would have gone for naught. The proper objectives of the war would be lost.

And taking over the country as trustee of the future and the fate of the South Vietnamese would expose the United States to charges of colonialism and tyranny that would be hard put to rebut.

Those are over-simplified judgments of the five courses of action. Each has many subtle and complex implications, and proponents and opponents of each could argue for years over their merits and demerits. We don't have that much time to decide, for events are crowding judgment.

The remaining course—we believe the best—is to appeal to the United Nations to intervene by force and put an end to the fighting, both the anti-Communist war and the civil war in South Viet Nam.

The UN is the only authority in the world with the requisite prestige and the potential power to be able to stop the shooting. Our appeal for UN intervention would have to include an expression of willingness to offer our own forces in Viet Nam as a police force under whatever command the UN chose to establish or, alternatively, to pull them all out of the country as quickly as they could be replaced by an international army strong enough to keep order.

The UN might not agree to intervene. But an appeal for intervention would be a step toward the establishment of peace. All the alternative courses seem to lead inevitably to one result: the destruction of any hope of peaceful, responsible government in South Viet Nam except by the total extermination of one side or the other in the civil war.

[From the New York (N.Y.) Times, May 16, 1966]

THE DANANG COUP

The seizure of Danang by the Ky Government means a determination to fight it out with the dissident political elements of the Unified Buddhist Church. Unless the struggle is quickly stopped, this would mean an end to the hopes, expectations and promises of an election by Sept. 15 for a constituent assembly and later an elected government.

The gravity of the situation is obvious. Civil war is one possibility. The South

Vietnamese struggle against the Vietcong is bound to be seriously hampered. Worst of all would be the embarrassing and perhaps critical position of the American forces in Vietnam and the handicap to the war they are waging.

Once again, Washington has been caught by surprise—even to the extent of Ambassador Lodge being in the United States instead of in Saigon. When Marshal Ky calmly announced a few days ago that he intended to keep his government in power for at least another year, Secretary Rusk declared that the Premier had been misunderstood and really did not mean what he seemed to be saying. He meant it all right, and this development becomes another in the long series of misunderstandings and miscalculations of the Vietnamese by the United States Government.

As always when a sudden and unexpected event of this sort explodes in Vietnam, it is necessary to let the storm blow over. When it does, every effort must be made to bring the electoral position back to where it was, if that is going to be possible.

The desirability and, indeed, necessity to hold elections that would permit a broad-based civilian government in South Vietnam is as clear as ever. Washington's orders to the American advisers in Saigon to urge a peaceful settlement can only be a stopgap move. The military may prove strong enough to prevent the militant Buddhists from creating a chaotic situation in Danang, Hue and Saigon. The damage is by no means beyond repair. In South Vietnam the pessimists as well as the optimists are often confounded.

But the coup emphasizes once again that it has never been possible to interpret Vietnamese events in terms of American ideas or Western logic. Premier Ky obviously feels strong enough to assert Saigon's authority over the virtually rebellious northern provinces. If, having done so, he then turns back to the concept of constitutional and legislative elections, the harm can be held to a minimum.

Once the situation has stabilized it is more important than ever that the election be demonstrably fair. The very nature of the American involvement in South Vietnam makes it impossible for the United States to operate with total detachment in this respect. As Senator Ribicoff has suggested, the United Nations would be the best possible choice to exercise a supervisory function to guarantee the fairness of a vote in a country with no democratic tradition.

The alternative to elections is chaos. Premier Ky must realize this. So much Washington. Whatever happens now, the final goal still has to be elections.

[From the Litchfield (Conn.) Enquirer, May 12, 1966]

THE END WE SEEK

Senator ABRAHAM RIBICOFF of Connecticut stood up on the Senate floor in Washington last week and delivered a "major speech" on a major issue—Viet Nam. What he had to offer was hard, plain talk.

"No amount of bombs or bullets alone can assure success (in Viet Nam)," he said. "We could commit a million men—stamp out the Viet Cong—and 'lose' the war. The end we seek in Viet Nam must never be military in nature. We cannot become a colonial power. "We must get back to the original premise of our involvement in South Viet Nam. It is not an American war—it is a South Viet Namese war. We are in Viet Nam to help—not to conquer."

In his speech, Ribicoff called for two things: United Nations supervision of the forthcoming elections in Viet Nam, and an address by President Johnson before the U.N. General Assembly, redefining this country's role in the war-ravaged land. The

senator thus aligned himself with other men in high places who are convinced that some form of stable government in Viet Nam must exist before the conflict can be resolved.

What Ribicoff suggests is that elections be held within those areas of South Viet Nam that could reasonably be secured against violence and intimidation, and where U.N. observers could gain access to assure impartiality. He sees this working to advantage in two ways: "If the peasant is assured that he plays a role in the policies of his government, his suspicion of that government decreases. If the central figures of government know that their future depends on the people—then their support of a program to help the people will be assured."

And what would Ribicoff have President Johnson tell the world through the General Assembly? Simply that America sees in the Viet Namese elections an "opportunity as well as a challenge," and that the United States is committed to the success of those elections. In this simple restatement of purpose, the senator believes, there would be reassurance for all that our primary purpose in the Far East is indeed help and not military victory.

COASTAL FISHING LIMITS AND THE ROAMING FISHERMAN

Mr. MAGNUSON. Mr. President, Pacific coast fishermen are seriously concerned at the present time with the recent arrival of a fleet of Soviet fishing vessels to harvest the adjacent resources. Soviet vessels off the coast of the United States is not a new problem, for we have long had such operations by that nation and others off the State of Alaska and off the Atlantic coast. The present Pacific coast effort is critical. The resources being harvested by the Soviet vessels are stocks upon which our trawl fleets have operated historically.

Further, there is growing evidence that the kind of gear being used by the Russian fleet is of a smaller mesh than that used by our own fleet for such species as Pacific Ocean perch, and the Soviets appear to be taking everything in their path, with no apparent thought to the future.

As you know, I have spoken on this floor many times of the need for conservation of the fishery resources, not only off our own coast, but throughout the world ocean, for I foresee great need for this food in the long-range survival of mankind. I have regularly sought assistance for our domestic fishermen, feeling that their welfare and well-being is a matter of deep concern in the long-range, broad national interest.

Pacific coast fishermen are gathering at Seattle, I am informed, to discuss the question of jurisdiction in regard to the coastal fisheries. I am further advised that there will be representatives from the Atlantic coast present and I await with interest the deliberations and decisions from the meeting. It is important that the United States give serious thoughts as to what is in the broad national interest in this question of jurisdiction, and I am hopeful for good testimony at the hearings scheduled May 18 and 19 on Senator BARTLETT'S 12-mile-limit bill.

But in the meantime, Mr. President, I repeat my overall concern as to the conservation of the world fishery resources. The problem which is now be-

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ing faced by Oregon and Washington fishermen in relation to the fleets of the Soviet Union has been faced and is currently being faced by others and the circumstances are not as unlike as you might suspect.

I was particularly interested in this regard, in an editorial in a recent issue of the British fishery trade publication, "Fishing News International," inasmuch as it does a commendable job of comparing some of the problems on the Pacific coast of the United States with those of South Africa. I ask unanimous consent to have the editorial printed in the RECORD.

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

FISHING LIMITS AND THE ROAMING FISHERMAN

It would be hard to think of two fishing areas more widely separated than those of the west coast of North America and of the south west coast of Africa. Their fishermen are as different as a halibut and a hake; they use different methods and boats to catch different species of fish. But the global spread of the fishing effort of several nations has given each fishery a problem common to the other and shared by fishermen all over the world.

In an age when the screeching jet and the howling ether have made a nonsense of distance, it was inevitable that some fishing areas would lose the protection their remoteness once gave them. The ocean hunt for fish is on and only the exhaustion of stocks is likely to stop it. The question anxiously asked from Vancouver to Cape Town and from Buenos Aires to Reykjavik is: How far away is exhaustion?

For some fisheries the signs are already ominous. "Every year," wrote Mr. Roy Matthews, chairman of the British White Fish Authority in an article in *The Times*, "larger fleets range more widely and declining yields in one traditional ground after another tell their own story of over-fishing." Mr. Matthews was adding his plea to that of many other far-sighted fishing men for "effective international agreement for productive management of the world's fisheries".

Inevitably men, industries and nations will find ways of managing the resources of the oceans. But events over the past year show that such co-operation will be slow in coming and that some cherished concepts of commercial fishing may have to be discarded in the process. One of these is the illusion of "our fish" and "our grounds."

There is a limit to what can be claimed as the exclusive fishing preserve of any one nation and this is generally recognized today as 12 miles from the shore. In some fortunate areas this protects valuable stocks; in other the best fish are being found well outside the limit.

Off the west coast of Canada a particularly rich trawling area lies in the tumultuous Hecate Strait between the mainland and Queen Charlotte Island. As Canadian base lines are drawn, the Strait is open fishing water outside 12 miles. But just south of Queen Charlotte is Vancouver Island and it is being contended that the base line should be drawn between the two islands enclosing the Strait in territorial waters. Urgency has been added to this contention by the appearance over the Hecate trawling grounds of a large Russian fleet complete with factory ships and modern stern trawlers. In law this Soviet fleet is working in the open sea as are smaller American trawlers who have fished the Hecate Strait as a traditional ground. To oust these ships by drawing fresh base lines will create a delicate international situation. But Canadian fishermen are calling on their government to

do something to protect these productive grounds before other wide-ranging fleets come in.

Across the other side of the world what has been described as a "fishing free for all" has surged beyond control of any one nation.

Less than five years ago fishermen of South Africa and South West Africa were working a rich, remote backwater.

From Cape Town a fleet of about 70 local trawlers brought in about 100,000 tons of hake and other bottom fish a year. This catch has now soared beyond 200,000 tons but the entire increase is coming up in the nets of vessels from seven or eight countries.

The hurried extension of the local fishing limit from three to 12 miles has had no effect on trawlers working 20 or more miles off the coast. When it was introduced in 1963 there were about a dozen ships from Spain and Japan operating off the Cape coast; last year they were joined by vessels from Israel, Holland, Italy and Germany. The fleet—including ships of the Soviet Union, East Germany, Poland, Bulgaria and Ghana operating to the north—now exceeds 100 vessels and the local industry is becoming more and more anxious for the future of its stocks.

One positive result of this anxiety is a suggestion that all or most of the nations with ships fishing off Southern Africa should work together in an investigation of the little-known resources of demersal fish. Encouragement for this has come from the owner of the first West German trawler to arrive in Cape Town who believes an international agreement could be reached for the conservation of Southern African stocks. Further support is implied in the interest being shown in the area by the White Fish Authority. The views of the Japanese are not known, but the largest of the Spanish companies with ships based on Cape Town has a 40 per cent. stake in a South African fishing company and it could well take a leading part in negotiations for a joint research/conservation project.

While these are still the early, turbulent days of long range fishing, they are already showing that reluctant "hosts" will get nowhere by standing on the cliff tops and shouting at the factory ships and freezer trawlers on the horizon. Restrictions, shut-outs and other, perhaps more ingenious, measures may temporarily restrain them, but they are not likely to stop nations and industries who have spent millions on this new ocean-wide pursuit of fish.

Mr. MAGNUSON. Mr. President, as Fishing News International says, "what has been described as a 'fishing free for all' has surged beyond control of any one nation."

These are critical times in fisheries, though they come as no surprise. The U.S. Senate well recognized the pending disorder when it unanimously adopted the resolution I sponsored for a World Fisheries Conference. Today foreign vessels are fishing heavily off our shores and in many cases we do not actually know whether they are depleting the fisheries or not. The appearance of the sizable fleet off Oregon and Washington indicates to me that the waters to the north, closer to the Soviet fishing bases, are either depleted or reduced to a point where productive fishing is no longer possible.

The United States must move firmly and swiftly in this question of jurisdiction and conservation for the protection and productive future of its citizens, but in an even broader sense, we must take the world leadership in assembling the coastal and fishing nations to determine

the proper conservation regime that there may be hope for the hungry.

THE CENTRAL INTELLIGENCE AGENCY

Mr. YOUNG of North Dakota. Mr. President, the Central Intelligence Agency has always been the subject of some controversy and it is inevitable that an Agency with the duties and responsibilities such as it has, always will be.

Mr. President, I ask unanimous consent to have inserted in the body of the RECORD as a part of my remarks an editorial on the subject of the CIA in the May 18, 1966, issue of a very reputable newspaper, the Washington Evening Star. Also, I ask unanimous consent to have inserted as a part of my remarks a column in the same issue of the Washington Evening Star which deals with the CIA, written by a very reputable journalist, David Lawrence, entitled "Danger Seen in Proposal on CIA."

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

[From the Washington (D.C.) Evening Star, May 18, 1966]

WATCHING THE CIA

It would be difficult to find any cloak-and-dagger organization that is more closely supervised than the Central Intelligence Agency.

It is watched over by the President and the National Security Council. By designation of the President, a non-governmental group headed by Clark Clifford closely scrutinizes what the CIA is doing. Finally, its activities and its expenditures, though concealed, have to run the gantlet of two congressional committees. In the Senate, this committee is made up of three representatives each from the Armed Services and Appropriations committees.

There would seem to be no need for any additional watchers. Senator Fulbright's Foreign Relations Committee, however, wants to add three of its members to the watching group. Senator Russell, who heads the supervisory committee, is strongly opposed.

Because there are already so many watchers, it might be wondered what valid objection there is to adding three more, especially if they come from Mr. Fulbright's committee since CIA activities undoubtedly influence foreign relations.

The reason for the objection was not quite spelled out in Monday's debate. But its essence emerged clearly enough.

Ohio's Senator LAUSCHE, himself a member of Foreign Relations, said that committee "has also distinguished itself for the frequency of leaks that come out of their (executive) hearings."

Later on, Senator MORSE, who thinks the CIA is a "police state institution," said: "I do not accept the major premise that the elected officials of the American people should not have an opportunity to be briefed in executive sessions of their committees in regard to what their checking committee has found."

This lets the cat out of the bag. While no senator would stand up on the floor and say so, the obvious fact is that the opponents of enlarging the watchdog committee are afraid of leaks if representatives of Foreign Relations should be added to the watchdog group. And this would be especially true if all 19 members of Mr. FULBRIGHT's committee would be briefed, as Senator MORSE advocates, "on what their checking committee has found out."

It would be appreciated if you would confirm the agreement of the Government of the United States of America to the foregoing.

Accept, Excellency, the renewed assurances of my highest consideration.

Ambassador of the Turkish Republic:
ERDIL K. AKAY,
First Secretary,
Embassy of Turkey.

WASHINGTON, D.C.

DONOVAN Q. ZOOK,
Officer-in-Charge, Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.

WILLIAM L. YEOMANS,
Assistant Director for Program Development and Liaison,
Atomic Energy Commission.

His Excellency **DRAN RUSK,**
Secretary of State,
Washington, D.C.

Initialed on April 18, 1966.

WASHINGTON, April —, 1966.

EXCELLENCY: I have the honor to refer to your note of April —, 1966, which reads as follows:

"EXCELLENCY: I have the honor to refer to the Amendment to the Agreement for Cooperation between the Government of the Turkish Republic and the Government of the United States of America Concerning Civil Uses of Atomic Energy which is being signed today.

"In connection with the Amendment to the Agreement for Cooperation, the Government of the Turkish Republic and the Government of the United States of America further agree as follows:

In the event any of the Parties to the trilateral arrangement envisaged in Article VI bis of the Agreement for Cooperation, as amended, is unable to agree to the terms of that arrangement, either the Government of the Turkish Republic or the Government of the United States of America may, by notification, terminate the Agreement for Cooperation. In the event the Agreement for Cooperation should be so terminated by either Government, the Government of the Turkish Republic agrees that it shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to the Agreement for Cooperation still in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of the Turkish Republic for its interest in such material so returned at the United States Atomic Energy Commission's schedule of prices then in effect domestically.

"It would be appreciated if you would confirm the agreement of the Government of the United States of America to the foregoing.

"Accept, Excellency, the renewed assurances of my highest consideration."

I have the honor to confirm the agreement of the Government of the United States of America as requested.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

DONOVAN Q. ZOOK,
Officer-in-Charge, Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.

WILLIAM L. YEOMANS,
Assistant Director for Program Development & Liaison, Atomic Energy Commission.

His Excellency **TURGUT MENEMENCOGLU,**
Ambassador of the Turkish Republic.

ERDIL K. AKAY,
First Secretary,
Embassy of Turkey.

WASHINGTON, D.C.

Initialed on April 18, 1966.

U.S. ATOMIC ENERGY
 COMMISSION,

Washington, D.C., April 20, 1966.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, together with the enclosed proposed notes to be exchanged between the two Governments, which notes are to be considered as part of the proposed amending agreement, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amending agreement, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise and extend the Agreement between the United States of America and Turkey which was signed at Washington on June 10, 1955, as amended by Agreements signed at Washington on April 27, 1961, and June 3, 1965.

The proposed amending agreement would extend the Agreement for five years, until June 9, 1971. The Government of the Turkish Republic has agreed to the transfer to the International Atomic Energy Agency of safeguards responsibilities for materials and facilities transferred under the Agreement for Cooperation. Agreement with respect to this transfer would be effected by an article in the amendment, together with the enclosed notes.

Article II of the proposed amending agreement would permit the transfer to Turkey of material enriched to more than 20% in the isotope U-235 when there is a technical or economic requirement for such a transfer. Article IV would reflect the recent changes in the Atomic Energy Act of 1954 permitting private ownership of special nuclear material by enabling private parties in the United States and Turkey to be parties to arrangements for the transfer of special nuclear material. Previously, such transactions were confined to Governments. Arrangements made directly between private parties under Article IV would be undertaken pursuant to applicable laws, regulations, policies, and license requirements of the United States and Turkish Governments.

The amending agreement also includes several minor revisions. Article I would conform the fields of information exchange to our more current practice, while Article III would delete the now-obsolete requirement for the Turkish Government to retain title to enriched uranium it receives under the Agreement until such time as United States users may acquire title to such material. Article IX would be clarified by explicitly stating that the U.S. and Turkey "may" consult, not necessarily "will" consult, with each other concerning an additional agreement covering nuclear power production in Turkey.

Following your approval, determination, and authorization, the proposed amending agreement will be formally executed by appropriate authorities of the Government of the United States of America and the Government of the Turkish Republic. In compliance with Section 123c of the Atomic Energy Act of 1954, as amended, the agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

The President,
 The White House.

Enclosures:

1. Proposed Agreement Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic.
2. Proposed Notes.

THE WHITE HOUSE,
 Washington, April 22, 1966.

The Honorable **GLENN T. SEABORG,**
U.S. Atomic Energy Commission,
Washington.

DEAR DR. SEABORG: In accordance with Section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me by letter dated April 20, 1966, a proposed agreement amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, together with proposed notes to be exchanged between the two Governments, which notes are to be considered as part of the proposed amending agreement, and has recommended that I approve the proposed amending agreement, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

Pursuant to the provisions of 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) approve the proposed amending agreement and determine that the performance of the Agreement as amended will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America;

(b) authorize the execution of the proposed amending agreement on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

LYNDON B. JOHNSON.

CONSIDER ALTERNATIVES

Mr. INOUE. Mr. President, an editorial in the Philadelphia Inquirer about the formulation of our Vietnam policy makes good sense.

It recalls that "U.S. policy in Vietnam has not been embarked upon blindly, with no consideration of alternatives or with no thought of what might happen if that policy is abandoned."

The paper points out that the framers of any policy must examine the alternatives and their probable consequences, and then take the calculated risk that the policy they have determined upon is the best that could be pursued.

I want to make this editorial available to my colleagues and I therefore ask unanimous consent that it be printed in the RECORD.

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

[From the Philadelphia (Pa.) Inquirer,
 May 8, 1966]

TO JUSTIFY POLICY—OR CRITICISM

"To justify a course of policy in its largest dimension," wrote Richard N. Goodwin, former assistant to President Kennedy and President Johnson, in a recent "New Yorker" article, "is to predict what will happen if that course is not taken; to prophesy the unknowable turns of history."

"All that any leader can do," he went on, "is call upon wisdom, judgment and national principle, a sense of history and a knowledge of present reality, and act on the speculative and intuitive guess that results."

This enormous limitation haunts the decision-makers at every moment of history, whether the course to be taken involves the dropping of the atom bomb on Hiroshima, Hitler's invasion of Russia, the missile confrontation in Cuba, or U.S. military operations in Southeast Asia.

May 19, 1966

If the men who make the decisions could read the future, their task would be simple. Because they cannot, they are vulnerable to misjudgment and miscalculation—as Hitler was when he invaded Russia.

The framers of any policy must examine the alternatives and their probable consequences, and then take the calculated risk that the policy they have determined upon is the best that could be pursued. They may be mistaken. They can hope that they are not, and leave room for quick changes if events contradict judgment.

U.S. policy in Vietnam has not been embarked upon blindly, with no consideration of alternatives or with no thought to what might happen if that policy is abandoned. What if South Vietnam is thrown to the Communist wolves? What if Red China is given free rein to take over all Southeast Asia? What if we retreat ignominiously and leave people now free to Communist domination?

These possibilities loom large in our decision-making, and they should be given equal weight by those critics of U.S. policy who, untroubled by the responsibility of leadership, find fault with our presence in Vietnam.

To justify their fault-finding, these critics, in and out of the U.S. Senate, must also "prophesy the unknowable." They also have the burden of considering what may happen if their assessment is wrong—as it may well be. The men who make the decisions have their responsibility, and it is an awesome one; but those who criticize the decisions, once made, cannot escape their share of responsibility also. It is something to think about.

FEDERAL DISTRICT COURT JUDGMENT AGAINST THE HANNA COMPANIES

Mr. CANNON. Mr. President, on April 27 last, in the U.S. District Court, Portland, Oreg., Judge Gus J. Solomon found that the Hanna Mining Co., and the Hanna Nickel Smelting Co., had breached their contracts with the Government, had overcharged the Government \$560,000 on top of the \$63,000 which Hanna had previously paid to satisfy one count of the complaint.

In exercising his discretion to allow interest on the improper overcharges from the date of overpayment rather than the date the breach was legally established, the court observed:

This is a classic case of unjust enrichment.

This is in strange contrast to a statement issued by Hanna when the court handed down its initial opinion last February. At that time, the president of Hanna, stated in part:

We are pleased with the report which vindicates the company's position and removes any question of the integrity of the company's performance and accounting.

This statement was both premature and inaccurate. Contrary to this assertion, the opinion of the district court demonstrates that the decision was not a vindication of Hanna's conduct but a repudiation of it.

Four years ago, a report made by the General Accounting Office, plus a statement inserted in the RECORD by Senator JOHN WILLIAMS, of Delaware, led the Senate Subcommittee on the National Stockpile and Naval Petroleum Reserves under the chairmanship of Senator SYMINGTON, to investigate this matter thoroughly.

As noted by Senator WILLIAMS in a statement on the Senate floor on May 29, 1962, the Comptroller General made the following points regarding the Hanna nickel contracts:

1. Although other contracts made by GSA under the Defense Production Act of 1950 that we have reviewed limited in varying degrees the financial risks of the contractors, the Hanna Mining and Smelting Company contracts eliminated practically any risk of financial loss to the Hanna companies. Under the Hanna contracts the Government guaranteed virtually all the contractor's capital investment and provided a market for all the contractor's production at prices which virtually preclude operating losses. . . .

2. The smelting contract permits Hanna to acquire clear title to the smelting facilities costing about \$22 million by paying the government the estimated salvage value of the facilities (about \$1,700,000) after the Government's advance has been amortized. . . .

3. The mining contract provides a basic fixed price of \$6 a ton for the sale of ore to the Government subject only to escalation of certain base costs and premiums or discounts for variances in the nickel content of the ore. The price was based on estimates submitted by Hanna, prior to actual operations, which indicated a rate of profit of about 90 percent of costs before taxes. Since the contract precludes GSA from examining the financial results of the mining operation, GSA is not in a position to ascertain the reasonableness of the estimate upon which the fixed price was established. . . .

Peculiarly limited as Hanna's obligations were under the contracts, the performance of those limited obligations came under the scrutiny of the subcommittee. The contract provided that costs of production were to be borne by the Government, while capital items were to be paid for by Hanna.

As a result of the hearings held in 1962, on November 8, 1963, the Department of Justice filed suit against the Hanna companies in the U.S. district court in Portland, Oreg., seeking damages for breach of contract. I was impressed then, as I am now, with the diligence and thoroughness with which Senator SYMINGTON pursued the facts in this case. His chairmanship was a model of impartiality and dedication to the public interest for which he deserves the thanks of this body and of the American people.

The Government alleged that the overcharges arose because the Hanna Smelting Co.: First, charged to reimbursable costs of production various items which under the contract were actually expenditures for capital items; second, obtained an inflated price for approximately 19.5 million pounds of nickel to be delivered after March 31, 1961, this as the result of its erroneous statements to the Government with respect to its actual production costs; and third, failed to properly account for certain other expenditures and receipts, the latter resulting in an overstatement of reimbursable costs.

In February 1964 the Hanna companies admitted their liability arising out of the smelting company's failure to properly account for other expenditures and receipts, and therefore paid to the Government the sum of \$54,325, plus accrued interest of \$9,290, or a total of \$63,525, as claimed by the Government.

After an extensive trial of the remaining claims asserted by the Government,

the U.S. District Court for the District of Oregon found that Hanna had breached the contract with respect to some 38 items. Accordingly judgment on these items was entered in favor of the Government in the amount of \$231,506.

The court observed that the 38 capital items in question were expensed "solely to obtain reimbursement" from the Government for the expenditures that Hanna companies otherwise would have had to bear themselves.

In addition to the Government's recovery of \$231,506 for the capital items which the Government decided were unjustifiably charged to costs of production, the court reformed the contract as requested by the Department of Justice, so as to reduce the price the Government was obligated to pay for the 19.5 million pounds of nickel remaining undelivered after March 31, 1961.

The court found that the parties had agreed to a price which in turn was based on a formula that was predicated upon Hanna's 1959 and 1960 costs of production.

Since the court found, however, that the smelting company charged improperly capital items to its reported cost of production, the contract was reformed in order to reflect a price which was based on actual costs of production; and this reformation reduced the price by 1.24 cents per pound on the 19.5 million pounds of nickel scheduled to be delivered after March 31, 1961, as a result entitling the Government to obtain an additional recovery of \$241,798.

In its decision the court also granted the Government interest at the rate of 6 percent per annum on the amounts which the smelting company overcharged the Government. This return amounted to \$87,329.

These amounts, together with the \$63,525 already paid results in a total recovery of \$624,158 by the Government from the Hanna Co.

The Department of Justice deserves congratulations for obtaining this large reimbursement to the Treasury as a result of the determination by the court of the illegality of the Hanna Co. costing under their nickel agreements with the Government.

It is to be hoped that the decision of the court will have a salutary effect on other contractors and businessmen coming into public office to see that their companies are not found to have been unjustly enriched in their dealings with the Government.

I ask unanimous consent that there be inserted in the RECORD a news article on the Federal court judgment against the Hanna Co. that appeared in the Portland Oregonian of April 29

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

[From the Oregonian, Apr. 29, 1966]
JUDGE ORDERS HANNA TO PAY INTEREST ON U.S. OVERPAYMENTS

U.S. Dist. Judge Gus J. Solomon has issued an order and judgment awarding the federal government some \$624,154 from Hanna Nickel Smelting Co., of Riddle, Ore., and Hanna Mining Co., of Cleveland, Ohio.

Hearings Held in Minneapolis on War in Vietnam—II

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. FRASER. Mr. Speaker, continuing the presentation of the views expressed at the Minneapolis hearings on Vietnam, I have the pleasure of presenting the testimony of Romeyn Taylor, associate professor of history at the University of Minnesota, and Rodney C. Loehr, professor of history at the University of Minnesota.

These hearings were an attempt to look beyond the day-to-day events of the way and to analyze its implications for the people of Vietnam and its lessons for the United States. The testimony illustrates the excellent insights of the expert witnesses into the problems. The wisdom presented here will be important far into the future.

The testimony of Romeyn Taylor and Rodney C. Loehr follows:

Romeyn Taylor: "This statement prepared by me for Representative DONALD FRASER's hearings in Minneapolis, December 7, 1965 represents my own views only and not that of any organization."

U.S. Foreign policy in the Far East since WW II appears to have been focused, as in other parts of the world on the containment of Communism. The practical definition of containment, however, cannot be the same in different time and different areas. In Europe, the policy of containment was generally successful. Here, military assistance, the NATO system of collective security and the programs of economic aid got good results. The states we supported in central and western Europe were already committed to non-Communist traditions of government and representative institutions. Moreover, they possessed, at least collectively, the skills and natural resources necessary to create and maintain military power on a very large scale. Little more than an infusion of U.S. capital and a certain amount of enlightened cooperation among the nations concerned were needed to create a firm obstacle to Russian expansion westward. At the same time, economic recovery prevented the massive social disturbances without which Communist revolution could hardly have been attempted. The definition of the problem of containment and the means used to implement it in Europe, however, cannot easily be transferred to Southeast Asia. This is not mere speculation: we have tried it and on the whole, it has worked poorly.

In Southeast Asia, several economically weak and politically unstable states are arranged on or near the southern periphery of China, a nation that outnumbered all the Southeast Asian states together by about four to one in population and is relatively stable politically. The problem here was to prevent these peripheral states from aligning themselves with China to our own strategic advantage. Two general approaches to this problem have been, one: the neutralization of the area under collective guarantee by the leading states on both sides of the cold war. This approach is represented by the Geneva Conference of 1954 and was strongly advocated at that time by India, itself a neutralist state. While the United States participated in this conference, it appears to have done so with some reluctance

and proceeded to implement the other approach, namely the application, or misapplication, of the methods employed successfully in Europe. This was expressed in SEATO, the South East Asia Treaty Organization, which was created in the same year. SEATO was logically incompatible with the Geneva approach since it implied a Western alignment, instead of neutrality, of the Southeast Asian members.

It may be argued, therefore, that we have made it impossible to give neutralization a fair trial. Our course in this regard can only be justified if it can be shown to have been highly successful. For a number of reasons it has, on the contrary, worked poorly. The weakness of the Southeast Asian members has resulted in their having to permit the establishment of U.S. military bases on their territory, in some cases close to the Chinese frontier. This has furnished China with a strong reason to apply pressure by taking advantage of their extreme vulnerability to organized internal opposition from the left. Other states, such as Cambodia and Burma have avoided alignment with the West for this reason and have remained outside of SEATO, thereby greatly weakening the organization. Moreover, the advantages of alignment with the U.S. seem uncertain at best. Our enormous investment in defense of the various Saigon regimes has not only failed to nullify the effectiveness of the militant left, but has escalated the internal struggle to a degree that threatens the devastation of the entire state. Far from encouraging other Southeast Asian states to associate themselves with us in this manner, it is more likely in the long run to persuade them that this is the most dangerous of all possible policies.

Another defect of the containment approach is that its economic phase necessarily produces results very different than in Europe and may sometimes work against our political objectives. In Europe, we were underwriting the restoration of developed industrial societies. In Southeast Asia, we hope to foster the industrialization of predominantly non-industrial societies. This demands a profound change in their cultures and their institutions. Such change in turn results in sharp internal conflicts that may take political or even military form. Since internal order is necessary for economic development, this creates a presumption in favor of authoritarian governmental forms as against the kind of open and representative forms that we would favor on ideological grounds. Moreover, the authoritarian left has a distinct advantage over the right.

While there have been some durable authoritarian regimes of the right, these have generally occurred in Europe, where there was a relatively secure conservative middle-class base, as in Spain or Portugal. Such a social base is largely absent in Southeast Asia, and where it exists, it is likely to be partly Chinese, and therefore to this extent, by attraction of the home country, inclined to the left. Moreover, rightist dictatorships have not generally had a good record in economic development. Nationalist China might be cited on Taiwan as a small example to the contrary, but here there are the peculiar circumstances of rule by cohesive and powerful refugee elite and investment of U.S. capital on a scale which it might be impossible to repeat for other states. The political left, on the other hand, by involving great numbers of the population in revolutionary political or even military action, achieves strong psychological identification with many or most of the population. This in turn makes the party or governmental organization strong enough to carry out the costly and difficult tasks of capitalizing industrial and agricultural development. On this score, the Asian Communist states of China, North Korea and North Vietnam appear to have done fairly well. The authoritarian left,

therefore, has real solutions for real problems. Whether the price paid in the form of state control of much social and intellectual activity is really worth the gains is hardly a question we should presume to answer for other peoples. In terms of their cultural traditions, which are very different from our own, the cost may not be as high as it would seem to us.

In the fact of these adverse factors, our application of the containment principle to the National Liberation movement in Vietnam and perhaps elsewhere amounts to the exercise of a U.S. veto with military force over certain real and not wholly unreasonable political tendencies in some of the economically underdeveloped countries. One effect of this is to place leadership of anti-western nationalism in the hands of the left, and under certain conditions, as in Vietnam, this may help them greatly. In passing, it should be noted that the arguments sometime advanced in support of our present policy that the NLF's resort to violence creates a moral obligation for outside powers to intervene against it is absurd. If this principle were generalized, all nations would be obliged to keep the democratic practices of their neighbors under critical review and intervene when they found force being used improperly. Moreover, it would be difficult in Vietnam to say whether Ngo Dien Diem or Ho Chi-Minh was the more responsible for the non-existence of political democracy in their country, since both appear to have been opposed to it from the start. To define the revolutionary war in Vietnam as an instance of international aggression is a transparent effort to force it into the category of problems that our policy of containment was intended to cope with.

Our failure in Vietnam does not mean that we should cease to support democratic leaders against their authoritarian rivals on the left and right, but it does mean, that we must distinguish between those cases where such support has a reasonable chance of achieving its intended result and those cases where our intervention is simply destructive. We must also recognize that we cannot substitute for or create indigenous leadership as we have tried to do in Laos and Vietnam with uniformly disastrous results. This necessary condition of democratic development is one that must be provided by the people in question. Where it is lacking, we must try to live with the result and not try inappropriately by military means to force upon them governmental forms that have no relation to their culture and experience. What are the implications of such a change in policy toward SEAsia? In a general sense, this points to a return to the Geneva approach of protected neutrality for those states that desire it and the acceptance of leftist control where it is already an accomplished fact. It also calls for the gradual replacement of the Western oriented system of collective security in SEATO by joint guarantees by the major Communist and non-Communist powers. China's adherence should become a major goal of our policy and to secure it, we should show our readiness to discuss all major issues now dividing the two countries.

We must also face the fact that to hope for neutralization of Vietnam at this very late date may be unrealistic. Our war there can probably be ended only if we make it clear to the Saigon Military that we will not win their war for them and they will either have to win it themselves with limited assistance or, which is more likely, make their own arrangements with the NLF and Hanoi in a reconvened Geneva Conference. If, as is likely, this results in a leftist or even Communist government in the south under Hanoi's political control, we should then undertake to encourage Vietnamese independence of Peking as we have encouraged Yugoslavia's independence of Moscow. This

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alternative, unpalatable though it may be, is preferable to our present self-defeating military involvement. Much of the pressure on Laos, Cambodia and Thailand that has been created by the war in Vietnam would be removed and they could more easily move towards neutralism from their present positions on the left and right. The net effect of such a policy would not be to surrender any positions of real strength in Southeast Asia but to acknowledge forthrightly certain weaknesses of our position that can no longer be concealed. Given the present state of world opinion, this would enhance rather than diminish our prestige and give us a chance to use our immense economic resources constructively in SEAsia. For the long run, perhaps the most important advantage would be that we would have taken the first hard step toward removing certain unnecessary grounds of Sino-U.S. hostility. The outlook here is not altogether bad. The Chinese have compensated for the reduction on their trade with the other Communist countries since the Sino-Soviet split, by expanding their trade with the West. The problem of Taiwan, which is very much a thorn in China's side should be more possible of solution with every passing year. The time is ripe for a policy of mutual accommodation and we should not refuse to take the first steps.

STATEMENT PRESENTED AT HEARINGS OF THE HONORABLE DONALD FRASER BY PROF. RODNEY C. LOEHR, DECEMBER 7, 1965

My name is Rodney C. Lochr. I am a professor of history at the University of Minnesota. During World War II, I was the Historical Officer for the United States Joint Chiefs of Staff. From 1951-1953 I was Special Historian in the Office of the United States High Commissioner for Germany.

In response to your questions may I present the following viewpoints:

Question No. I. What role might the United Nations play in Vietnam?

Answer: It is first necessary to get the United Nations to agree to work in Vietnam. Provided that the U.N. is willing to undertake responsibilities in Vietnam, the U.N. might play the following roles:

(a) The U.N. can act as a medium of communication between us and our adversaries. This role can be taken immediately by the Secretary.

(b) The U.N. can supervise or police any agreement reached between us and our adversaries. This role envisages a peace settlement sometime in the future.

(c) The U.N. can act as a channel for economic aid which a future agreement might promise for the region of Southeast Asia, such as the proposed Mekong river development. This role is something for the far distant future.

Question No. II. What more should the United States do to assist the government of Vietnam in the development of stable political institutions.

Answer: Our objective appears to be to have an independent government in South Vietnam that is capable of governing in its own interests and not to have just a puppet government. To achieve such an independent government favorable conditions must be created and this means ending the invasion by North Vietnam, quelling the insurgency and establishing law and order. Before we can help South Vietnam develop stable political institutions, we must be able to identify the problems involved. The situation is more complex than just a struggle between Communists and anti-Communists. Various religious and ethnic groups are involved. The government of South Vietnam today is city-oriented and a better balance between city and country is needed. Before anything is done we need a wider base of

information. Most of the information probably is available now and can be secured from the Special Forces, CIA, MAG, AID, medical people and missionaries. I suggest that an independent presidential commission, somewhat on the order of the Taft Commission that functioned so successfully in the Philippine Islands around the turn of the century at the time of the Philippine rebellion, be formed to study the situation in South Vietnam and to make recommendations for the creation of a stable situation there. Such a commission would be able to take a long look at the situation and this is something that operating agencies cannot do, since they are involved in daily crises. Such a commission would also have the prestige needed to have its recommendations influence policy. If such a commission cannot be created, then let one of the national foundations finance a national committee to do the same work.

In the meantime we can send professional people to train administrators and others in the region. AID and the Peace Corps can play a larger role, and economic and technical aid can be increased. However, we should have firm guarantees about the use to which the aid is put, and we should install some kind of inspection system to make sure that the aid does what it is supposed to do. In connections with aid, it should be noted that we may need to send large supplies of rice to South Vietnam in the near future because of the Viet Cong blockade of the cities, and that this rice must come from our own supplies or from purchases. In the end what we do in South Vietnam will depend upon the limits we place upon what we are willing to do.

Questions No. III. What can be done in the way of economic and social development?

Answer: First, we must identify the problems, and try to determine where improvements are needed and where and how they can be made. Whatever is done must be done in terms of Vietnamese culture and needs and not in terms of American culture. For example, it would be senseless to build a so-called model village with a nine-hole golf course and a shell seating 20,000 for the showing of "Hello! Dolly!" Instead, Vietnam can be helped with fertilizer and penicillin factories, improved varieties of rice, improved and simple tools, hospitals and schools that deal with life in Vietnamese terms. Whatever is done must fit a rice subsistence economy. We should buy as much as possible of materials used in the country itself because this will infuse money and labor into the economy. A master plan should be drawn up, based on how much aid we wish to give, that will deal with the infrastructure we hope to create or rebuild. Probably only in electricity and communications can advanced techniques be applied; the rest will have to be mostly in terms of grass-thatched huts.

Social developments will be a by-product of economic and educational change. Education is badly needed but should always be in terms of Vietnamese culture and needs. Students sent to this country will be lost to Vietnam; education should be in-country training. The experience of the missionaries and Special Forces will be a useful guide for educational projects.

Question No. IV. What should be an acceptable basis for settlement of the conflict in Vietnam?

Answer: We demand that the North Vietnamese and their Chinese advisers get out of South Vietnam. This may appear to them to amount to unconditional surrender. They demand that we get out of South Vietnam, and this certainly amounts to a humiliating and unacceptable demand for our unconditional surrender. Is there a middle ground? Bearing in mind the harsh realities of what has happened, is something short of unconditional surrender acceptable to both sides?

Are there dissident elements in South Vietnam that can be accepted in a future peace settlement by the U.S. and the South Vietnamese government? Can a middle ground be discovered? There is where the proposed presidential commission can do great service, since it may be able to suggest political solutions that will end the conflict or at least ease the military burden of the war.

In the meantime we have a number of military options that we can use for trading material to get the North Vietnamese out of South Vietnam. We can increase our ground forces, apply harsher economic sanctions, extend the bombing, inflict a blockade or even offer invasion. From the military standpoint if we are to bring the North Vietnamese to the conference table by military means, we must be able and willing to raise the conflict to an unacceptable level of violence. We have that capability. There should be no doubt in anyone's mind about that.

What are the stakes? The stakes are whether or not we wish to contain the spread of Red China's influence and power in Southeast Asia. Pulling American troops out of Vietnam will not end the killing in that unhappy country but instead may well lead to the slaughter of those who have befriended us. If we do not make a stand in Vietnam, we will have to make a stand somewhere else or else give up the whole area to the Chinese on the mainland. The moment we pull out of Vietnam we will be faced with a similar crisis in Thailand. We can make a stand in Vietnam under relatively favorable conditions that would not exist in other parts of Southeast Asia.

Question No. V. What lessons should be drawn from a decade of United States involvement in Vietnam?

Answer: First, the military lessons: American military units can fight the kind of war now raging in South Vietnam. Our military system is geared to respond to guerrilla warfare and also to the increased guerrilla warfare which uses large organized units and is sometimes called by our adversaries "wars of national liberation."

Secondly, we have learned that insurgent and supporting forces from the outside have increased in almost direct ratio to the increase in American aid. In other words as we have escalated, they have also escalated. But it should be borne in mind that we do have the capability to escalate to levels of violence that are unacceptable to our adversaries.

1961—1,000 Americans were in Vietnam as advisers. It was decided that there should be a massive increase in aid. December saw the first helicopters and in addition we began to provide air support, communications and an increase in the number of advisers. In units where American aid was used the kill ratio was increased. But it was still a hit-and-run war.

1962—The number of American advisers was increased to 20,000.

1963—Diem was killed and the war went badly for a time because of political instability—a good demonstration of the relations between politics and war. Then, General Ke was brought in and some stability was achieved.

1964—PT boats attacked the U.S. Navy and in retaliation PT sites were bombed.

1965—February saw the beginning of massive bombing of North Vietnam sites and March saw the beginning of the big build-up of American forces that has continued. Probably, as a minimum a half a million of American ground forces will be committed to Vietnam, and it may take at least three years before a favorable solution can be reached. The draft will have to be increased and it may be necessary to call to active duty units of the National Guard and Reserve forces.

In this matter, the example of Canada is a model for nations everywhere. As Prime Minister Pearson pointed out eloquently in New York just last week: Canada "is as deeply involved in the world's affairs as any country of its size. We accept this because we have learned over 50 years that isolation from the policies that determine war does not give us immunity from the bloody, sacrificial consequences of their failure. We learned that in 1914 and again in 1939. . . . That is why we have been proud to send our men to take part in every peace-keeping operation of the United Nations—in Korea, and Kashmir, and the Suez, and the Congo, and Cyprus."

The organization of the American states in the Dominican Republic, the more than 30 nations contributing troops or supplies to assist the Government of South Vietnam, indeed even the parallel efforts of the United States and the Soviet Union in the Pakistan-India conflict—these efforts, together with those of the United Nations, are the first attempts to substitute multinational for unilateral policing of violence. They point to the peace-keeping patterns of the future.

We must not merely applaud the idea. We must dedicate talent, resources, and hard practical thinking to its implementation.

In Western Europe—an area whose burgeoning economic vitality stands as a monument to the wisdom of the Marshall Plan—the problems of security are neither static nor wholly new. Fundamental changes are under way, though certain inescapable realities remain.

NUCLEAR BACKDROP NEEDED

The conventional forces of NATO, for example, still require a nuclear backdrop far beyond the capability of any Western European nation to supply, and the United States is fully committed to provide that major nuclear deterrent.

However, the European members of the alliance have a natural desire to participate more actively in nuclear planning. A central task of the alliance today is, therefore, to work out the relationships and institutions through which shared nuclear planning can be effective. We have made a practical and promising start in the special committee of NATO defense ministers.

Common planning and consultation are essential aspects of any sensible substitute to the unworkable and dangerous alternative of independent national nuclear forces within the alliance.

And even beyond the alliance, we must find the means to prevent the proliferation of nuclear weapons. That is a clear imperative.

There are, of course, risks in nonproliferation arrangements; but they cannot be compared with the indefinitely greater risks that would arise out of the increase in national nuclear stockpiles.

In the calculus of risk, to proliferate independent national nuclear forces is not a mere arithmetical addition of danger. We would not be merely adding up risks. We would be insanely multiplying them.

If we seriously intend to pass on a world to our children that is not threatened by nuclear holocaust, we must come to grips with the problem of proliferation.

A reasonable nonproliferation agreement is feasible. For there is no adversary with whom we do not share a common interest in avoiding mutual destruction triggered by an irresponsible nth power.

That brings me to the third and last set of relationships the United States must deal with. Those with nations who might be tempted to take up arms against us.

These relationships call for realism. But realism is not a hardened, inflexible, unimaginative attitude. The realistic mind is a restlessly creative mind—free of naive delusions, but full of practical alternatives.

There are practical alternatives to our current relationships with both the Soviet Union and Communist China.

A vast ideological chasm separates us from them—and to a degree, separates them from one another.

There is nothing to be gained from our seeking an ideological rapprochement; but breaching the isolation of great nations like Red China, even when that isolation is largely of its own making, reduces the danger of potentially catastrophic misunderstandings, and increases the incentive on both sides to resolve disputes by reason rather than by force.

TRADE AND DIPLOMACY

There are many ways in which we can build bridges toward nations who would cut themselves off from meaningful contact with us. We can do so with properly balanced trade relations, diplomatic contacts, and in some cases even by exchanges of military observers.

We have to know where it is we want to place this bridge; what sort of traffic we want to travel over it; and on what mutual foundations the whole structure can be designed.

There are no one-cliff bridges. If you are going to span a chasm, you have to rest the structure on both cliffs.

Now cliffs, generally speaking, are rather hazardous places. Some people are afraid even to look over the edge. But in a thermo-nuclear world, we cannot afford any political acrophobia.

President Johnson has put the matter squarely. By building bridges to those who make themselves our adversaries "we can help gradually to create a community of interest, a community of trust, and a community of effort."

With respect to a "community of effort" let me suggest a concrete proposal for our own present young generation in the United States.

It is a committed and dedicated generation; it has proven that in its enormously impressive performance in the Peace Corps overseas; and in its willingness to volunteer for a final assault on such poverty and lack of opportunity that still remain in our own country.

As matter stand, our present Selective systems draws on only a minority of eligible young men.

That is an inequity.

It seems to me that we could move toward remedying that inequity by asking every young person in the United States to give two years of service to his country—whether in one of the military services, in the Peace Corps or in some other volunteer developmental work at home or abroad.

We could encourage other countries to do the same; and we could work out exchange programs—much as the Peace Corps is already planning to do.

While this is not an altogether new suggestion, it has been criticized as inappropriate while we are engaged in a shooting war.

But I believe precisely the opposite is the case. It is more appropriate now than ever. For it would underscore what our whole purpose is in Vietnam—and indeed anywhere in the world where coercion, or injustice, or lack of decent opportunity still holds sway.

It would make meaningful the central concept of security: A world of decency and development—where every man can feel that his personal horizon is rimmed with hope.

Mutual interest—mutual trust—mutual effort; those are the goals. Can we achieve those goals with the Soviet Union, and with Communist China? Can they achieve them with one another?

The answer to these questions lies in the answer to an even more fundamental question.

Who is man?

Is he a rational animal?

If he is, then the goals can ultimately be achieved.

If he is not, then there is little point in making the effort.

All the evidence of history suggests that man is indeed a rational animal—but with a near infinite capacity for folly. His history seems largely a halting, but persistent, effort to raise his reason above his animality.

He draws blueprints for utopia. But never quite gets it built. In the end, he plugs away obstinately with the only building material really ever at hand: His own part-comic, part-tragic, part-cussed, but part-glorious nature.

I, for one, would not count a global free society out.

Coercion, after all, merely captures man.

Freedom captivates him.

Thank you very much.

Hearings Held in Minneapolis on War in Vietnam—III

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 1966

Mr. FRASER. Mr. Speaker, we were very fortunate in the Vietnam hearings in Minneapolis to have the views of Dr. Charles McLaughlin, chairman of the Department of Political Science at the University of Minnesota.

Dr. McLaughlin is a well-known international lawyer, author, and lecturer.

Dr. McLaughlin dealt mainly with the legality of our participation in the affairs of southeast Asia. I commend his remarks to the careful attention of the House:

STATEMENT OF CHARLES H. MCLAUGHLIN, CHAIRMAN, DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF MINNESOTA, HEARINGS ON VIETNAM CONDUCTED BY CONGRESSMAN DONALD M. FRASER, FIFTH DISTRICT, MINNEAPOLIS, MINN., DECEMBER 7, 1965

I wish to make clear that any views I shall express are personal conclusions which are not authorized by and do not necessarily reflect positions taken by any organization or institution with which I may be connected. Nor do I pretend to be expert upon the complex and varied problems which confront Vietnam. If I am at all qualified to speak on this occasion, it is only with respect to some aspects of the legality of steps taken by the United States in its efforts to aid the Government of South Vietnam, and it is upon these points that I wish to concentrate.

President Johnson and his principal administrative officers have been criticized by Senator J. W. Fulbright, Chairman of the Committee on Foreign Relations, and even more sharply by Senators WAYNE MORSE and ERNEST GRUENING. In introducing into the CONGRESSIONAL RECORD a "Memorandum of Law" prepared by a "Lawyers Committee on American Policy toward Vietnam," Senator Morse asserted on September 23, 1965 that "... we have totally flouted the rule of law, and we have flouted the United Nations Charter. . . . we have violated one tenet after another of international law and one treaty obligation after another, and the world knows it. . . . violations of the Geneva Accords of 1954, as well as article after article of the United Nations Charter and even Article I, section 8 of the Constitution of the United

States, a sad and shocking chronicle of our repudiation of the rule of law in our foreign policy practices."

As I share Senator Morse's conviction that progress toward the rule of law in international affairs greatly depends upon the willingness of major powers, including the United States, to observe faithfully their obligations under the Charter of the United Nations and under general international law, and as I am so solicitous as he that our Government shall comply with the provisions of the Constitution of the United States, I think it important to examine the propositions upon which his charges rest. Presumably they can be found in the Memorandum of the Lawyers Committee. That document details alleged violations by the United States (1) of the UN Charter, (2) of the 1954 Geneva Accords and the SEATO Treaty, (3) of the U.S. Constitution.

With respect to the Charter, reference is made to the obligation of member states to refrain from the threat or use of force against the territorial integrity or political independence of any state or in any other manner not consistent with the purposes of the United Nations (Ch. 1, Art 2 (4)). Ordinarily this would mean unilateral use of force outside collective security procedures authorized by the Charter. The Memorandum notes that Article 51 provides an exception to this—the exercise of the "inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures to maintain international peace and security." It argues that this exception cannot apply to Vietnam because the Saigon Government (a) is not a member of the United Nations, (b) is not a state but only a temporary zone set up within Vietnam by the Geneva Accords, (c) has not been subjected to attack by external forces, and (d) is not being defended by a regional collective defense system.

There is a difference of opinion among international lawyers whether for member states Article 51 wholly supersedes the right of self defense under customary international law. As it refers only to cases of armed attack against member states it seems reasonable to say that the right of collective defense of a non-member state even by a member state still exists under general international law. If defense of a non-member is undertaken by a member state, it may be that the member must proceed under the terms of Article 51, but there is no evidence that the United States has not done this in Vietnam since the Security Council has not yet chosen to act. That the Republic of Vietnam is not *de facto* a state would be a ludicrous proposition. Some might argue that its right to claim that status for purposes of international law depends upon recognition by other states, but as the United States has recognized it, our Government may properly conclude that Vietnam is entitled to claim the normal rights accorded by general international law. These certainly include self defense—both against external and internal enemies. That Article 51 limits members to collective defense by a regional collective defense system is more than doubtful. When originally drafted it was indeed associated with Article 52-54, which authorize and regulate regional organizations, but it was separated from them and moved into another chapter, with the probable result that it should now be more generally construed. At least it has been so construed in United Nations practice. I do not assert that these conclusions spring by inexorable logic from the words of the Charter, but they seem to me interpretations consistent with the weight of UN opinion and practice. They support generally the right of the United States to aid the government of

a state it recognizes so long as it does so in a manner consistent with the provisions of the Charter.

I hope it will be understood that I am not arguing against involvement of the United Nations in Vietnam. If some basis can be found upon which the United Nations can mount an effective security action there, I should be happy to see assumption of collective responsibility for the restoration of peace and order. Pretty clearly this is not presently a case for a peacekeeping force, for a substantial war is being fought there with great determination. What would be required now is collective security by application of large-scale military sanctions. I cannot see that the political relationships within the United Nations would permit this. Perhaps the war will one day reach a point at which a United Nations presence and a peacekeeping force will suffice to maintain order. If so I should certainly favor such measures even if the United States found itself obliged to foot most of the bill.

The Memorandum of the Lawyers Committee argues in its second section that the actions of the Government of the United States are inconsistent with the 1954 Geneva Accords and the SEATO Treaty. The short answer to the first charge is that neither the Republic of Vietnam nor the United States can have violated the Geneva Accords, for neither was a signatory of them, nor did either ever approve the basic mode of settlement provided. This contemplated unification of North and South Vietnam on the basis of elections to be held two years later. As the North Vietnamese outnumber the South Vietnamese by about four millions and are tightly regimented under communist control, and as there are many communists also in South Vietnam, such elections would be merely a formal device for turning over the whole country to communist control. Clearly then we have not violated the treaty. The United States favored the alternative policy of a separation of South from North Vietnam on terms which might permit the non-communist majority in the South to move toward a democratic government. I say non-communist majority, for at the outset the Viet Cong clearly were a minority. Unfortunately for the United States it has had to work with a political leadership in South Vietnam which has exhibited such conservative and authoritarian tendencies that it has steadily alienated its potential supporters.

In 1954 our Government did indeed make a unilateral declaration of position in which it said it would refrain from the threat or use of force to disturb the Geneva agreements, and would view a renewal of the aggression in violation of these agreements with grave concern. We stated that we would continue to seek unity of "nations now divided against their will" through free elections supervised by the United Nations, but whether we would apply this to Vietnam would seemingly depend upon our country's "traditional position that peoples are entitled to determine their own future, and that it will not join in an arrangement which would hinder this. Nothing in its declaration just made is intended to or does indicate any departure from this traditional position." As our Government concluded that general elections for a unified Vietnam were inconsistent with self-determination for South Vietnam, it cannot be said to have violated a commitment in this respect. In any event the elections could not have been held since France, the signatory responsible for execution of the provisions, had been forced out of Vietnam, a basic change of conditions which may well be taken to invalidate the provision. Our Government's feeling about its later use of force in a manner which is clearly inconsistent with the intent of the Geneva Accords is a more

complex matter. However, it has made clear that it feels the Accords had already been extensively violated by North Vietnam in the breaches of the Laos frontier and the supplying of the Viet Cong via the Ho Chi Minh trail. There had also been a basic change of position in the creation and recognition of a separate state in South Vietnam, which could be taken to render the whole arrangement of the Accords obsolete.

I cannot say that these views are unreasonable, although I do not assert that they are free from doubt. I am myself troubled by what constitutes self-determination in such a situation. Clearly the Buddhists did not feel that Diem's government represented them, and the peasants have not congratulated themselves upon any of the successive governments. It does not follow that either would be happier under the communists. We are evidently confronted with the kind of political vacuum in which self-determination requires time, education, and freedom of information for the formation of opinion. At least the policy of the United States may contribute to this if it keeps a reasonably open society while restoring peace and economic stability. We have not accomplished this yet, but I take it to be our goal.

The argument with respect to the SEATO Treaty seems pointless. That treaty has not been formally invoked in view of the known opposition of the French Government. Of course we can agree that if it were invoked, procedure would be subject to the requirement in Article 53 of the UN Charter that no enforcement action can be taken by regional agencies without the prior authorization of the Security Council. I have already shown that there is no need for the United States to rest upon any such authority. It proceeds not under SEATO and Article 53 but under the right of defense under general international law as qualified by Article 51.

The final assertion of the Memorandum is that the United States is violating Article I, section 8 of the Constitution of the United States by engaging in a war in Vietnam which has never been declared by the Congress. The point is an old one, and one is entitled to sympathize with the view that the Constitution should be interpreted to prohibit war unless previously declared by the Congress. But such is clearly not the constitutional practice of this country. The Constitution has been regularly taken in this case to mean only what it strictly provides, i.e., that when wars are declared, the declaration must be made by the Congress. But wars can be and often are fought without declaration. I cannot with any confidence say what the founding fathers meant by the words they used in this section, but the frequent practice of military engagement under the sole authority of the President as Commander-in-Chief of the Armed Forces amply supports the construction I have given. Interpretation must rest not upon what one may wish the constitutional practice to be, but upon what it actually has been.

Perhaps these comments are sufficient to indicate that our Government has not been demonstrably casual in its attitude toward the Charter, other treaty commitments, or the Constitution. In saying this I am trying to be just within a limited area. I am not attempting to support the wisdom of all aspects of our policy in Vietnam. In so far as it seeks to prevent communist aggression from seizing control of South Vietnam, the objectives of our policy seem to me proper. But military success will be only one step toward self-determination. If we can restore peace in South Vietnam we shall then have tasks of economic reconstruction and political assistance in achieving democratic institutions which may be even more frustrating.