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DOZENS OF GIFTS

Shortly after I was first elected, my wife and I received dozens of gifts, some quite valuable. These came from people whom we scarcely knew and from people we had not known at all. We packed them up and shipped them back.

I remember in a major debate on the steel basing point price system, I was taking a position essentially against the steel industry when it crossed my mind that I owned a few steel shares and that if the fight were successful my own shares would decline in value. This did not deter me, but the mere fact that I thought about it warned me, and I sold the shares and since have put what small holdings I have into mutual funds where no legislation could affect the value.

On numerous occasions people have offered campaign contributions while making a request for a job, privilege or favor. My policy is to return these and to make certain that campaign contributions are insulated from me so that I will not be influenced either consciously or subconsciously. But these are precisely the reasons why we need to have disclosure legislation.

The expenses of holding office are not commonly understood. Last year I spent over \$10,000 buying lunches for constituents, holding receptions for Illinois visitors, going back and forth to Illinois, for weekly television and radio reports to the citizens of my state, for political contributions and for telephone and telegraph expenses beyond the allowances given a senator. This year I will probably spend more. Tremendous demands are made on the public official, and if he doesn't pick up the check, people will properly complain that he is a "freeloader." And frankly, I regard contributions to my political party and to candidates in whom I believe as much a civic duty as contributions to church and charity.

I believe that the full disclosure of a senator's income and assets is the best possible insurance to the people that he is not engaging in conflicts of interest. I believe that the people who elect us at least have a right to know about our income and holdings as well as expenses. For this reason, first as an alderman in Chicago and more recently as a senator, I have made a public disclosure of income, assets and expenses of myself and my wife. Also for this reason I have a rule for myself and my staff of returning any gift the value of which exceeds the arbitrary figure of \$2.50.

What is the solution to these problems of requiring personal financial disclosure? The best solution would be for all citizens to take their civic duty seriously and contribute a few dollars to their party and its candidates. This would adequately finance campaigns and leave no candidate indebted to anyone. But this obviously does not happen and will not happen.

The system that has grown up recently of having dinners where a guest gets a \$5 dinner for \$50 or \$100 is a great improvement as a campaign fundraising device. No officeholder can feel that anyone can influence him for amounts as relatively small as this. Even the larger sums from the trade unions represent the dimes and dollars of ordinary working men and women. It is much healthier to have a large number of people giving \$50 and \$100 than a handful giving \$5,000, \$10,000 or \$15,000 apiece. People who give large amounts expect, and generally get, favors in return. And in the end, the public pays for these contributions because the cost is absorbed in the defense contract or deposit insurance of the sugar quota received in return.

FLAT FEE PER VOTER

In my judgment, the best solution is that put forward more than a half-century ago

by Theodore Roosevelt and more recently by the late Sen. Richard Neuberger of Oregon. They believed the best method of financing campaigns was for the federal treasury to pay to the major candidates for federal office a flat fee such as 10¢ per prospective voter. Campaign expenditures would be limited to these amounts. In this way, campaigns would be adequately financed, candidates freed of any obligation and the public protected.

Some may say that with the present level of taxes and of government expenditures this would be just another unnecessary expense. But the fact is that under our present system the public generally pays anyway. This proposal is a better method of doing it.

For all these reasons some proposals should be enacted into law by the Congress. These problems can no longer be swept under the rug.

SOME CURRENT COMMENTS ON VIETNAM

Mr. GRUENING. Mr. President, two current editorials which led their respective publications—namely, the Nation and the New Republic—express some dissenting views on our steadily deepening military involvement in southeast Asia and as such are useful in informing the public that there is another side.

I ask unanimous consent that these editorials entitled "The War President," from the July 16 issue of the New Republic, and "Snow Job" from the July 25 issue of the Nation, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. GRUENING. Likewise, a thoughtful article by Murrey Marder, entitled "Russia Seen Trapping Self in Hard Viet Line," suggests the alarming possibility that as a result of U.S. escalation in bombing the installations around Hanoi and Haiphong, Russia is being driven closer to the position of China. It has seemed hitherto, fortunately, that the split between these two great Communist powers was irremediable—a situation highly favorable to the United States. But it may be, as Marder reports, that our escalation will bring Russia and China closer together—a dire eventuality to be obliterated at all costs.

It becomes increasingly clear that that every escalation to date has not brought about the results which the President and his advisers appear to expect. A few of us have sought to point out the inevitably disastrous results of the folly of our military involvement and our undeclared war.

I ask unanimous consent that this article by Murrey Marder from the Washington Post of July 22 be also printed at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. GRUENING. Finally, Mr. President, a recent column by James Reston, the able associate editor and commentator of the New York Times, entitled "Washington: Power, Violence, and Purpose," is pertinent, and I also request its inclusion in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 3.)

EXHIBIT 1

[From the Nation, July 25, 1966]

SNOW JOB

As the founding fathers well knew, undistorted information about public affairs is as vital to democracy as universal suffrage. As we are now being taught, modern techniques of management of the news are destructive of the democratic process. A current example is the way in which the latest escalation of the Vietnamese war—the bombing of the oil installations in Hanoi and Haiphong—was turned into the most prophylactic combat operation in history, with domestic protest effectively muffled in advance.

The present campaign was not entrusted to underlings like Arthur Sylvester, the accomplished juggler of fact and fancy at the Pentagon. This time it came straight from Papa at the White House and, from a purely technical standpoint, one must admire his performance. Nothing was left to chance and every possible loophole for truth was closed off. Top officials received outlines of the points to be stressed—that the United States was winning, that Hanoi knew it was losing, that domestic opposition was negligible and that the latest bombings were proof of our peaceful purpose and our carefully graduated, humane way of fighting the war which had been forced on us.

Against the protests of C.B.S. and N.B.C., the Defense Department withheld films of the Hanoi and Haiphong bombings. Accounts in the French press reported the wailing of ambulances and other indications of casualties, but the Administration insisted that only one or two civilians had been hit. Precision bombing had achieved miraculous levels of accuracy, and the home folks could enjoy their vacations assured that our fliers burned only oil, not people.

Another prong of the news management operation consisted of a chorus of optimistic statements by the President, Secretary McNamara, and acting Secretary of State George Ball—statements which, without actually saying so, gave the impression that with these bombings, and perhaps a few further escalations, we were on the home stretch. In *The New York Times*, Max Frankel referred to these paeans as a "sustained celebration of progress" designed to persuade Americans that the war had reached a turning point. "By blunting the criticism at home," Frankel suggested, "officials are said to seek not only political advantage but also a further demonstration to Hanoi that it cannot count on domestic opposition to inhibit the American war effort."

It is scarcely likely that except for their own home propaganda purposes the leaders in Hanoi ever harbored any such idea. How often has a great military power been seriously handicapped in the prosecution of a war by minority opposition? Even the often cited French example in Vietnam has been greatly exaggerated; the French army was defeated by the Vietminh, not by Mendès-France. But in the way of political advantage, and muting such opposition as Mr. Johnson has encountered in his design for conquest in Southeast Asia, the campaign worked perfectly. The President's Harris rating shot up 12 points, from a pre-bombing low of 42 per cent to 54 per cent. The President, who reckons in percentages without asking questions when the arithmetic favors him, was elated. Harris himself was more discerning and pointed out that the 5-to-1 support for the bombings had to be interpreted. People are tired of the war. They want it ended. They hoped that the bombings might do it, although on the face of it how could an enemy like the Vietcong,

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without an air force, tanks, and heavy artillery, be greatly handicapped by a shortage of petroleum?

But this acquiescence, and the entire record of management of the news in this war, only shows that crude methods of manipulation work quite well with the mass of citizens. The intellectuals may be disturbed, together with politicians like FULBRIGHT, MORSE, GRAVENING, AIKEN, et al., but most of the people are still committed to the "my country right or wrong" mores and are glad to receive the President's assurance that we are reluctantly combating a godless enemy. They believe in democracy in a desultory way, as if it had been established in 1776 and nothing could ever happen to it. These millions of self-satisfied Americans had better learn to read the news, to become sophisticated about news management, and to be utterly skeptical about anything this Administration tells them. Otherwise they will find themselves with the forms of democracy but none of the substance.

[From the New Republic, July 16, 1966]

THE WAR PRESIDENT

In Omaha, the day after Hanoi and Halphong were first hit, the President called on God to forgive his critics, "for they know not what they do." All of us stand in need of enlightenment; human judgment is fallible. Just how fallible, Mr. Johnson illustrates. "We have made it clear," he said, "that we wish negotiations to begin on the basis of international agreements made in 1954 and in 1966"; and, "those who say that this is merely a Vietnamese 'civil war' are wrong. The warfare in South Vietnam was started by the government of North Vietnam in 1959." God forgive us, we don't think so.

As early as 1956, the then government of South Vietnam with the backing of the United States, violated the 1954 Geneva agreements, which provided, among other things, for "general elections which will bring the unification of Vietnam"; it also prohibited "the introduction into Vietnam of any troop reinforcements and additional military personnel." Within two years, Ngo Dinh Diem, with our military aid, had made himself a dictator, smashed all political opposition and spurned elections to bring about unification. The Viet Cong began as an armed rebellion against Diem (of whom the US itself finally tired and in 1963 allowed to be overthrown and murdered by a military junta). Intervention from outside Vietnam has been largely American—so far.

Nevertheless, the President now affirms that he will accept and abide by those Geneva agreements. Why, then, don't the Viet Cong and the North Vietnamese agree to negotiate on that basis? Our hunch is, because they don't believe him, and they may well be right. Actions do speak louder than words, and Mr. Johnson is acting out his determination to preserve South Vietnam as a client state, close to China, so that there may be another link in a solid chain that includes South Korea, Formosa and Thailand. The well-being of the Vietnamese is a secondary concern. They must serve our purpose—the military containment of Peking. That is the objective, and it is nonnegotiable. We therefore cannot, Secretary Rusk informed the SEATO conference in Australia the end of June (and later told Congressman FRANK HORROR (R. N.Y.) on TV), permit the Viet Cong to be formally admitted to a peace conference: that would give them a veto on a settlement; they might haggle over terms, whereas what Mr. Rusk and the President really want is unconditional surrender.

When the bombing of North Vietnam began in February last year, the Pentagon stated that the rate of infiltration from North to South was about 1,600 men a month; air strikes, so the logic then ran, would halt or slow down this infiltration. After 15

months of constant pounding from the air, the infiltration rate is said to have tripled to 4,500-5,500 men a month, and the jungle tracks, according to the President, have become "boulevards." Therefore, the original justification had to be discarded and another found. It was. In his July 6 press conference, Mr. Johnson acknowledged that: "We do not say that [the raids] will even reduce it [infiltration]," but they will make life "more difficult" for the enemy. And so they will.

We have been seeing, week after week, where such logic leads us. The estimate of Peter Arnett, who has been reporting from Vietnam for the Associated Press since 1962, is that by bombing the North and pouring American, Korean and Austrian troops into the South, "we can beat the major units of the enemy," but "in so doing, we make very little impact on the other two levels of the war." By "the other two levels of the war," Arnett means the battles of the "very tired" Vietnamese army against "local, homegrown" Viet Cong battalions; and the battles of local militia forces against Viet Cong guerrillas in the mountains, in the Mekong Delta rice fields, and along the highly populated coastal plains. It is at this third level that "the real blood of Vietnam is seeping away," and also "at this level the war could continue indefinitely." The Viet Cong can go on fighting as guerrillas for a long, long time.

American forces, who are "beginning to bear the brunt," according to Arnett, are waging war on the enemy units with vastly superior air power, modern artillery and such refinements as the "cluster bomb unit" that shoots out both napalm and hand grenades. But he warns that in order to destroy the main enemy units, the US will have to double its forces; "certainly at least twice as many as are here now will be needed." And, he adds, "it will also probably mean the destruction of much of Vietnam—both North and South. As the war grows, the destruction is getting very considerable over the countryside. Villages are being devastated as a matter of course." The end of this road is genocide, with no one left with whom one need negotiate.

Arnett is a top-flight reporter, but he is not a professional soldier. General Ben Sternberg is. Commander of the 101st Airborne, he recently returned from 26 months in Vietnam, where he served on General Westmoreland's staff. General Sternberg sees "no stabilization of the military regime, at least in the near future"; he thinks Premier Ky eventually "will have to go," but "civilian government is not possible in South Vietnam now." He believes that 500,000 more US troops are needed in Vietnam—a total of about 800,000—to seal off infiltration and supplies from the North.

But first, the gamble of victory through air power must be played out, with doubled and redoubled bets even though the systematic destruction from the air of North Vietnam, as Richard N. Goodwin, former Special Assistant to both Presidents Kennedy and Johnson has pointed out, is more likely to pressure the North into sending into battle its 300,000-man army, instead of the 12 North Vietnamese regiments thus far engaged. This in turn would bring a million or more GIs into the war and make it very tempting to consider landing US troops in the North.

Politicians in both parties meanwhile press the President to "get it over with," hit harder and more often—and hope that a fist in the face of the North will not provoke too brutal a counterpunch. At the moment, official Washington is rather complacent about the danger of Chinese intervention, believing that Peking has enough troubles without borrowing more. It is a hazardous assumption in view of the history of our entrapment in Vietnam, a history that is littered with miscalculation.

Who could have foreseen it? The Great Society exponent, the practitioner of common sense, compromise and consensus, has become The War President—sworn to prevent at any cost one set of Vietnamese (unfriendly, we have guaranteed that) from overcoming other Vietnamese (who could not hold power without us).

EXHIBIT 2

RISKS GREATER INVOLVEMENT—RUSSIA SEEN TRAPPING SELF IN HARD VIET LINE

(By Murrey Marder)

U.S. air strikes against Hanoi and Halphong oil depots are rebounding diplomatically against Washington.

No one in Washington is advertising the diplomatic consequences. They are too subtle to draw public attention so far. But to foreign policy experts, they are at the very least, disquieting.

There was no great surprise when the Soviet Union spurned new, personally delivered appeals, by the Prime Ministers of India and Britain, to try again for peace talks on the war in Vietnam. The intensified bombing was hardly likely to induce the Kremlin to conclude it was a specially opportune time to urge Hanoi to start bargaining.

What did cause Western diplomatic surprise, however, was the calculated harshness of the Soviet rebuff to the pleas of Prime Ministers Indira Gandhi and Harold Wilson.

Both went to Moscow after having publicly criticized the American decision to bomb oil supply dumps near Hanoi and Halphong. But instead of finding that this gave them bargaining power to persuade the Soviet Union to press Hanoi for joint peace talks, they found the Russians on just the opposite tack.

The Kremlin sought to convince India and Britain that such a course was unthinkable, and that they had better use their influence on the United States to halt all bombing of North Vietnam unconditionally, before there could be any hope of applying diplomacy to avert international catastrophe.

To a considerable extent, certainly in India's case, the Kremlin scored a heavy impact. Mrs. Gandhi considerably irritated the United States by shifting to that position, reversing her last, previous stand, which was that a conference could bring a halt in the bombing and other hostilities.

But what is potentially more troublesome to American interests has escaped general notice. It is that the Soviet Union's public position on the war in Vietnam has hardened considerably. The Soviet stand, while still relatively more moderate than that of the Chinese Communists who daily denounce Moscow for traitorous "collusion" with the United States, is now closer to the Chinese position, and more inflexible, than ever.

The Russians have publicly assailed British Prime Minister Wilson for engaging in "support of the American aggression." To the Warsaw Pact offers of readiness to send "volunteers" into the war if North Vietnam asks for them, the Russians have pledged intensified "effective assistance" for North Vietnam's defense. The Soviets are now even airing "suspicion" that a "punitive invasion of North Vietnam" may be "imminent."

"They have told Mrs. Gandhi that their basic stand will be guided solely by Hanoi's desires. The Russians have agreed with Hanoi that the United States indeed is committing 'crimes' in North Vietnam and that Hanoi is perfectly justified in treating captured American pilots as 'war criminals.'"

As one American diplomat put it, "the Russians have painted themselves into a corner." But the total diplomatic impression is that each participant, or critically interested party, in the Vietnamese struggle, has put itself increasingly into a diplomatic dead end.

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A major, but never officially stated, premise in Washington has been that one way the war could end would be by reaching such a high level of great international danger that some power, meaning the Soviet Union, would step in for preservation of its own vital interests, to shove the conflict toward the bargaining table.

The question is whether the Soviet Union is now in the process of impaling its own prestige, to make it impossible to maneuver even if it wants to do so. The Soviet Union appears to have put itself in a position where North Vietnam readily can levy demands on Moscow for a stream of missiles and planes, and perhaps pilots too, that will "hook" the Soviet Union irretrievably to the fortunes of North Vietnam.

Communist nations have great inherent capacity to operate in zig-zags. But they are not immune from paying the consequences of miscalculations. They too can be entrapped by their own pledged commitments.

EXHIBIT 3

[From the New York Times International, July 18, 1966]

WASHINGTON: POWER, VIOLENCE AND PURPOSE
(By James Reston)

WASHINGTON.—Power and violence are now dominating the headlines. More and more bombing in Vietnam, Riots and the National Guard in the streets of Chicago. Most of the airlines and most of the newspapers in New York paralyzed by strikes. And beyond this, the majority of the American people looking on in wonder, troubled but helpless.

Is it as bad as it seems? What happened to all the talk of a few months ago about peace abroad and a Great Society at home? Are the problems of the cities and the races, the contending nations and philosophies, beyond rational control?

THE LARGE PERSPECTIVE

Some times it seems they are, but the larger picture is probably not so dark as the headlines suggest. Power is being used in the world but it is also being restrained and its limitations are being exposed. The bomber is not prevailing in Vietnam. "Black Power" is not prevailing in America. They are dramatizing the problems but demonstrating that they cannot solve the problems. The rule of physics tends eventually to prevail in politics: force produces counterforce, and in the end is likely to create balance.

We are going through a difficult experiment with power at the moment both in Vietnam and at home. Power is being used both places, paradoxically, to prove that power will not prevail. It is invoking fear, again paradoxically, to encourage reason, and power will probably continue to be used both at home and in Vietnam until reasonable remedies to those problems begin to be discussed.

Both sides, fortunately, are afraid. In fact, the only thing we have to cheer is fear itself. And this is true in the wars at home as well as in the war abroad. Everybody is using power but is afraid of it. Everybody is threatening to use more of it, but is holding back. So there is still a chance that a balance of power will eventually be established and lead to common sense.

Unfortunately, there is very little evidence in Washington that the Johnson Administration has an adequate sense of priorities in dealing with all this violence at home and abroad. It has a policy for dealing with each problem—whether it is hands-off on the newspaper strike or limited intervention in the airplane strike, or more legislation in the racial war, or more bombing in the Vietnam war—but no sense of relationship between all these difficult questions.

COST ACCOUNTING

This is odd, too. For the President has been converted by Secretary of Defense Robert L. McNamara to the managerial tech-

niques of "cost accounting." He loves to talk these days about how Mr. McNamara showed the Pentagon how big business methods in Detroit applied to big Government problems in Washington.

Under the McNamara plan, everything should be put to the test of "cost and benefit." Each purchase of planes or missiles, each decision about new weapons systems must demonstrate that the benefits equal the costs. Yet there is very little evidence that the McNamara system has been applied to the Johnson Administration's program as a whole.

The cost of the Vietnam policy, for example, is well over a billion dollars a month and over 100 lives a week—to say nothing of the wounded, and the diseased, and the corrupted. The cost to the South Vietnamese is hard to calculate or even to imagine.

TALLYING THE COST

What is the cost of a "victory" that would humiliate China? What the cost of a prolonged war that would block progress with the Soviet Union in the control of nuclear weapons? No doubt we can eventually prevail on the battlefield, if the Chinese stay out, but what benefits will match the hostility of the 700 million Chinese people in the future? And what would a cost-benefit test tell us about spending enough money in Vietnam and on the moon to wipe out most of the slums and illiteracy in the American cities.

The Johnson Administration does not give the impression of having a sense of relationship on all these things. It wants everything: peace in Vietnam on our terms; the abolition of inequality and poverty; a Great Society—but it could, the way things are going, end up first in peace, first on the moon, and last in the big American city slums.

It is the lack of skill and scope, of proclaiming great goals and raising vast hopes which is adding to the doubts of the American people today. The demoralization of disappointed hopes is now fairly evident in the violence of the slums.

NO CLEAR CONVICTION

"A demoralized people," Walter Lippmann wrote during the Depression, "is one in which the individual has become isolated and is the prey of his own suspicion. He trusts nobody and nothing, not even himself. He believes nothing, except the worst of everybody and everything. I see only confusion in himself and conspiracies in other men. That is panic. That is disintegration. That is what counts when in some sudden emergency of their lives men find themselves unsupported by clear convictions that transcend their immediate and personal desires."

There is no such clear conviction in the country today. The use of power and violence dramatizes the point. But the violence may, hopefully, have positive results. It may, both in Vietnam and in the American cities, demonstrate its own impotence and thus finally bring the nation back to a redefinition of purpose and priority, which it now lacks.

FARMERS NOT RESPONSIBLE FOR MILK PRICE RISE

Mr. McGOVERN. Mr. President, in recent weeks I have received numerous letters from constituents complaining about the rise in retail milk prices and blaming the increases entirely on a higher return for the farmer. I am sure other Members of the Congress have had the same experience.

At the same time, I have noticed a number of press reports in which dairies and retailers have announced increases of from 2 to 2½ cents a quart in milk

prices, attributing the rise entirely to the increase in farm price supports for fluid milk.

The rise in price supports was absolutely necessary to improve farm returns for milk and to encourage dairymen, who had been culling and selling off their herds at an alarming rate, to stay in business. Without it, we were confronted with declining production and severe shortages of milk and dairy products which would have skyrocketed prices much more than the 50 cent per hundredweight increase in the manufacturing milk support and the 22- to 24-cent-per-hundredweight rise in the fluid milk support.

That increase was nominal indeed in comparison to the prospect of sharp rises growing out of the potential shortage. According to my calculations, the farm price increase should have brought no more than a one-half cent increase per quart on the retail end.

Mr. President, I am indignant over the way retail price rises of much more than that have been blamed on the farmer. We are witnessing evidence of the reason why consumers sometimes view reasonable increases in farm returns with a critical eye, and why they tend to blame farmers every time retail prices go up. They are being told today that farmers are responsible for a milk price rise that has been, in some cases, as much as five times the amount justified by any increase which got into the farmers' pockets.

It is extremely important that consumers receive accurate information about the great bargain they are getting from farmers. We recognize in rural America that we must have the support of consumers to eventually attain the goal of parity returns for agriculture. We believe that over the long run there is no conflict between the farmers interest in parity returns and the consumer's need for abundant supplies of reasonably priced food. The dairy situation today is ample evidence of that fact.

The new president of the National Farmers Union, Mr. Tony Dechant, has today issued a message that I believe should be read by consumers. It asks them not to blame farmers for increases in the retail milk price that have not gone to farmers. I ask unanimous consent that Mr. Dechant's statement be printed at this point in the RECORD.

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

[Press Release from National Farmers Union, July 22, 1966]

DECHANT SAYS FARMERS ARE WRONGLY BLAMED FOR MIDDLEMAN'S INCREASED TAKE ON MILK

National Farmers Union president Tony T. Dechant has urged consumers "not to blame farmers for rises in retail milk prices caused by an increased take for the middleman."

Dechant said today in Denver, Colo., that on a nationwide basis, retail milk prices have gone up by at least three times the amount justified by the Department of Agriculture's order earlier this month raising dairy price supports. And he said that dairies and retailers, "almost without exception, have attributed the entire increase to higher farm returns.

"These attempts to mislead the consumer need to be countered by the facts," Dechant said.

The Farmers Union leader said that early in July the minimum price for Class I fluid milk was raised by 31 cents per hundred-weight, but that the actual increase in costs to the processor has been estimated at between 22 and 24 cents because market prices had been running above the support.

"With about 23 half-gallons in a hundred-weight, that would justify a rise of no more than one cent in the retail price of a half-gallon of milk. Yet the reports I have received indicate that the smallest rise in half-gallons has been three cents, and that it has been substantially more than that in some areas.

"We looked upon the increase in dairy price supports as a step to protect the consumer as much as to help farmers, because without it the continuing sell-offs of dairy herds would have resulted in severe shortages of dairy products and an inflationary spiral in prices," Dechant said. "But the processors, by using it as an excuse to increase their share, have blunted the benefit to consumers and are giving the farmers a black eye in the bargain.

"I don't believe consumers would have objected to a modest rise in order to prevent dangerous inflation in the future. But they have every right to object when retail prices are increased by three times the amount justified and more.

"And farmers have reason to object, too, for once again being made the fall guy for increased returns for someone else," Dechant declared.

Mr. McGOVERN. Mr. President, as anyone who has attempted to gain an understanding of milk prices in the United States well knows, the various factors affecting prices in Federal marketing order areas, and the wide variations in these areas both in farm and retail prices, make it difficult to get an accurate picture. For this reason, I intend to introduce in the Senate Agriculture Committee a resolution which would enlist the aid of the Department of Agriculture in a survey of the recent increases in retail milk prices, their relationship to the increase in farm returns, and the extent to which the public has received faulty information with respect to the farmer's responsibility for it.

For the benefit of members of the committee who will be asked to consider it, I ask unanimous consent that the resolution be printed at this point in the RECORD.

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

Whereas members of the Senate Agriculture Committee are receiving protests against milk price support increases indicating public misunderstanding of the extent of April 1 and July 1 rises in supports to farmers, and,

Whereas scattered newspaper accounts indicate retail price increases of as much as 5 times the price support increase to farmers have been attributed entirely to the increase in farm return: Now, therefore, be it

Resolved, That the Secretary of Agriculture is requested to make a survey through the field office of his Department of the amount of retail milk price increases since April 1 in towns and cities of the Nation, their relationship to increases in farm price support in each instance, and the extent to which the public was clearly advised, or misinformed, as to the reason for such increase.

FOOD FROM NATURAL GAS: LORD ROTHSCHILD'S DISCOVERY AND EVALUATION

Mr. HARTKE. Mr. President, the most important race for the future of the world is that between population growth and food production. Recently, new hope has been offered to the people of the world by a discovery of historical importance made by the Royal Dutch Shell group. The discovery is that natural gas can be transformed into raw protein—the No. 1 nutritional raw material.

The man most responsible for this great achievement is Lord Victor Rothschild, a member of the extraordinarily talented and creative British Rothschild family. In an interview with my distinguished friend, Eliot Janeway, published in the Chicago Tribune of July 21, Lord Rothschild explained and evaluated his discovery.

I ask unanimous consent that the article entitled "Distribution Is Key to Protein Problem," written by Eliot Janeway, and published in the Chicago Tribune for July 21, 1966, be printed at this point in the RECORD.

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

DISTRIBUTION IS KEY TO PROTEIN PROBLEM

(By Eliot Janeway)

NEW YORK, July 20.—"An army fights on its stomach," Napoleon said. The contemporary world is inclined to believe that if you can feed people, you may not have to fight them. Certainly, as the rest of the world sees it, the most conspicuous success of the American system is rooted in the prodigious output of its food producing resources; while the most ominous and alarming failure of the Soviet system has been advertised again and again, first, by Russia's crop failures, and, now, by China's.

Believing that if the free society can harness the discoveries of the laboratory to produce abundance for all, it can remain both free and a society, this column asked Lord Rothschild, research coordinator of the Royal Dutch Shell group in London, to describe his epoch-making findings in the field of protein nutrition. Lord Rothschild is the father of one of the senior partners of London's famed N. M. Rothschild & Sons.

Janeway: We hear a lot nowadays about the "nutritional gap," about "subsistence diets" and "protein shortages." Is there really a world shortage of protein?

PROTEIN SUPPLY PLENTIFUL

Rothschild: Indeed not. There is, in some countries, a shortage of "natural" high-protein foods—meat, fish, eggs, milk, grains, and so on. Consequently, some peoples, especially in the emergent countries, are subsisting on protein-deficient diets. But the real problem is one of distribution, not supply.

Janeway: Is it true that your company has recently found a way to get edible protein from natural gas?

Rothschild: Yes, it is. What we have actually found is a bacterium which uses the methane in natural gas as its sole source of energy for reproduction. These bacteria consist of about 50 per cent protein, and the protein can be extracted from them as a tasteless white powder. All living cells need

protein to maintain and reproduce themselves. No matter how you slice or flavor it most nutrition boils down to protein.

Janeway: So the nutritional gap is really a protein production problem?

ATTITUDES A PROBLEM

Rothschild: It's not quite that simple. You can package the protein in pills, or in any shape and with any taste you want: chocolate or strawberry jam or caviar. But it takes a certain degree of sophistication to be willing to take a pill just because you know it's good for you. Undereducated people—and for the most part they're the ones who need the protein—tend to resist eating anything unfamiliar. In Jamaica, for instance, babies eat protein in the form of powdered, dried grass with apparent pleasure, but grown-up Jamaicans won't touch it. So there is a packaging problem.

Janeway: What about soybeans as a source of protein?

Rothschild: The composition of soybean protein is not as good as that of animal protein. When you're trying to make up protein deficiencies, it's better to get the protein with the best composition.

Janeway: But won't people object to "eating bacteria"?

Rothschild: The protein extracted from the bacteria contains absolutely no bacteria at all. It is just a pure protein and one which, because it contains the amino-acid methionine is of exceptionally high nutritional value.

Janeway: Has your company made any evaluation of the economy feasibility of this project?

FEASIBILITY NOT TESTED

Rothschild: No. It is still too early to do this. The scientific problems are solved, and we are now entering the feeding trial stage—that is, we're moving from research into development. But decisions about production will probably not be made for another two years. There's certainly no shortage of methane, and it's cheap to ship pills. If we can make the price right, and if we can persuade human beings to eat protein in new forms, we may be on the way to solving a good part of the world's nutritional problems.

Janeway: This sounds more like the kind of research that used to be done only in university laboratories. But now the universities are increasingly commercial, and industrial corporations like Shell are doing more creative work.

Rothschild: It seems so. This is really an interdisciplinary venture, involving the fields of nutrition, biochemistry, bacteriology, geophysics—and dependent on economics and finance.

COTTON RESEARCH

Mr. THURMOND. Mr. President, on June 30 WBT and WBT in Charlotte, N.C., broadcast an excellent editorial regarding passage of the cotton research bill. This editorial elucidates so well the reasons behind the need for this legislation. I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

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

[WBT Editorial, June 30, 1966]

THE COTTON RESEARCH ACT

The Cotton Research and Promotion Act just passed by Congress provides a perfect example of what should be the proper func-

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the Senator from Florida [Mr. SMATHERS], the Senator from Kentucky [Mr. COOPER], and the Senator from Hawaii [Mr. FONG] be added as cosponsors of the above-mentioned bill.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from North Carolina, and the names will be added as cosponsors.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 3639. A bill for the relief of certain corporations;

S. 3640. A bill for the relief of certain individuals; to the Committee on the Judiciary; and

S. 3641. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education; to the Committee on Finance.

(See the remarks of Mr. TALMADGE when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 3642. A bill for the relief of Zarko Vuclnich, and wife, Alexandra Vuclnich; to the Committee on the Judiciary.

By Mr. RUSSELL of South Carolina (for himself and Mr. THURMOND):

S. 3643. A bill for the relief of certain claimants; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 3644. A bill to authorize the burial of the remains of Matthew A. Henson in the Arlington National Cemetery, Va.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN (for himself and Mr. THURMOND):

S.J. Res. 179. Joint resolution proposing an amendment to the Constitution relating to the power of courts of the United States to review convictions in criminal actions; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MORSE:

S.J. Res. 180. Joint resolution to provide for the settlement of the labor dispute currently existing between certain air carriers and certain of their employees; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

U.S. MILITARY PERSONNEL HELD CAPTIVE IN VIETNAM

Mr. JAVITS submitted a concurrent resolution (S. Con. Res. 103) relating to U.S. military personnel held captive in Vietnam, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Amendments of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. MORSE, and by unanimous consent, the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

CORRECTIONS OF THE RECORD

Mr. MCGOVERN. Mr. President, I would like to request that a correction be made in the printing of my remarks in the CONGRESSIONAL RECORD of yesterday, July 21, as follows:

Page 15784, center column, line 15, the phrase "I do not approve" should be changed to read "I approve."

The ACTING PRESIDENT pro tempore. The correction will be made.

Mr. MORSE. Mr. President, I ask that a correction of the permanent Record for July 21, 1966, be made on page 15832.

The fourth full paragraph in the second column of that page reads:

It is very interesting to hear it said this afternoon by one of the proponents of increasing foreign aid that perhaps 10 to 20 percent of it is being increased, as though that were a drop in the bucket.

The word "increased" should be "wasted." The senior Senator from Oregon said that it was being wasted and not increased.

The ACTING PRESIDENT pro tempore. The correction will be made.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. RANDOLPH:

Address by Hon. Stewart L. Udall at July 18, 1966, meeting of the National Petroleum Council; citation presented on that occasion to outgoing council president, Jake L. Hamon.

By Mr. THURMOND:

Editorial entitled "Government by Law," published in the Aiken, S.C., Standard and Review on July 13, 1966.

Editorial entitled "Northern Segregation," published in the Anderson, S.C., Free Press on July 7, 1966.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

TAX BENEFITS FOR TEACHERS—BILL TO AMEND INTERNAL REVENUE CODE

Mr. TALMADGE. Mr. President, President Johnson has characterized the

education of our youth as the "No. 1 business of the American people." Both quality and quantity of education are being pursued as a primary national goal of the United States. The 88th Congress was called the "education Congress" and the 1st session of the 89th Congress exceeded the 88th in the amount of legislation enacted in the field of education.

Not the least of these enactments are the billion-dollar Elementary and Secondary Education and Higher Education Acts of 1965.

It can no longer be said that the role of the Federal Government in education is passive.

However, in the midst of all this intensified activity in the area of education, there seems to be one Federal agency which has not gotten the message. Judging from one of its recent actions, it seems determined to do what it can to retard the progress of education in this country. That agency is the Internal Revenue Service, which, by means of some income tax regulations it has proposed, appears bent on frustrating the desire for achieving educational excellence in this country.

The proposed income tax regulations published in the Federal Register on July 7 make it more difficult for teachers to deduct from their Federal income tax expenditures incurred in continuing their education.

I wrote Commissioner Sheldon Cohen protesting these proposed new regulations, and urged that the Internal Revenue Service give every consideration to a reappraisal of them. I ask unanimous consent that my letter, along with the regulations as published in the Federal Register, be printed in the Record at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. TALMADGE. Mr. President, this is not the first time the Internal Revenue Service has tried to deny the expenses of schooling as a legitimate tax deduction to teachers interested in becoming better teachers.

The Revenue Service a number of years ago ruled that a Virginia schoolteacher could not deduct her expenses in attending a summer school even though she was required to take the summer school courses or risk revocation of her teaching certificate. But the Fourth Circuit Court of Appeals ruled against the Revenue Service in that case—*Hill v. Commissioner*, 4 Cir., 181 F. 2d 906—and held the expenses deductible. The Revenue Service did not give up its battle against schoolteachers, though, and it was only after the success of the Russian sputnik and the hue and cry raised about the needs of American education in 1958, that the relevant regulations were amended. Instrumental in this revision may have been a letter from the Secretary of Health, Education, and Welfare to the Secretary of the Treasury that—

The importance to the national security of encouraging teachers to employ their summers and their leaves of absence in acquiring greater mastery of their professional responsibilities leads . . . to the conclusion that the criteria which now govern the de-



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WASHINGTON, FRIDAY, JULY 22, 1966

No. 118

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 25, 1966, at 12 o'clock noon.

Senate

FRIDAY, JULY 22, 1966

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 21, 1966, was dispensed with.

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore announced that on today, July 22, 1966, the Vice President signed the enrolled bill (S. 2948) to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Public Works, without amendment:

H.R. 15225. An act to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority (Rept. No. 1399).

By Mr. RANDOLPH, from the Committee on Public Works, with an amendment:

H.R. 14548. An act to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes (Rept. No. 1400).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 8188. An act relating to deduction for income tax purposes of contributions to certain organizations for judicial reform (Rept. No. 1401).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 12389. An act to increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial (Rept. No. 1402).

By Mr. GRUENING, from the Committee

on Interior and Insular Affairs, without amendment:

S. 3070. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads (Rept. No. 1408).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 13277. An act to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands (Rept. No. 1407).

By Mr. HART (for Mr. DODD), from the Committee on the Judiciary, without amendment:

S. 3238. A bill for the relief of Miss Matsue Sato (Rept. No. 1405).

By Mr. HART, from the Committee on the Judiciary, with amendments:

S. 1237. A bill to encourage the creation of original ornamental designs of useful articles by protecting authors of such designs for a limited time against unauthorized copying (Rept. No. 1404).

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 3254. A bill to amend sections 2072 and 2112 of title 28, United States Code, with respect to the scope of the Federal Rules of Civil Procedure and to repeal inconsistent legislation (Rept. No. 1406).

JUDICIAL REVIEW OF CONSTITUTIONALITY OF GRANTS OR LOANS UNDER CERTAIN ACTS—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS OF BILL (S. REPT. NO. 1403)

Mr. ERVIN. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to submit a report on S. 2097, to provide for judicial review of the constitutionality of grants or loans under certain acts, together with the individual views of the Senator from Michigan [Mr. HART] and the Senator from New York [Mr. JAVITS].

Mr. President, unanimous consent is also hereby requested that the names of

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Clair M. Cook, Th. D., Methodist clergyman, and legislative assistant to Senator VANCE HARTKE, Washington, D.C., offered the following prayer:

O Thou God of our fathers and of the ages, as day follows day, and night follows night, in the years which stretch to eternity, we in our instabilities of time need to reach up to Thee for the immutable and unchanging verities of timelessness.

Therefore, we come before Thee in this hour that we may seek a higher vantage point of truth and righteousness. From the heights where we find Thee, may we seek to enlarge our too little outlook and to remedy our too large failures of perception.

Our Father, as we turn to the business of this day, make us aware that Thou hast entrusted us with decisions fateful in the lives of other men. Impress upon our consciences the vast responsibilities of the task, so grave that we must doubt our own wisdom and seek Thine own. Give to us the ability to look at our land with clarity, to view our international policies with the eyes of those whose lives they alter, to assess dispassionately and fairly the rights and wrongs of every issue.

As we deal with the lives and welfare of our own and of the rest of the world, keep us aware that we deal not simply with comforts or discomforts, but often with survival or with death. Add to our good will, good judgment; to our political expediency, courage to defy it when right demands; to our words for peace, the will to achieve it.

Thus, for this day and for every day, we ask Thy righteous guidance, Thy compassionate love, and Thy eternal wisdom as companions for the tasks here undertaken. Amen.

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Federal system. It is demeaning to our state supreme courts and must lead to the impairment of public confidence in our judicial institutions.

Accordingly, I feel that one of the most important steps Congress could take to improve the administration of criminal justice and to ensure orderly judicial procedures in our Federal system would be to provide that a final judgment of a state supreme court should be subject to review only by the Supreme Court of the United States and this is what my amendment proposes to do, Mr. Chairman. By preventing lower federal courts from sitting in judgment on a matter thoroughly litigated in the state courts, there will be a restoration of balances in this area and an end to the absurdity of endless litigation.

When one reads some recent decisions of the nation's highest Court, and realizes that under them perpetrators of the foulest crimes are turned loose in society to repeat their crimes, he is tempted to exclaim: Enough has been done for those who murder, and rape and rob. It is time to do something for those who do not wish to be murdered or raped or robbed. It is for this purpose that I propose my Constitutional Amendment.

U.S. POW'S IN NORTH VIETNAM

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the resolutions which have been introduced in the other body and which have been introduced in the Senate by the Senator from Oregon [Mr. MORSE] with respect to the U.S. prisoners of war in North Vietnam.

Mr. President, I send to the desk for appropriate reference a similar concurrent resolution.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

Mr. JAVITS. Mr. President, I believe that very strict attention should be paid to this concurrent resolution, which was developed in the other body by my colleague from New York, Representative REID and by Representative MORSE of Massachusetts, because it emphasizes the fact that we are not threatening anything, but only pointing out to the North Vietnamese the dreadful danger to the peace of the world, and the dreadful danger to their own people, which would be incurred by creating the kind of climate which would result from treating American prisoners of war as war criminals.

The American people would never understand this. The people of the world would never understand it. It would, in my judgment, cause a wave of revulsion to move through the world which would be extremely damaging to the short- and long-term prospects for peace, the responsibility for obstructing negotiations, imperiling the peace of the world, and killing innocent people lies with the regime in Hanoi. There is no wisdom in further imperiling the situation with these new threats by Hanoi.

Thus, Mr. President, I hope that serious attention will be paid to the concurrent resolution, which is an expression of conscience by a number of us, and that it will be an additional fact in causing the Government of North Vietnam to stay its hand from a barbarism which

could be so devastatingly dangerous and damaging to their own people, let alone the peace of mankind.

Mr. President, my concurrent resolution serves to make several points which already should be perfectly clear to the leaders in Hanoi:

First. That United States opinion strongly believes that military personnel held captive in North Vietnam are entitled to be treated as prisoners of war as provided by the Geneva Convention of 1949 and other standards of international law and behavior.

Second. That failure by the Government of North Vietnam to accord them such treatment as prescribed by these accepted standards would a. be contrary to the best interests of the people of North Vietnam; b. would seriously diminish opportunities for peace.

Third. That the President is requested to make these points clear to the Government of North Vietnam and other concerned parties.

If the leaders in Hanoi, unmindful of the consequences, take this fateful step, there is no telling the effect on prospects for peace in Vietnam. It is my hope that we shall not have to face such a tragedy.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 103) was referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress:

(a) that all United States military personnel held captive in Vietnam are prisoners of war entitled to all the benefits of the Geneva Conventions of 1949;

(b) that the trial, punishment, or execution of any such personnel by the Communist regime in North Vietnam would be contrary to the Geneva Conventions of 1949, accepted standards of international law and standards of international behavior;

(c) that any such action undertaken by the Communist regime in North Vietnam in regard to United States military personnel would be a barbaric act and a reprehensible offense against the peace of mankind, the peoples of the world and the interests of the people of North Vietnam; and

(d) that the trial, punishment, or execution of such United States personnel by the Communist regime in North Vietnam would seriously diminish the opportunity for the achievement of a just and secure peace in Vietnam and southeast Asia, which is the objective of the people of the United States.

Sec. 2. The President of the United States is hereby requested to convey the sense of the Congress expressed in this resolution to the Communist regime in North Vietnam, to the participating states of the Geneva Conferences of 1954 and 1962, to the states adhering to the 1949 Geneva Conventions, and to the member states of the United Nations.

THE FOREIGN ASSISTANCE ACT OF 1966—AMENDMENTS

AMENDMENT NO. 697

Mr. McCARTHY submitted an amendment, intended to be proposed by him, to the bill (S. 3584) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which

was ordered to lie on the table and to be printed.

AMENDMENT NO. 698

Mr. MUNDT submitted an amendment, intended to be proposed by him, to Senate bill 3584, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at the next printing of S. 3496, to authorize the appropriation of funds from the Treasury to help defray the costs of presidential campaigns the name of the Senator from Montana [Mr. METCALF] be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Michigan [Mr. HART] be added as a cosponsor of the bill (S. 3434) to amend the Federal Aviation Act of 1958 in order to limit the liability of trip insurance sold within the confines of an airport.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina [Mr. THURMOND] be added as a cosponsor of the bill (S. 3632) to amend title 10, United States Code, to strengthen the Reserve components of the Armed Forces, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FOREIGN ECONOMIC ASSISTANCE, 1966—ADDITIONAL COSPONSORS

AMENDMENT NO. 675

Mr. COOPER. Mr. President, I ask unanimous consent that the Senator from New York [Mr. JAVITS], the Senator from Wyoming [Mr. MCGEE], the Senator from Oklahoma [Mr. HARRIS], and the Senator from Texas [Mr. TOWER], be permitted to join as cosponsors of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENT NO. 694

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have added to an amendment which I sent to the desk yesterday, being amendment No. 694 to Senate bill 3584, which I am sponsoring, the name of two additional cosponsors, the senior Senator from Rhode Island [Mr. PASTORE], and the junior Senator from Georgia [Mr. TALMADGE].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

On the request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

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dollars lost, of death, injury and suffering inflicted on thousands of victims, and of fear engendered in millions of law-abiding citizens, we must agree with President Johnson that "crime is a national problem."

The series of hearings of your Subcommittee, Mr. Chairman, on the implications of the recent decision of *Miranda v. Arizona* will, I feel, shed valuable light on the problems posed by this decision and the action Congress can take to deal with them.

Of course, there are many ways in which crime can be fought. Poverty and substandard social conditions are part of the crime picture, but more welfare and social programs, the greatest in our country's history, have not made a dent in the crime problem. Also, the problem of increasing crime is intimately related to the effectiveness of law enforcement. Improving police administration should certainly be considered by everyone sincerely interested in fighting crime, and I feel the "Law Enforcement Assistance Act of 1965" was a great step forward in this area. The upgrading of law enforcement activities is one of the most important steps that can be taken to reduce crime and I sincerely hope that Congress will continue to look for creative approaches in this area.

This investigation, however, deals with another part of the crime picture and I think this subcommittee should face the fact that increasingly in the last decade our law enforcement officers have been limited and often hamstrung in dealing with crime by high court rulings. These rulings have drastically limited police investigative powers, have forbidden the use of voluntary confessions by the accused in many instances heretofore permitted, and have altered reasonable procedures which once were the great bulwarks against crime. Recent high court rulings have stressed individual rights of the accused to the point where public safety has often been relegated to the back row of the courtroom. In the process, police have become confused in their efforts to protect the public from acknowledged criminals. Dissenting court opinions have pointed out that investigative procedural rules are becoming unrealistic.

Civilization represents at best a delicate balance between the rights of the individual and society's rights. As Mr. Justice Cardozo explained in *Snyder v. Massachusetts*, 291 U.S. 97, 122 (1934), "Justice, though due to the accused, is due to the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true."

We have not kept the balance true. Unfortunately, the Supreme Court in recent years has moved through logic shattering sentiment and stifling procedures to favor the individual to such an extent that the administration of criminal justice is defeated. Indeed, in the prosecution of crimes, we have seen the powers of the police at any level to conduct in-custody interrogation gasp in the case of *Escobedo* and, more recently, die in *Miranda*.

Basically, the Court majority held in the *Miranda* case that:

"The prosecution may not use statements, whether exculpatory or inculpatory, stemming from custodial interrogation of the defendant unless it demonstrates the use of procedural safeguards effective to secure the privilege against self-incrimination."

The Court majority henceforth requires that before any suspect may be questioned he must be warned that he has a right to remain silent, that anything he says may be used against him, and that he has a right to the presence of an attorney, either retained or appointed. The suspect who submits to interrogation after being so warned may terminate such interrogation himself at any time simply by indicating that he wants it stopped.

Thus did the majority for all practical purposes fulfill the prediction by Mr. Justice White of its ultimate goal "to bar from evidence all admissions obtained from an individual suspected of crime, whether involuntary made or not". *Escobedo v. Illinois*, 378 U.S. 478, 495 (1964).

The claimed basis for the decision was the Fifth Amendment's protection of the privilege against self-incrimination, a basis which has no support in the language of the Fifth Amendment or in the history of the privilege. The clear language of the Amendment is that "in any criminal case" no person shall be compelled "to be a witness against himself." One of the foremost legal scholars of this century, Edward Corwin, after careful study, concluded that the Amendment, when "considered in the light to be shed by grammar and the dictionary appears to signify simply that nobody shall be compelled to give oral testimony against himself in a criminal proceeding under way in which he is defendant." This construction, that the privilege applies to prohibit compelled judicial interrogations only, is firmly supported by the English authorities and the common law history of the privilege. Moreover, the dissent by Mr. Justice Harlan and Mr. Justice White convincingly demonstrated that no legal precedent existed for the application of the privilege to police interrogation, a demonstration the majority opinion never really refuted.

It requires little reflection to realize what the Court majority has done. It has not only practically eliminated confessions from trial court considerations; it has probably made impossible the ordinary practice of police interrogation itself, a result which surely entails harmful consequences for the country at large. Mr. Justice Harlan in dissent warned that although the extent of the harm wrought by the decision could not be accurately foretold; it was readily apparent that it would impair law enforcement to some extent. He said:

"We do know that some crimes cannot be solved without confessions, that ample expert testimony attests to their importance in crime control, and that the Court is taking a real risk with society's welfare in imposing its new regime on the country. The social costs of crime are too great to call the new rules anything but a hazardous experimentation."

I believe that this "hazardous experimentation" is one which we cannot afford to take in view of the grave problems that crime now poses to this country. Accordingly, I propose to introduce a Constitutional Amendment to deal with the *Miranda* decision. My amendment will allow the law, as it did previously, to protect suspects and defendants from having confessions and other admissions coerced from them without rendering next to impossible the solving of many crimes. By providing that any admission or confession shall be admissible in evidence if made voluntarily, my amendment will return the rule which the Supreme Court itself recognized as valid until recent days and which has prevailed in all states whose legal systems are based upon the experience of the common law. When all is said, there is no reason residing in the proposition that persons charged with crime should be protected by law against their voluntary admissions and confessions that they committed the crime with which they are charged.

Beginning with *Brown v. Mississippi*, 297 U.S. 278 (1936), the Court applied due process standards to questions of admissibility of confessions in court. Excluded were confessions gained by threats or imminent danger, physical deprivation, physical brutality, repeated or extended interrogation, lengthy detention and other coercive means. The goal to be achieved, as in my amendment, was "voluntariness," not in the sense of the

removal of all pressure but the removal of unfair, illegal, or reprehensible pressure.

My amendment will allow a determination of whether the confession was voluntary, and, as such, will afford protection to the civil liberties of suspects while allowing leeway to protection of the general public interest in having crime either prevented or solved.

After *Miranda*, we have the police handcuffed. In many cases, there are no clues at the scene of the crime. There may be no witnesses or the witness may be dead or disabled. The only thing the police may have to go on is a known criminal lurking in the area, or a crime being committed in a certain pattern. If they may not bring people in and question them, the rate of crime solving is likely to drop precipitately.

If we do not seriously consider the enactment of this type of amendment, the result will be that the civil liberties of criminal suspects will be over protected while the rights and liberties of society will be seriously infringed upon.

The danger in the constant innovating drive of the majority of the court was well set out by the late Mr. Justice Jackson. He said:

"This Court is forever adding new stories to the temple of constitutional law, and the temple has a way of collapsing when one story too many is added". *Douglas v. Jeannette*, 319 U.S. 157, 181 (1943).

I maintain that we must act before the temple collapses.

In view of the nature of your hearings, Mr. Chairman, I wish to take this opportunity to discuss with you another section of the Constitutional Amendment which I intend to introduce. Many of the recent cases in which the Supreme Court has acted to handicap law enforcement officers have occurred through the use of federal habeas corpus review of state supreme court decisions. Much discussion and many law review articles have recently been written on the use of federal habeas corpus review. These articles point out that this review postpones almost indefinitely the settlement of cases, and delays beyond all reason the enforcement of justice.

As the matter now stands, after having appealed to the state supreme court and then to the United States Supreme Court, the defendant may still file a petition for habeas corpus in a lower federal court at any time after his conviction. These hearings constitute a completely new trial for the accused and the state will still have to follow the case to the Circuit Court of Appeals, and finally back again to the Supreme Court. Even then the journey is not ended; similar petitions can be filed in other lower federal courts.

This means that the liberalized rules governing issuance of federal habeas corpus virtually grant the guilty party an uncanceled ticket of admission to compete with society in an endless contest designed to test the propriety of retribution for his sins. The upshot of this protracted litigation is a distortion of values. It is as if society is put on trial for daring to extract penitence of the person accused of misconduct.

This procedure is a decided departure from the principle of *res judicata* which simply stands for the proposition that at some point all litigation must be concluded. In explaining the dangers of lower federal courts continuously reviewing state supreme court decisions, Justice Robert H. Jackson said:

"Call it *res judicata* or what one will, courts ought not to be obliged to allow a convict to litigate again and again exactly the same question on the same evidence. . . . The writ has no enemy so deadly as those who sanction the abuse of it, whatever their intent."

This review by federal district courts of a decision of a state supreme court which has already been to the U.S. Supreme Court does violence to the basic principles of our

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articles and several books, including "Non-linear Control Systems" (McGraw-Hill).
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VIETNAMESE ELECTIONS

Mr. FULBRIGHT. Mr. President, a letter on the subject of the forthcoming Vietnamese elections in this week's *Economist* makes an interesting proposal which I think merits consideration.

The author of the letter, Mrs. Crane, who has written a pamphlet entitled "Vietnam—A Plea for Self-Determination" published by the United Nations Association, suggests that the elections to be held in South Vietnam in September "hold the key" to the present impasse. She suggests that the United Nations or the International Control Commission, which has so far been unwilling to play a role in these elections, might be willing to do so if a truce were called during the period of the election campaign. Mrs. Crane believes that there might be a chance of securing a truce if the United States and the South Vietnamese Government would be willing to admit the National Liberation Front as a political party eligible to submit candidates for election. Mrs. Crane points out that, under the rules promulgated by Marshal Ky governing the forthcoming elections, those suspected of Communist affiliations are prohibited from participating. Finally, Mrs. Crane suggests that a temporary truce would offer the Soviet Union and Britain, as cochairmen of the Geneva Conference, "a reasonable chance of agreeing to call a meeting to consider whether the most recent statements from Hanoi and Washington offer a basis for a settlement."

I am not proposing at this time that we should decide to urge the South Vietnamese Government to admit the NLF as a political party in the forthcoming elections. I am simply calling attention to Mrs. Crane's proposal and suggesting that it be considered by the administration.

I ask unanimous consent that the full text of Mrs. Crane's letter, which appears on page 244 of the July 16 issue of the *Economist*, be inserted in the RECORD.

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

VIETNAMESE ELECTIONS: COULD THIS BE A WAY OUT?

(A letter from Mrs. Crane, the author of the United Nations' Association pamphlet, "Vietnam—A Plea for Self-Determination," published this week)

Sir—The bombing of oil installations near Hanoi and Haiphong, according to President Johnson, is intended to speed up the end of the Vietnam conflict. Many people believe the opposite—that this will, in fact, make a political settlement of the war more difficult. But when Mr. Wilson visits President Johnson at the end of this month, there is one suggestion he could make that might break the deadlock.

The elections that are supposed to be held in South Vietnam in September hold the key. Properly handled they could offer a way out of the present impasse and a breathing space in which to try to convene a Geneva-type conference.

Both the South Vietnamese government and Mr. Arthur Goldberg, the American permanent representative at the United Nations, have indicated that they would like to

see the United Nations or the International Control Commission supervise these elections. Not unnaturally, however, U Thant has shown little enthusiasm to use the UN in a situation where there can be no guarantee that the elections will be fair and free. Under the rules promulgated by Marshal Ky, those suspected of communist affiliations are prohibited from participating in these elections and a raging war hardly offers proper opportunity for campaigning and effective promotion of candidates for the constituent assembly.

The United Nations or the Control Commission might, however, be persuaded to risk their reputations if a truce were called to the fighting during the period of the election campaign. There might be a chance of achieving this if the United States and the South Vietnamese government were to make an important concession. This would be to admit the National Liberation Front as a political party eligible to submit candidates for election. With such an offer the Hanoi government might be prepared to agree to a truce, and even if the date of the elections had to be postponed to enable proper arrangements to be made, the prospect of a South Vietnamese election under international control would make it worth while.

A temporary truce to the fighting would offer the Soviet Union and Britain, as cochairmen of the Geneva conference, a reasonable chance of agreeing to call a meeting to consider whether the most recent statements from Hanoi and Washington offer a basis for a settlement.

Would the Americans and South Vietnamese government accept the National Liberation Front as a political party? It is true that statements to date do not make it seem very hopeful. Prior to the bombing raids near Hanoi and Haiphong there had been some shift in American attitudes regarding the role of the NLF and the Vietcong in peace negotiations, and *The Times* on January 8th reported that, in the event of a cease-fire, the Administration would accept the National Liberation Front as a political party in South Vietnam. Though this has not been confirmed by official statements, it is difficult to see how any valid elections in Vietnam can exclude the communists altogether.

The 14 points issued by the White House on January 4th, listing conditions for a settlement, merely restated the President's earlier remarks that the Vietcong would have no difficulty in being represented at a peace conference and having their views presented if Hanoi decided it wanted to cease aggression. On February 8th, Mr. Averell Harriman went further and stated that Washington would be willing to have the NLF participate either as part of a North Vietnamese delegation or as an independent group. On February 22nd, Senator ROBERT KENNEDY suggested that the Vietcong should be allowed a share in the government of South Vietnam.

It is just possible, therefore, that if a condition of international inspection of the election were recognition of the NLF, the Administration could be persuaded by both internal and external pressures to accept this. In the circumstances it would be difficult for the Saigon government not to agree. Here is Mr. Wilson's chance.

On May 24th U Thant said bluntly that 20 years of outside intervention had so profoundly affected Vietnamese political life that it seemed illusory to represent the war as a mere contest between communism and liberal democracy. He thought that the so-called "fight for democracy" was no longer relevant to the realities of the situation. Given a proper chance to express their views the majority of the South Vietnamese people may feel the same. Common sense would suggest that they should really be given a chance to decide.

Mr. Wilson might also draw President Johnson's attention to statements and hints

from Hanoi that indicate some basis for discussions at a conference, and suggest that they might be tested out in practice. The most important hint from the Viet Minh appeared in a *New York Times* report from Algeria in January in which Vietcong supporters suggested that, as a quid pro quo for recognition of the National Liberation Front, there would certainly be concessions on their part. A truce while elections took place in South Vietnam could well be such a concession.

Both Washington and Hanoi refer to the Geneva agreements of 1954 as a basis of settlement. Though it is difficult to understand how the United States can contemplate this unless it is prepared to accept the possibility of an electoral victory for Ho Chi Minh, Mr. Goldberg firmly stated on June 7th that America would abide by the results, not only of the South Vietnamese elections, but also the reunification elections contemplated by the Geneva agreements.

If everyone means what they say in this tangle it would seem that by recognizing the National Liberation Front as a political party now the United States will save itself much trouble and anguish in the future.—
 Yours sincerely,

LONDON, W4.

PEGGY CRANE.

THE AIRLINES STRIKE

Mr. BENNETT. Mr. President, the strike by the International Association of Machinists against five major U.S. airlines that has grounded 60 percent of the Nation's commercial airplanes is about to begin its third week. In what is becoming an ever-increasing pattern, as a result of strikes, a most vital segment of the Nation's transportation system has been unjustifiably and arbitrarily disrupted. Once again the real victims are the American people. I submit, Mr. President, that airlines exist to serve the public, but this strike has repudiated that basic fact.

I have no doubt that now both sides are finally working very hard to settle the dispute. Neither management nor labor wants to be blamed for tying up our air travel system and causing the mass inconvenience and hardship resulting from this present deadlock in negotiations. Nonetheless, the strike continues and the public, I repeat the public, bears the major brunt of the impasse.

Labor, of course, insists that higher profits accrued by the airlines should be distributed to the employees in the form of a higher wage. Indeed, one picket in Chicago was quoted as saying:

We not only insist on our share of profits, we demand and plan to get them.

One of the strongest pillars of free enterprise is that labor be fairly rewarded for its vital contribution to our productive capacity as a nation. I believe that this is widely accepted by our people. May I point out that this concept has been honored by one party to this dispute. When the airline and labor negotiators failed to reach an agreement last spring, the President appointed a board headed by Senator MORSE, a friend of labor, which recommended a settlement which Senator MORSE described as, one of the "fairest" he had seen. This, the airline industry accepted, but the unions rejected it. In an effort to get over this hurdle, the airlines made a new offer which was substantially better than

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the Board's recommendation. Once again the union representatives turned it down. Consequently, the air strike continues, our traveling public is denied a service which is basic to our national life and the Nation as a whole faces the prospect of a wage settlement that once again will be highly inflationary. Certainly, the public interest, which I feel should be primary, has again been subordinated to the narrow and inflationary demands of a labor union.

Compulsory arbitration is against the wishes of both disputing parties. However, no union or organization should be allowed to disrupt the lives of millions of citizens and the proper functioning of business and industry. The speedy flow of mail has been checked, faltering air shipments have slowed down production lines, and innumerable travel plans have been changed or canceled. Air transportation has become a necessity in our modern age, and our economy is heavily based upon its reliability and its continuation.

Mr. President, tourism has grown into a multimillion-dollar industry in this country, largely due to the increased accessibility of both populated and remote areas through expanding airline service. When air transportation is not readily available, would-be travelers either stay home or take land transportation facilities to some holiday site closer at hand. Utah and other Western States have particularly benefited from the readiness of people to fly and the increasing ease with which airlines make it possible for them to reach the spectacular and diverse national parks in the West. And now, at the peak of the tourist season, millions of dollars are being lost by the tourist industry in my State and the West because of this deadlocked strike.

Because the Federal Government in the past 15 years has invested more than \$3 billion in airports, maintenance, operation, research and subsidies; because the Government controls aviation through its authority to determine routes, rate structures, mail subsidies, and licensing of pilots; and because the entire American public has so much at stake in a smooth and dependable air transportation service, I believe it is not only within the rights of Congress, but it is its duty to the American public, to enact legislation as soon as possible designed to solve this and other future paralyzing nationwide strikes against the public.

My colleagues, Senator JAVITS and Senator LAUSCHE, have each introduced legislation providing for Federal involvement in heavily disputed stalemated strike cases.

Thus far the administration has not only ignored both of these bills but has absolutely failed in the promise made in the President's state of the Union message last January that the administration would send up proposed legislation this year.

I quote from the President's message:

I also intend to ask the Congress to consider measures which without improperly invading State and local authority will enable us to deal effectively with strikes which

threaten irreparable damage to the national interest.

This week in his news conference the President called the strike "intolerable." My question is if he finds it "intolerable" then why doesn't he do something about it.

I find the President's inaction particularly strange since the administration was compelled vigorously to oppose price increases in steel, aluminum, copper and molybdenum.

Mr. President, I hope the Congress will take immediate action to forestall another occurrence of the strike situation as it is today. When labor and management cannot reach a decision, it is up to the Congress to make sure that the public, business, and industrial economy and comfort are not needlessly upended.

Also on the subject of air traffic I think a commendation should be given to the nonstruck airlines in the country which are doing excellent work in trying to fulfill the needs of a busy flying America. The lines are long, the waiting lists frustrating and travelers' tempers are short. However, most of the employees of the nonstruck lines are doing their best to serve the public and I commend them highly.

I ask unanimous consent to have enclosed in the RECORD correspondence from my State and the intermountain area pointing out the disastrous effect of the airline strike.

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

SALT LAKE CITY, UTAH,
July 21, 1966.

HON. WALLACE F. BENNETT,
Senate Office Building,
Washington, D.C.:

The strike that has crippled service of major airlines in this country is having a very serious adverse effect on the economy of this region to say nothing of its effect on necessary business travel. Urge you to use your good influence to help bring about a reconciliation of the parties and a resumption of much needed service.

UTAH POWER & LIGHT CO.,
E. M. NAUGHTON.

BOISE, IDAHO,
July 16, 1966.

HON. WALLACE F. BENNETT,
U.S. Senator, Utah,
Senate Office Building,
Washington, D.C.:

The airline strike has already caused tremendous loss of time, money and patience to individuals within Boise Cascade Corp. and to the general traveling public. Losses to the economy of the entire United States are substantial. This situation is particularly critical in the Pacific Northwest because of the lack of available air transportation caused by the strike. I respectfully urge that you use your good offices to bring about an end to the dispute at the earliest possible moment.

I. V. HANSBERGER,
President, Boise Cascade.

OGDEN, UTAH,
July 20, 1966.

Senator WALLACE F. BENNETT,
Senate Office Building,
Washington, D.C.:

Prompt action by the Federal Government needed to help settle crippling air line strike as of many business men closely affected.

I urge you to do all you can to end this strike as soon as possible.

Sincerely,

HERTZ RENT A CAR,
D. J. SPAROW,
Licensee.

PROVO, UTAH,
July 15, 1966.

Senator WALLACE F. BENNETT,
Senate Office Building,
Washington, D.C.:

Airline strike is critical. We have international passengers and tours now being inconvenienced by Johnson's lackadaisical attitude. We need to have some relief that can only come by settlement. Can you bring pressure on the administration? We need help desperately. Would appreciate your cooperation.

JOHN L. WEENIG CHRISTOPHERSON TRAVEL.

SAN LEANDRO, CALIF.,
July 15, 1966.

Senator BENNETT of Utah,
Senate Office Building,
Washington, D.C.:

Airline strike having detrimental impact on business. Please do all possible to effect a just settlement promptly. Best regards.

THOMAS HUNTER,
President, Industrial Board Corporation of Utah.

CLEARFIELD, UTAH.

SALT LAKE CITY, UTAH,
July 14, 1966

Senator WALLACE BENNETT,
Senate Office Building,
Washington, D.C.:

The airline mechanics strike is a direct assault on innocent bystanders. Our company can phrase its complaint directly in terms of airport limousine, air freight, rent cars, taxicabs, and tour buses stop since the Federal Government accepted responsibility.

In the beginning its responsibility is paramount, now this is no cat and mouse political game.

CHARLES A. BOYNTON, JR.,
President, Salt Lake Transportation Co.

INTEGRATED TRANSPORTATION SYSTEM NEEDED

Mr. BREWSTER. Mr. President, one of the most disturbing problems produced by the rapid urbanization of our country is the increasing traffic congestion in our metropolitan centers. While rural areas may still claim relatively effective highway networks, our large cities are plagued by either a lack of planned road systems or an overcrowding of existing facilities.

Belatedly, planners have realized that building more and more highways is not the whole answer to this dilemma. What is needed is an integrated transportation system—one that includes highways for the private automobile owner, buses, and trucks, as well as mass transportation to handle the swelling number of urban commuters.

Recognizing the usefulness of the integrated approach, I believe, is the first step toward remedying the present situation. But in order to fully utilize this idea, a single State agency should be charged with coordinating, planning, and supervision of all transportation modes in each State.

Mr. President, I ask unanimous consent to have a recent editorial of WJZ-TV, a leading proponent of the "single