

19126

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

contracts between the World Bank and the purchasers for settlement on October 5, 1966, January 4, 1967, July 5, 1967 and January 3, 1968.

"The First Boston Corporation and Morgan Stanley & Co. are reserving a portion of the proposed issue for sale to new United States and Canadian institutional investors in the Bank's Bonds. Qualified institutional purchasers who have not purchased World Bank Bonds since April, 1962, will be allotted Bonds from this special reserve.

"The International Bank for Reconstruction and Development is an international institution, the members of which are governments now numbering 103. The Bank officially began operations on June 25, 1946 and has its main office in Washington, D.C.

"Its principal purpose is to assist the economic development of its member countries by facilitating the investment of capital for productive purposes, thereby promoting the long-range growth of international trade and the improvement of standards of living. When private capital is not available on reasonable terms, the Bank supplements private investment by making loans out of its own resources of funds borrowed by it."

[International Bank for Reconstruction and Development, press release, June 28, 1966]

ONE HUNDRED AND SEVENTY-FIVE MILLION DOLLAR BOND ISSUE

The following announcement is being made in New York today by The First Boston Corporation and Morgan Stanley & Co.:

"The First Boston Corporation and Morgan Stanley & Co., as managers of a nationwide group of underwriters, announce the public offering of \$175,000,000 International Bank for Reconstruction and Development 5½% Twenty-Five Year Bonds of 1966, due July 1, 1991, at 99¼% to yield 5.39%. This is the first World Bank Bond issue in the United States since January 1965.

"The Bonds are not callable prior to July 1, 1976. They are redeemable at the option of the Bank at a redemption price of 102½% for those redeemed on and after July 1, 1976 to and including June 30, 1981, at 101¼% thereafter to and including June 30, 1986 and at 100% thereafter. They are also redeemable through operation of the sinking fund, commencing in 1977, at the principal amount together with accrued interest.

"The net proceeds to the Bank of the sale of the Bonds to the underwriters and under the contracts for delayed delivery will be used in the general operations of the Bank.

"The Bonds being offered are not subject to the interest equalization tax. Furthermore, the 1966 "Guidelines for Non-Bank Financial Institutions," issued by the Federal Reserve System in December 1965, place no restraint on purchases of the Bonds. Thus no guideline restrictions affect purchases by non-bank financial institutions, including trust companies or trust departments of commercial banks.

"In order to cooperate with the President's balance of payments program, the World Bank intends to invest in the United States the proceeds from the sale of these Bonds to U.S. investors, so as to eliminate any effect on the U.S. balance of payments until the end of 1967.

"In addition to the initial delivery of the Bonds, which is expected on July 13, 1966, Bonds will also be offered for sale on a delayed delivery basis, through the underwriters, to certain institutional purchasers. Delayed delivery sales will be made under contracts between the World Bank and the purchasers for settlement on October 5, 1966, January 4, 1967, July 5, 1967 and January 3, 1968. A spokesman for the underwriters indicated that perhaps more than half of the issue would be sold for delayed delivery."

[International Bank for Reconstruction and Development Press Release, July 29, 1966]

ONE-HUNDRED-MILLION-DOLLAR LOAN FOR EXPRESSWAY IN JAPAN

The World Bank has approved a loan equivalent to \$100 million to provide additional financing for the construction of the 333-mile Tokyo-Kobe Expressway in Japan. Including this loan, the Bank will have made six loans over the past six years totaling \$380 million for the Expressway. It is scheduled for completion over its entire length in April 1969 at a total cost equivalent to nearly \$1.5 billion.

The loan was made to the Nihon Doro Kodan (Japan Highway Public Corporation), a government agency responsible for the construction, operation and maintenance of many of Japan's toll facilities which include highways, tunnels, bridges and ferries. The Tokyo-Kobe Expressway is its largest undertaking. The western end of the Expressway, extending 114 miles from Kobe to Nagoya, has been open to traffic since 1964.

The current loan will complement a \$75 million loan made in September 1963 for the 100-mile section of the Expressway between Tokyo and Shizuoka. The Tokyo-Shizuoka region is Japan's most important center of commerce and industry, as well as the center of the national government. It contains more than a quarter of the country's businesses, and nearly a third of the country's total production originates there. The one existing highway traversing the area is heavily congested and completely inadequate to handle the rapidly growing vehicular traffic. The number of motor vehicles throughout Japan as a whole has increased fivefold in the past 11 years to a total of 8,000,000. The Tokyo-Shizuoka region accounts for nearly half the passenger cars and nearly a quarter of the trucks.

Major construction work on the Tokyo-Shizuoka expressway began in 1965 and contracts have been let for about half the work. Construction contracts yet to be awarded on the basis of international bidding are valued at the equivalent of \$120 million. Because of the relative priority of the two extreme sections, Tokyo-Atsugi and Yoshiwara-Shizuoka, work started earlier on these sections than on the mountainous middle section, and they are scheduled to be open to traffic in September 1968. The 21-mile section between Tokyo and Atsugi will be six-lane and the remainder of the expressway four-lane. Design speeds range from 75 miles per hour in level terrain to 50 miles in mountainous areas.

The Tokyo-Kobe Expressway and urban expressways in Tokyo and Kobe which the Bank has also helped to finance are part of Japan's Five Year Road Improvement Program under which the equivalent of \$11.4 billion is to be spent for the construction, improvement and maintenance of roads by March 1969. Japan's road network, excluding municipal roads, exceeds 93,750 miles in length, but less than 20% is paved. Most roads are narrow and winding, with little or no shoulders. Traffic normally operates under congested conditions and, as a consequence, vehicle operating costs are high and accident rates are heavy. The general objectives of the road program are to double the length of paved roads by 1969, and to increase the expressway network from 52.5 miles in 1964 to 491 miles in 1969.

The total cost of the Tokyo-Shizuoka section of the Expressway is estimated at the equivalent of \$640 million. The Bank loan, together with the earlier loan of \$75 million, will cover about 27% of the total costs. Toll revenues are expected to pay back the entire investment costs, including interest, in about 22 years.

The Bank loan will be for a term of 15

years and bear interest at the rate of 6½% per annum. Amortization will begin in August 1969. The loan will be guaranteed by the Government of Japan.

[International Bank for Reconstruction and Development press release, July 29, 1966]

TWENTY-MILLION-DOLLAR LOAN FOR ELECTRIC POWER IN SOUTH AFRICA

The World Bank has approved a loan equivalent to \$20 million to the South African Electricity Supply Commission (ESCOM). The loan will assist in financing the foreign exchange costs of a 1,600,000-kilowatt thermal power plant at Camden, about 160 miles east of Johannesburg. The project is part of ESCOM's \$785 million expansion program under which the Commission plans to add 3,310,000 kilowatts of generating capacity and 3,200 miles of high-voltage transmission lines to its system during 1966-1970.

ESCOM is an autonomous statutory corporation established in 1922. Its operations are divided into seven undertakings which serve different parts of the country. ESCOM supplies electricity in bulk to most cities in South Africa for distribution in their areas, and supplies power directly to mines, large industries and the railroads. Its ability to meet the rapidly rising demand for power has been an important factor in the economic development of South Africa during the postwar period. Between 1945 and 1965, ESCOM's installed capacity increased more than fivefold, to a total of about 4,600,000 kilowatts. It now generates about 80% of the electricity used in the country. ESCOM's sales of electricity have increased at an average rate of 8.2% per year for the past decade, and are expected to increase at about the same rate during the next five years.

At present about four-fifths of the Commission's power sales are in the interconnected system which comprises the Cape Northern, Rand and Orange Free State and Eastern Transvaal undertakings and serves the principal industrial and mining areas of South Africa. The new Camden power plant will be in this system. It is already under construction and is being built on a new coal field with reserves adequate to supply the station for 40 years at lost cost. The plant will have eight 200,000-kilowatt generating units, the first of which is scheduled for completion in October 1966. The other units are scheduled to follow at intervals of three to eight months with the final unit expected to be in operation by October 1969.

The estimated total cost of the Camden project is equivalent to \$176.4 million, of which \$40.6 million will be in foreign exchange. The Bank loan will cover about half the foreign exchange requirements. Most of the remaining costs will be met by ESCOM from internal cash generation and from borrowings in the South African capital market. Contracts for the major items of equipment for the Camden station have been placed on the basis of international competitive bidding.

The loan will be for a term of ten years and bear interest at the rate of 6¼% per annum. Amortization will begin on June 1, 1968. The loan will be guaranteed by the Republic of South Africa.

VIETNAM ELECTIONS

Mr. FULBRIGHT. Mr. President, as we look back on the history of our involvement in Vietnam, probably no single U.S. policy decision has been so significant as that to support President Diem's refusal to go through with the unification elections promised in the Final Declaration of the Geneva Confer-

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19125

the world market to put pressure on the dollar. For, if the dollar is devalued, the holders and hoarders of gold are the chief winners. Moreover, if the South African Electric Supply Commission—ESCOM—had raised the \$20 million through a debt issue in the U.S. capital market, that borrowing would have been subject to the Interest Equalization Tax. By borrowing from the World Bank at 6¼ percent—just about at the level of the existing prime rate here in the United States—this additional cost was avoided.

A lot less "flexibility" and a lot more discipline is needed in U.S. dealings with international lending agencies, if the integrity of the dollar is to be maintained. An appropriate question at this point is "Whither goest thou, Mr. Woods?" I for one would like to know.

I ask unanimous consent to have printed in the Record in connection with my remarks some of the comment that I have encountered, together with some of the news releases that have come from the World Bank.

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

[From the Evening Star, Aug. 15, 1966]

AS JANEWAY VIEWS IT: WORLD BANK ACTION HURTS

(By Elliot Janeway)

NEW YORK.—It's not just the Supreme Court that follows the election returns. Mr. Dooley's celebrated quip applies as well to the sophisticated denizens of Washington's swank embassy row. Their main job is to keep a sharp eye on the Yankee dollar. Every embassy in Washington has long since alerted its government to count on dollars being hard to come by—and not just because the money policies of the Johnson administration have left us strapped for cash for even our own needs here at home.

The war in Viet Nam—more precisely, the isolation in which we are fighting it—has clearly left the country with the belief that dollars advanced overseas have not come back as value received. Perhaps they never can: The suggestion is all the argument that's needed to cut down on dollar advances. Congress certainly took the suggestion at face value last month when it voted large slashes in the Johnson administration's foreign aid requests.

Governments in need of dollars—and most of them are—have been trying to turn up new ways of raising them without having to deal directly with the American government. The World Bank is proving to be a pretty convenient touch for the shrewdest, toughest-minded, political dollar-foragers on the loose in Washington—South Africa, for example.

CITED SENATOR SYMINGTON

In June this column cited Sen. STUART SYMINGTON, Democrat, of Missouri, as authority for the criticism it leveled against the World Bank for its sale of \$175 million of 25-year bonds in the New York market. Its operations, we warned, were getting in the way of American borrowers in their own market; and its borrowings were aggravating the overheated conditions which Johnson was exhorting American business to permit to cool off.

Adding insult to injury, the World Bank was preparing to siphon off scarce dollars, and send them abroad at the very time when Washington's money policies are shutting off financing opportunities to Americans.

Senator SYMINGTON, in leveling his objections at this discrimination, noted the World Bank's clearly defensive agreement "initially"

to keep the proceeds of its financing in dollars "in order to eliminate any immediate effect on our continuing unfavorable balance of payments." He asked the World Bank to define "initially" and "immediate" and before July was over, the World Bank had given him his answer. It was more reckless than even his critical attitude had bargained for. It announced a \$20-million loan to South Africa to finance half the foreign exchange costs of a power plant.

As a matter of American bargaining in the national interest to get full value for dollars advanced, the position in which the loan puts us is as undignified economically as it is morally. For South Africa is an active participant in the international gold speculation against the dollar; and she is holding gold back from the market in order to add to the pressure on the dollar. This is her right, and it is to her interest. But it is not to America's interest to advance South Africa the dollars to operate while she holds back her gold. It is our right to hold back our dollars in order to make her use her gold.

In assessing this use of back-door dollar outflows, it behooves us to remember that it would take a crash in America to make South Africa's gold worth more. Any move that weakens the American dollar against South African gold, is bound to encourage the speculation against the dollar and to make it seem plausible.

[From the Wall Street Journal, June 14, 1966]

WORLD BANK SAYS IT WILL OFFER \$175 MILLION OF ITS 25-YEAR BONDS IN UNITED STATES JUNE 28 OR 29

NEW YORK.—The International Bank for Reconstruction and Development (World Bank) announced plans for a \$175 million public offering of its 25-year bonds in the U.S. June 28 or 29.

George D. Woods, president, told a press conference that in planning the offering the international agency had agreed with the U.S. Treasury to initially invest the proceeds in U.S. Government agency obligations and U.S. bank deposits to eliminate any immediate effect on the U.S. balance-of-payments deficit—the excess of money flowing out of the U.S. over money flowing in. These investments will begin maturing after Dec. 31, 1967, he added, at which time the money will be available for the World Bank to lend to underdeveloped nations.

The offering will be the first by the World Bank in the U.S. since January 1965, when it sold \$200 million of 25-year 4½% bonds. It will be the bank's 17th U.S. offering; about \$1.6 billion of the previous 16 issues still is outstanding.

The new issue will be marketed by an underwriting group led by First Boston Corp. and Morgan Stanley & Co. at a price and interest rate to be determined June 28. Mr. Woods said in answer to a question that the rate "will be a new high for World Bank borrowing in the U.S."

Mr. Woods said the bonds were being offered at this time, when interest rates generally are high, because the bank "wants to keep the fact of the World Bank before the security dealer profession and the professional investors." He added, "We hope to be in the U.S. market at intervals of not more than one year."

The new bonds will mature July 1, 1991, and won't be callable before July 1, 1976. A sinking fund will begin in 1977 and is designed to retire 50% of the issue prior to maturity.

The World Bank has made \$9.5 billion of loans since it began operations in June 1946. During those 20 years, the bank has sold about \$5 billion of bonds and notes, of which about \$2.8 billion still is outstanding. The bonds are held in more than 40 countries, with about 58% of the bonds held by investors outside the U.S.

[From the Wall Street Journal, June 14, 1966]

ASIAN NATIONS GET LOANS

WASHINGTON.—Loans totaling \$60 million to three Asian nations were announced in Washington.

The World Bank said it will lend Thailand the equivalent of \$36 million for highway construction, repayable at 6% annually over 24 years starting in October 1970.

The Agency for International Development, the U.S. foreign-aid agent, said it will lend South Korea \$18.6 million to buy 62 diesel-electric locomotives and a variety of railway repair equipment. The loan will be repayable in dollars over 30 years at 2½%, after a 10-year grace period during which the rate will be 1%.

The Government's Export-Import Bank said it will lend Chinese Petroleum Corp., owned by the Republic of China, \$5.4 million to buy American equipment and services to build a naphtha cracking plant on Taiwan. The loan is repayable at 5½% annually over seven years starting in 1968.

[International Bank for Reconstruction and Development press release, June 13, 1966]

WORLD BANK BOND ISSUE PLANNED

The following news release is being issued in New York today by The First Boston Corporation and Morgan Stanley & Co.:

"George D. Woods, President of the International Bank for Reconstruction and Development, announced today that the Bank is planning to offer in the United States during the week beginning June 27, 1966, a new issue of \$175,000,000 principal amount of Twenty-Five Year Bonds due July 1, 1991. The Bonds, which are non-callable for a period of ten years, will be offered through a nationwide group of underwriters headed by The First Boston Corporation and Morgan Stanley & Co. The coupon and price of the Bonds will be determined just prior to the offering. This is the first World Bank Bond issue in the United States since January, 1965.

"In order to enter any capital market, the Bank, under its Articles of Agreement, must have the approval of the government concerned. In a letter granting the United States Government's approval of the forthcoming issue, Secretary of the Treasury Fowler stated that the Bank has made an outstanding contribution to the sound economic advance of the less developed countries. The Secretary said further that he approves of the proposed borrowing because the activities of the Bank coincide with the national interests of the United States in this area.

"The Bonds to be offered are not subject to the Interest Equalization Tax. Furthermore, the 1966 'Guidelines for Non-Bank Financial Institutions,' issued by the Federal Reserve System in December, 1965, place no restraint on purchases of World Bank Bonds. Thus no guideline restrictions affect purchases by non-bank financial institutions, including trust companies or trust departments of commercial banks.

"In order to cooperate with the President's balance of payments program, the World Bank intends to invest in the United States the proceeds from the sale of these Bonds to U.S. investors, so as to eliminate any effect on the U.S. balance of payments until the end of 1967.

"The Bonds will not be callable prior to July 1, 1976, ten years from the date of issue. A sinking fund beginning in 1977 will retire 50 percent of the issue prior to maturity. The Bonds will be in fully registered form without coupons.

"In addition to the initial delivery of the Bonds, which is expected on July 13, 1966, Bonds will also be offered for sale on a delayed delivery basis, through the underwriters, to certain institutional purchasers. Delayed delivery sales will be made under

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19127

ence which ended the war in Indochina. The bitter fruit of that decision has ripened into a \$2 billion a month war being fought by 375,000 American servicemen with no one in a position to predict an end to the escalation.

If we are to understand the factors which motivate the other side in this frustrating conflict we should take a close look at the complex history of this region. The period surrounding the elections which were to have been held in 1956 are especially important. Cornell University has just published an excellent study of this subject by Franklin B. Weinstein entitled "Vietnam's Unheld Elections."

I ask unanimous consent to have chapter IV, "Why Were Elections Not Held," and the epilog, "The Failure To Hold Elections: Some Implications for the Present," printed in the RECORD following my remarks. I commend the entire study to my colleagues.

For purposes of comparison, I also ask unanimous consent to have printed in the RECORD preceding these excerpts a statement furnished the Committee on Foreign Relations by the Department of State setting forth the Department's position on this question.

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

DEPARTMENT OF STATE,  
Washington, August 12, 1965.

MR. NORVILL JONES,  
Consultant, Senate Committee on Foreign Relations.

DEAR MR. JONES: In response to your telephone request to the Department on August 9, I am enclosing material on our position regarding the provision in the Geneva Accords for elections.

Please let me know if the Department can be of further assistance.

Sincerely yours,

DOUGLAS MACARTHUR II,  
Assistant Secretary for Congressional Relations.

## ELECTIONS IN VIET-NAM

The Final Declaration of the Geneva Conference is the only one of the group of documents generally referred to as the 1954 Geneva Accords which deals with the question of elections in Viet-Nam. This Final Declaration says that in July 1956 free elections would be held to establish democratic institutions under which the country could be unified.

The United States representative at the Geneva Conference, Under Secretary of State Walter Bedell Smith, presented the United States position with reference to elections and reunification in a unilateral declaration to the Conference. After pointing out that we would view with concern any attempt to disturb the Agreements by force, the U.S. declaration said that we would adhere to our traditional position with respect to divided countries: reunification through free elections under United Nations supervision. That this is still the American position was made plain by President Johnson on July 28 when he said "we insist and we will always insist that the people of South Viet-Nam shall have the right of choice, the right to shape their own destiny in free elections in the South, or throughout all Viet-Nam under international supervision."

The Vietnamese Government also made a unilateral declaration at the Geneva Conference in which it expressed its opposition to the division of Viet-Nam. President Diem

later made his views known on the subject of elections when he pointed out that the Final Declaration of the Conference was very obscurely worded, but that on one point it was quite specific: that any elections to be held were to be free.

The United States and South Vietnamese position has consistently held that conditions were such in North Viet-Nam that there could never have been truly free elections. The general nature of conditions in North Viet-Nam has never been secret, and they are perhaps best described by General Vo Nguyen Giap, present Defense Minister of North Viet-Nam, who said the following in October 1956, only three months after the elections called for in the Conference's Final Declaration were to have been held:

"We made too many deviations and executed too many honest people. We attacked on too large a front and, seeing enemies everywhere, resorted to terror, which became far too wide spread."

"While reorganizing the party, we paid too much importance to the notion of social class instead of adhering firmly to political qualifications alone. Instead of adhering firmly to political qualifications alone. Instead of recognizing education to be the first essential, we resorted exclusively to organizational measures such as disciplinary punishments, expulsion from the party, executions, dissolution of party branches and cells. Worse still, torture came to be regarded as a normal practice during party reorganization."

Since conditions involving "executions," "torture a normal practice," and "terror" are hardly conducive to the holding of free elections, the elections mentioned at the Geneva Conference were never held, and the time set aside for them went by without notice being paid to the fact in either North or South Viet-Nam. If the elections had been held in 1956, it is evident that in North Viet-Nam they would have constituted a travesty of the letter as well as the spirit of the Final Declaration of the Geneva Conference of 1954.

Elections have of course been held in South Viet-Nam on several occasions. In 1956, 1959, and 1963 National Assembly elections were held, and presidential elections were held in 1956 and 1961. A national referendum in 1955 determined that South Viet-Nam should be a republic with President Ngo Dinh Diem as the chief of state. Most recently, on May 30, 1965, nation-wide elections were held for provincial and municipal councils. Despite obvious risks of Viet Cong retaliation, there was no shortage of candidates for council seats, and 70% of those registered, or 50% of those eligible, turned out to vote.

## IV. WHY WERE ELECTIONS NOT HELD?

The statements of the DRV in the period following the Geneva Conference provide evidence that the Viet Minh regime did in fact contemplate the unification of the country under their control by means of elections. Dong's statement to the final meeting of the Geneva Conference stresses the importance of peace almost as much as the need for national unity.<sup>87</sup> Ho's statement of 22 July 1954 similarly placed emphasis not only on the indivisibility of Vietnam but also on the struggle for peace and democracy, specifically elections.<sup>88</sup> *Nhan Dan* reported the Viet Minh line: "Henceforward, the main task of our struggle is to consolidate the peace we have won, faithfully and rapidly implement the provisions of the armistice agreement, and go forward to the settlement

<sup>87</sup> Radio Moscow, 22 July 1954. See also Dong's statement broadcast over Radio Peking, 2 August 1954.

<sup>88</sup> *New York Times*, 26 July 1954, and *Facts and Dates on the Problem of the Reunification of Viet-Nam* (Hanoi: Foreign Languages Publishing House, 1956), p. 10.

of political issues."<sup>87</sup> As the Viet Minh radio put it on 5 August 1954: "The phase of armed struggle is now being replaced by the phase of political struggle." Exhorting the southern compatriots, the Viet Minh radio warned against the use of violence: "The political struggle requires the people in South Vietnam to maintain a high vigilance. It demands that our people avoid every provocation and use peaceful measures to win democratic freedom and . . . attainment of general elections to unify our country."<sup>88</sup>

Throughout 1954 and into 1955, the utterances of the DRV leaders continued to reflect a policy based on political struggle leading to the 1956 elections. Ho Chi Minh, in a November interview, was asked whether he feared that the division of Vietnam could be as lasting as the partition of Korea and Germany. He replied negatively, pointing out that the "conditions in Vietnam are different from those in Korea and Germany." He pledged the DRV to work "untiringly" for peaceful reunification as provided in the Geneva Agreements.<sup>89</sup> In June 1955 Ho again stressed that Vietnam could not be compared with Korea and Germany and insisted that the military demarcation and provisional division could endure only until the 1956 elections were held. "Vietnam is a single country and nothing can prevent the firm will of its people from achieving its unity," he added.<sup>90</sup> Perhaps the most convincing statements of the DRV's expectation that the country would indeed be reunified by elections in 1956 were those made to their supporters. Viet Minh troops native of south Vietnam who were regrouped in the north were told that they would be returning home in 1956 after the elections.<sup>91</sup> And as the Viet Minh forces left areas they had ruled for many years, they advised the inhabitants to accept life under the State of Vietnam government until the Viet Minh could return after the reunification elections.<sup>92</sup>

If the DRV's statements revealed a confident expectation and a strong determination that the country would be reunified by elections, the Viet Minh demonstrated those attitudes by more than mere words. The best evidence that the DRV took the Geneva Agreements' promise of elections seriously is the behavior of the Viet Minh during the ensuing two years.<sup>93</sup> As Roy Jumper, writing in late 1956, put it: "The Viet Minh agents have lain low during the past two years in South Vietnam. They waited expecting to win the South through the expected all-

<sup>87</sup> Vietnam News Agency dispatch, 25 July 1954.

<sup>88</sup> Vietnam News Agency dispatch, 28 September 1954.

<sup>89</sup> Vietnam News Agency dispatch, 10 November 1954.

<sup>90</sup> *New York Times*, 8 June 1955.

<sup>91</sup> Philippe Devillers, lecture, Cornell University, 13 December 1965. See also Ho's letter to troops coming north. Broadcast over the Viet Minh radio on 17 September 1954, Ho's letter said that although the troops regrouping in the north were "temporarily far" from their native villages, they could expect to "return happily" after the country's peaceful unification.

<sup>92</sup> Reported by Tillman Durdin, *New York Times*, 19 May 1955. Additional statements of the DRV's reliance on peaceful struggle may be found in New China News Agency dispatch of 21 September 1954, Vietnam News Agency dispatches of 5 November 1954 and 28 March 1955, and Voice of Nambo broadcast of a *Nhan Dan* editorial on 23 September 1954.

<sup>93</sup> See Jean Lacouture, *Vietnam: Between Two Truces* (New York: Random House, 1966), p. 52.

19128

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

Vietnam elections."<sup>94</sup> Ho Chi Minh's followers largely refrained from any effort to retain a military hold on southern areas they had controlled for as long as ten years. The DRV's cooperation in the implementation of the Geneva Agreements probably came as a surprise to some.<sup>95</sup> It is hard to imagine that its withdrawal from areas it had long controlled meant only that the Viet Minh had become resigned to permanent partition. To suppose that is to ignore, among other things, the force of the Viet Minh's commitment to national unity. The Viet Minh forces had fought too long and hard for national unity under their leadership for them to give up what they had won without actually believing they could regain it. The DRV's actual relinquishing of territory and its abandonment of violence must be regarded as solid evidence that the Viet Minh hoped to unify the country peacefully.

The Viet Minh waged an extensive campaign to win votes in the election. In late September 1954 it was reported that "politically" the Viet Minh was "working hard in the South to consolidate its influence." Political workers "intensified their activity" as Viet Minh military forces withdrew, and the Viet Minh was "plainly preparing to win the national elections scheduled . . . for 1956."<sup>96</sup> During the last three months of 1954, a congress of the Lien Viet (United National Front) met in Hanoi. A Viet Minh-dominated organization, the Lien Viet included representatives of various political parties from northern, central, and southern Vietnam. According to *Nhan Dan*, the aim of the congress was to mobilize popular forces in the struggle for "independence, peace and unity and democracy." The Lien Viet's "work for 1955" was said to consist "in winning support in all levels of the population with a view to winning the general elections for a united Vietnam."<sup>97</sup> In late December the DRV added four leaders from south Vietnam to its cabinet in what was described in the press as a move undertaken because of its expected impact on "the psychological warfare" south of the 17th parallel in preparation for the 1956 elections.<sup>98</sup> In March of 1955, it was reported by C. L. Sulzberger of the *New York Times* that Viet Minh agents were already going through villages in the south "lining up votes." Their procedure was to take along two photographs, one of Ho Chi Minh and one of Bao Dai, and to ask the peasants whom they preferred.<sup>99</sup> In June 1955 there were reports that the Viet Minh was working hard to prepare for elections and had opened an intensive new campaign to woo the workers and peasants of the south. Communists had reportedly secured positions in athletic organizations, ancestor worship cults, workmen's groups and other associations in an effort to win support for the Viet Minh not only on the basis of Ho's prestige as a nationalist leader but also through promises of the economic advantages communism allegedly would

bring to the south.<sup>100</sup> Meetings, demonstrations and the simple process of making known the provisions of the Geneva Agreements (considered a subversive activity in the south) were also part of the Viet Minh campaign to win the elections.<sup>101</sup>

Still another type of action taken by the DRV to promote Vietnam's peaceful reunification was Hanoi's proposal on 4 February 1955 that "normal relations" be established between the two zones. The Communists declared their willingness to grant all facilities to persons on both sides of the border in sending mail, carrying out business enterprises, and facilitating exchanges of a cultural, scientific, sporting, and social nature.<sup>102</sup>

Anticipating the approach of the 20 July 1955 deadline set at Geneva for the consultations on elections, the DRV leaders began to press specifically to ensure the holding of those meetings. In April Dong visited New Delhi and issued a joint statement with Nehru reaffirming the importance attached by the two governments to the holding of reunification elections under the procedure laid down at Geneva.<sup>103</sup> On 6 June Dong declared his government's readiness to begin the consultations scheduled for the following month. Dong went on to warn: "Vietnam is one. The Vietnamese nation is one. No force can divide them. Whoever tries to partition Vietnam is the enemy of the Vietnamese people and will surely be defeated."<sup>104</sup> In July Ho went to Peking and Moscow seeking both economic aid and support for the holding of the consultative conference. His visits produced joint communiqués stressing the importance of starting the consultative meetings on time.<sup>105</sup> On 19 July Premier Dong, on behalf of himself and President Ho, sent to President Diem a letter formally proposing that Diem appoint representatives to attend a consultative conference to discuss reunification elections as provided in the Geneva Agreements.<sup>106</sup>

During the preceding year, the Diem government had made no effort to hide its contempt for the Geneva Agreements, but it had not actually enunciated an official policy with regard to its participation in the consultative conference. Although at the start of 1955 the US was still talking about new measures to win the 1956 elections,<sup>107</sup> doubts about the possibility of holding the elections were apparent, particularly in dispatches emanating from Saigon. On 28 February Radio Saigon suggested that the elections would not be held because of the absence of democratic liberties in the north. On 15 March Secretary Dulles argued that it would be hard to create the conditions for a free choice in the north.<sup>108</sup> By March 1955 it was

becoming quite clear that the Diem regime would probably try to avoid the elections. As Sulzberger put it, the 1956 elections "really will never be held. . . . Nobody likes to talk about this. But when the time to admit arrives, a grave crisis must inevitably develop."<sup>109</sup> At the end of March it was reported that observers in Saigon were expressing "open doubt" that such elections ever would be held.<sup>110</sup> In mid-May the State of Vietnam government, in notes sent to Britain, France and the US, urged a conference to formulate a common position on the elections in light of the probability, as seen in Saigon, that they would not be held.<sup>111</sup> On 9 June, three days after Dong's announcement that the DRV was ready for consultations, Saigon's view reportedly was that any comment on the DRV statement should come from France. The south, it was asserted, had no intention of acting on the matter.<sup>112</sup>

Despite the flow of reports describing Saigon's unwillingness to participate in reunification elections, there was genuine uncertainty as to whether Diem would agree to take part in the consultative conference. France had been consistent in urging the State of Vietnam government to prepare for elections. In March 1955 Premier Edgar Faure urged Diem to cooperate with the sects in the hope of winning their support in the election.<sup>113</sup> Faure said in April that France was determined above all to observe strictly the Geneva Agreements, and he insisted that there could be no question of annulling or postponing the 1956 elections.<sup>114</sup> Faure warned that there were two pitfalls before the Diem government—one was losing the 1956 elections and the other was trying to avoid them.<sup>115</sup> On the completion of the withdrawals and transfers of military forces, representatives of the French High Command and the Viet Minh army issued a joint statement resolving "to continue to assure their responsibility in the full implementation of the provisions of the Geneva Agreement and of the final declaration . . ." Both parties reaffirmed their determination to "implement scrupulously" the necessary provisions "in order to consolidate peace and to achieve the unity of Vietnam by means of general elections."<sup>116</sup> The British also felt strongly that Diem should observe fully the provisions of the Geneva Agreements. On 13 July, Foreign Secretary Macmillan declared in Parliament that Britain would exert all its influence to ensure the holding of consultations as provided in the Geneva Agreements.<sup>117</sup>

The official attitude of the U.S. was ambiguous. It was generally believed by early 1955 that the U.S. was not investing heavily in the buildup of the State of Vietnam merely to hand it over to the Viet Minh in elections. On 14 May, however, Faure was reported to have obtained Dulles' assurance that the U.S. would back France in seeking to prepare for the 1956 elections.<sup>118</sup> In June Sulzberger reported that the "only solid fact" agreed on by the U.S., France, and Britain during May's Indochina negotiations in Paris was "that the Geneva pledge for all-Vietnam elections must be carried out." Washington reportedly was "of the same mind as Paris and London . . . that every preparation must be made on the assumption elections will be

<sup>94</sup> *New York Times*, 2 June 1955 and 8 June 1955.

<sup>95</sup> Murti, *Vietnam Divided*, p. 157. The extent to which such demonstrations can be regarded as Viet Minh activities is uncertain, but in at least one case the demonstrators were reported to be acting on the exhortations of Radio Hanoi. *New York Times*, 4 July 1955.

<sup>96</sup> See *Facts and Dates*, p. 18, and *New York Times*, 7 February 1955.

<sup>97</sup> Donald Lancaster, *The Emancipation of French Indo-China* (London: Oxford University Press, 1961), p. 370.

<sup>98</sup> *New York Times*, 7 June 1955. See also *For the Consultative Conference* (Hanoi: Foreign Languages Publishing House, 1955).

<sup>99</sup> *Facts and Dates*, pp. 24-25.

<sup>100</sup> *Ibid.*, p. 26.

<sup>101</sup> See, for example, the article in *New York Times*, 8 January 1955, reporting U.S. hopes that a land reform program could "tip the scales in favor of the West" in the 1956 elections.

<sup>102</sup> The Saigon broadcast and Dulles' speech are both reported in Vietnam News Agency dispatch, 15 March 1955.

<sup>103</sup> *New York Times*, 12 March 1955.

<sup>104</sup> *New York Times*, 30 March 1955.

<sup>105</sup> *New York Times*, 20 May 1955.

<sup>106</sup> *New York Times*, 9 June 1955.

<sup>107</sup> Ngo Ton Dat, "Geneva Partition and the Question of Reunification," pp. 363-364.

<sup>108</sup> *New York Times*, 14 April 1955.

<sup>109</sup> *New York Times*, 4 May 1955.

<sup>110</sup> Quoted in Cole (ed.), *Conflict*, p. 208. This statement was cited by Dong in his 6 June declaration of the DRV's readiness for consultations.

<sup>111</sup> *Facts and Dates*, p. 24. See also *Economist*, 16 July 1955.

<sup>112</sup> *New York Times*, 14 May 1955.

<sup>94</sup> Roy Jumper, "The Communist Challenge to South Vietnam," *Far Eastern Survey*, XXV, no. 11 (November, 1956), 161.

<sup>95</sup> For example, some diplomats had doubted that any considerable movement of refugees out of Communist areas would be permitted. *New York Times*, 24 July 1954. Similarly, Joseph and Stewart Alsop had doubted that the Viet Minh troops would voluntarily relinquish control of the areas they held. As the Alsop brothers put it: "Who can suppose that they [the Viet Minh] will peacefully march away, abandoning the territory they now hold?" *New York Herald-Tribune*, 23 July 1954.

<sup>96</sup> Tillman Durdin in the *New York Times*, 29 September 1954.

<sup>97</sup> *New York Times*, 13 January 1955.

<sup>98</sup> *New York Times*, 31 December 1954.

<sup>99</sup> *New York Times*, 13 March 1955.

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19129

held." Sulzberger explained that Dulles had secured reluctant British and French support for Diem, and "in exchange he concurred that the promised elections in Vietnam should faithfully be carried out." According to Sulzberger, Diem's reported opposition to elections put him in disagreement with "the one point on which the Big Three unequivocally agree."<sup>119</sup> The *Times* now wrote editorially of the elections as if they really were expected to take place:

"The real deadline in Vietnam . . . is July of next year, when a definitive election is scheduled. That deadline must be met . . . The United States still expects an election in all of Vietnam and would like to see that election properly supervised. Moreover, it would like to see free Vietnam strong enough and stable enough that it would offer a reasonable alternative to the Communist rule in the north. This is the reason for the present assistance and training program."<sup>120</sup>

Probably in response to growing pressures from the Western powers, Diem began to move toward accepting elections. On 14 June he told a group of correspondents that his government was willing to discuss the question of elections with the DRV. He did not elaborate that statement, except to say that "it all depends on the conditions under which elections are held." A source close to the premier said that the south would demand extensive third-party supervision and detailed procedures for insuring a secret ballot. He mentioned the grouping of military forces in concentration areas so they could not exercise pressure during the elections as one of the conditions the State of Vietnam was considering. The source said that the results of any talks between the two regimes would be submitted to the soon-to-be-elected National Assembly, which would have to decide whether the south would actually participate in the elections. Tillman Durdin, who reported Diem's remark and the "source's" amplifying comments, characterized it as the "first definite indication that South Vietnam was likely to engage in discussions" with the DRV concerning procedures for elections.<sup>121</sup>

As the 20 July deadline neared, it was expected that Diem would make a statement, but its contents were kept secret.<sup>122</sup> The *Economist* wrote that Diem seemed likely to "keep everyone guessing until the last moment about whether he will send representatives to consultations" with the DRV.<sup>123</sup> On 16 July Diem made known his position in a radio broadcast to the nation. He stated that he favored free elections in principle but could not consider holding them until the DRV had given him proof of its readiness to place national interests before its Communist creed. It is "out of the question," he asserted, "for us to consider any proposal from the Vietminh, if proof is not given us that they put the superior interests of the national community above those of communism; if they do not give up terrorism and totalitarian methods; if they do not cease violating their obligations. . . ." Diem also reasserted that the State of Vietnam did not consider itself bound by the Geneva Agreements.<sup>124</sup>

The British responded on 18 July with a Foreign Office declaration expressing regret at Diem's statement and urging that consultations be started as soon as possible.<sup>125</sup>

<sup>119</sup> *New York Times*, 8 June 1955.

<sup>120</sup> The above quote is drawn from *New York Times* editorials of 20 May 1955 and 29 June 1955. See also *New York Times*, 26 May 1955.

<sup>121</sup> *New York Times*, 15 June 1955.

<sup>122</sup> *New York Times*, 15 July 1955.

<sup>123</sup> *Economist*, 16 July 1955.

<sup>124</sup> The text of Diem's talk is in Republic of Vietnam, *The Problem of Reunification of Viet-Nam* (Saigon: Ministry of Information, 1958), pp. 30-31.

<sup>125</sup> *New York Times*, 19 July 1955.

Diem's attitude toward elections was discussed at the Paris conference of Western foreign ministers to prepare for the Geneva summit conference. The foreign ministers, fearing bitter recriminations from the USSR at Geneva, agreed to do their best to persuade Diem to change his mind.<sup>126</sup> Britain and France made an effort to convince Diem that the State of Vietnam's position would be a strong one if it could demonstrate with the support of the ICC that free elections were being blocked by the Viet Minh's failure to permit adequate supervision. He was assured that the West and the ICC would back him fully in trying to prevent "Communist fraudulism or subversion during the election period." Paris and London sought to clarify to Diem the difference between holding elections and simply taking part in the consultations, which was all that was required at the moment. They stressed that in talking with the DRV, Diem would be making no irrevocable commitments and would be giving evidence of his adherence to the Geneva Agreements.<sup>127</sup> At the Geneva summit meeting, the three Western leaders agreed to undertake added efforts to convince Diem to accept the DRV's invitation, but Eisenhower and Eden both stressed that their power to move Diem was limited. On 26 July a Western note was transmitted to Diem.<sup>128</sup>

The State of Vietnam, nevertheless, denied that the Western powers had put any pressure on it to conform to the Geneva Agreements, and insisted that the Western note had actually been an expression of sympathy with its position. U.S. State Department officials affirmed that the note had conveyed overall approval of Diem's position, but had urged that he at least "go through the motions" of trying to organize free elections.<sup>129</sup> The British denied any implication that they had given approval to Diem's refusal to talk with the DRV.<sup>130</sup> But Western assurances could not alter Diem's conviction that by entering talks with the DRV he would have committed himself to the elections.<sup>131</sup> On 9 August Diem formally replied to Dong's note of 19 July. The State of Vietnam premier essentially reiterated his position of 16 July, insisting that "nothing constructive [with respect to elections] will be done as long as the Communist regime of the North does not permit each Vietnamese citizen to enjoy democratic freedoms and the basic fundamental rights of man."<sup>132</sup>

The next day, in a press conference, Secretary Dulles asserted that Diem was correct in not feeling bound by the Geneva Agreement to hold reunification elections because his government had not signed the Agreement.<sup>133</sup> The British Foreign Office, on the other hand, was reported "disturbed" by the Diem statement.<sup>134</sup> On 30 August Dulles gave Diem unequivocal support, stating: "We certainly agree that conditions are not ripe for free elections."<sup>135</sup> Thus the US, whose par-

ticipation in the common Western effort to persuade Diem to talk with the DRV had always been unenthusiastic,<sup>136</sup> now emerged in firm official support of his opposition to elections. In view of the US's heavy economic aid to the State of Vietnam and its fervent backing of Diem in the face of British and French urgings that he be replaced, the importance to Diem of US backing for his election stand must have been considerable. Apparently encouraged by Dulles' strong support, Diem declared bluntly on 21 September that there could be "no question of a conference, even less of negotiations" with the DRV.<sup>137</sup>

It should be clear that despite the apparent unwillingness of the State of Vietnam to take any steps toward elections, the DRV during the first year after Geneva had been making extensive preparations in anticipation of the elections and had had at least some reason to think that Diem might be forced into accepting them. Even after Diem's refusal to permit a consultative conference, the DRV still had cause to hope that the elections would be held. The continuing instability of Diem's position offered a possibility that more conciliatory elements might accede to the leadership. And the DRV probably was conscious of a considerable amount of international support for its position that either the French or the State of Vietnam, one or the other or both, should be held responsible for ensuring that the Geneva Agreements were implemented in the southern zone. Accordingly, the DRV continued its efforts to prepare for elections and to press for a consultative conference. Two approaches were employed: the intensification of propaganda work in the south and the appeal for international assistance.

The principal step taken to intensify its campaign to rally popular support in the south for reunification elections was the formation in September 1955 of the Vietnam Fatherland Front, which incorporated the Lien Viet. The platform of the Fatherland Front set forth in some detail the DRV's understanding of how the peaceful reunification of Vietnam by elections should proceed. It called, in effect, for a sort of federation. Through "free, general elections, organized on the principle of universal, equal and secret ballot," a unified national assembly was to be chosen. The assembly, which was to be the highest legislative body of the state, would elect a central coalition government. The platform emphatically stated that it was necessary to take into account differences between the two zones. Thus there was to be set up in each zone a People's Council and an administrative body with wide powers. Those organs would have the right to promulgate local laws consistent with the characteristics of the zone concerned and not at variance with common national laws. Normal economic, cultural and social relations were to be immediately restored between the two zones. The armed forces were to be integrated gradually and through negotiations. Agrarian reform poli-

<sup>126</sup> Murti, *Vietnam Divided*, p. 184.

<sup>127</sup> *Ibid.*, p. 189.

<sup>128</sup> *Ibid.*, p. 185.

<sup>129</sup> *New York Times*, 9 August 1955.

<sup>130</sup> *New York Times*, 10 August 1955.

<sup>131</sup> *New York Times*, 23 July 1955.

<sup>132</sup> See Ngo Ton Dat, "Geneva Partition and the Question of Reunification," pp. 389-390.

<sup>133</sup> *Ibid.*, p. 390. See also Murti, *Vietnam Divided*, p. 186.

<sup>134</sup> See the *Times* (London), 11 August 1955. According to *The Times*, British officials were unhappy that Diem seemed "determined to go on finding excuses for postponing election talks" with the Viet Minh. The British had already taken pains to dissociate themselves from any expression of support for Diem such as that given by Dulles. See *New York Times*, 10 August 1955.

<sup>135</sup> Quoted in Ngo Ton Dat, "Geneva Partition and the Question of Reunification," p. 391.

<sup>136</sup> Whereas France and Britain had publicly called for consultations, the US, at least prior to 22 July, had only expressed "unofficially" the "hope" that Diem would meet with the Viet Minh. But the US had not formally suggested to Diem that he do so. *New York Herald-Tribune*, 22 July 1955, cited in *ibid.*, p. 380. On 23 July, the *New York Times* accurately described the US position as "obscure." The *Times* had already, on 21 July, altered its previous line and given editorial support to Diem's 16 July stand: "We must not be trapped into a fictitious legalism that can condemn 10,000,000 potentially free persons into slavery. . . . The agreements do not necessarily have to be abrogated but they should at least be scrutinized with the sharpest eye."

<sup>137</sup> Lancaster, *Emancipation*, p. 372.

cies in the south were expected to differ from those in the north; in the former region the government would "requisition-by-purchase" properties of landlords for distribution to the peasantry. The platform insisted that there should be no attempt "by either side to annex or incorporate the other."<sup>138</sup>

The Fatherland Front platform was quickly made the program of the DRV government. Dong, in a report to the Fifth Session of the National Assembly in September 1955, warmly embraced the platform as the "basis" and the "method" by which national unity could be achieved. Dong declared that the Fatherland Front program opened up "a new stage . . . of complex and difficult political struggle. . . ." Plans to use the Fatherland Front program as the basis of an extensive campaign to rally support for the consultative conference were also made clear. The program was to be given the most extensive dissemination. All political parties, people's organizations, and "representative personalities" in both zones were to establish contact and exchange ideas on the program so as to create a nationwide movement demanding that the Southern authorities hold consultations on elections.<sup>139</sup> Broadcasting over Radio Hanoi and working through Viet Minh cadres who had stayed in the south, a number of organized demonstrations were held to persuade Diem to open consultations with the DRV.<sup>140</sup>

A good part of the DRV's propaganda effort was devoted to attacks on the October 1955 referendum and the March 1956 constituent assembly elections held in the south. An effort was made to encourage the populace to boycott the elections. Strikes were staged, and demonstrations were held.<sup>141</sup> The DRV denounced the elections as a violation of the Geneva Agreements and a "farce," insisting that South Vietnam was not a country.<sup>142</sup>

Although the DRV may have had some confidence that strong popular support for the holding of elections would compel the southern government to cooperate,<sup>143</sup> it is probable that Hanoi placed more hope in its appeals for international action to force Diem's compliance with the Geneva Agreements. The DRV looked to the co-chairmen, especially the USSR, to put pressure on Diem. Roughly a week after Diem's 9 August refusal to accept the DRV's invitation to hold consultations, Dong sent a letter to the co-chairmen reporting the situation and requesting that they take "all necessary measures to ensure . . . the immediate convening of the consultative conference. . . ." Despite France's disclaimer, in a June note to Hanoi and the ICC, of any responsibility for bringing the south into consultations with the north,<sup>144</sup> Dong demanded that France and the State of Vietnam guarantee the implementation of the agreements.<sup>145</sup> Nehru also

intervened at this point, expressing to Eden and Molotov the hope that they could induce Diem to cooperate.<sup>146</sup> In September Molotov gave the DRV weak support in a UN speech. He said he felt "entitled to expect" that steps would be taken to prevent a "breakdown" of the consultations and called such steps "essential, if the general elections are to be held within the prescribed time limit. . . ." <sup>147</sup> On 31 October Chou En-lai informed the co-chairmen of his support for the DRV's August letter.<sup>148</sup> In November 1955 Dong again approached Molotov with a request that the co-chairmen take action, and again the USSR's response was mild.<sup>149</sup> Molotov called on the French to inquire about their position on elections and expressed his concern about the State of Vietnam's attitude.<sup>150</sup> He also met with British Foreign Secretary Macmillan at Geneva. The British, who had stated in August that they did not believe the State of Vietnam could continue indefinitely to refuse consultations,<sup>151</sup> said that they still favored the elections. Macmillan reportedly told Molotov that chances for holding the elections might be better after the Saigon government elected its constituent assembly.<sup>152</sup> On 20 December the co-chairmen reported the delivery of the various messages they had received to the members of the Geneva Conference and said they would be "grateful" to receive comments and suggestions.<sup>153</sup> By the end of 1955, it is likely that the DRV's hopes of obtaining action by appealing to the co-chairmen had been greatly diminished.

At the end of January 1956 an innovation was introduced into the DRV's campaign for international aid in bringing the Diem regime to discuss elections. In response to the co-chairmen's December request for suggestions, Chou En-lai proposed the reconvening of the 1954 Geneva Conference, adding the members of the ICC.<sup>154</sup> On 14 February 1956 the DRV also proposed a new Geneva Conference in a note to the co-chairmen.<sup>155</sup> A week later

the British Foreign Office announced that the USSR had handed over the DRV's letter to co-chairman to India. On 20 September Britain transmitted the letter to the other members of the Geneva Conference. *Facts and Dates*, pp. 34-35.

<sup>146</sup> Lancaster, *Emancipation*, p. 371. Again on 7 September Nehru and Krishna Menon spoke in support of the DRV. *Facts and Dates*, p. 33. According to the *New York Times*, 27 August 1955, Nehru had already held that the State of Vietnam was bound as a "successor regime." In an aide-memoire sent to the co-chairmen on 14 June 1955, India had called on Britain and the USSR to issue a request that the DRV and the State of Vietnam begin consultations. The aide-memoire noted that the French had "transferred their sovereign authority" in the south subsequent to the signing of the Geneva Agreements. Thus, asserted the aide-memoire, the representative authorities to whom the election provision applied were the DRV and, "in virtue of Article 27, the State of Vietnam which has taken over the civil administration in South Vietnam from the French authorities." Text of the aide-memoire is in Cmnd. 2834.

<sup>147</sup> *New York Times*, 24 September 1955.

<sup>148</sup> Cmnd. 2834.

<sup>149</sup> Lancaster, *Emancipation*, p. 372.

<sup>150</sup> *New York Times*, 5 November 1955.

<sup>151</sup> *New York Times*, 10 August 1955.

<sup>152</sup> *New York Times*, 15 November 1955. This view, surprising in light of the DRV's tendency to see such "separatist" elections as a major bar to reunification, was also maintained by *New York Times*, 5 February 1956. The probable assumption was that a strengthened Saigon regime, holding a popular mandate, might be in a stronger position to negotiate with the north.

<sup>153</sup> Cmnd. 2834.

<sup>154</sup> *New York Times*, 31 January 1956.

<sup>155</sup> *Facts and Dates*, p. 51.

the Indian government wrote to the co-chairmen to express its support of all initiatives aimed at ensuring the fulfillment of the Geneva Agreements.<sup>156</sup> On 18 February the Soviet Foreign Ministry delivered a note to the British embassy, supporting the proposals made by China and the DRV and urging that the co-chairmen inform the conference members of their common belief that a new meeting was needed. The British reply on 9 March suggested that it would be premature to propose a full conference until the views of other countries had been clarified, but proposed that the co-chairmen meet to discuss the situation. On 30 March the USSR reasserted its support for a new conference but also agreed to meet first with the British. The tone for the upcoming Anglo-Soviet meeting was set by a British note sent to the USSR on 9 April. Restating London's belief that the Diem government should agree to consultations but denying that it was legally bound to do so, the British note urged that the maintenance of peace be regarded as the "paramount objective."

The meetings that were held in April between the Soviets and the British produced what must have been a disappointing result for the DRV.<sup>157</sup> The co-chairmen showed more concern about the maintenance of peace in Vietnam than about the country's reunification in their message issued on 8 May. They expressed their concern about the situation and strongly urged the authorities of both Vietnamese governments to ensure the implementation of the political provisions adopted at Geneva. Both governments were: "invited to transmit to the Co-Chairmen as soon as possible, either jointly or separately, their views about the time required for the opening of consultations on the organization of nation-wide elections in Viet-Nam and the time required for the holding of elections as a means of achieving the unification of Viet-Nam."

But the real concern of the co-chairmen was apparent in their statement that pending the holding of elections they attached "great importance" to the maintenance of the cease-fire.<sup>158</sup>

The DRV responded first on 11 May 1956 by dispatching another letter to Diem, citing the co-chairmen's message and requesting the start of consultations, but also pledging to maintain peace.<sup>159</sup> On 4 June Dong replied to the co-chairmen. He repeated the DRV's readiness for immediate consultations and requested that the co-chairmen take the necessary steps to bring them about. He also declared that he would again seek a new Geneva Conference if the southern government maintained its "negative attitude" toward consultations and elections.<sup>160</sup> There was, of course, no question as to what Diem's position would be. After winning his self-proclaimed referendum against Bao Dai the preceding October and declaring a Republic of Vietnam, Diem insisted that he

<sup>156</sup> *Ibid.*, p. 52. Nehru strongly supported the DRV, stressing that since Diem accepted the benefits of the Geneva Agreements, he should undertake the responsibilities. See *ibid.*, p. 53.

<sup>157</sup> The letter was hailed as a triumph in the south. *Ibid.*, pp. 71-72.

<sup>158</sup> Texts of the various notes mentioned above are in Cmnd. 2834. It has been noted by Ngo Ton Dat, "Geneva Partition and the Question of Reunification," pp. 404-405, that the British insistence that elections be held on time had declined after the start of 1956. He attributes this change to a "desire to achieve unity of policy" with the US, an appreciation of the progress made by Diem in establishing order, and apprehension about the growth of DRV armed strength.

<sup>159</sup> Vietnam News Agency dispatch, 12 May 1956; also *New York Times*, 13 May 1956.

<sup>160</sup> Ngo Ton Dat, "Geneva Partition and the Question of Reunification," pp. 410-411.

<sup>138</sup> See *Viet-Nam Fatherland Front* (Hanoi: Foreign Languages Publishing House, 1956), pp. 19-22.

<sup>139</sup> *Ibid.*, pp. 11-12, 29, 34-45.

<sup>140</sup> Murti, *Vietnam Divided*, p. 196.

<sup>141</sup> See *Facts and Dates*, pp. 37, 38, 52, 54, 55.

<sup>142</sup> Vietnam News Agency dispatch, 1 May 1956.

<sup>143</sup> Alex Josey, "Will Ho Chi Minh Unite Viet Nam?" *Eastern World* (London), November 1955, p. 16, reports that the DRV leaders were confident that the desire of nationalists in the south for unity would eventually force Diem to yield. Josey talked with Ho, Dong, and General Vo Nguyen Giap, army chief of staff.

<sup>144</sup> *New York Times*, 21 June 1955. It was reported in the *Economist*, 16 July 1955, that the Viet Minh were in the ironic position of appealing to the French to leave their troops in Vietnam to ensure observance of the Geneva Agreements.

<sup>145</sup> Murti, *Vietnam Divided*, p. 190. Dong's letter to the co-chairman (text in Cmnd. 2834) produced no results. On 16 Septem-

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19131

now had a popular mandate not to proceed with unification elections.<sup>161</sup> Diem even told a British correspondent in March that he did not want unification until the south had been strengthened and popular disillusionment had weakened the north.<sup>162</sup> One of the first acts of the newly-elected constituent assembly in March was formally to denounce the Geneva Agreements.<sup>163</sup> Thus, when on 29 May the Diem government answered the co-chairmen's message, it simply reaffirmed its prior position that "the absence of all liberty in North Vietnam makes the question of electoral and pre-election campaigns practically unattainable for the moment."<sup>164</sup> Diem received ardent support from the U.S. in a speech delivered by Walter S. Robertson, Assistant Secretary of State for the Far East, before the American Friends of Vietnam on 1 June.<sup>165</sup> The 20 July deadline for elections passed.

Hanoi's willingness to let the 1956 deadline pass without incident should not be taken as a sign that the DRV's interest in reunification through elections had diminished. That Hanoi was still under heavy pressures to achieve reunification seems clear enough. The Viet Minh's strong commitment to national unity through years of hard fighting against the French has already been mentioned. Furthermore, North Vietnam, traditionally a food deficit area, could not hope to lead a truly independence existence. Vietnam is an economic unity; the two halves complement each other. Without access to southern rice, the DRV leaders faced the prospect of an uncomfortable dependence on Chinese food supplies.<sup>166</sup> The DRV was under significant pressure as well from Viet Minh troops from the south who had been regrouped in the north and told they would be returning to their homes after the 1956 elections.<sup>167</sup> A similar source of embarrassment was the group of Viet Minh cadres who had stayed behind in the south.<sup>168</sup> Cultural and social pressures for a normalization of relations with the south were also of some importance.

There is good evidence that elections were still the means by which Hanoi sought to accomplish reunification. Throughout the year following Diem's refusal to hold consultations, DRV leaders had continued to maintain in uncompromising terms the para-

mounty of the struggle for reunification through elections. Dong had said in September 1955 that there could be "no other alternative" than the holding of the elections as prescribed in the Geneva Accords.<sup>169</sup> In April 1956 Truong Chinh reaffirmed the policy of working for national reunification through elections. Recognizing the difficulties encountered, Truong Chinh noted that there were "some people who do not believe in the correctness of this political program and of the policy of peaceful reunification of the country, holding that these are illusory and reformist." But, asserted Truong Chinh, the recent declarations of the Soviet Union's Twentieth Party Congress concerning the peaceful transition to socialism had provided "new reason to be confident" about the policy of relying on elections.<sup>170</sup> In May Dong referred to the national reunification effort as "the sacred struggle of the Vietnamese people in the present historical phase." He expressed confidence that the country still could be united through peaceful means.<sup>171</sup> In July Ho was asked in an interview what would happen if no elections were held. He answered: "In that case, the Vietnamese people will continue to struggle with greater energy to have free general elections held throughout the country, for such is the most cherished aspiration of the entire Vietnamese people. . . ." When the idea that both Vietnamese governments might be admitted to the UN was mentioned to him, he replied negatively, insisting that: "Vietnam is a whole from the North to the South. It must be unified. It cannot be cut in two separate nations any more than the United States can be cut into two separate nations."<sup>172</sup>

Another sign that the DRV still was sincerely interested in elections is the report of Hanoi's effort to win Diem's agreement to elections by offering to postpone them. On a number of occasions in 1955 and 1956 and through several intermediaries, the DRV leaders informed Saigon of their willingness to postpone the plebiscite and to appeal to a foreign arbiter.<sup>173</sup> If the DRV had viewed the election provision merely as a propaganda device to embarrass the Diem regime, it surely would have insisted on Diem's keeping the original date. Hanoi's apparent reasonableness on the subject probably reflected a hope that Diem would agree to elections one, two, or three years hence, thus committing himself and enhancing the DRV's chances of ultimately gaining peaceful reunification.

The reason for Hanoi's continued advocacy of elections is not hard to understand. The DRV originally had favored elections because it expected to win, and in 1956 it could still be confident of victory. At the root of that confidence perhaps was the knowledge that the north's population exceeded that of the south by two or three million (out of roughly 30 million total). But the expectation of a DRV victory cannot be explained solely or even principally in terms of the northern majority. Reports of the south's poor prospects in the election rarely laid the cause at the lack of a free vote in the north which would make a Communist victory automatic. The strong support for the Viet Minh in the south is a crucial factor which simply can-

not be ignored. Some observers believed that the Viet Minh actually was stronger south of the 17th parallel than in the north.<sup>174</sup> During the two years after Geneva there was reason to believe that the Viet Minh's electoral strength in the south remained considerable.<sup>175</sup> Thus, an 8 October 1955 *Economist* article stated:

"The mass of the people in the south favor the Communist regime in the north, but for reasons of nationalistic sentiment rather than because of any doctrine attached to Communism. They have been strengthened in their allegiance since Geneva by the high-handed and inept actions of Diem. The kind of argument one hears is that the choice lies between an efficient dictatorship in the north and an inefficient dictatorship in the south."

The *Economist* also perceived a significant swell of support in the south for the holding of reunification elections:

"Many Vietnamese in the south have been criticizing Diem for his refusal to meet the Viet Minh leaders for discussions about the organization of national elections. There may well develop a really spontaneous and massive demonstration by the people of southern Vietnam to demand elections. Mr. Diem will then be faced with the choice of acceding to their demands, and certainly lose the election, or of opening fire on his own people and being overthrown by force."<sup>176</sup>

Although by the spring of 1956 Diem had indeed strengthened his control of the government beyond what most had thought possible, it is important to remember that Diem's remarkable achievement in eliminating his rivals for political power in Saigon did not mean he had acquired the broad base of popular support needed for success in a free election;<sup>177</sup> on the contrary, he had done little to win such support.

Despite the evidence that the DRV was rightly confident of victory in the elections, some have maintained that the DRV's willingness to allow the 1956 deadline to pass without incident suggests that Hanoi had by then lost real interest in the elections because of the problems encountered in its land reform program. This argument ignores several facts. It was not until the summer of 1956 that the DRV leaders came to realize that they were confronted by a severe in-

<sup>161</sup> *New York Times*, 26 October 1955. Bao Dai had denounced Diem's action in holding the referendum as one which would render reunification through nation-wide elections impossible.

<sup>162</sup> *The Times* (London), 12 March 1956, cited in Murli, *Vietnam Divided*, p. 190.

<sup>163</sup> *New York Times*, 9 March 1956.

<sup>164</sup> Ngo Ton Dat, "Geneva Partition and the Question of Reunification," pp. 409-410.

<sup>165</sup> *Ibid.*, p. 412.

<sup>166</sup> Possible evidence that the DRV leaders were unhappy at this prospect is available. In late 1954, the DRV reportedly delayed its aid negotiations with China several months in an effort to work out an arrangement with France. Though an agreement was reached, French concerns and technicians proved unwilling to remain in the Communist zone. *New York Times*, 1 January 1955. Sulzberger suggested that Ho, fearful of Chinese domination, might seek to play off China against France and to act as a sort of "Communist Nehru." *New York Times*, 13 November 1954.

<sup>167</sup> *New York Herald-Tribune*, 29 August 1956.

<sup>168</sup> It should be remembered that the Geneva Agreements required the regrouping only of military forces, not of all supporters of one side or the other. There is no evidence that the DRV made any effort to encourage civilians to move north, and, in view of the Viet Minh's expectation that the country would be reunified by elections, there was no reason to do so.

<sup>169</sup> *Fatherland Front*, p. 41. See also Ho's 2 September 1955 speech, *ibid.*, pp. 44-45; Ho's New Year's Day 1956 appeal for intensification of the struggle for consultations, *Facts and Dates*, p. 47; and Ho's 6 July speech, Vietnam News Agency dispatch, 6 July 1956.

<sup>170</sup> Vietnam News Agency dispatch, 29 April 1956.

<sup>171</sup> Vietnam News Agency dispatch, 1 May 1956.

<sup>172</sup> Vietnam News Agency dispatch, 12 July 1956.

<sup>173</sup> Lacouture, *Between Two Truces*, p. 68.

<sup>174</sup> Ellen J. Hammer, *The Struggle for Indochina Continues* (Stanford: Stanford University Press, 1955), p. 22.

<sup>175</sup> On Viet Minh strength in the south during the first year after Geneva, see *New York Times*, 24 October 1954, 23 December 1954, 31 December 1954, 20 May 1955, 8 June 1955, 23 June 1955, 17 July 1955.

<sup>176</sup> See also *Eastern World* (London), November, 1955, p. 11, which reported that Diem's refusal to consult on elections had alienated liberal elements in the south who feared that a failure to meet with the north would produce a new war. The article also reported widespread opposition to Diem among the peasantry, stemming particularly from Diem's failure to institute land reforms.

<sup>177</sup> An editorial in *The Times* (London), 9 March 1956, summarized Diem's achievement in this way: "The liberal intellectuals have been silenced in one way or another; the gangster organization of the Binh Xuyen has disintegrated; the Cao Dai General Nguyen Than Phuong has brought his forces over to the Government and deposed his 'pope.' By no means all of the countryside is firmly administered by the Government in Saigon. But at any rate organized armed resistance has been ended. . . . A year ago Mr. Diem refused national elections on the grounds that there was no guarantee of democratic freedom in the north. If he has asserted his own power by equally undemocratic methods, it has nevertheless been asserted."

19132

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

ternal crisis.<sup>178</sup> On 17 August Ho admitted that errors had been made. The Nghe An peasant uprising, the most spectacular manifestation of discontent in the countryside, did not occur until November. Thus, the DRV's policy on how to react to the passing of the July deadline was certainly formulated and probably executed before the gravity of the agrarian problems was known.

Furthermore, while it would be wrong to minimize the seriousness of the difficulties faced by the DRV in late 1956, it does not necessarily follow that Hanoi was significantly less willing to hold reunification elections. Even after the extent of the land reform failure became clear, the DRV continued to seek the co-chairmen's intervention to force the Diem government to fulfill the Geneva Agreements. On 15 August Dong sent a note to the co-chairman approving the USSR's 21 July proposal that the co-chairmen recommend that Diem immediately set a date for consultations and elections. Dong insisted that Saigon could not continue to speak of unity while refusing to discuss elections and renewed his demand that a new Geneva Conference be convened if Saigon failed to comply. As a further sign of his sincerity, Dong pledged that if there was an agreement to hold elections, all questions connected with their organization and supervision would be submitted to both sides for mutual agreement.<sup>179</sup> And on 22 November, just days after the Nghe An uprising, the DRV and China issued a joint communiqué condemning the Saigon regime and the US for prolonging Vietnam's division and demanding that the members of the Geneva Conference take action to ensure the implementation of the Agreements. Although this communiqué probably was primarily an effort to extract further action from the USSR, it may also have been issued in the hope that Britain, then on very bad terms with the US because of the Suez crisis, might reverse its earlier stand on the issue of elections in Vietnam.<sup>180</sup>

Finally, it should be pointed out that the north's anticipated margin in the elections was such that it is hard to imagine that discontent about the land reforms could have seriously threatened the DRV with defeat in the elections. Many of the DRV's problems stemmed from the country's division, and one would expect that under those circumstances pressure for reunification would increase, not decline. While reunification would not have solved the land reform problems, it would have relieved economic and social pressures<sup>181</sup> thereby removing some of the causes of tensions in the countryside. It really is hard to see why the DRV would have reacted by losing interest in the elections to problems some of which might have been at least partly alleviated by reunification.

The fact remains that the DRV did allow the election deadline to pass without undertaking drastic action. Many were surprised at the restraint shown by the DRV in the face of the frustration of what it felt were its legitimate claims. In view of the fact that recourse to violence eventually was taken, it is important to understand that throughout the two-year period there was an expectation that Diem's failure to allow elections might lead the DRV to violence, and, many said, such a course on the DRV's part could not be considered wholly unjustified. Immediately after the Geneva Conference, the *New York Times* had remarked that if the scheduled elections did not take place, the Viet Minh would have "a good

excuse for making trouble."<sup>182</sup> On 16 July 1955 the *Economist* asserted:

"... no western representative can possibly advise Diem to refuse to confer with the Viet Minh. To do so would be to invite either Communist-inspired civil disturbances in the South, or, eventually, a military attack which the nationalists would face without allies in the field."

On 21 April 1956, as the deadline approached, the *Economist* warned that Diem's refusal to participate in elections "constitutes a provocation to the Viet Minh to launch a war against the Nationalist south. . . ." And the *New York Herald-Tribune*, writing after the passing of the deadline, said: "These [southern Viet Minh] underground workers had doubtless expected to play a decisive role in the election that never came off. Now their only future is subversion."<sup>183</sup>

Though it ultimately did respond to Diem's "provocation," why did the DRV fail to do so in 1956? The DRV's failure to renew hostilities undoubtedly reflected at least to some extent its reluctance to engage in another war without having recovered from the considerable devastation of the first. But perhaps more important was the unwillingness of the Russians or the Chinese to support such a move. There was, in effect, a basic conflict of interests between the DRV and its Communist allies. The Soviets were not eager to establish the precedent of free elections in divided countries for fear that the West would insist on applying the same principle to Germany and Korea, where a Communist victory was unlikely. Most important, the Soviets were anxious to avoid a major war. The SEATO umbrella over Indochina and the U.S. government's strong support for Diem clearly made the consequences of a DRV attack uncertain; Vietnam apparently was too far from the USSR's central interest to be worth such a risk. Perhaps the most striking example of the USSR's willingness to sacrifice the DRV's interests for its own was Moscow's 1957 proposal that, as part of a package deal to include the two Koreas, both parts of Vietnam should be admitted to the UN.<sup>184</sup>

<sup>178</sup> *New York Times*, 25 July 1954.

<sup>179</sup> *New York Herald-Tribune*, 29 August 1956. For additional representative statements of the view that the south would either have to accept the elections or be prepared for a Viet Minh resumption of violence, see *New York Times*, 11 August 1955 (statement of the Canadian ICC Member) and 8 January 1956.

<sup>180</sup> The DRV, which opposed the admission of both Vietnams to the UN (see p. 41, above), never publicly acknowledged the Soviet proposal. Hanoi vehemently attacked Saigon's effort to gain admission alone, arguing that neither part of the country was qualified for membership; only a reunified Vietnam could join. Hanoi praised the USSR for its veto of the Saigon effort. See *New York Times*, 25 January 1957 and 31 January 1957; and Vietnam News Agency dispatches of 26 January 1957, 30 January 1957, and 12 February 1957. The Soviet proposal was rejected by the UN Special Political Committee by a vote of 45 to 12 (with 18 abstentions). The same committee approved the 13-power motion to admit the Republic of Vietnam by a vote of 44 to 8 (with 23 abstentions). Only the Communist countries voted against the Republic of Vietnam, while the abstainers included Yugoslavia, Afghanistan, Austria, Bolivia, Burma, Cambodia, Canada, Ceylon, Egypt, Finland, India, Indonesia, Israel, Jordan, Laos, Liberia, Libya, Morocco, Nepal, Saudi Arabia, Sudan, Sweden and Syria. No country breakdown is available for the vote on the Soviet proposal but it can probably be assumed that four of the 23 abstainers just listed joined the 8 Communist countries in

Though the Chinese were more deeply concerned than the Soviets about the future of the DRV, Vietnam was still much less important to Peking than other questions, particularly Taiwan. China, like the USSR, was in the midst of promoting a policy of peaceful coexistence and detente; like Moscow, Peking was probably unwilling to sacrifice that policy for the sake of Vietnamese reunification, even under Communist auspices. Furthermore, if Peking's fear of a major war in Indochina had led Chou En-lai to urge moderation and compromise on the Viet Minh at Geneva, that fear of war probably was at least as great in 1956 as it had been in 1954. Finally, it is even possible that Peking preferred a divided Vietnam, keeping the DRV dependent on China for its food supply.<sup>185</sup> In any case, however inviting and however justifiable an invasion of the south might have seemed to Hanoi's superior army, the DRV's economic dependence on its Communist allies, especially China, would have been a severe restriction on any plans to move against the south.<sup>186</sup> It is quite likely that the DRV was wary of involving itself in a situation in which it might have had to face both Diem and the U.S. without strong Chinese or Soviet support; such a situation would have jeopardized the very existence of the DRV.

It should be manifest that the DRV had a very serious interest in holding the 1956 elections, and that it did all it could, short of violence, to bring them about. But some will still discount the DRV's efforts and argue that Hanoi never could have permitted free elections because no Communist state has ever done so. This argument has been at the heart of the US and Saigon positions. It in essence holds that a Communist state is by definition incapable of ever permitting a free election.

There is reason to question the validity of that argument. Apart from the fact that the Geneva Agreements did not stipulate any preconditions on which the holding of elections would depend, it should be recalled that it was a generally accepted fact that the Viet Minh held substantial popular support which would have given it a victory even in "really free" elections. If a Viet Minh majority was anticipated by everyone, even President Eisenhower, is it reasonable to assume that the DRV would have felt it necessary to coerce its population or to rig the election in some way? If Communist governments have been known to rig elections, they have also been known to show considerable tactical flexibility in using whatever method seems to promise the greatest gain at the lowest cost. The simplest way for the DRV to gain control of all Vietnam would have been to permit free elections. To say that the DRV had an interest in permitting free elections is not to say that Communist governments in general would permit them or even that the DRV would always allow them, but only that the DRV might have allowed them in 1956 because it was confident of victory. To assume that every Communist state is under some sort of irrepressible compulsion to rig every election seems unwise. While no one really can

support of the DRV. See United Nations General Assembly *Eleventh Session, Official Records—Special Political Committee, 22nd Meeting*, 30 January 1957, p. 105.

<sup>185</sup> The above analysis of Soviet and Chinese unwillingness to support a DRV renewal of hostilities is largely drawn from Brian Crozier, "The International Situation in Indochina," *Pacific Affairs*, XXIX, no. 4 (December, 1956), 311.

<sup>186</sup> *Ibid.*, 312-313. For details on the DRV's economic dependence on her Communist allies, see Brian Crozier, "Indochina: The Unfinished Struggle," *The World Today*, 12, no. 1 (January, 1956).

<sup>178</sup> Bernard B. Fall, *The Two Viet-Nams* (New York: Praeger, 1964), p. 155.

<sup>179</sup> *New York Times*, 15 August 1956.

<sup>180</sup> This is suggested by Hinton, *Communist China*, pp. 338-339.

<sup>181</sup> See p. 39 above.



August 19, 1966

## CONGRESSIONAL RECORD — SENATE

say what the DRV would have done, it does not seem necessary to assume that the DRV would have rigged an election it could have won honestly just because other Communist governments, under different circumstances, have rigged them.

Besides the DRV's good prospects in a free election, it is surely of some relevance that the DRV responded to Saigon's accusations by spelling out its own understanding of "free elections" in rather more reasonable and realistic terms than Diem's insistence that the DRV disavow Communism.<sup>187</sup> On 6 June 1955, Pham Van Dong declared at a press conference that the DRV "stands for free general elections throughout the territory of Vietnam with all the guarantees necessary for the preparation, organization and conduct of general elections, in particular, guarantees of freedom of electioneering activities for all political parties, organizations and individuals."<sup>188</sup>

In September 1955 Dong further elaborated the DRV's understanding of free elections in a speech to the Fifth Session of the National Assembly discussing the program of the Fatherland Front. In Dong's words:

"The basic principles that govern these general elections are: general free elections throughout the country on the principle of universal, equal, direct and secret ballot. It is universal in the sense that all Vietnamese citizens, including army men and army officers, without distinction of sex, nationality, social class, profession, property status, education, religious beliefs, political tendency, length of residence, etc. . . shall have the right to elect and be elected. It is equal in that every elector shall cast one vote, and all votes shall have equal value. It is direct in that the people will directly elect their deputies to the National Assembly, and not through any intermediary. It is secret in that the ballot papers are in closed envelopes. All the above-mentioned conditions are to ensure that the elections will be entirely free and there can be no interference, no threat that might prevent their electors from freely expressing their will.

"As stipulated by article 7 in the Final Declaration of the Geneva Conference, control of the elections shall be exercised by the International Commission for Supervision and Control. . ."<sup>189</sup>

Ho Chi Minh, when asked about safeguards for free elections, replied: "This is a calumny by those who do not desire the reunification of Vietnam by means of free general elections. The Government of the Democratic Republic of Vietnam will guarantee full freedom of elections in the North of Vietnam."<sup>190</sup> Ho was more specific in two letters he wrote to the editor of *Nhan Dan*. On 17 November 1955, he elaborated his view of free elections:

"Free elections: All the Vietnamese citizens, male or female above 18 years old, regardless of class, nationality, religion, political affiliation, have the right to participate in the elections, to vote freely for the persons in whom they have confidence.

<sup>187</sup> There was an unofficial report in the Saigon vernacular *Ngon Luan*, 29 July 1955, which was somewhat more specific than Diem's statements about the north's need to put the country's interest ahead of Communism's, guarantee fundamental freedoms, etc. The report listed the characteristics the DRV must have to prove it was "democratic": "political opposition in the Government, basic freedoms for the people, army and police outside the control of the party, freedom of the press." Then the UN was to make an inspection to determine whether the DRV was democratic. Only at that point could elections be organized. Quoted in Murti, *Vietnam Divided*, pp. 186-187.

<sup>188</sup> *Ibid.*, p. 182.

<sup>189</sup> *Fatherland Front*, pp. 41-42.

<sup>190</sup> Vietnam News Agency dispatch, 12 July 1956.

"Free candidature: All Vietnamese citizens, male and female above 21 years old, also with the above-mentioned non-restriction clauses, have the right to stand for election.

"Free Canvas: All Vietnamese citizens, whether from the North or the South, have the right to canvass freely throughout the country through conference, leaflets, press, etc. The Government of the North and the authorities of the South should ensure the liberty and the security for all citizens during their activities for elections.

"Method of Voting: Totally equal, secret and direct. In short, the Vietnamese people and the Government of the Democratic Republic of Vietnam shall ensure complete freedom and democracy to the nationwide elections (as provided in the Geneva Agreement)."

In his second letter, written on 25 February 1956, Ho proposed a method by which the Western nations could judge which part of Vietnam really had democratic freedoms. He offered to permit any number of representatives of the southern zone to campaign in the north. The DRV would guarantee their complete security and right to campaign freely and to distribute their electoral propaganda, provided the DRV's representatives were allowed to do the same in the south.<sup>191</sup>

Whether or not the DRV would have lived up to those conditions cannot be known. One can at least say that the conditions described above were exemplary of a free election. But the Saigon government and the US refused even to consider the possibility that the DRV could permit a free election; they argued that the lack of freedom in any Communist country made it impossible to hold a free election there. Yet, such concern about the absence of prerequisites for a free election seems not to have deterred the US from postponing free elections in Germany or Korea, where the non-Communist part of the country was certain to win.<sup>192</sup> In effect, the lack of freedom in Communist-ruled areas has been raised as a barrier to free elections only in Vietnam, where the Communists were expected to win, and not in divided countries where a Western victory was anticipated. It is hard to avoid the conclusion that the US was less concerned about the conditions of voting than about the likelihood of an unfavorable outcome.

Moreover, the unwillingness of the Saigon regime and the US to consider elections under such conditions as those proposed by Ho and Dong is, to say the least, ironic in view of the circumstances that characterized Diem's rule in general and the elections conducted under his aegis in particular. In August 1954 Diem established seditious courts to deal with cases threatening Vietnam's "national independence" and "public security," particularly with respect to acts aimed at "overthrowing the national government."<sup>193</sup> The arrest and imprisonment by the Diem regime of those who merely advocated free nationwide elections—among them the Saigon lawyer, Nguyen Huu Tho, later to become the leader of the National Front for the Liberation of South Vietnam—was a significant commentary on the credentials of the Saigon government to pass on whether the DRV was qualified to hold free election. With respect to freedom of the press, the Saigon government announced in late August that it was considering the "possibility" of abolishing domestic political censorship.<sup>194</sup> That

<sup>191</sup> Both letters are from Murti, *Vietnam Divided*, pp. 187-188.

<sup>192</sup> One such proposal was made on 4 November 1955. The Western "Big Three" plus West Germany jointly proposed the holding of a free election in September 1956 to unite the two parts of Germany. *New York Times*, 5 November 1955.

<sup>193</sup> *New York Times*, 4 August 1954.

<sup>194</sup> *New York Times*, 31 August 1954.

possibility apparently was rejected. As the *London Times* (among others) pointed out, that suppression of opposition which was criticized in the north had already occurred in the south.<sup>195</sup> According to B. S. N. Murti, an Indian member of the IOC, various "mopping up" operations and repressive campaigns against former resistance members drove them to the jungles and eventually to guerilla activity.<sup>196</sup> As Sulzberger described the situation in March 1955, the Diem regime was a "barren dictatorship," which could not expect to overcome the appeal of the Viet Minh with "unborn democracy and ineffective dictatorship."<sup>197</sup>

It is noteworthy that Diem's hastily arranged referendum between himself and Bao Dai in October 1955 probably was illegal, because Bao Dai, who had appointed Diem premier, withdrew his mandate several days before the referendum (the local papers failed to report that Diem had been dismissed).<sup>198</sup> Bao Dai also never agreed to participate in the contest. But the question of the election's legality is minor compared to other problems. The referendum reportedly was rigged by the premier's brother, Ngo Dinh Nhu.<sup>199</sup> Diem received 98.2% of the votes. The voting procedure itself seems not in the best tradition of secret balloting. The voter tore off one half of a picture ballot and put it in a sealed envelop.<sup>200</sup> One wonders what was done with the other half.

With respect to the March 1956 constituent assembly election, which the State Department praised as relatively "fair,"<sup>201</sup> there were numerous restrictive provisions. The government kept the right to veto candidates of whom it disapproved. Campaign finances, transport, and propaganda were provided exclusively by the government. By a presidential decree of 11 January 1956 concentration camps were set up to house families of former Viet Minh supporters and current political prisoners. All opposition parties boycotted the election. Several independents had their candidacy suppressed. Suspected electoral opponents of the Diem regime were arrested. And once elected, deputies were to be immune from arrest only if they refrained from supporting the policies or activities of rebels or Communists.<sup>202</sup> An informative report of the conditions in which candidates operated in a Republic of Vietnam election is provided in an article by Nguyen Tuyet Mai, a candidate in the 1959 National Assembly elections. In her words: ". . . the essence of South Vietnamese politics is as totalitarian as the regime in the North which it so strongly decries."<sup>203</sup> As Robert Shaplen put it, the National Assembly chosen in 1956 and 1959 was a "completely controlled body."<sup>204</sup> Thus, even if one assumes the worst about the DRV's promises about electoral conditions, it seems questionable

<sup>195</sup> *The Times* (London), 18 August 1955.

<sup>196</sup> Murti, *Vietnam Divided*, p. 196.

<sup>197</sup> *New York Times*, 12 March 1955.

<sup>198</sup> Murti, *Vietnam Divided*, p. 141.

<sup>199</sup> Robert Shaplen, *The Lost Revolution* (New York: Harper, 1965), p. 129. That the referendum was rigged is also reported by Bernard B. Fall, "How the French Got Out of Viet-Nam," in *The Viet-Nam Reader*, p. 89. Scigliano, *Nation Under Stress*, p. 23, suggests that the referendum "recalls elections in Communist states."

<sup>200</sup> *New York Times*, 24 October 1955. In fact, in a later election the Viet Cong capitalized on this procedure by announcing that anyone who could not produce an unused ballot picture of Diem the day after the election would be punished.

<sup>201</sup> *New York Times*, 11 March 1956.

<sup>202</sup> The above description of conditions in the constituent assembly elections is from Murti, *Vietnam Divided*, pp. 192-193.

<sup>203</sup> Nguyen Tuyet Mai, "Electioneering: Vietnamese Style," *Asian Survey*, II, no. 9 (November 1962) 11-18.

<sup>204</sup> Shaplen, *Lost Revolution*, p. 130.

19134

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

whether the election in the north could really have been much less free than that in the south.<sup>205</sup>

While it is impossible to speak with certainty of Hanoi's intentions, it seems undeniable that the DRV did almost everything possible to facilitate the holding of elections. From 1954 to 1956, the DRV behaved largely as one would expect a country sincerely interested in carrying out the Geneva Agreements' election provision to act. On the other hand, Diem, clearly conscious that he would lose the election, was under heavy domestic political pressure completely to eliminate the possibility of elections and thus to demonstrate that Communist rule was not "around the corner."<sup>206</sup> Diem's refusal even to consult probably also reflects a fear that the DRV might have agreed to any reasonable conditions he imposed. The conclusion seems inescapable that the 1956 elections were not held because the Diem government, with important US backing, was more interested in maintaining itself as a separate, anti-Communist government than in risking its survival to achieve the national unity to which all Vietnamese ostensibly were committed.

EPilogue—THE FAILURE TO HOLD ELECTION:  
SOME IMPLICATIONS FOR THE PRESENT

With the passing of the July 1956 deadline for elections, Hanoi began to stress that the struggle for reunification would be a long and arduous one.<sup>207</sup> The DRV continued to base its appeals on the election provision of the Geneva Agreements, holding both that the French (who had withdrawn their High Command in April 1956) were responsible for implementing the Agreements until they made arrangements for officially handing over that obligation to the Saigon government and that the Republic of Vietnam was already obligated as a "successor regime."<sup>208</sup> Efforts were made through 1960 to engage the Diem government in consultations about elections. In June 1957 Dong wrote to the Geneva Conference co-chairmen again calling on them to take steps to facilitate the holding of elections.<sup>209</sup> In July 1957, March and December 1958, July 1959, and July 1960 Dong addressed notes to Diem urging that he agree to the holding of a consultative conference to discuss reunification elections.<sup>210</sup> The DRV also sought to institute at least a normalization of relations with the south, which would permit Hanoi to trade for southern rice. Diem rejected all of Hanoi's offers, condemning them as "false

<sup>205</sup> As Murti, *Vietnam Divided*, p. 188, points out, it is noteworthy that despite the enormous number of DRV complaints about the lack of freedom in the south, Hanoi never made this an issue with reference to the elections. This is another sign that the DRV was seeking elections, not a propaganda victory.

<sup>206</sup> See, for example, *New York Times*, 17 July 1955, on Diem's awareness that he would lose and on the political pressures leading him to reject elections. Ellen Hammer, "Viet Nam, 1956," *Journal of International Affairs*, X, no. 1 (1956), 35, asserts that the fear of elections had a "paralyzing effect" on the Saigon government.

<sup>207</sup> See, for example, Vietnam News Agency dispatch, 2 January 1957.

<sup>208</sup> See *Seventh Interim Report of the International Commission for Supervision and Control*, August 1, 1956-April 30, 1957 (London: Her Majesty's Stationery Office, 1957) [Cmd. 335], and Vietnam News Agency dispatch, 10 January 1957.

<sup>209</sup> *Economist*, 29 June 1957.

<sup>210</sup> See *New York Times*, 21 July 1957; Vietnam News Agency dispatch, 9 March 1958; Vietnam Peace Committee, *Five Years of the Implementation of the Geneva Agreements in Vietnam* (Hanoi: Foreign Languages Publishing House, 1959), p. 8; and Devillers, "Struggle," 10.

propaganda."<sup>211</sup> The DRV consistently blamed Diem's refusals on pressure from his United States backers and, in the face of repeated rejections, continued until at least 1958 to pledge its determination to carry out more actively its efforts to reunify the country on the basis of "independence and democracy by peaceful means."<sup>212</sup>

It is important to understand that Hanoi continued to view reunification as a goal the legitimacy of which was assured by the Geneva Agreements. Inasmuch as Geneva had explicitly affirmed the unity of Vietnam and the non-political character of the demarcation line, the DRV leaders undoubtedly felt justified in continuing to hold that Vietnam was a single country, the reunification of which was essential.<sup>213</sup> Thus, Secretary Rusk is correct in pointing out that "Hanoi has never made a secret of its designs."<sup>214</sup> For Hanoi sees reunification not as an invidious "design" that should be hidden but as a legitimate national (i.e., encompassing all Vietnam) enterprise bearing the approval of all present at Geneva.<sup>215</sup> The ex-

<sup>211</sup> *New York Times*, 17 March 1958; see also *Problem of Reunification*.

<sup>212</sup> See for example, *New York Times*, 17 April 1958.

<sup>213</sup> It should be noted that although the DRV has continued to insist on the importance of reunification, Hanoi has for some time maintained that even if the US were to withdraw, reunification would not come immediately. Lacouture reports (*Between Two Truces*, p. 246) that the DRV leaders had come to accept a delay of 10 to 15 years; since the start of US bombing attacks on the north, that timetable has probably been compressed somewhat, but even recently (*Doc Lap*, 14 October 1965) Hanoi has admitted that reunification must be "gradual." One must also consider the NLF's coolness toward early reunification (see Lacouture, *Between Two Truces*, pp. 173, 245-246). The NLF platform calls for reunification by "stages." An apparent lack of enthusiasms for reunification also was manifest when the NLF held its first congress in January 1962. It mapped out 10 points, and reunification was not among them. The congress also proposed the establishment of a neutral zone to include South Vietnam, Cambodia, and Laos. A pamphlet written by two DRV citizens native of the south discussing the NLF advocates a "Laotian solution" for South Vietnam. The pamphlet's principal mention of reunification is in a short section which begins by describing the problem as "particularly difficult." (See Tran Van Glau and Le Van Chat, *The South Viet Nam Liberation National Front* [Hanoi: Foreign Languages Publishing House, 1962], pp. 32, 34-35, 84 and 87. The pamphlet also contains the information on the NLF congress.) Ironically, US bombing of the north has had the effect of increasing the NLF's sense of kinship with the DRV. The increase in the NLF's emphasis on reunification can be seen by comparing the above pamphlet with the NLF statement in *We Will Win* (Hanoi: Foreign Languages Publishing House, 1965), published after the start of the bombing raids. Both Hanoi and the NLF have consistently favored an immediate "normalization" of relations between the zones, which would enable the north to tap southern food sources again.

<sup>214</sup> Speech before the American Society of International Law, Washington, D.C., 23 April 1965, in *State Department Bulletin*, LII, no. 1350, p. 698.

<sup>215</sup> In fact, Hanoi has sometimes seemed to betray a sense of embarrassment that it was not doing as much as it should to promote reunification. See, for example, Hanoi's effort to rationalize the "consolidation of the north" as an integral part of the reunification struggle. Vietnam News Agency dispatches, 31 December 1956 and 10 January 1957.

tent and the character of Hanoi's efforts to promote reunification after 1956 are, of course, matters of the greatest controversy.<sup>216</sup> Although such questions are indeed important ones, it is not necessary to answer them in order to understand Hanoi's perspective on the present situation. Whatever the nature of Hanoi's involvement in the south and whenever it began, there can be no denying that eventual DRV efforts to "support" the "struggle" in the south were a direct consequence of Diem's refusal to permit the scheduled elections. From the history of Hanoi's unsuccessful efforts to bring about the holding of the 1956 elections, some implications can be drawn about the DRV's understanding of the present situation in Vietnam.

The history of elections sheds some illumination on the DRV's relations with the USSR and China. In a sense, the DRV's frustration in its efforts to achieve national reunification through elections was a result not only of the US's support of Diem but also of the unwillingness of the major Communist powers to exert strong pressure to secure the implementation of the Geneva Agreements. The ineffectiveness of Soviet and Chinese support cannot have failed to impress on Ho Chi Minh the disadvantages of dependence even on fraternal Communist countries. Any tendency to view Hanoi simply as an extension of the Communist power of Moscow or Peking must be considered in the light of the DRV's past relations with its allies. It seems safe to assume that the DRV's experience has reinforced Hanoi's disposition to follow a course independent of its Communist allies.

US officials have often expressed the view that Hanoi's failure to respond affirmatively to Washington's peace overtures proves that the DRV is not interested in a peaceful

<sup>216</sup> Some analysts have asserted that the DRV's effort to foster a change in the southern government's attitude toward elections consisted essentially of "propaganda activities" until 1959. (See Scigliano, *Nation Under Stress*, p. 137, and *New York Times*, 2 May 1960.) Others have reported that the killing of village chiefs in the south began "within a few months" after the passing of the 1956 election deadline, although the murders are attributed to "stay-behind" Viet Minh, not infiltrators from the north. (See Fall, "How the French Got Out," p. 91.) Some very knowledgeable writers have argued that the adoption of violent methods by southern Viet Minh supporters came largely as a response to Saigon's repressive campaigns against them, an activity which the Diem government openly undertook as early as 1954 despite the Geneva Agreements' prohibition of reprisals against partisans of either side. Hanoi, that argument continues, feared becoming involved in a major war, but the southerners, subject to Diem's repressions, were unwilling to wait indefinitely; thus, in response to southern pressures culminating in the March 1960 meeting of "former resistance veterans," Hanoi that September agreed to endorse the formation of a National Liberation Front. (For a development of the view that Saigon's campaigns against Viet Minh supporters led to the start of civil war in the south, see Lacouture, *Between Two Truces*, pp. 53-54, Devillers, "Struggle," 11-20, and Murti, *Vietnam Divided*, p. 196. Concerning southern pressures on a reluctant Hanoi, see the Lacouture and the Devillers citations.) The State Department's view, of course, is that Hanoi sought first to overthrow Diem by encouraging its southern followers to terrorize the countryside, and that when this effort failed to topple Diem, the DRV launched "aggression" by sending infiltrators to seize the south and set up a puppet Liberation Front to conceal its aggression. (See the 1961 and 1965 white papers on Vietnam published by the State Department.)

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19135

settlement of the war. But the DRV's experience in attempting to bring about the holding of the 1966 elections suggests that there may be other reasons for Hanoi's failure to respond to US negotiation offers.

In Hanoi there is a considerable reservoir of skepticism about any proposals emanating from Washington, and this attitude of distrust should not be hard to understand in view of the US role in support of Diem's undermining of the 1966 elections. The DRV's leaders are convinced that the US was instrumental in Diem's refusal to allow elections. Their attitude is well represented by this passage from an article in the army journal *Quan Doi Nhan Dan*:

"We demand the reunification of our land because for the last nine years the United States itself prevented any negotiation that would bring about a peaceful reunification of the two parts. Even now the United States still stubbornly considers the south as a 'separate country(!)' as it deliberately tries to prolong the division of our country."<sup>217</sup>

Can one really be surprised when US offers bring a response like this:

"Johnson proposed to solve the Vietnamese problem by free elections, and he considered this proposal . . . a concession. This is nothing new. A free election to reunify Vietnam . . . is a matter . . . clearly specified in the 1954 Geneva agreement. This election should have been carried out nine years ago, but it was precisely the United States which, through the instrumentality of its henchmen, sabotaged the execution of this provision . . . these proposals are deceitful tricks."<sup>218</sup>

Furthermore, Hanoi's understanding of the nature of the war makes it very difficult for the DRV to accept US peace offers. The DRV leaders see Diem's refusal to implement the election provision and his attempt to create instead an international boundary at the 17th parallel as a central cause of the current conflict. To the DRV, the goal of reunification appears not as an aggressive design but as the legitimate fulfillment of the clear intention of the Geneva Agreements. Hanoi places considerable weight on the Geneva Agreements' explicit assertion that the 17th parallel was not to be construed as a political boundary. The merit of Hanoi's position on this question has been acknowledged even in the West. As the *London Times* put it in 1956: "There is the tacit American insistence that the Western powers party to the Geneva agreement should accept the *fait accompli* of a divided Vietnam. . . . For both France and Britain it means that the intention of the Geneva agreement will have been frustrated and a charge of bad faith may be raised."<sup>219</sup> Yet it is precisely on the acceptance of the notion that the 17th parallel constitutes a legitimate political boundary that the US interpretation of the war as "North Vietnam's aggression against South Vietnam" depends. The State Department's 1965 white paper on Vietnam makes this assertion: "In Vietnam a Communist government has set out deliberately to conquer a sovereign people in a neighboring state." It is impossible to conceive of "aggression" of one state against another, when there is no legal basis for the existence of more than a single state. To the DRV, the idea that South Vietnam is "a neighboring state" is an absurdity born of the US desire to retain a foothold in Indochina.<sup>220</sup> Thus Ho stated:

<sup>217</sup> *Quan Doi Nhan Dan*, 27 September 1965.

<sup>218</sup> *Quan Doi Nhan Dan*, 23 September 1965.

<sup>219</sup> *The Times* (London), 9 March 1956.

<sup>220</sup> See the article by Do Xuan Sang, secretary general of the Vietnam Lawyers Association. The "shopworn plea" of Hanoi's "aggression" and refusal to abandon South Vietnam, he asserts, "precisely goes counter" to the basic principles of the Geneva Agree-

" . . . it is a dishonest argument to say that the southern part of our country is a neighboring country separate from the northern part. One might as well say that the Southern states of the United States are a country apart from the Northern states . . . Vietnam is one, the Vietnamese people are one. . . . As sons and daughters of the same fatherland, our people in the north are bound to extend wholehearted support to the patriotic struggle waged by the people of the south."<sup>221</sup>

While Hanoi's assumptions about US intentions are certainly open to doubt, it is not so easy to dismiss the DRV's reasons for refusing to accept the US interpretation of the nature of the war.

When the US asks for "some sign that North Vietnam is willing to stop its aggression against South Vietnam," it is calling upon Hanoi to accept Washington's interpretation of the war. Washington is asking the DRV implicitly, if not explicitly, to admit having committed aggression, when to Hanoi it is quite clear that Saigon and Washington are the guilty parties—guilty of sabotaging the unity of Vietnam by refusing to allow the 1966 elections to take place. However much Hanoi may need and want peace, it is unrealistic to expect the DRV to admit, even implicitly, that it has been an aggressor, when the facts of the last decade tell it otherwise.

It is certainly beyond the province of this study to suggest what the US negotiating position should be. But several observations are possible about the prerequisites for successful negotiations. If the US wishes to understand and to deal effectively with its adversary in Vietnam, it must recognize the reasons for Hanoi's distrust of the US. Only if the roots and the intensity of Hanoi's skepticism about US peace overtures are fully understood by Washington can effective steps be taken to dispel Hanoi's doubts and prepare the way for effective negotiations. Furthermore, Hanoi is likely to remain unresponsive to peace proposals which treat the DRV as an aggressor being forced to the conference table by punitive US bombings. Any realistic approach to negotiations in Vietnam must give at least some consideration to the DRV's efforts to implement the Geneva Agreements' election provision and to the manner in which those efforts were frustrated.

#### REPORTS OF AMERICAN NATIONAL RED CROSS AND THE SALVATION ARMY ON SERVICES RENDERED AFTER RECENT KANSAS TORNADO

Mr. CARLSON. Mr. President, many organizations and individual citizens rendered outstanding service to the city of Topeka and eastern Kansas following the disastrous tornado which occurred on June 8.

The director of the American National Red Cross, Mr. Don Byers, has submitted to me a report of the services rendered by that organization to citizens affected by the tornado in eastern Kansas.

Maj. Lewis Forney, Topeka commanding officer of the Salvation Army, has also given me a statement of some of the services rendered by that organization following the disaster.

The attempt to build a separate state in the south is "out-and-out illegal" in view of the Geneva Agreements. Vietnam News Agency dispatch, 26 February 1966.

<sup>221</sup> Tass dispatch, 9 December 1965, and Vietnam News Agency dispatch, 8 December 1965.

The American Red Cross and the Salvation Army are two organizations that can always be depended on when disaster strikes. These organizations have dedicated and trained personnel who are ready to serve at a moments notice.

The citizens of my State, and particularly those of eastern Kansas are indebted to the leadership and personnel of these outstanding and humanitarian organizations for their prompt and efficient service following the most destructive tornado in the history of our State.

I ask unanimous consent to print in the RECORD the report of the American National Red Cross and the report of the Salvation Army at Topeka, Kans.

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

#### REPORT TO SENATOR FRANK CARLSON ON RED CROSS ASSISTANCE TO VICTIMS OF THE EASTERN KANSAS TORNADOES OF JUNE 8, 1966

More than 16,000 disaster victims and relief workers received mass care in food, shelter and first aid: \$64,228.

A total of 1,543 families received assistance in food, clothing and other maintenance (rent, auto repairs, et cetera): \$164,206.

Seventy-eight families received assistance in the rebuilding or repair of their own home; fifteen dwellings were rebuilt or replaced; sixty-four were repaired: \$118,765.

Four hundred and thirty-two families were assisted in the replacement and repair of household furnishings and household appliances: \$125,537.

One hundred and twenty-one families received medical and nursing assistance, including doctor's bills, hospital bills, prosthetic appliances and prescription medicine: \$28,535.

Twenty-four families received assistance in the purchase of tools and equipment to re-establish them in self-employed occupations: \$7,835.

In total, 1,600 families received assistance in the total amount of \$509,108 (subject to correction when deferred medical cases have been disbursed and all assistance in building and repair is concluded).

In addition, 350 families received counseling and referral assistance. Almost seven thousand welfare inquiries were investigated.

Cases in which full medical recovery has not been attained, and those in which building repairs have not been completed will continue to receive attention as long as Red Cross is required.

*An estimation of statistics, after 11 days' service, tornado disaster service by the Salvation Army at Topeka, Kans. (date of disaster, June 8, 1966)*

FOOD	
Emergency grocery orders-----	726
Meals served (8 locations) 11 days--	141,000
Cups of coffee and cold drinks-----	700,000
Sandwiches -----	16,700
Doughnuts and rolls-----	26,400
CLOTHING	
Garments and bedding-----	185,000
Including sheets and pillow cases--	2,300
Blankets-----	925
FURNITURE	
Gas stoves, refrigerators, dishes, bedroom and dining room furniture—chairs, tables, divans—small appliances, etc. (This distribution is in its initial phases and it is anticipated that many more such items will be issued within the next 60 to 90 days.)-----	200
Gasoline and transportation to families -----	191

19136

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

An estimation of statistics, after 11 days' service, tornado disaster service by the Salvation Army at Topeka, Kans. (date of disaster, June 8, 1966)—Continued

PERSONAL SERVICES	
Number of families contacted.....	1,096
Persons temporarily sheltered.....	170
Missing persons inquiries.....	175
Nursing care.....	37
Grocery orders to individuals and canned food distribution.....	726
Gallons of milk.....	162
Trailer applications taken.....	47
Rental referrals.....	15
VOLUNTEER SERVICES	
"SAC" unit—trained personnel in communications unit (hours).....	4,800
Salvation Army officers serving in rotation system.....	55
Citizens of Topeka and the surrounding area.....	700
Vehicles driven by citizenry for disaster work.....	134

### VOLUNTARY CLASSIFICATION OF MOTION PICTURES BY MOTION PICTURE ASSOCIATION OF AMERICA

Mrs. SMITH. Mr. President, on March 25, 1966—nearly 5 months ago—I expressed my concern to the Senate over the marked increase in the use of shameful, perverted themes in motion pictures being seen by America's small children. At that time I proposed a Senate special committee be formed to study the merits of a classification system. In this system either an industrywide, or governmental, or industry-government board would certify domestic and foreign movies as to their suitability only for adults or, on the other hand, for the entire family. My resolution, Senate Resolution 242, was subsequently introduced and referred to the Committee on Commerce.

It was with genuine pleasure therefore that I read this week that voluntary classification of motion pictures is now close to being adopted as the guiding principle of the Motion Picture Association of America's revised Production Code.

I wish to offer my sincere congratulations to the new president of the Motion Picture Association of America, Mr. Jack Valenti, for this decision.

As I understand it, Mr. Valenti's action is directed toward those citizens, generally opposed to outright censorship, who have been leaning toward classification as the lesser of two evils. As the newspaper Variety phrases it:

A system of voluntary classification, Valenti and his associates seem to think, can go a long way toward convincing these people that Government action is unnecessary, and that the motion picture industry is truly capable of self-regulation.

This idea, I might point out, already has strong support within the United States. Several nationally prominent, highly respected groups have long supported a classification system of one type or another for American motion picture theaters. These groups include the National Congress of Parents and Teachers, the Film Estimate Board of National Organizations, the American Jewish Committee, the Protestant Motion Pic-

ture Council, the National Legion of Decency, and the Schools Motion Picture Committee.

Mr. President, I shall be very interested in the outcome of Mr. Valenti's proposal. I understand that the date of September 6, 1966, has been set for a meeting of the board of the Motion Picture Association of America on the subject of voluntary classification of motion pictures.

I shall follow closely the results of that meeting.

I wish Mr. Valenti success in his efforts. Many Americans, at all levels of government, are keenly interested in his suggestion. Mr. President I would like to request that the news story from Variety, August 17, 1966, entitled "Classification on All Films" be inserted into the body of the CONGRESSIONAL RECORD at this point.

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

#### NEW HOLLYWOOD "ADULT" CODE—CLASSIFICATION ON ALL FILMS

(By Ronald Gild)

Voluntary classification of motion pictures, an idea long-discussed and long-opposed by the nation's major film distributors, is now close to being adopted as the guiding principle of the Motion Picture Assn.

In a confidential memorandum on the proposed Code, sent by new MPAA president Jack A. Valenti as "a springboard for discussion," the reasons for such a step are carefully outlined, and the necessity of the decision is laid squarely on the line as the only way to head off Governmental classification, a burgeoning trend in local communities around the country.

"If we are to keep the exhibitors with us," Valenti told the company toppers, "we must avoid (Government classification) at all costs now. We can tell the exhibitors, look, we have to do something about adult movies and this is the sensible way. If you will cooperate, we can together beat the local know-it-alls. But if you don't cooperate, we will sooner or later have to succumb to Governmental classification which lays the onus right squarely on your back."

Sept. 6 has been set for a board meeting on the Code revision, but Valenti's memo suggests that considerable discussion is still required to "define the boundaries beyond which responsible filmmakers, voluntarily will not go" (see separate story), but it is understood that the MPAA staff is hoping to have things ready to go by the fall.

Though work on a new Code has been in progress for many months (reports on a proposed draft appeared in Variety last October) the matter has been given high priority by Valenti, particularly since the time that the MPAA appeals board granted "exemptions" to the 30-year-old present Code: first to raw language in Warner Bros. "Who's Afraid of Virginia Woolf?" and later to the subject of abortion in Paramount's "Alfie." It is noted that "Woolf" is currently showing on a "no one under 18 without a parent" admission policy, and that "Alfie's" ads will have "adults only" tag.

Voluntarily classification system, according to Valenti's memo, would work as follows:

1. The distributors, in consultation with Code administrator Geoffrey Shurlock, will "label each picture that is catalogued not for the very young or impressionable middle youth as "For Mature Audiences."

2. This designation will run as part of all first-run print and broadcast ads, trailers and point-of-sale materials for theaters.

(Only first-run advertising can be effectively controlled by the distributor.)

3. The MPAA's Green Sheet, summarizing reviews and ratings of various organizations, will be sent out by first class mail, individually addressed to the film editor of each daily paper, and the overall circulation of the Sheet will be expanded. Currently, mailing is third class, and addressee is the paper, not an individual.

4. The Association (most likely aided by Anna Rosenberg Associates p.r. firm) will start a campaign to get all dailies to run movie-logs, containing one-line reviews plus notice of "For Mature Audiences," designation where applicable.

5. Valenti and others in the industry will go out on the stump to "constantly impress on the public our determination to inform the parent—to insist that the 'For Mature Audiences' description does not mean sex—but rather subjects and treatment that parents ought not to display for their children." (Likely point here is to avoid the pitfall of a classification tagline being used as an ad line, as with Britain's "Kiest Picture in Town.")

Valenti's phrase "inform the parent" is emphasized over and over again in his memo as the major purpose of the classification system, and as an answer to those who, while approving greater emphasis on "adult" motion picture themes, have lamented the lack of proper guides for parents concerned with their children's viewing.

#### RESPONSIBILITY CLEAR

"In a world grown complex," Valenti told the presidents, "there are still truths which have not changed. The responsibility for telling the public about our product remains clear. And that responsibility must be aimed at the one person who in actual fact directs the path of our society: the parent . . ."

"Therefore, the motion picture maker must inform the parent about the movie. Whatever happens after the parent is informed is the province of the parent, for no one else is either authorized or divinely anointed to demand, or order, or even to persuade the parent to do something he does not want to do. Thus, this Code, rewritten to fit the mores and customs of this age, directs its focus to the parent."

#### WITCH HUNTERS

As Valenti puts it in a section of his memo titled "Areas for Rebuttal," one of the chief objections to voluntary classification has been that "We will activate local witch-hunters who will say 'If you can classify your own pictures, we can too—and besides you don't go far enough. We will add criminal sanctions by local ordinance.'" (The example of Dallas, where voluntary ratings led to state classification is often offered.)

"Possibly," Valenti answers. "But we still have all the sound legal weaponry on our side. Ours is voluntary—ours is not censorship. And ours goes to the heart of the problem—which is information to the parent. Anything beyond that is the noxious hand of corruptible censorship."

What the MPAA president seems to be saying is that the "witch-hunters" will be around no matter what you do, and they can be beaten in court. But the direction of the MPAA thrust is rather toward those responsible citizens, generally opposed to censorship, who have been leaning toward state classification as the lesser of two evils. A system of voluntary classification, Valenti and his associates seem to think, can go a long way toward convincing these people that Government action is unnecessary, and that the motion picture industry is truly capable of "self-regulation."

#### TRIBUTE TO SENATOR SIMPSON

Mr. BYRD of Virginia. Mr. President, one of the most beloved Members of the

19148

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

or named to State legislatures, city commissions and judgeships.

Race is only one of many problems still being solved by the South. Labor shortages are beginning to crop up, particularly among skilled workers. Many businessmen feel that Southern schools still are not turning out researchers and scientists fast enough to keep pace with other regions. Traffic jams and "urban sprawl" are afflicting some cities.

## REGION WITH A FUTURE

It's not a uniform picture of change you find in the South. There's a widening gap in outlook and growth between cities and rural areas, where many marginal farmers remain. Some States are industrializing more rapidly than others.

Yet you sense a growing power in this part of the nation and growing confidence that it is a "region with a future." J. L. Townshend, assistant vice president of the Southern Railway System, summed things up this way:

"I've been in the South for 30 years and I've never seen anything like the boom of the last five years. Every sign points to unslackening growth as far ahead as you can see."

**HORACE DAVID GODFREY — 32 YEARS' SERVICE TO NATION'S AGRICULTURE**

Mr. TALMADGE. Mr. President, it is my pleasure on this occasion to bring to the Senate's attention Mr. Horace David Godfrey's long and devoted service of 32 years to our Nation's agriculture. Mr. Godfrey, Administrator of the Agricultural Stabilization and Conservation Service, has been an agriculturist for his entire life, being born and reared on a farm near Waxhaw in Union County, N.C.

It has been my privilege to have been associated with Mr. Godfrey since first taking my position in the Senate and being assigned to serve on the Senate Committee on Agriculture and Forestry. In our work on the committee, Mr. Godfrey has been of great assistance and proven himself to be an able, knowledgeable, and conscientious administrator whose main concern has been the advancement of agriculture in America to the benefit of our farmers.

He brought to the Agricultural Stabilization and Conservation Service many years of experience by working with the original Agriculture Adjustment Administration, the Production and Marketing Administration, and the Commodity Stabilization Service. He is well-respected by all Georgians who have worked under his leadership and he has dealt fairly with all agricultural problems in my State.

It is my pleasure today to salute Mr. Godfrey, to commend him for his outstanding work, and to wish him every future success.

**WASTE OF U.S. TAXPAYERS' DOLLARS IN SOUTH VIETNAM**

Mr. GRUENING. Mr. President, Jack Fosie reports in today's Washington Post that while money is lacking to improve the life of the peasants in Vietnam, funds are available to construct a huge 200-room palace in downtown Saigon.

It is estimated that the construction will cost \$1.78 million and will contain such fancy "goodies" as 100 fountains

lining the portico, 3,400 exterior lights to illuminate the 21 acres on which the palace is located, teak floors covered with imported rugs, an exterior built with materials from France—glass doors are massive St. Gobain panels.

Why this elaborate and costly palace is being built at a time when the very existence of South Vietnam is in the balance is a complete mystery. Mr. Fosie reports that:

No one knows what the elaborate and expansive building will be used for or when it will be completed—there are many suggestions on a use for the new palace-museum, a residence for the chief of state, a government office building.

It is perfectly evident, of course, that the United States is bearing the cost of this monstrosity. Every item imported by the Ky government for the palace requires the expenditure of dollars or other foreign exchange, and in one way or another the U.S. aid program foots the bill by providing Ky with its dollar and foreign exchange requirements. The entire economy of South Vietnam is, of course, supported by the U.S. aid program. Commodities given to Vietnam under the aid program are sold by the Vietnam Government to local importers and domestic buyers and the sales proceeds and customs duties are the major source of funds available to the Vietnamese to finance its armed forces and its programs of economic development in the villages.

It is inconceivable to me that a better use cannot be found for the almost \$2 million in U.S.-provided funds than to build a palace for which no use exists. If this project serves as a bribe, or if my friends downtown prefer, as an inducement to Vietnamese Government officials, wouldn't we be better off if we arranged for the deposit in some Swiss banks of the \$2 million to the account of Ky and his associates. This would at least have the advantage of saving on scarce and badly needed material for the lagging program of "revolutionary development" about which we heard so much a few months ago. We now hear very little about this program and how it will become the principal means by which the Saigon government will "win the hearts and minds of the Vietnamese people."

There is good reason for the silence about this program. It simply is not achieving the much-touted objectives of improving the lot of the Vietnamese peasant to the point where he becomes a strong and active supporter of the Ky government. Vietcong forces can and do operate with complete immunity a few miles outside of Saigon and every other major city in Vietnam until U.S. forces are sent in on "search and clear" operations. Vietcong bases and operations are still largely protected by the villagers whose devotion to the Saigon government has not been secured.

If anything, the situation is deteriorating. South Vietnamese forces in Tay Ninh province have been unable, and there is some indication that they have been unwilling, to take on the Vietcong and large-scale operations by U.S. Army forces became necessary. In the crucial Mekong delta area, consideration is now

being given to sending several divisions of American fightingmen there to do the job which the South Vietnamese forces cannot do. This will represent the first time it has been found necessary to dispatch our troops to that area.

The underlying reason for this is readily apparent. In most of the Vietnam countryside the Vietcong can operate without fear that their activities will be disclosed by the villagers. The Ky government does not yet control the allegiance of the peasant.

It was precisely to overcome this situation that the program for so-called revolutionary development was conceived. Schools, community development and agricultural projects were to be poured into the rural areas to make manifest the interest of the Saigon government in the welfare of the villager, to enlist his support of the central government and thereby to lessen his reluctance to provide information on the Vietcong. Village self-defense and effective participation of the rural population in pacification programs can be assured, it was argued, only if the peasants who make up the bulk of the population in South Vietnam could see tangible evidence of the interest of the Saigon government in their welfare. Recently one of my staff visited Vietnam and spent some time in the countryside talking to Vietnamese and American officials. He reported to me that the new programs for increasing the living standards in the villages is making very slow progress. Wherever he went he was told about the shortages of construction material and equipment and the greater efforts that could be made if needed supplies started flowing into the countryside.

These shortages have not developed because the United States has been chary in providing commodities. The hundreds of millions of dollars allocated to Vietnam have resulted in an unprecedented flow of commodities to that country. The docks in Saigon are bursting at the seams with the mountains of goods that have been offloaded. Where are these commodities going, if not to the villages and hamlets?

A trip through the city of Saigon provides the answer. A tremendous construction program is evident at every turn. Hundreds of speculative buildings have been put up by Vietnamese businessmen to house American personnel spurred on by the exorbitant rentals which U.S. forces pay. Hundreds of new bars have sprung up, fully and luxuriously equipped, including air conditioning, with items imported from the United States through AID financing. The shops in downtown Saigon are loaded with every type of luxury item imaginable, all brought in under AID financing or made possible because of AID financing.

Mr. Bell, the former Director of AID, testifying last spring before the Foreign Relations Committee stated that he could not imagine that the Saigon black market was of much consequence since all the items could be found normally in the local shops. A walk along the main shopping streets in downtown Saigon will confirm the abundance of luxury items

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19147

Orlando, a new center of electronics and missile-parts industries.

Companies producing a wide variety of goods, including chemicals, electric products, machinery and paper, are coming to Arkansas in large numbers. Much the same pattern shows up in Mississippi, with Jackson a center of activity. Factory output in both States has increased in the past decade even faster than in other States in the South, with the exception of Florida.

A booming area in Virginia is along the Shenandoah Valley, now attracting many electronics firms. Companies engaged in research and development are springing up here, too, as well as in northern Virginia, just across the Potomac River from Washington, D.C.

## EDUCATION STRESSED

As leaders in the South see it, this region now is moving out of its "cheap labor" phase into one in which skilled labor and technical people are increasingly important.

Reflecting this is a new stress on education, particularly at levels above the high school. Texas, as one example, is spending 237 million dollars on higher education in the years 1965-68, 56 per cent more than the outlays of the previous two years.

Enrollment at Southern colleges has increased by 54 per cent in just five years. Today, the South turns out 16.6 per cent of the nation's holders of the doctoral degrees, compared with 9.1 per cent in 1950. Faculty salaries at Southern universities, on average, are going up faster than in any other region, enabling this area to compete on better teams for top academic talent.

Springing up all over the South are new research centers, usually built around universities. In North Carolina, for example, a research park has grown up in the center of a "research triangle" embracing Duke University, the University of North Carolina, and North Carolina State University at Raleigh.

The University of Tennessee, on July 11, dedicated a 2-million-dollar Space Institute for study and research in the aerospace sciences.

Perhaps the most striking development in education is the sharp rise in two-year community colleges, geared typically to technical training. More than 30 new community colleges were authorized in the South in 1965, and the pace is picking up.

Already, 60 per cent of all freshman students in Florida attend public junior colleges. Virginia, Tennessee and Alabama recently joined the list of States setting up systems of junior colleges or vocational institutions.

## MAGNET FOR TALENT

Out of the drive to improve schools, the South now is getting an increasing number of technicians, professional men and managerial talent. These college-trained people, in turn, are demanding better education for their young children.

Says an official of the Southern Regional Education Board: "The quality of public-school education is rising almost everywhere in the South as States invest more money. School systems in some of our metropolitan areas are a match for the best in other parts of the U.S."

Of equal importance to the South's future progress, economists say, is the development of its financial power.

This region, at one time, was considered a virtual dependency of Northern capital for its economic growth. Today, banks and other financial institutions are taking an important role in the South's development as assets grow—from 30 billions in 1955 to nearly 60 billions now, a rate of growth considerably greater than that of the rest of the U.S.

C. W. Butler, senior vice president of Union Planters National Bank in Memphis, says: "City banks in the South now are financing more and more of the big projects that re-

quired help from New York and Chicago banks a few years ago. And country banks are financing things our city banks used to finance."

## CULTURE, TOO

With this economic and educational upgrading has come a surge in culture and recreation.

Big stadiums for sports have been built in Atlanta, Houston and Memphis. Museums and centers for the performing arts are also going up in these and in many other major cities.

Tourism is becoming big business. Florida, with more than 3 billions a year in tourist income, is still the leader. But one State after another is spending millions to improve and promote beaches, State parks and historic sites.

Summer and week-end homes line the man-made lakes in the Tennessee Valley. Mountain slopes in Tennessee and North Carolina, with the aid of artificial snow, have suddenly become skiing centers.

Officials in Virginia expect a 20 per cent rise in tourist income this year above 1965—not an unusual rise in the South these days. Mild weather makes many areas year-round attractions for vacationers.

## MECHANIZED FARMS

In the South's farming areas, too, the pattern is one of change.

Cattle graze in fields where cotton was once grown. Production of broilers, dairy products, fruits and vegetables is rising, as agriculture diversifies.

Banks are taking the lead, says James Furnish, a vice president of the Citizens & Southern National Bank, Atlanta, "in providing the capital to mechanize agriculture and turn it into a business, rather than just a way of life."

Mr. Furnish adds: "Increasingly the South is building plants to process and package its own food products, rather than export raw materials."

Today, the South has become a breadbasket for the nation second only to the Midwest.

## TREK TO CITIES

What is changing people's outlook more than anything else is the vast shift from farmlands to the cities. The South is urbanizing faster than the nation as a whole. In 1940, it was two-thirds rural. Now about 60 per cent of its people live in urban areas.

Atlanta is cementing its position as business, financial and distribution center of the developing Southeast. Since 1950, its metropolitan area has nearly doubled in population to 1.2 million. Employment has grown by 28 per cent in the last five years, one of the fastest rates for any big city in the U.S.

Stand atop one of Atlanta's new 40-story skyscrapers and you can see at least 20 new office buildings, many owned by banks and insurance companies, under construction or recently completed in this downtown area. Hotels, high-rise apartments and department stores are going up. Visible, too, in the distance are major expansion projects of the city's universities.

Other big cities are bidding for their shares of growth.

Houston, with 1.7 million people, has grown in population faster than any other major city in the South during the 1960s. It is a center of the petrochemical industry and the third-busiest port in the nation. In recent years, research industries have been flooding the area, in support of the 250-million-dollar Manned Spacecraft Center.

Dallas, rebuilding its downtown, is a growing center of trade, finance, education and culture. Big gains are being made in apparel merchandising and in output of aerospace equipment.

In Memphis, a new civic center rising a block from the Mississippi highlights a mas-

sive downtown rebuilding program. The city is in the midst of a 40-million-dollar expansion of its medical-research complex, which, its leaders say, will be one of the country's biggest when finished. Birmingham is also becoming a major medical center and is starting to reshape its downtown.

Jacksonville, already a major center for distribution, expects even greater demand for warehouse space once the Cross-Florida Barge Canal is finished. Also under way is a 100-million-dollar program to improve Jacksonville's port facilities.

## BOOM IN AMBITION

Once-quiet towns now are metropolitan areas, bursting with ambition.

Charlotte now ranks second only to Chicago in volume of long-haul trucking, and a new interstate highway promises further growth.

Mobile and Charleston are becoming major ports. In Augusta, Ga., a big industrial complex, built around chemical and wood products, is rising.

Growth of insurance firms, recording studios and services to industry is sparking a boom in Nashville, Tenn. Chemical companies are coming to the area near Richmond, Va., once the capital of the Confederacy and now an expanding distribution center.

It is in these centers of population that long-held traditions are losing some of their grip in the new South. These burgeoning centers are bringing radical changes in politics and government once geared to the rural voter.

People in this region, it's true, still know the value of a dollar and keep a close eye on taxes and government spending. Yet the new cities of the South are loosening purse strings to build up assets, attract more people and industry. There is less resistance to accepting federal funds for education, hospitals, research, urban renewal.

## FERMENT IN POLITICS

Politically, the trend toward a two-party system is picking up speed. Republican Party strength is growing in major cities, built around business leaders and the swelling white-collar class.

In today's South, problems of race relations seem to be diminishing. Incidents tend to be isolated, often the work of outsiders, and less violent than racial outbreaks now spreading in the North.

White bitterness over racial integration is still running high in many areas of the South, particularly small towns and rural areas. Yet racial barriers are being lowered.

School integration in most major cities is moving smoothly. All across the South, Negroes are going to college in growing numbers. The South's all-Negro colleges, in fact, are worried over the loss of top students—and faculty members—to formerly all-white colleges.

Many hotels, golf courses, other public accommodations are being desegregated with little fanfare. An Atlanta businessman says: "Whites and Negroes eat side by side in our top restaurants, something you never saw five years ago."

## NEGRO MILLIONAIRES

The South's economic boom, creating plentiful jobs for Negroes and whites alike, has blunted a major source of racial friction. Negroes, meanwhile, are moving up the economic ladder. In Atlanta and Memphis, as examples, Negroes own banks, insurance companies and contracting firms that employ whites. A number of Negro businessmen have become millionaires.

The Negro, as a voter, also is moving up. The number of Negroes registered to vote in the South has increased to 2.5 million, from 1.1 million, since 1960, making Negroes a substantial political force. This is especially so in the cities, where Negroes have been elected

August 19, 1966

## CONGRESSIONAL RECORD — SENATE

19149

in local shops, though this has gone hand in hand with a flourishing black market conducted on the sidewalks outside American military billets.

The speculation in AID commodities and their use for nonproductive purposes is hardly confined to Saigon, of course. Angiang Province has been selected by Vietnamese and U.S. Government officials for a crash program to establish that the new program of "revolutionary development" can make a rapid impact. Ward Just commenting on the progress of this high priority program in the August 13, 1966, Washington Post states that:

In Longxuyen, the capital of Angiang province, there is little excitement over the coming of the Great Society. One might describe the attitude as cautious pessimism. The main topic among businessmen is said to be the arrival of a contingent from the U.S. Navy, for whose benefit licenses are being sought to open several new taverns.

The feverish speculation which has been going on using U.S.-financed commodities is graphically indicated by the following report I have received. One of the large American contractors in Vietnam engaged in construction for our military forces required a small building to house his administrative staff. He located a suitable building in downtown Saigon consisting of about 10 rooms which had been newly constructed. He estimated the cost of the building at about \$30,000. The Vietnamese owners agreed to lease the building to him for 2 years for \$80,000, all of which was to be paid in U.S. dollars in advance at the time of occupancy. The building was constructed, of course, with cement and other building material brought in from the United States and financed under our aid program. When the contractor attempted to negotiate the price he was told to take it or leave it since the U.S. military would pay at least that much for the building.

The contractor also needed some land to locate his warehouses and he found about 10 acres of unimproved land about 10 miles outside Saigon near the Bien Hoa Road. He was offered a 5-year lease for \$1.25 million. Needless to say these exorbitant charges will be paid by the United States since the contractor operates on a cost-plus contract.

Perhaps some of this is inevitable in wartime when tremendous numbers of military forces pour into a small, underdeveloped country. But is it necessary for the United States to finance the construction of bars and palaces? Cannot AID find a better means of allocating the commodities we bring into the country? Must the commodity import program be run by Vietnamese officials working hand in hand with local commercial importers?

In order to try and remedy this situation I introduced an amendment to the Foreign Assistance Act which has been accepted by the Senate to require that commodities financed by the United States under the supporting assistance authorization of the act must be determined as making a contribution toward the economic development of the country receiving the assistance. The success of the amendment in foreclosing speculative

and nonproductive uses of our commodity assistance will depend on the procedures AID establishes to carry out the amendment and the effectiveness with which these procedures are carried out. I have yet to see convincing evidence that AID or the State Department is at all concerned about this situation.

It is also uncertain, at this time, whether the conferees who are now considering the Foreign Assistance Act, will accept my amendment. In light of the facts which I have disclosed today I urge my Senate colleagues in the conference to remain adamant in insisting on enactment of the amendment.

I ask for unanimous consent that the newspaper articles written by Jack Foisie and Ward Just be printed in the RECORD.

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

**DIEM PALACE STILL ABUILDING—DEATH OF DICTATOR DIDN'T STOP WORK ON "DREAM HOUSE"**

(By Jack Foisie)

SAIGON.—In the midst of war, when money is lacking for projects to improve the life of the peasants, the Vietnamese government goes on building Ngo Dinh Diem's "dream house."

That Diem is dead, assassinated almost three years ago by those who called him a dictator, seems to make no difference.

No one knows what the elaborate and expansive building will now be used for or when it will be completed. But work on the gigantic palace goes on and is now in its fourth year, with completion still years away.

Situated in a 21-acre park in downtown Saigon, the site of the present palace is almost identical to that of the "old palace." The original building served as the residence of the French governor when Vietnam (then called Indochina) was a colony.

After France was defeated in 1954, the 200-room establishment became the home of Diem, who lived in it with his brother Ngo Dinh Nhu and Nhu's wife, the famous Madame Nhu. The three ruled Vietnam, but not without trouble.

In October, 1962, a year before Diem and the Nhus were overthrown, two Vietnamese Air Force pilots tried to kill the first family by bombing the palace.

The family escaped injury but the right wing of the old palace was badly damaged. Diem moved out, then asked Vietnamese architects to submit plans to rebuild the palace. Ten plans were offered, and he rejected them all.

Then a prestigious combine, headed by Ngo Viet Thu, a successful architect in Europe, produced the design that has provided a challenge to artisans and an army of laborers.

The new palace has done away with the gracious columns and arches of the old palace, which was in the tradition of French tropical buildings. The new palace is modern. The only elements that suggest the Orient are the overhanging roof of the penthouse (from which Diem planned to address crowds a la Mussolini), the dragons carved on the auto ramps and some details of decorations.

The main section of the building is as long as a football field and is rigorously symmetrical. It has a yellow stucco facade, but whether this is final remains to be seen.

"Many changes have occurred in the detailed plans since the death of Diem," said Tran Phi Hung, professor of architecture at the University of Saigon. "Many of the rooms have lost their reason for being since the death of the man for whom they were designed."

There are many suggestions on a use for

the new palace—a museum, a residence for the chief of state, a government office building.

Whoever the tenant, he will have a fancy place. The palace and its spacious grounds will be illuminated by more than 3400 exterior lights. It will have its own power station to protect against a citywide power failure, which is not unusual.

There will be 100 fountains lining the portico. There will be an immense ballroom and several ceremonial rooms only slightly smaller in size.

The palace will have teak floors covered with imported rugs, according to present plans.

The exterior has been built with materials from France. Glass doors are massive Saint-Goban panels. Electrical appliances and hardware have been shipped from the United States.

But other rooms will have a Vietnamese motif, with local woods and Bienhoa's celebrated ceramic tiles.

The cost for the entire job is now estimated at \$1.78 million.

**DELTA PROJECT TESTS DEVELOPMENT THEORY**

(By Ward Just)

LONGXUYEN, August 12.—American and Vietnamese planners are putting their theories of "revolutionary development" to the test in the province of Angiang, 130 miles southwest of Saigon in the Mekong River Delta.

The plan is known bureaucratically as "a comprehensive program for the rapid social and economic development of the Angiang priority area." It is a joint effort of the U.S. aid mission and the Vietnamese Ministry of Revolutionary Development which began on July 1 and is scheduled for completion at the end of 1968.

The budget, though the largest allocated for any Vietnamese province, is not by American measurements large—some 384 million piastres (\$4.8 million) spread over 30 months.

Unlike any other province, the Angiang priority area has a coordinator in Saigon, Bert Fraleigh, who is a deputy associate director of USAID, the aid mission here. Fraleigh and his Vietnamese counterpart at the "REVDEV" Ministry in Saigon are supposed to break bottlenecks and insure a large and steady flow of money.

The conditions for a successful program are, on paper, perfect, Angiang is rich in soil, and its roads are plentiful. The people have the reputation of being hard-working and the government administration, by Vietnamese standards, is effective. But most important, the province is 95 per cent pacified, largely because the population is 80 per cent Hoa Hao, a fiercely anti-Communist sect that controls the village and hamlet administrations.

The planners hope to move Angiang into "phase three" of aid, beyond mere development into tangible, material progress, in two and a half years, said an aid representative here. "We want to be able to bring visitors from Saigon and neighboring provinces to show them what can be done by the government when you are working in a secure area," he said.

By "the government" the aid man meant the Vietnamese government, through which the lion's share of the funds are channeled. The programs are meant to be Vietnamese, not American, and when the credit comes it is meant to come to the government.

There was debate, and some criticism, by the Vietnamese and American experts who chose Angiang to launch the ambitious program, which includes:

A land reform program to free some 75 per cent of the province's farmers from tenancy and make them land owners.

A plan to increase real per capita income 30 per cent in two years.

19150

## CONGRESSIONAL RECORD — SENATE

August 19, 1966

Elementary education for all children in two years, vocational high schools in each of the province's four districts and an A&M college.

An improvement in local administration to promote "honest, inspired" government.

Maintenance and improvement of local security conditions.

The dissenters argued that there were many areas in Vietnam which needed aid more than Angiang, which is prosperous and peaceful. The dissidents said, in effect, that aid to Angiang is aid to the rich.

The advocates, who won the day, argued the need for a laboratory in which optimum conditions existed, to demonstrate what could be accomplished in a secure area. If this could once be shown, it was felt the example would inspire the leaders of other provinces and the people of the country.

With the program barely a month old, it would be idle to speculate on its chances for success or failure. Surely, if the trick cannot be done in Angiang it can be done nowhere in Vietnam.

Men in the field declare that 212 new classrooms (and 212 teachers to staff them) will be available by December, and 25,000 rural homes electrified by April. Secondary crop planting, to replace the traditional one-year one-crop planting, should be common at the end of two years.

In Longxuyen, the capital of Angiang province, there is little excitement over the coming of the Great Society. One might describe the attitude as cautious pessimism. The main topic among businessmen is said to be the arrival of a contingent from the U.S. Navy, for whose benefit licenses are being sought to open several new taverns.

Americans in the field say enthusiasm among the district, village and hamlet leaders is varied, usually according to age. Older administrators tend to regard the programs with suspicion, the younger ones with hope.

Among the average Vietnamese farmers, there is considerable resistance to changing agricultural methods. But agricultural advisers are confident that once they see a soybean plant three times as large, with a dozen times as many pods, as the old one, it will not require lessons in logic to convince the farmer that the new ways are better.

Meantime, those whose responsibility it is to carry out the program are cautiously optimistic, as they are supposed to be, and full of plans for the future and reasons why this has to succeed.

But they are not unmindful of the difficulties of hustling Southeast Asia.

#### ASSISTANT SECRETARY OF STATE FRANKEL SPEAKS OF THE NEED FOR OUR EDUCATIONAL INSTITUTIONS TO MAINTAIN THEIR INTEGRITY AND INDEPENDENCE

Mr. YARBOROUGH. Mr. President, on August 17 the Assistant Secretary of State for Educational and Cultural Affairs, the Honorable Charles Frankel, testified before the Subcommittee on Education on the International Education Act of 1966. He eloquently discussed one of the important public issues of the day, an issue that becomes more immediate as the Federal Government increases its involvement with education—the conflict between Federal aid to education and academic freedom.

I am a strong supporter of Federal aid to education. Since 1958 I have been a cosponsor or active supporter of every major education bill to pass Congress. This Federal support is vital. It is necessary to channel a sufficient amount of funds into education. Education is of

the greatest value to our society, and this should be reflected through society's willingness to spend a sufficient amount of its income on education. The Federal Government, as the voice of the people, is a proper vehicle for channeling these Federal funds.

However, I am also concerned that our educational institutions maintain their freedom. Our teachers and researchers should be free to seek the truth. They should be free to voice responsible, reasoned criticism of society and of the Government. There should exist in our institutions of higher education a climate of academic freedom, of freedom to exchange ideas and to think new and even daring thoughts. There should be respect for the ideas of others, and an emphasis upon the search for truth.

Dr. Frankel summarized very well the issue with which the International Education Act presents Congress:

On one side, the colleges and universities of the country are resources for our society, and they can be better resources if they receive Government support. On the other side, such support must not be permitted to compromise the integrity and independence of our educational institutions and should not turn them aside from their central and enduring purposes.

I ask unanimous consent that Mr. Frankel's testimony be printed at this point in the RECORD.

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

TESTIMONY OF THE HONORABLE CHARLES FRANKEL, ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS, BEFORE THE SENATE SUBCOMMITTEE ON EDUCATION OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, AUGUST 17, 1966

Mr. Chairman and members of the Committee, I am honored to have the opportunity to appear before you in behalf of the proposed International Education Act of 1966. I speak as a member of the Administration and a representative of the Department of State. But I speak also as one who has spent most of his working life as a member of a university faculty, as a teacher and writer, and as a consultant and representative of various foundations and scholarly organizations.

Much of this work has touched on the fields of international studies and international relations. It is against the background of that experience that I come before you in the belief that the proposed Act deals with fundamental needs in a fundamental way.

There are a number of reasons, to my mind, why the proposed legislation is important.

It offers a better chance to American citizens to acquire the education they need to cope with the facts of international life.

It strengthens the American capacity to develop, to conduct, and to man informed and far-sighted policies in international affairs.

It takes steps that are essential if our Nation is to join with other nations in a more intensive effort to educate the people of the world in habits of mutual understanding and forbearance.

Finally, it is important because it makes a frontal attack on a fundamental issue in the relation between government and the universities, and attempts to deal with this issue from a long-term rather than a short-term point of view.

With your permission, I should like to address myself, first, to the contribution of

this proposed program to the education of Americans.

Today, the international environment of the United States does not begin at the oceans' edge, but penetrates almost every corner of our society. It is revealed in the news we hear, the coffee we drink, the movies we see, the political decisions we debate. And precisely because we hear so much from and about other countries, we need to have a background of information, a sense of history and a sense of the day-to-day context of events, if we are to interpret what we hear correctly.

Today, an education without an international dimension is an inadequate education for Americans. We have long since left the day when foreign policy is a matter for experts alone. It affects too many people. It involves too many matters to which not only expert opinion but the common opinion of mankind is relevant. It is conducted in the arena of public debate and under conditions in which the electorate, quite properly, is the ultimate sovereign and arbiter. Education in international realities is thus a requirement of educational policy, private or public, local or national.

The legislation you are considering reflects this view. And it recognizes, I believe, that education that deserves the name cannot be an effort at selling a single point of view, official or otherwise.

In strengthening the education of Americans at home, the American capacity for foreign affairs will also be advanced. This is not merely a matter of training specialized manpower. We need more people with special skills, but in addition to their competence as doctors, teachers, agronomists or economists, such people must also have a special eye and a special ear for the differences in outlook and feeling that mark the people with whom they must work. And in addition to specialists who combine technical skills and international sophistication, we also need a citizenry that has received, as part of its general education, an exposure to the complex facts of the international scene. In the long run, as the President has observed, a nation's foreign policy can progress no faster than the curricula of its classrooms. American schools and colleges have done much in recent years to improve the study and teaching of international affairs. But much more still needs to be done. The International Education Act is an effort to meet this need.

There is a further reason for believing that the legislation you are considering is of importance to the United States in its foreign relations. This reason is that education has moved front and center in this nation's affairs and in every nation's. In the developing nations, little can be accomplished without the advancement of education. In the more prosperous industrial nations, education is the keystone on which depends these nations' power to keep up with the accelerating pace of change. In our own country, as we have discovered, we must turn to education again and again as an indispensable element in the solution of pressing social problems.

In short, the role of educational systems in twentieth century societies is immense. Working together, rather than against each other, these educational systems have as much power as any human agency to build an international structure of peace in diversity. The legislation that is before you proposes that we in this country prepare ourselves to do our part in such an effort at international educational cooperation. And it proposes that we begin here at home by educating ourselves better about the needs and aspirations of others.

The steps it contemplates are, I believe, measured and modest. They do not assume that it is America's duty to educate the world. They do not commit the American taxpayer to underwriting the goal of univer-



A4406

## CONGRESSIONAL RECORD — APPENDIX

August 19, 1966

**Crackdown Flops—Saigon Black Market Booms**

## EXTENSION OF REMARKS

OF

**HON. DONALD RUMSFELD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1966

Mr. RUMSFELD. Mr. Speaker, black market operations in Saigon continue to disrupt the economy of South Vietnam. The Chicago Daily News of August 12, 1966, carries a report by Raymond R. Coffey of the Daily News Foreign Service, which points up the difficulties. Mr. Coffey's article follows:

CRACKDOWN FLOPS—SAIGON BLACK MARKET BOOMS

(By Raymond R. Coffey)

SAIGON.—Despite a tough U.S. crackdown, Saigon's black market still is big business.

And despite Premier Nguyen Cao Ky's suggestions to the contrary, a big part of the problem appears to be that Vietnamese officials are largely ignoring the illegal traffic.

Things have reached the point where black market shelves are now better stocked than the American post exchanges from which the merchandise comes.

The PXs are sometimes out of such items as chewing gum and cigaret lighter fluid. They can, however, always be purchased on almost any corner in downtown Saigon.

Radios and watches are two other items PXs can't seem to get enough of. But there is always a big selection in the black market sidewalk stalls.

A quart of good gin costs \$1 or \$1.10 in the PXs. In the black market it costs \$2.80, which is less than Americans at home pay.

A pack of cigarets (11 cents in the PX) costs 40 or 45 plasters (around 25 cents)—again less than in most U.S. vending machines.

The black market merchants are even selling the C-rations U.S. combat troops eat in the field—an item most Americans would doubt that you could give away.

There is nothing clandestine about the black market. There are several blocks of downtown Saigon where the sidewalks are filled with illegal merchandise openly displayed.

The subject of the black market came up again when Ky was asked by Vietnamese reporters what his government was doing about this illegal traffic, which has a disruptive effect on the economy.

The premier responded that he had asked U.S. authorities to tighten their controls over PX goods that find their way into the black market.

Actually, the Americans have taken strong steps—so far as their jurisdiction extends—to curtail the black market. They can't arrest Vietnamese, however. And Vietnamese police appear to close their eyes. They seldom arrest anyone or confiscate goods.

U.S. military authorities, on the other hand, are trying at least to curtail the flow of PX items into the black market. In July alone, 37 GIs were arrested for black market dealings.

As of July 1, new ration cards—of a type difficult to forge—were issued to all Americans and allied personnel who have PX privileges.

Ration allowances have been reduced—from six bottles of liquor per month to three, for example—and more items have been added to the rationed or "controlled" list.

The U.S. military criminal investigation unit now receives a copy of the sales slip for every PX item costing more than \$10.

Still there is, admittedly, room for illegal dealing. A GI, for example, is allowed to buy three radios, two watches, one TV set, one typewriter, one electric fan, one movie projector, one record player.

It is forbidden for GIs to give gifts, from the PX, of items costing \$10 or more. But many of the most popular items in the black market—soap, detergents, blankets, towels—cost less than \$10 and control is therefore difficult.

According to U.S. authorities, most PX merchandise coming into the black market comes from two sources—pilferage on the docks and in warehouses and from GIs paid to make purchases for black marketeers, particularly AWOL GIs trying to finance their absence from duty.

**REA Financing**

## EXTENSION OF REMARKS

OF

**HON. A. S. MIKE MONRONEY**

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Friday, August 19, 1966

Mr. MONRONEY. Mr. President, the Senate Committee on Agriculture and Forestry has just completed a week of hearings on S. 3720, introduced by Senator JOHN SHERMAN COOPER, of Kentucky, to provide supplemental financing for the rural electric and rural telephone systems. I am a cosponsor of that measure, which I consider the most important proposal in many years designed to assure the future of the REA cooperatives and their continued ability to bring modern electric service to millions of rural families.

Senator COOPER, who is a member of the Subcommittee on Rural Electrification and Farm Credit, in charge of this legislation, appeared as the first witness before the subcommittee as it opened its hearings on Monday.

The next day the committee heard Secretary of Agriculture Freeman and REA Administrator Clapp, who expressed their support and endorsed the provisions of the Cooper bill. They recommended, however, that the intermediate loan rate be changed from 3 to 4 percent.

Because Senator COOPER's statement reviews the progress of REA, and gives the reasons for the development of this important proposal, I ask unanimous consent that his testimony be printed in the Appendix of the RECORD.

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

STATEMENT OF SENATOR JOHN SHERMAN COOPER, BEFORE THE SENATE SUBCOMMITTEE ON RURAL ELECTRIFICATION AND FARM CREDIT ON S. 3337 AND S. 3720, REA SUPPLEMENTAL FINANCING PLAN, AUGUST 15, 1966

Mr. Chairman and members of the Subcommittee on Rural Electrification and Farm Credit, I appreciate very much the opportunity to appear before the Subcommittee this morning to present my views in support of the proposal to provide a method of supplemental financing for the rural electric co-

operatives, as this Subcommittee begins its consideration of S. 3337 and S. 3720.

Earlier this year, on May 10, Senator BASS and I introduced S. 3337, to provide supplemental financing for the rural electric and rural telephone systems, in which we were joined by 28 other Members of the Senate.

Since that time, as I stated in the Senate Friday, the House Committee on Agriculture has held hearings on similar bills designed to accomplish the same purpose, and during the course of its meetings, the House Subcommittee on Conservation and Credit, of which Congressman POAGE is chairman, developed a modified bill. The modification incorporates provisions submitted or approved by the Rural Electrification Administration, which are also acceptable to the National Rural Electric Cooperative Association. I believe it would be correct to say that the modified bill almost wholly resolves the differences between the earlier Administration and Poage or Bass-Cooper bills.

Because it seemed to me that testimony could be more constructively directed to the modified bill, which evidently represents a broad area of agreement at least among the supporters of the REA program, I thought it would be helpful to have the supplemental REA financing proposal before the Subcommittee in this form. When officials of the NRECA came to my office and asked that I consider introducing such a bill in the Senate, I discussed this suggestion with Senator TALMADGE, Chairman of this Subcommittee, and Congressman POAGE, who agreed that it could serve to make more productive the Senate hearings and avoid plowing old ground.

Therefore, on Friday, I introduced S. 3720 for myself and on behalf of Senator BASS, who was not able to be in the Senate at that time. Our bill is the same as the modified House Committee bill, except that it maintains the interest rate for intermediate loans at 3 percent, as provided in S. 3337.

I thought it important to have the bill printed and formally before this Subcommittee today as hearings begin, and was not able to be in touch with every Senator who may be interested in this proposal. However, Senator BASS and I are glad that 23 other Members of the Senate, all of whom are among the sponsors of the original bill, S. 3337, are also sponsors of the modified bill, S. 3720.

I

Before discussing the need for Congress to act by providing a means to supplement the existing financing of rural electric and rural telephone systems through annual Federal appropriations of 2 percent REA loan funds, I should like to review briefly my own interest in this subject.

I have supported the REA program since I first came to the Senate in 1946. Not all remember those earlier days now, but I recall standing at night on a hill outside Somerset, Kentucky, looking down upon the lights of the town, and noticing that the countryside was dark—for the farmers and those outside of town could not get light and power. Since 1935, when the REA was established, it has become a vital part of the great change that has come over agriculture and rural life, as the entire nation has grown and developed. That growth and development will continue, as our country continues to change and move forward.

It has been my pleasure to work with the officers and directors and members of local rural electric cooperatives in Kentucky, of the statewide Kentucky RECC and, from time to time, with officials of the Rural Electrification Administration and the United States Department of Agriculture. Of course, the Congress and the Senate annually provide

August 19, 1966

## CONGRESSIONAL RECORD — APPENDIX

A4405

did, but he had the courage of his convictions. And, proven wrong, he quickly stepped aside.

As a taxpayer, he was interested in the expenditure of tax dollars—yours and mine. He fought for the right of the public to know what was going on within its government and, denied that right, he spoke out loudly. More often than not his scathing words gave rise to public indignation which produced that which he and others wanted.

Steed Stackhouse also was a most humane man always willing to help the less fortunate though, more often than not, it was in such a way that his deeds went unheralded.

He was a man admired and respected by people of all races. Even his sharpest critics conceded that he had a will and determination of iron.

There was no giant too big for him to tackle and no undertaking too small, if either involved the welfare of his community and state. Certainly, the South Carolina penal system is the better off for the fight for reform in which he was embroiled.

He also planted the seeds which, even in a losing battle, must bear fruit in the issuance of school bonds for Dillon County. The attention he helped to focus on the matter will cause administrators to think long and hard before expending any of those funds.

Dillon and all of South Carolina have lost an esteemed citizen in M. S. (Steed) Stackhouse, a man of courage and conviction who never knew the meaning of the word "quit," even when personal and crushing tragedy stalked his life.

We hope that, now, united with his beloved Mary, he will enjoy peace and tranquility and an end to the years which must have been frustrating as he waved the cudgel of right in the face of apathetic odds. He will be missed by all of us.

## Highway Safety Act of 1966

SPEECH

OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 18, 1966

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 13290) to amend title 23 of the United States Code to provide the highway safety research and development, certain highway safety programs, a national driver register, and a highway accident research and test facility.

Mr. JOHNSON of California. Mr. Chairman, the question of highway safety is one that has concerned many of us in the Nation and especially in my own great State of California for many years. California not only is the most populous State in the Nation but also has one of the most extensive road and highway systems of any State in the country. Tragically this will mean that California will probably be among the leaders in the Nation in the number of tragic deaths which this country will experience this year and next. It has been estimated that 50,000 people alive today, enjoying their families and following their normal occupations, will be dead 12 months from today, all due to tragic accidents. Twenty-four months from today, 100,000 or more will be gone. In these periods

hundreds of thousands will be injured, and millions upon millions of dollars' worth of damage will have been suffered.

I am proud that as a member of the Public Works Committee I have been associated with the continuing effort over the past few years to do something about this senseless, wasteful slaughter on the highways. Chairman JOHN C. KLUCZYNSKI, of the Roads Subcommittee of the Committee on Public Works, and Chairman GEORGE FALLON, of the full committee, have been leaders in this effort and their efforts should be commended. They have fought through the full 2 years of this Congress to establish a responsible and farsighted program such as is provided in H.R. 13290, the Highway Safety Act of 1966.

It saddens me that one of the most ardent advocates of a wise highway safety program, the late Representative John Baldwin, is not with us today to witness the progress which we have made in this legislation. John was responsible for the first step which was taken last year along these lines. This was a tentative step along the way demanding a comprehensive transportation planning program for highway safety to be carried out by State and local government. Some progress has been made along these lines.

I am pleased to say that the State of California has taken a leading role in the research efforts, for instance, designed to discover and eliminate the causes of highway accidents. I call to your attention specifically as an example of the work that is being done in our Golden State the citation in the House report which accompanies this bill. You will note, on page 16, the account of the investigation of a skidding accident on a new highway, Interstate 80, which apparently was the result of hydroplaning on wet surfaces which made it impossible to control moving vehicles. A few shallow grooves in the surface were all that were needed to improve driving and eliminate accidents. If we can discover the causes of accidents on a single curve in Interstate 80 in the Sierra Nevada Mountains, then we can discover the causes of accidents in other areas of our Nation and eliminate them.

It is essential that the legislation which the Public Works Committee has recommended and its various aspects including assistance to States in developing and improving highway safety, improving driver performance, improving pedestrian performance, accident reporting and records, vehicle inspection and registration, highway design and maintenance, research in traffic control, emergency services laws, and all the other programs, move ahead if we are to reduce the carnage on our highways.

We have made a good beginning, but let us take the next step. This we are doing today with the passage by the House of Representatives of the Highway Safety Act of 1966.

Chairman FALLON, Chairman KLUCZYNSKI, and all the members of the committee, and especially those on the

Subcommittee on Roads, must be commended for the progress they have made. I hope and pray that the action we are taking here today will reduce greatly the tragic toll which highway accidents now are claiming in this Nation.

I am confident that this legislation will achieve that purpose.

## Congress and the Judge

EXTENSION OF REMARKS

OF

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, August 19, 1966

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD an editorial from the Roanoke, Va., Times of August 17, 1966, entitled "Congress and the Judge."

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

## CONGRESS AND THE JUDGE

The American Civil Liberties Union obligingly took up the cause of the Viet Nam war protesters who raised a hue and cry against being subpoenaed to testify before the House Un-American Activities Committee. Their group includes old hands at the business of discrediting the country's policy in Viet Nam, men with experience in the Berkeley, Calif., demonstrations.

At the behest of the ACLU, a district judge in Washington did an unprecedented thing. He issued a temporary injunction forbidding the committee to hold its scheduled hearings. Those hearings relate to a bill making it a criminal offense to interfere with troop movements, disseminate propaganda hurtful to military morale, or aid a hostile power.

With the committee prepared to defy the court order as an unwarranted and unconstitutional interference with the prerogatives of one branch of coordinate government by another, judges of the Circuit Court of Appeals quickly vacated the lower court's order. Thus avoided was the prospect of members of Congress going to jail for contempt.

The protesters raised the complaint of "inquisitorial" procedure frequently directed at the House committee. The call to testify, they charged, was an effort to suppress free speech and intimidate others with dissenting views about the American role in the war.

Nevertheless, the committee, as an agency of Congress, is well within its prerogative. Its decision to put the witnesses on the stand is relevant to a specific and legitimate legislative purpose. If anybody's rights are in jeopardy or if the inquiry is suspected of being a witchhunt, it cannot justify prior restraint by a grant of judicial relief.

But the implications of the court order raise a much bigger issue. If a federal judge can tell a committee created by Congress what it may do, it follows that it could also order Congress itself how to conduct its business—when to legislate and not to legislate. There would be no independent and equal legislative establishment as provided by the Constitution. We would have instead legislation by judicial fiat. The surprising thing is that a member of the federal bench has given such an extraordinary interpretation of our principle of government.