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scouting activities, rather than previous employment as teachers. Corpsmen are taught not only the three Rs but sex education, how to be the head of a family and how to apply for a job.

An attempt is made to make the environment as unlike a school room as possible. Students sit with the teacher around large tables. Small groups talk with the teacher while others work at their own pace on programmed teaching materials. Smoking is permitted in class.

In its first months, only 30% of the center's enrollees were Negroes. Following a national trend, this has climbed to 47% Negro, 37% white, and the other minorities such as American Indians and Orientals.

Gene Cox, a former Los Angeles County probation officer and forestry camp supervisor who is chairman of counseling, security and safety at the center, explains that there are several reasons for the racial shift.

The main reason for the change, Cox said, is that there is less turnover among the Negroes because life at the center is a big step up from what they have known.

The basic training period is one year. Most Negroes are staying on for a full year and enthusiastic about enrolling in an optional second year.

"The more capable corpsmen here will be Negroes because they appreciate the life more," Cox said. "Whites who equal their ability can more easily find jobs in industry without joining the corps."

Other factors in the racial shift: the white corpsman is more inclined to drop out during the first 30 days because he usually is from a rural area and apparently more subject to homesickness than the city-oriented Negro, and the white southerners resent mixing on an equal footing with Negroes.

Acceptance of the trainees in the nearby communities of San Ramon, population 18,000; Pleasanton, 6,000, and Livermore, 20,000, has not been overwhelming.

"We've had a certain amount of trouble with job corpsmen involved in burglaries, thefts, fights and drinking, but it hasn't been a drop in the bucket compared to what they have at some Job Corps centers back east," said Capt. Tom Houchins, commander of the Alameda County sheriff's station which patrols San Ramon, a new housing development only two miles from the camp.

VW

Toward the Peace Table

EXTENSION OF REMARKS

OF

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 8, 1966

Mr. HAGAN of Georgia. Mr. Speaker, the Government's decision to turn loose our airpower on North Vietnam's oil facilities has not altered the objective of our military campaign in Vietnam.

As has been the case all along, we were attempting to apply the pressure needed to force the Communists to come to their senses and join us at the peace table.

This has been a dominant theme in many of the newspaper articles which support the bombing of oil targets near Hanoi and Haiphong.

Unlike the enemy guerrillas and terrorists, we have resolved to spare civilian populations. Our intention to wear down the Communists' ability to continue their aggression has been made clear.

South Vietnam must be guaranteed

the right to carry on by itself, immune to subversion or attack. That is our objective. And we are determined to pursue it by the necessary application of restrained power.

In this determination there has been overwhelming support from the Nation's press. I have attached here, for the RECORD, four editorials lauding our aims in Vietnam, which appeared in the State of Columbia, S.C., Chicago Sun-Times, Indianapolis Star, and Dallas Times Herald. However, when I read as I did today about the loss of seven of our finest aircraft and crews, and that all or even a part of these could have been lost due to a more sophisticated SAM II which the North Vietnamese are being provided by the Soviet Union evidently in great enough quantities that they fired a reported near record of 24 yesterday, then we have an urgent requirement to reevaluate our relations with the Soviet Union. There have been reports that only individual "volunteers" have been engaged in the fighting and that only materiel assistance was being provided by the government. A UPI dispatch from London quoted by the distinguished columnist, David Lawrence, revealed that:

Authoritative sources there said the Soviet bloc was readying major consignments of missiles for North Vietnam and of experts to install or possibly even to operate them.

Should not we assume that both the Soviet Union and Communist China are beginning to behave in the manner that they did when during the Korean situation we found so many Soviet and Chinese participating in the ground and air battles that it gave a lie to the title of "volunteers," or were they "volunteers by coercion?" And I find it difficult to conceive the SAM II's, which are the latest in anti-aircraft defense, are entirely crewed by the North Vietnamese. It is apparent that when we lose as many as seven of our latest type fighting aircraft in one day, and a total of 120 fixed-wing aircraft in the campaign, that we need to reset our sights and either adopt some strategy which is going to preclude such future losses or we spell out in very plain everyday language to both the Russians and Chinese that if they insist on assisting the aggressor in this case, then they must be prepared to face the consequences.

In an article published in the August 8 edition of the Evening Star under the byline of Richard Fryklund it is pointed out that the North Vietnamese can continue the war indefinitely at its present pace, according to separate U.S. Army and Marine studies. And this further indicates that the strength of the American manpower should be upped to 750,000 men or more. Such a buildup would then require the mobilization of reserves and shift of troops from Europe. Yet, on the other hand, the Department of Defense denies that such studies exist. The big question is: Where do we go from here, the reported studies and the DOD notwithstanding? Are we going to continue to absorb such beatings in the air? Are we to be so wishy-washy that we cannot stand up to the two Communist touts who insisted on forcing Ho Chi Minh's actions and are without doubt now as

much involved as they were in the Korean fiasco?

I have long advocated that this war should be ended at the earliest practical date. I wish to make another plea on behalf of all the fine people of my district and the Nation as a whole that this was to be given every possible consideration to insure positive action and the most precise military decisions to achieve this most sought-after objective. As the Indianapolis Star said:

Let us smash every strategic military target in North Viet Nam that we can hit, let us bring this war to an end!

The articles mentioned follow:

[From the Dallas (Tex.) Times Herald,
July 1, 1966]

HANOI BOMBINGS NECESSARY

The bombing of oil depots in Hanoi and Haiphong is another deliberate and necessary application of restrained power by the United States in its effort to weaken the North Vietnamese and to convince Ho Chi Minh that we mean to end the war through either military power or negotiation.

President Johnson has obviously long considered the bombing of these important North Viet Nam centers and the matter of timing was his to decide, based on all the facts of the war and the chances of obtaining any glimmer of hope that negotiations might be started.

With American dead in the Viet Nam war now past 4,000 and the casualties of last week alone totaling 131, the American people will rally behind the decision to carry the war vigorously to the north.

Reaction to the bombings is along predictable lines: cheers from the hawks, jeers from the doves. The hawks lament only that the bombings were so long delayed while the doves wring their hands and worry that the bombings will make it more difficult to entice the North Vietnamese into negotiations.

The North Vietnamese have made it clear that they don't yet intend to negotiate. The United States and South Viet Nam must therefore continue to increase the pressure, to turn the screw more and more until the Communist world is forced to give up the aggression on South Viet Nam.

The thrusts against Hanoi and Haiphong are baldly described as an escalation of the war and unmistakably increase the danger of retaliation by Red China, either through air support or ground action. It is a risk we must take.

The decision of British Prime Minister Harold Wilson to disassociate his country from the attacks was expected but still rankles. Even if the United States cannot obtain military support from the British, we should be able to expect a few kind words.

We should also demand that Britain and other allies halt the use of their ships in carrying supplies to North Viet Nam ports. They must know now that those ships run the risks of war—and that includes aerial bombing.

Defense Secretary McNamara made a sober and realistic assessment of the bombings when he said that we have two aims: to make North Viet Nam's infiltration of South Vietnam more costly and to save the lives of Americans and their allies fighting in South Viet Nam.

We hope the continued bombings of oil depots and ports will hasten the day when the North Vietnamese will be ready to talk peace.

[From the Indianapolis (Ind.) Star, July 1, 1966]

HIT THEM AGAIN!

The United States' bombing of Communist oil depots in the Hanoi-Haiphong area is

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good news for most Americans. There is only one way to win a war—that is to hit and hit hard and defeat the enemy.

The "limited war" against the Communist invaders of South Viet Nam is costly in money and life. It is morally abhorrent to many Americans, because we do not seem to be fighting to win.

The United States should destroy the capacity of the enemy to fight. That is the objective of any war. It should be for this one.

Let us smash every strategic military target in North Viet Nam that we can hit. Let us bring this war to an end!

[From the Chicago (Ill.) Sun Times, July 1, 1966]

THE SANCTUARY SHRINKS

Given the rejection of offers to negotiate and the continuing escalation of the war by North Viet Nam, the bombing of the fuel dumps at Haiphong and Hanoi was inevitable. The military reasons for shrinking the sanctuary enjoyed by those two cities was sound, as Sec. of Defense Robert S. McNamara pointed out. North Viet Nam, he said, is shifting its effort from a "small-arms guerrilla action against South Viet Nam to a quasi-conventional military operation." Since North Viet Nam has no railroad lines to supply its forces in South Viet Nam it must use the sea and trucks. If the fuel to keep those supply lines open is destroyed the ability of North Viet Nam to continue to escalate the war should be sharply reduced.

The political reaction to the U.S. air strikes was predictable. However, there is little in any of the criticism voiced by some U.S. allies, or others, that suggests the criticism was made hurriedly, as a reaction to the rapids. Rather, the statements deploring and castigating the raids were carefully put, suggesting that the United States had taken care to warn its allies—and perhaps others—that the raids were coming.

It is significant that in the criticism, both from within the United States and from its allies, there is much regard for the possible loss of life that might be suffered in North Viet Nam as the bombing raids move closer to heavily populated areas. However, few if any of the critics lament the thousands of South Vietnamese civilians who have been slaughtered by North Viet Nam's guerrillas and troops, the thousands of casualties America has suffered or the unassailable fact that North Viet Nam has mounted an unlawful aggression against a neighboring nation. It is significant, also, that the member nations of the Southeast Treaty Organization, five of which live close to the edge of the Communist knife, recognized in their annual meeting this week that the situation in Southeast Asia (and South Viet Nam) "is the most dangerous in the world." The SEATO council (with the exception of France) has promised to increase military and economic assistance to defeat the Communist attack against South Viet Nam which it said was "in flagrant violation of the Geneva agreements of 1954 and 1960."

The widening of the war effort against North Viet Nam follows, as did other U.S. countermeasures, a progressive escalation on the part of North Viet Nam and a continued rejection by Hanoi of all overtures to negotiate an end to the conflict. It should also serve notice on Hanoi's leaders and their Communist masters that the conference table is the only alternative to utter defeat.

[From the Columbia (S.C.) State, July 1, 1966]

GET ON WITH IT!

The bombing of fuel depots near the North Vietnamese cities of Hanoi and Haiphong has been long overdue. It may signal a new determination in Washington to win the war, not just to prolong it.

As might have been expected, the stepped-up war effort has brought anguished outcries from American "doves" ("pigeons" is the better word) and lamentations from such "world leaders" as Great Britain's Prime Minister Harold Wilson.

We now can anticipate a veritable deluge of pious preachments about "world opinion," and how we must avoid giving offense to the conscience of mankind.

Balderdash. If there be any such thing as "world opinion," it is amorphous and well-nigh meaningless. And as for the conscience of mankind, there is little evidence to suggest that men and nations act for reasons other than self-interest.

The United States has sought to defend the principle of self-determination, to preserve personal liberty, and to promote economic development throughout most of the world. These are the goals of the United States in Southeast Asia, where they are augmented by defense alignments aimed at curbing Communist aggression.

But what is the rest of the world doing to aid the cause? A bare handful of nations—Australia, New Zealand, South Korea, and a few others—are sharing the anti-Communist burden in South Viet Nam. Great Britain's contribution takes the form of indulging shipping of British registry to carry on trade with the Communists of North Viet Nam.

Where was "world opinion" when Soviet Russia ignored international appeals and exploded its last nuclear bomb? Where was "world opinion" when neutralist India forcibly seized the Portuguese enclave of Goa?

And what does "world opinion" say today about the millions of enslaved Europeans living under the heels of Communist masters? And what does "world opinion" say about Castro's oppression of the Cuban people, or the Viet Cong's terrorizing and murdering of the South Vietnamese people?

Military and economic strength govern in international affairs today just as they always have. But most Americans sincerely feel that the United States is exercising its strength in the cause of justice toward the end of ultimate peace.

We do not say: "Might makes right!" We do say that the right, by itself, seldom prevails in today's cut-throat world.

The time is at hand to add might to right, and to get on with the business of winning the war. We must make the price of aggression to high for the Communists to afford.

"Poverty War Escapes Scandal"—A Christian Science Monitor Survey of 40 Cities

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 8, 1966

Mr. BRADEMAS. Mr. Speaker, the distinguished newspaper, the Christian Science Monitor, has been publishing a series of articles on the war on poverty.

One of the most significant of these articles was published on August 5, 1966, and is entitled, "Poverty War Escapes Scandal."

The article is based on the findings of a recent survey by the Christian Science Monitor of the poverty program in approximately 40 cities in the United States.

Says the Christian Science Monitor of the war on poverty:

In the nearly two years of operation, there hasn't been even a whisper of scandal in the administration of the overwhelming majority of programs across the country.

Mr. Speaker, I ask unanimous consent to insert this article in the Appendix of the RECORD:

POVERTY WAR ESCAPES SCANDAL

(By William C. Selover)

WASHINGTON.—The American "war on poverty" may have established some kind of all-time record.

Believe it or not, in the nearly two years of operation, there hasn't been even a whisper of scandal in the administration of the overwhelming majority of programs across the country.

And even where there has been some alleged impropriety, it has most often resulted from misunderstanding or imprecise directives from Washington.

This is the finding of a recent survey by The Christian Science Monitor of poverty programs in some 40 cities across the country.

This is all the more impressive since such large sums of money are involved—some \$2.5 billion a year.

That is not to say that the programs have been wholly efficient. They haven't in many cases.

But, in general, the local administrators have taken great care to maintain close watch on funds and to keep the programs free of patronage or graft.

POLITICAL REQUESTS REJECTED

And the office of Economic Opportunity (OEO) has maintained constant vigilance, with inspectors crisscrossing the country always on the lookout for any possible scandal. R. Sargent Shriver Jr., OEO director, has let it be known that if there is any possible irregularity found, he wants to know about it first. And he wants it corrected immediately.

Typically, the directors of the Kansas City, Mo., program, Chester E. Stovall, told the Monitor he has occasionally had calls from local politicians asking how they could get somebody a job in the local program.

"I tell them," he says, "to have the person send in the regular application. Then I say: 'But the fact that you called me won't be considered.'"

And he adds: "But I think most of the politicians have bent over to keep politics out of it. They want the program to work."

From Columbia, S.C., the Monitor correspondent writes: "There has not been a single allegation of graft or political bossism."

The report pointed out that at the recent session of the South Carolina General Assembly, "there was not a word uttered on the floor in criticism of the OEO program or how it is being run" during the entire five-month session.

"This is indicative," said the report, "of the attitude of the politicians generally in this state."

Similarly, from Louisville, Ky., our reporter noted that "among the blessings the local program has enjoyed is almost complete freedom from political interference of any kind."

The occasional real scandals, such as ones in Boston, or Harlem, or Providence, R.I., make great news copy for much of the country's press.

UNEXPECTED FINDINGS

But, unfortunately for the program, such stories paint a completely distorted view of the program as a whole. It is proverbial that scandals and failures of a program are bigger headline makers than their successes.

On the other hand, the findings of this Monitor survey are so unexpected as to be

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their vote of confidence by electing him as speaker of the assembly every subsequent session since 1961. Under his leadership, the California State Assembly has become a more effective instrument of legislative responsibility; committee staffs have been enlarged, assemblymen have received additional staff assistance in their district offices, and experts in business, science, and academic fields are being called upon to design legislation. Most importantly, Jesse Unruh's dynamic leadership has brought new self-reliance to the assembly. No rubberstamp legislature catering to special interest groups, the California State Assembly, under the guidance of Speaker Unruh, is an equal partner in State government.

Jesse Unruh's achievements have been duly recognized by leaders in the academic world. In December of 1962 he delivered a series of lectures as a Chubb fellow at Yale University, an honor accorded to men of such stature as Adlai Stevenson, Harry Truman, Clement Attlee, Ralph E. McGill, and Abraham Ribicoff.

In 1963 Speaker Unruh was invited by our State Department to lecture at colleges and universities in the Far East. During this trip he developed a thriving friendship with members of the Japanese National League of Young Liberal Democratic Prefectural Assemblymen and later entertained this group when it visited California in April of 1964. Revisiting Japan in July and August of 1964 as a guest of the Japanese Foreign Ministry, Unruh addressed the national convention of the League of Young Legislators and presided over meetings of the Tokyo Conference of Pacific Basin Legislators.

I am very proud to have Jesse Unruh's assembly district within my own 31st Congressional District. In past years we have worked together when I served in the State assembly; and now, with our respective districts overlapping, we remain very close friends as well as colleagues. His cooperation has always been of inestimable value to me in my work in the U.S. Congress, for he is a national recognized spokesman for quality in government. California and the Nation are indeed richer for his contributions.

UN

NEWS REPORTS FROM SAIGON EMPHASIZE THE NEED FOR ACTION TO MAKE THE SOUTH VIETNAMESE ELECTIONS FREE AND MEANINGFUL

(Mr. REUSS (at the request of Mr. EVANS of Colorado) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. REUSS. Mr. Speaker, a week ago today I spoke to the House to urge actions to secure the free and meaningful elections that are desperately needed in South Vietnam.

The central issue posed by the elections of September 11, I said, is whether they will be truly free and honest, an accurate reflection of the mind of the South Vietnamese people, or a more burlesque of

democracy designed and executed to impart an aura of legitimacy to the present Ky regime.

On Friday, August 5, and Saturday, August 6, the Washington Post foreign correspondent, Ward Just, reported on the South Vietnamese elections. His articles, which are included hereafter, underline the urgent need for actions to secure free and meaningful elections.

The steps that should be taken forthwith are:

First, determined efforts should be made by the United States to bring about supervision of the elections by the International Control Commission for Vietnam.

International supervision is urgently needed to give the South Vietnamese people a basis for confidence in the fairness of the elections and to help overcome the legacy of suspicion that naturally results from the series of rigged elections under the French, the Vietminh, Boa-Dai, and Diem. The United Nations has played a useful role in supervising elections in South Korea and in five former trust territories. Since the shortness of time makes it impracticable to obtain U.N. supervision of the South Vietnamese elections, the members of the ICC, Vietnam—India, Canada, and Poland—should be asked to assume that role.

Supervision is needed now because more is involved than observation of the vote count to see that figures are not falsified or ballot boxes stuffed.

The Government will finance the election, print all literature, control advertising, radio time, and public meetings, provide or not provide police protection and transportation in the provinces. Thus it is absolutely essential to an election that would reflect the will of the people that Government action be evenhanded.

The need for international supervision to help overcome ingrained suspicion of the validity of the election process was emphasized by the following observations in Just's reports from Vietnam:

Suspicion of the election results runs so deep that one prominent politician estimates that in Saigon as much as one third of the electorate may stay away from the polls or deliberately spoil ballots.

Wherever one talked, there was a rippling undercurrent of suspicion of government intentions. Nowhere was there proof of fraud, but everywhere there were doubts. "Up to now," said an earnest Vietnamese politician, "there have been only rumors, but no evidence."

The trouble is confidence, or the lack of it.

Just goes on to point out that "Buddhist militants"—and presumably others who are desirous of subverting the elections—are playing upon existing suspicions to make the success of the elections even less likely.

Second, the United States should demand the revocation by the Ky government of decrees which will prevent the South Vietnamese people from choosing freely among the political alternatives available to them.

One of these decrees bars from the election all candidates who are "Communists and pro-Communist neutrals or

neutralists whose acts are advantageous to the Communists."

Another decrees condemns as criminal "all moves which weaken the national anti-Communist effort and are harmful to the anti-Communist struggle of the people and the armed forces" and "all plots and actions under the false name of peace and neutrality."

South Vietnam cannot have free and meaningful elections unless candidates are as free to espouse neutralism and peace negotiations as they are, for example, to advocate South Vietnam's membership in the Western alliance and continued warfare.

The stories from Saigon reflect the debilitating effect on the election campaign resulting from the decrees.

It is not that the decrees must be invoked extensively to be effective, although at least one candidate has already been haled before the Central Election Committee and faces exclusion from the election because an opponent accused him of Communist sympathies.

More important so far has been the intimidating effect. Candidates are not anxious to test the Government's intentions concerning enforcement of the decrees. Accordingly, they simply are not talking about the great issue before the South Vietnamese people—that of peace and war. Ward Just reports:

One moderate, very highly respected candidate, who was said to be almost certainly a winner, declared when he was asked about the war that "Vietnam wants to negotiate with the North."

Would he say that on the election platform?

"No."

Why not?

His translated answer was that "every candidate has the right to express his views on the right things only—not on everything." It was not now "convenient" to speak of negotiations with the North.

The question has been asked, how can there be an election with no reference to the war and ways to end it—or win it?

The answer is that whatever the candidates may be thinking privately, publicly they will be talking about the constitution, the value of legitimate government, the high cost of living, and the price of rice.

One politician, interviewed by Just, rationalized this by claiming that Vietnamese electors are interested not in a candidate's position on issues, especially on the issue of the war, but on his record.

I suspect that Vietnamese voters are much like voters everywhere and want to know where a candidate stands on the major issues. The real reason for the sterile debate and the irrelevant platforms that have appeared to date is summed up in the following comment:

Political arrests are not unknown in Vietnam, and now—weeks before the election—there is apprehension that the government's guardians of the ballot may be overzealous in screening candidates with alleged Communist or neutralist tendencies.

Third, the United States should request that the Ky government abandon the provision allowing it to amend the constitution adopted the majority of the elected constituent assembly unless overruled by a two-thirds majority of the assembly.

Such power in the hands of a non-representative movement embodies the

threat that even if free elections are miraculously achieved the representative and democratic results will be destroyed by the decisions of the Ky government supported by one-third plus one in the assembly:

Among politicians, there is bitterness over Amendment 20 to the electoral law, the provision that allows the government to amend the constitution after it has been written, and requires a two-thirds majority of the constituent assembly to overrule it.

"This is the rule of the minority in an assembly elected to write a constitution," says Dr. Phan Quang Dan, the highly respected former government minister who heads an electoral slate in Giadinh. "It exists nowhere else in the world."

Free elections are worth the effort needed to bring them about. They offer the possibility, obtainable in no other way, of a viable national government commanding the support of a majority of the people and of the main social forces in the nation. Such a government, deriving its powers from the consent of the governed, would have a far better chance than the current military rulers of creating the rural development, the social and governmental reform which must underlie the military effort if peace and stability are to be achieved.

Let us take the actions that are needed. In the July 30, 1966, issue of the Economist, the Saigon correspondent commented on the outlook for the constituent assembly that will result from the present electoral process:

In fact nothing would have been substantially different if the government had simply appointed a committee to draft the constitution.

If this dire judgment is confirmed by events, we—as well as the South Vietnamese—will be the losers.

The articles by Ward Just follow:

[From the Washington Post, Aug. 5, 1966]
POLITICIANS ARE SKEPTICAL, PUBLIC INDIFFERENT ON SOUTH VIET ELECTION

(By Ward Just)

SAIGON, August 4.—The election of an assembly to write a constitution for South Vietnam is barely five weeks away, and professional politicians here are skeptical and the public largely indifferent.

Suspicion of the election results runs so deep that one prominent politician estimates that in Saigon as much as one-third of the electorate may stay away from the polls or deliberately spoil ballots.

These views emerged from interviews with candidates, journalists and qualified observers of politics in Saigon and the neighboring province of Giadinh, which together will elect 26 of the 117 delegates to the assembly. The interviews were restricted to Vietnamese.

Nearly all those interviewed agreed that topic A in Saigon today is the economy, specifically the inflation which followed the June devaluation of the piastre. The public is largely indifferent to the election (the formal campaign period does not begin until Aug. 26), and that indifference is reinforced by what one observer called traditional suspicions and sniping from the sidelines by Buddhist militants who have vowed to boycott the balloting.

Among politicians, there is bitterness over Amendment 20 to the electoral law, the provision that allows the government to amend the constitution after it has been written, and requires a two-thirds majority of the constituent assembly to overrule it.

"This is the rule of the minority in an assembly elected to write a constitution," says Dr. Phan Quang Dan, the highly respected former government minister who heads an electoral slate in Giadinh. "It exists nowhere else in the world."

Somewhat less controversial is the provision, said to be unprecedented in Vietnamese politics, that candidates run on a slate in constituencies where more than one delegate is to be elected.

The intricate, complicated device of a slate was intended, by one account, to prevent Communists or neutralists from running for the assembly. An authentic nationalist, the argument went, would think twice before including on his slate a Communist who would almost certainly doom the entire slate to defeat.

If there are four slates composed of five men each contesting a five-seat constituency, and the front-running slate gets 60 per cent of the vote, the top three names on that slate are elected. The remaining two seats go to the top men on the next most popular slate, or slates, depending on the vote.

It appears to be an exercise in higher Vietnamese mathematics, but what the procedure does, in effect, is place a premium on being the top man on the slate.

Already there are charges, unsubstantiated by proof but widely believed, that wealthy men have bought the top place on certain slates by promising to pay the campaign expenses of their slatemates.

Anyone can get together a slate (there are 248 of them nationwide in the September election; 133 candidates are running on single tickets in districts where only one delegate will be elected), and the theory was that the most popular and highly respected would head the slate.

Some dissenters contend that the slates will promote harmony among candidates, but others are not so sure. The political rule of thumb in Vietnam is that if you have two men on a streetcorner you have two political parties. If you have three, you have two parties and a faction.

Whenever one talked, there was a rippling undercurrent of suspicion of government intentions. Nowhere was there proof of fraud, but everywhere there were doubts. "Up to now," said an earnest Vietnamese politician, "there have been only rumors, but no evidence."

Feeding the rumors are the Buddhist militants, with leaflets and handbills and gossip. The Vietnamese, according to Phan Khac Suu, the former chief of state in the Huong and Quat civilian governments, have been "victimized" so long by their leaders—President Ngo Dinh Diem's rubber-stamp congresses, for example—that it is easy for the Buddhists to subvert confidence, which Suu says they are doing with great skill.

Suu's view of a deeply suspicious electorate egged on by Buddhist propaganda is probably the majority view here, although some would differ.

One who does is Dr. Dan. He argues that while the electorate may be suspicious and indifferent, the Vien Hoa Dao (the Buddhist Institute) does not even represent a majority of Buddhists, much less a majority of Vietnamese (a point with which most independent observers would agree). In the end, Dr. Dan says, most Vietnamese will go to polls.

The trouble is confidence, or the lack of it. A young government civil servant, who demonstrated in the Hue against U.S. support of Prime Minister Ky and for civilian rule under elections, now says the constituent assembly elections are wrong. Why? "Not suitable," he says vaguely. "They will solve nothing."

What the Vietnamese expect to emerge from the election is elusive. The politicians, after paying homage to doubt and suspicion, appear to be anxious to test the

levers of power, even under a government which would probably (under Amendment 20) hold a veto. Prognostications differ widely.

Dr. Dan Van Sung, the editor and publisher of the Saigon daily Chinh Luan and no friend of the Ky regime, who is a candidate for the assembly, predicts that as many as 80 of the 117 delegates will be supporters of the government. But he also says the minority will be vigorous, and places as his aim the creation of a legal opposition.

Former Chief of State Suu, an old Vietnamese political pro, says flatly: "If a candidate in this election supports the government, surely he will be defeated."

At least part of the problem revolves around the programs of the candidates. If the interviews are any indication, the men who face the electorate will talk about the constitution, the value of legitimate government, the high cost of living, the price of rice.

One moderate, very highly respected candidate who was said to be almost certainly a winner, declared when he was asked about the war that "Vietnam wants to negotiate with the North."

Would he say that on the election platform?

"No."

Why not?

His translated answer was that "every candidate has the right to express his views on the right things only—not on everything." It was not now "convenient" to speak of negotiation with the North.

[From the Washington Post, Aug. 6, 1966]

PAST RECORDS CALLED KEY TO VIET ELECTION
(By Ward Just)

SAIGON, August 5.—Vietnam has been at war for 20 years, and the impression is that the war is the dominant fact in the lives of nearly all Vietnamese. Yet that is not quite so, if interviews with informed Vietnamese are any guide.

The point is important in any discussion of the September election to choose an assembly to write a Vietnamese constitution. Because the election is the result of three months of political upheaval, it has strong emotional antecedents. The question has been asked, how can there be an election with no reference to the war and ways to end it—or win it?

The answer is that whatever the candidates may be thinking privately, publicly they will be talking about the constitution, the value of legitimate government, the high cost of living and the price of rice.

RECORD EMPHASIZED

Dr. Phan Quang Dan, the highly respected Gia Dinh physician who is heading an electoral slate, intends to base his campaign on his own highly visible qualifications, with references to what the constitution ought to be and how the Vietnamese economy ought to be improved to help the people. Dr. Dan indicated that most Saigon voters would vote for the man and his record, not what was said on the platform.

In any case, according to interviews with Vietnamese politicians, journalists and informed observers, the war to the mass of the people has lost its singularity, if it ever had it. It is as much a part of Vietnamese life as the heat. It penetrates everything and nothing, and references to it in the campaign, according to one politician, would more likely than not stir suspicion and dislike.

In the absence of a real political dialogue, then, on what basis will the Vietnamese choose their candidates? What will be the criteria?

What follows is tentative. It is the view of one veteran Vietnamese politician, a mod-

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erate, a senior civilian cabinet member in the government. He was interviewed in English.

MANIFESTOS IGNORED

The point about the Vietnamese, the official said, is that words mean very little. Campaign manifestos, promises and exhortations—even promises to end the war, or win it—are given scant credit. What counts is a candidate's record.

"They will look at Dr. Dan," the official said, "and they will say: fought against the French. Was against Diem. Was jailed by Diem. Is a good doctor, well-educated. And they'll vote for him."

Neither is ideology, or "platform," important or especially relevant to the political parties. For example, the Vietnam Quoc Dan Dang (VNQDD) a nationalist party considered the largest of all Vietnamese political parties, is splintered into three regional groups—northern refugees, central Vietnamese and southern Vietnamese—and at least a half a dozen factions. Ideology appears to play no part in the splits.

The official said that the easiest way to differentiate between the various factions within the Hoa Hao, a religious sect-cum-political party, is to view it as a series of concentric circles working outwards from the government in power. The factions can be distinguished by their degree of disaffection to the "ins," whoever the "ins" happen to be. They have no particular relation one to the other but only in their attitude toward the government.

NO PAST—NO FUTURE

What appears to count is the degree of estrangement from the status quo: that, and in the case of the individual candidate, a record. "If a man has no past," the official said, "then for me he has no future."

Many Vietnamese have been careful with their records over the years. Political arrests are not unknown in Vietnam, and now—weeks before the election—there is apprehension that the government's guardians of the ballot may be overzealous in screening candidates with alleged Communists or neutralist tendencies.

Those whose suspicions are darkest about the intentions of Premier Nguyen Cao Ky's are currently looking with interest at the case of Ho Ngoc Cu, a Saigon journalist who is running for the constituent assembly from Vinhlong province (according to the electoral law, a Vietnamese may run from any constituency he wishes, there is no residency requirement.)

Cu is associated with Dan Van Sung, the editor and publisher of the Saigon daily Chinh Luan (and also a candidate). Last week, one of Cu's opponents in the election, a Hoa Hao named Ngyun Van Vi, accused him of Communist sympathies and demanded that his name be withdrawn from the ballot. The case is now up before the Central Election Committee—composed of a judge, and four members of the people and armed forces council—for action.

RECORD SCRUTINIZED

Cu's record, which is now under scrutiny by the Committee, includes an arrest by the Diem regime in 1956. Cu says he was kidnapped by Diem's police, jailed and prevented from running in the congressional election that year. But more important than that, Cu believes that he had a brother in the Vietcong. He says he has not heard from the brother for years, and believes him to be dead.

Sung says that the charges against Cu are absurd. Perhaps so, Cu says, but one of the members of the Citizens and Armed Forces Council is a Hoa Hao. "I think he will support his comrade," Cu says.

"If they think I am a Communist," Cu said today, "they really should provide proof."

(Mr. GONZALEZ (at the request of Mr. EVANS of Colorado) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. GONZALEZ' remarks will appear hereafter in the Appendix.]

(Mr. GONZALEZ (at the request of Mr. EVANS of Colorado) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. GONZALEZ' remarks will appear hereafter in the Appendix.]

THE INFLATIONARY NATURE OF OUR ECONOMY

(Mr. ST GERMAIN (at the request of Mr. EVANS of Colorado) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, though our gross national product now exceeds \$700 billion and our affluence has been well manifested, most Americans are nevertheless much concerned with the inflationary nature of our economy and the threat it poses to our well-being.

As representatives of the people, I think that we must seek every possible solution to suppress the mounting inflationary forces.

At the moment we are particularly confronted with the problem of a continual rise in food prices which, if unchecked, will no doubt serve to undermine most of what we are attempting to do in other areas of our economy.

While we attempt to lift the standards of living of our most needy Americans on one front, we seem about to be overrun by unchecked price increases. These increases affect the poor man more than anyone else as he must dig deeper into whatever meager funds he has to sustain himself.

It seems contradictory that we should wage a strong battle, involving billions of dollars, to help the needy and then allow rising prices to overcome whatever progress is made.

Mr. Speaker, we can no longer remain idle with respect to the problem of rising food prices. An investigation must be undertaken in the very near future to ascertain the how and why of food price increases.

We must come to the assistance of those who contribute the major portion of their income to the market basket and, therefore, are the people most affected by this problem.

It was anticipated that the recent Federal excise tax cut would be reflected in a lower consumer price index at this time. Much to my dismay, this has not been realized. In the month of June we note the largest increase in consumer prices for any month during the past 2 years. Our expectations of lower prices fortunately were fulfilled in the decreased lists for automobiles and air conditioners. However, this in no way compensated for the grave and intolerable

new levels in food basket items. A 6-percent rise in meat prices over the May level accompanied by an overall increase of 2 percent on food items simply contributed more fat into the raging fire of inflation.

Mr. Speaker, we must determine the reason and remedies for runaway prices of meat and other items contributing to this dangerous condition.

HOW A NONPARTISAN OBSERVER VIEWS THE NATION'S ECONOMY

(Mr. HANSEN of Iowa (at the request of Mr. EVANS of Colorado) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANSEN of Iowa. Mr. Speaker, when any nation experiences continuous and rapid economic growth, there are bound to be periods of uncertainty or inflation. And yet, the unprecedented expansion of our nation's economy in recent years has not resulted in the expected instability or inflation, and shows every indication of continuing in this vein.

It is encouraging to me to see that the healthy condition of our economy is recognized by such established economic authorities as the First National City Bank of New York. These people, who, in the past, have not always been in agreement with the administration's fiscal and monetary policy, now realize the strength of our Nation's economy. It is important to note that the following article represents the opinion of experts, who are concerned not with partisan politics, but with purely economic considerations. I now offer the article from the First National City Bank's Monthly Economic Letter for the consideration of my colleagues:

GENERAL BUSINESS CONDITIONS

As business moves into the normally slack summer season, the U.S. economy continues to turn in a highly impressive performance. With the slowing of the rate of expansion since March, business has settled back from an unsustainable burst of acceleration to a cruising speed less damaging to the economic mechanism. Much to the relief of both Washington and Wall Street, evidences of inflationary pressures have become less visible, thereby deflating talk of a tax increase before fall. Backlogs of orders have continued to increase, and industry generally—with the notable exception of autos and homebuilding—still faces a very hot summer, with production in many lines limited only by the availability of regular hands during the vacation period.

It is not the immediate outlook that divides economic observers and investors so much as the prospects farther down the road. Except for food prices—which have largely reflected swings in meat output—the inflation experienced so far has been milder than might be expected during a fairly large-scale war which coincides with a powerful capital goods boom amidst the longest and greatest economic expansion in recent history. The enormous financing burdens imposed on the money and capital markets by both the government and private borrowers have been absorbed so far without the severe liquidity squeeze that many have feared. Along with wages and farm incomes, corporate earnings have been well sustained

despite concerns about a possible profits squeeze. And with the decline of Buddhist dissidence and the bombing of the Hanoi-Haiphong oil depots, the situation in Vietnam has, if not improved, at least become less confusing.

CONSUMER BUYING AND PRICE TRENDS

At the moment, the sharp cutback in output of 66 model cars has eased some of the pressure in the metals industries, and auto manufacturers' rebates to dealers are being passed on to new car buyers in lower prices.

But the negative impact of high food prices, stepped-up Social Security taxes and higher tax withholding rates—which contributed to the slackening in consumer spending after April—will wear off progressively in the coming months. Moreover, spending under Medicare, starting this month, is expected to run at an annual rate of about \$3 billion. In addition to this direct spending, people over 65—and in many cases, their supporting children or relatives—will be able to spend for other things the money previously saved or used for these medical expenses. These factors should help restore some vigor to retail sales.

But looking further ahead, there are a good many question marks. Foremost are the material and financial requirements of the Vietnam war. While hopes for an early and acceptable end to the conflict are again on an upswing, businessmen must calculate the probabilities of increased defense orders and appropriations and—if these are large enough to threaten price stability—a possible tax increase next year if not in 1966. Under the influence of higher costs of services and some nondurable goods, the rise of consumer prices other than food may speed up over the next few months. Medical costs in particular—already climbing fast—are expected to go up even more under the impact of the Medicare program.

Businessmen and investors, viewing the heady gains in volume and profits over the past 24 months, understandably feel the pace cannot be maintained indefinitely, particularly while inflation, shortages and bottlenecks remain as the immediate problems. Thus, the remarkable performance of the economy, as it continues, comes more and more to inhibit expectations for future expansion.

The cutback in auto production has drawn attention away from the continued strong performance elsewhere. For example, while a rebound from the April coal strike figured in the 0.8 percent May advance in the seasonally adjusted Federal Reserve index of industrial production, the steel, business capital equipment and aircraft industries were also major contributors. If the wide fluctuations in the steel and auto industries are separated out, as shown in the accompanying chart, there has been no slowdown among industries which make up about 90 percent of industrial activity. In May, the index of "other production" rose at an annual rate of 11 percent, the same as in the first quarter and somewhat greater than the 9 percent gain during 1965.

Cutbacks caused by lagging sales and high inventories reduced the seasonally adjusted index for passenger cars by 7 percent in May. The bulk of the 300,000 car cutback in '66 model output will be concentrated in the summer months. Third quarter schedules for '67 models have been stepped up, and although July assemblies will be 37 percent less than last year, August and September output will be up 6 percent from a year earlier.

In many other industries, the vacation let-down in production will be less than usual this summer. Durable goods manufacturers report that order backlogs grew 22 percent in the year ended May 31. As a result, many firms are foregoing the usual plant-wide vacation shutdowns this year; in such cases

time off will be staggered or workers will receive vacation pay in addition to their regular wages.

EMPHASIS ON EXPANSION

With heavy civilian and military demands, it is not surprising that expenditures for expanding capacity are growing faster than those for replacing and modernizing existing facilities. The McGraw-Hill survey of plant and equipment spending plans in April indicated that manufacturers' outlays for expansion in 1966 will be about \$13 billion, 48 percent of total outlays, or about 28 percent more than in 1965. Plans for modernization and replacement call for an increase of about 14 percent over last year.

In May, the SEC and the Department of Commerce reported that businessmen were planning total plant and equipment expenditures of \$60.8 billion in 1966—a 17 percent increase over 1965. Manufacturers anticipated outlays of \$27 billion, up 20 percent. Even these plans do not accurately measure the full extent of investment wants because construction delays and postponed delivery dates are preventing businessmen from spending money this year as fast as they had planned to earlier.

The consistently high level of capital expenditures in the past few years has been a potent anti-inflationary force in the economy. The sharply higher cost of living this year has been concentrated in foods and services. There is little doubt that other consumer goods would also have had much higher price tags if we had not had heavy expenditures on plant and equipment in earlier years. Increased capacity has made it easier to meet rising demand, while improved technology has helped hold down costs.

MONEY MARKET MEETS THE TEST

The money and capital markets successfully weathered a period of unusual strain last month as extraordinary borrowing demands of governments and corporations coincided. However, changes of interest rates helped pull funds to where demands were greater, and the Federal Reserve System provided a substantial volume of reserves late in the month, thus facilitating banks' efforts to accommodate loan demands.

Much of the tension in the money market stemmed from fiscal devices employed to pare the Federal budget deficit for the 1966 fiscal year ended June 30. Corporations had to borrow more than usual, and convert more liquid assets to cash, because their tax payments had been bunched to add about \$2.5 billion to fiscal '66 Federal revenues. In effect, the corporations were borrowing money for the Treasury. Similarly, the large issuance of Federal agency obligations and the sale of participations in government-owned loans merely served as substitutes for regular Treasury debt issues.

All told, corporation income taxes paid on June 15 were probably one third larger than a year earlier. Additional tax revenues were shifted forward into fiscal '66 by requiring large corporations to make payments of withheld income and Social Security taxes semi-monthly rather than monthly. As a result, corporations paid an estimated \$1.5 billion in taxes last month that would not have been due until the end of July under the old schedule.

All this was reflected in a rise of \$2.9 billion in bank loans in the middle two weeks of June. This compares with an increase of \$1.9 billion in the like period of June 1965 and \$1.4 billion in 1964. Corporations also raised cash by running off \$635 million of CDs, or about twice as much as over the June 1965 tax date and two thirds again as much as in March 1966. Banks were able to meet these heavy demands by offering unusually attractive rates to replace the large volume of maturing CDs. Finance companies similarly raised their rates in order to replace maturing paper.

Hard on the heels of \$1.2 billion in new cash raised in May, Federal agencies borrowed \$1.8 billion in June, including \$925 million through sales of loan participation certificates. Because of the congestion in the market, some agency issues had to be offered at 5½ percent.

The most important question facing the financial markets concerns the direction of monetary policy, and here the major developments have been somewhat obscured by the pressures of the June tax date. Total member bank reserves (seasonally adjusted), which had climbed at a rapid pace through April, showed a downward trend through mid-June. Nevertheless, the public's holdings of cash balances in June were up substantially from a year earlier.

Late in the month, the Federal Reserve increased reserve requirements from 4 percent to 5 percent on that portion of a member bank's total time deposits (other than savings accounts) exceeding \$5 million. This was apparently a response to the House Banking Committee, which had adopted a resolution urging the Federal Reserve Board to "take action" within 30 days to reduce bank competition with savings and loan associations for individual savings. The action taken will increase the effective cost to banks of CD funds by about six basis points and was a clear sign that the Federal Reserve was taking a more restrictive stance. Commercial banks followed by increasing from 5½ to 5¾ percent the minimum rate on loans to business borrowers.

INDUSTRY AND GOVERNMENT: THE NEW PARTNERSHIP

(Mr. SCHEUER (at the request of Mr. Evans of Colorado) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHEUER. Mr. Speaker, throughout our history there has often been a clash of interest between business and government in the field of social progress and reform. Too often, these two great sectors of our Nation have worked in conflict rather than in harmony; indeed, some have seen the rise of big government as a counterforce to big business.

Today, happily, industry and government are working together, in harmony, to mitigate some of the social evils which currently plague our Nation. Several of our Job Corps centers, for example, are being effectively operated by private firms. To illustrate an emerging trend toward a "social-industrial complex," I should like to insert in the RECORD a thought-provoking address by Lyle M. Spencer, president of Science Research Associates, Inc., a subsidiary of IBM.

THE NEW SOCIAL-INDUSTRIAL COMPLEX

(An address by Lyle M. Spencer, president, Science Research Associates, Inc., a subsidiary of IBM)

Little more than five years ago, Dwight Eisenhower, in his last message as President, warned of the growth of a military-industrial complex that could endanger American freedoms. It was an important warning. Commentators now and then honor it by repetition, but no one has yet suggested what to do about it.

Tonight I would like to strike a more optimistic note. I want to describe the early growth of a new complex in which industry and government also are intertwined, but towards a far different end. It might be called a "social-industrial complex." With the government acting as broker, a number

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nese ore from the national stockpile and the supplemental stockpile was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1431), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

This bill would grant congressional approval to the disposal of approximately 1.9 million short dry tons of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile, and waive the 6-month waiting period normally required before such disposal could be started.

EXPLANATION OF THE BILL

Why congressional approval is required

Under existing law, congressional approval is required for the disposal of materials in both the national stockpile and the supplemental stockpile except in those instances where the proposed disposal action is based on a determination that the material has become obsolescent for use during time of war.

Since the proposed disposal of these materials is not based on obsolescence, the proposed disposal requires the express approval of the Congress.

In addition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act (50 U.S.C. 98b), with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets. Thus, the waiver will permit the immediate disposal of metallurgical grade manganese ore upon enactment of H.R. 13772.

Why disposal is proposed

The metallurgical grade manganese ore to be disposed of from the national and supplemental stockpiles is surplus to the stockpile requirements.

The objective inventory is composed of ore and upgraded forms of manganese. The ore component of the manganese objective is approximately 6.6 million short tons. As of March 31, 1966, the excess inventory over the objective amounted to about 3.8 million short tons of which approximately 1.7 million tons in the Defense Production Act inventory has been authorized previously for sale. Much of this DPA material is of such low quality grade that the General Services Administration has encountered difficulty in disposing of it pending the availability of higher grade ore to offer simultaneously. The bill under consideration accounts for the remainder of the excess except for that quantity which is being retained temporarily for strategic storage purposes.

Information on metallurgical grade manganese ore

Metallurgical grade manganese is primarily used in the production of steel as a desulfurizer and deoxidizer. It is also used to impart one or more of the properties of strength, toughness, and hardness to some steels. For these applications, manganese is usually introduced in the form of ferromanganese.

The United States imports metallurgical grade manganese ore chiefly from India, Brazil, the Republic of the Congo, Union of South Africa, Ghana, and Mexico.

FISCAL DATA

The average acquisition cost per short dry ton of the metallurgical grade manganese ore in the national stockpile was \$39.60 and in the supplemental stockpile was \$43.09. The current market price is about \$34.25 per short dry ton.

DIRECTION TO THE SECRETARY OF THE INTERIOR TO ADJUDICATE A CLAIM TO CERTAIN LAND

The bill (S. 1684) to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1684

A bill to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Alabama

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is directed to adjudicate the claim of B. A. Cogle of Thomasville, Alabama, under the Color of Title Act of December 22, 1928 (45 Stat. 1069), as amended by the Act of July 28, 1953 (67 Stat. 2276 43 U.S.C. 1068-1068b), to the lands described in section 2 of this Act. If the Secretary shall determine that the said B. A. Cogle has otherwise satisfied the requirements of the Color of Title Act, he may issue a patent under such Act to such lands without regard to the acreage limitation imposed in such Act.

Sec. 2. The lands subject to this Act are the following-described tracts of land all situated in Marengo County, Alabama, and described with respect to St. Stephens meridian:

- (1) the northwest quarter of the southeast quarter and the southeast quarter of the northeast quarter of section 3, township 13 north, range 2 east;
- (2) the southwest quarter of the southwest quarter of section 26, township 13 north, range 3 east;
- (3) the south half of the southeast quarter of section 35, township 13 north, range 3 east; and
- (4) the northwest quarter of the northeast quarter of section 19 township 14 north, range 2 east.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1432), explaining the purposes of the bill.

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

PURPOSE

This bill directs the Secretary of the Interior to adjudicate, under the Color of Title Act of December 22, 1928, 45 Stat. 1069, as amended, 43 U.S.C. 1068-1068b, a claim of B. A. Cogle to approximately 294.90 acres of land, without regard to the 160-acre limitation in the act.

In essence, the bill authorizes the Secretary to determine whether B. A. Cogle otherwise satisfies the requirements of the Color of Title Act and to issue a patent to the land described in the bill, if the Secretary is satisfied as to such compliance.

BACKGROUND

Mr. Cogle previously received patent under the Color of Title Act for 159.88 acres of public land in Alabama.

He has occupied the land since 1923, and

the committee accepts the fact that he was a bona fide purchaser of the land in question, and that for each parcel of land there is a chain of titles showing that many individuals thought they owned the parcel which they later sold, and which ultimately passed to Mr. Cogle—and that during all this time, the United States did nothing to assert its claim of ownership.

The Department of Interior report, agreed upon by the Bureau of the Budget, raises no objection to enactment of the bill if the Congress finds "there is justification for special consideration of Mr. Cogle's claim."

An appraisal made in May 1965, values the land at \$26,320. The Geological Survey says the land is prospectively valuable for oil and gas, and a portion of it for sodium. The Interior report says there is no known Federal need for the land. There is some commercial timber on the land.

The House passed a similar bill, H.R. 2942 in 1963, but the bill did not get out of Senate committee, purportedly because the committee did not want to act on the bill without assurance that the Interior Department would allow Mr. Cogle's application. On June 11, 1964, the Department advised the committee that if the bill were enacted into law, the applications would be deemed "to be allowable ones."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 6 or 7 minutes.

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

VIETNAM

Mr. MANSFIELD. Mr. President, during the past few days, a number of developments have occurred in connection with Vietnam which should not be overlooked by the Senate. Suggestions relative to the restoration of peace have been made in various Asian quarters. Whether they lead to any specific progress in that direction in the days ahead is another matter. In themselves, the Asian suggestions for peace are only straws which have yet to be picked up by the wind. If there is to be any progress beyond them, toward peace, it will depend on subsequent responses and initiatives.

The experienced and astute Foreign Minister of Thailand, Thanat Khoman, has advanced the suggestion that the Asian nations themselves should seize the reins of the Vietnamese and other problems of their continent. He has urged that a peace conference be held, not in Geneva, but in Asia, and by the parties concerned.

Similar suggestions have been made by others in the past but not with nearly the clarity or the directness of the suggestions of the able Thai Foreign Minister. What Thanat Khoman is saying, in effect, is that there should be a meeting of Asian leaders, whether of South Vietnam or North, of Thailand or Burma, of the Philippines or Cambodia, of Peking or Tokyo or wherever. If the press interprets him correctly, he wants these leaders to get together somewhere in Asia and try to end the war in Vietnam before its spreading devastation puts an end to the remaining stability of that continent, including almost inevitably at some point, the stability of Thailand.

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That is an admirable suggestion, Mr. President, and I see no reason why it should not have the support of all concerned. Certainly, if greater progress toward peace in Asia is promised by a conference of Asians who are intimately concerned with this problem rather than by a meeting in Geneva by nations, many of which are only remotely concerned, then let it be called in Rangoon or Bangkok, in Manila or Phnom Penh or, for that matter, even in Peking.

I do not believe the Thai Foreign Minister made mention of a U.N. role in connection with the Asian conference which he has proposed. Nevertheless, Mr. U Thant, the Secretary General of the United Nations, has set forth a basis on which he believes peace might be established in Vietnam. He has advanced three points as preconditions for settlement. These points are: First, cessation of the bombing of North Vietnam; second, reciprocal scaling down of military activities in the south and then a ceasefire on all sides; and, third, willingness to enter into discussion with those who are "actually fighting." This latter category has subsequently been defined, obviously, to include not only the Hanoi and Saigon Governments but also the National Liberation Front in South Vietnam, whose leadership is, in fact, composed of southern Vietnamese.

In the latter connection, it is interesting to note that Prince Sihanouk of Cambodia, in a recent interview with an American correspondent, went so far as to suggest that the key to peace might lie not in Hanoi or Peking at all but rather in direct conversations between Saigon and the latter group; that is, the South Vietnamese National Liberation Front.

May I say from personal knowledge that Prince Sihanouk's observations on Indochina are those of one of the most active participants and effective national leaders in the great wave of change which has engulfed former Indochina as well as the rest of southeast Asia during the past decade and a half. In my judgment, Prince Sihanouk not only has a high sense of the needs of his own people but also a sharp perception of realities in Vietnam and elsewhere in Asia. His views as to where the key to peace in Vietnam may lie should be explored. I am delighted that Ambassador Harriman will be visiting with the Cambodian leader next month.

Finally, Mr. President, I should like to make reference to the recent suggestion of the distinguished Prime Minister of India, Mrs. Indira Gandhi. It was her view that the International Control Commission in Vietnam should be strengthened in order to patrol the demilitarized zone at the 17th parallel and thereby forestall a further spread of hostilities. In my judgment, it would be desirable to enlarge the Commission to the point where it will be able not only to patrol the demilitarized zone but also to extend its operations along the Cambodian border. Prince Sihanouk has long advocated this course and the United States has recently concurred in his view that the Commission would be most helpful in the preservation of Cambodian neutrality and in prevention of

the spread of the war. For whatever the reasons, the Soviet Union, as a co-chairman, has been unwilling to join with the United Kingdom in reconvening the Geneva Conference in order to take up this proposition. That would appear to be one more reason for giving every possible and prompt consideration to a convening of an Asian conference in Asia.

If I may summarize, then, Mr. President, it would seem to me that these recent suggestions relative to Vietnam which have emanated from Asian sources, notably from the Foreign Minister of Thailand and the Prime Ministers of India and Cambodia, and from the Secretary General of the United Nations, Mr. U Thant, are most helpful. It would be my hope that there promise, such as it may be, will not be permitted to fade through inertia on the part of any nation. I am delighted that the Secretary of State, Dean Rusk, has already seen fit to respond to them in a most constructive fashion. Indeed, in a recent press conference, he gave every indication of the U.S. readiness to pursue any or all of these suggestions. I would certainly expect, therefore, that U.S. diplomacy, whether at the United Nations or down the line here in Washington or in nations abroad where it might conceivably be useful, will pursue and underscore the constructive responses of the Secretary of State to these excellent Asian initiatives.

I do not think it is too much to say that this Nation not only supports fully the search for acceptable Vietnamese and Asian solutions by Asians, but that, in all probability, we would find acceptable a solution on which the Asian nations themselves and the Vietnamese people, north and south, can generally agree.

I ask unanimous consent, Mr. President, to include at this point in the RECORD pertinent extracts from the transcript of a recent press conference of the Secretary of State and a statement I made on Vietnam on April 18, 1966, on the Senate floor.

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

[From the New York Times, Aug. 6, 1966]

EXCERPTS FROM RUSK NEWS CONFERENCE

Question. Mr. Secretary, the Soviet Union has charged that the United States planes have attacked its ships in the Haiphong harbor. Has this occurred? And what is U.S. policy on this question?

Answer. We have no information at all that would support the charge that we have attacked any shipping in the Haiphong harbor. Our strikes on the P.O.L. (petroleum, oil and lubricants) installations there were for that purpose, and that purpose alone. Indications from the strikes are that all of the bombs were in the target area. There was no indication that attacks on Soviet shipping occurred.

Question. You spoke of bombs, I think the Soviet note charged that this vessel, the Medyn, was hit by large caliber bullets.

Answer. We have no information at all on that. In an earlier incident, when such a charge was made, our judgment was that if anything at all reached a Soviet ship, that it might well have been North Vietnamese anti-aircraft or something the North Vietnamese were doing. But it was not U.S. bombs that had anything to do with it.

Question. India is reported to be consider-

ing asking that the I.C.C. (International Control Commission) be expanded to control and observe in the demilitarized zone more thoroughly. What do you think of such an idea?

Answer. We would be very much in favor of a strengthening of the I.C.C. to do any of the jobs that are its responsibility, including the assurance that the demilitarized zone is in fact demilitarized.

Very substantial North Vietnamese forces have come through the demilitarized zone, and have been engaged by our Marine and South Vietnamese forces in the northern part of South Vietnam. Those North Vietnamese forces are back in the demilitarized zone, contrary to the understandings reached in 1954.

Another instance of I.C.C. activity that we would welcome would be to assure the neutrality and territorial integrity of Cambodia. As you know, Prince Sihanouk has requested that that be done. We would be glad to see that that would be done.

ATTITUDE OF POLISH MEMBER

Question. Is it true that the Polish member of the I.C.C. is resisting proposals or efforts to get that commission into the zone to investigate conditions there?

Answer. Quite frankly, I don't have precise information on that point. I think probably we will know very shortly more specifically what their attitude is.

As you know, the South Vietnamese Government has repeatedly called the attention of the I.C.C. to violations of the demilitarized zone. Now Hanoi has put in a protest to the I.C.C.

All right. Let's do something about it. Let's get going. And I would hope that the three members of the I.C.C. could agree that they would assure the demilitarization of that zone. And I can assure you that any efforts on their side in that direction would be met with complete response by us, and that we would do everything we could to cooperate. We would hope the other side would.

Question. On another aspect of the Vietnamese question, Thailand has proposed an all-Asian conference on the problem of trying to reach peace in Vietnam, and has proposed that all the principals participate in such a conference. What would be your view on that, sir?

Answer. We feel that this is a constructive suggestion. I found when I was in Asia recently that the Asian countries were very much concerned about the possibilities of peace in Southeast Asia, and the ability of these smaller countries to live unmolested. We would hope that this suggestion might result in some constructive action.

As you know, we have been prepared for negotiations, discussions, conferences, contacts, through any channels: 17 nonaligned nations; the two co-chairmen of the I.C.C. or any of the other many third parties who have come forward to try to establish some contact between the two sides; or direct bilateral discussions between ourselves and, say, Hanoi or Peking.

I think this idea—that the nations who are really most immediately concerned, the Asian nations, might take some useful initiative—is a constructive one, and we will follow with great interest what results from it.

USE OF FORCES IN ZONE

Question. Is there a policy inhibition on the possible use of American ground forces in the demilitarized zone if the North Vietnamese continue to use it?

Answer. We have not wanted to go into the zone or cross the 17th Parallel. Our attitude has been that we don't want any shooting by anybody at anyone, and that we would be glad to see all of the shooting come to an end straightaway. We have no desire to destroy the regime in North Vietnam; we

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have no desire to drop any bombs on North Vietnam.

Question. There are reports that the North Vietnamese are stepping up their infiltration into South Vietnam despite the bombing of petroleum installations. What can you say about this?

Answer. Well, their infiltration continues. There are some time lags between their infiltration and our precise knowledge about just how much it is, and what it is. But I think it would be a mistake to suppose that since infiltration is continuing, therefore, the bombing has no point. Because that overlooks what might have happened in terms of infiltration had the bombing not occurred.

QUESTION FOR THE FUTURE

We know that the bombing has made infiltration substantially more difficult; that many supplies, military supplies, that have come down the trails have been destroyed by the bombing; that there is much less P.O.L. to support the trucks that bring men and arms into the South than there was before. We know that there are fewer trucks to bring men and arms down into South Vietnam. So the problem is not whether the bombing has stopped the infiltration, but what the infiltration might have been without it; and whether the bombing has made it more difficult and costly for the other side.

Question. Do we draw any policy distinction between possible use of ground troops in the southern part of the demilitarized zone and moving troops over into North Vietnam?

Answer. I think that that is a matter that is for the future, and would turn on events. As far as the immediate local, close-in situation is concerned, a commander will have to do those things that are necessary for the security and preservation of his own units, his own forces. But there need be no fighting whatever in the demilitarized zone, no bombing in the demilitarized zone, if North Vietnam would keep its troops out of there and not use that as a major infiltration route into South Vietnam. And we hope that they would realize that this would be an important thing to do in terms of a further buildup of the violence. We would like to see this violence reduced just as quickly as possible.

Question. Is there currently growing tension between the United States and the Soviet Union over this issue? The tickers from Moscow this morning report that the United States has refused to accept the Soviet protest note on grounds that it's inaccurate and abusive.

Answer. I think the principal word there is not the inaccuracy, because Governments are quite familiar with the process of sending inaccurate messages to each other. But the abusiveness of the note is not in accord with diplomatic practice, and so we did not accept it on that basis.

I really didn't answer your main question, which was growing tension. I would have to say that the Soviet position, with respect to bilateral relations and the general situation, is a difficult one under the circumstances of the Vietnam situation. We regret that. We would like to find ways to improve our bilateral relations with the Soviet Union, but we cannot do so by giving away South Vietnam.

What we would like to see is the use of the available machinery to bring peace to Southeast Asia. The Soviet Union, as a co-chairman, has not been willing to move with its British co-chairman to convene a conference or to take an active role in moving toward peace out there, not even with respect to Prince Sihanouk's request that the I.C.C. step up its action to assist Cambodia.

ESCALATION LAID TO HANOI

There is a crisis in Southeast Asia which cannot help but affect bilateral relations. We would like to see that crisis moved to a

peaceful settlement. But we can't do that without some help from others, primarily, in the first instance, Hanoi, but others who have an interest in this and are concerned about it.

Question. Do you consider that there has been a continued escalation on the part of the North Vietnamese and possibly encouragement from Communist China to sending additional workers into North Vietnam to free their soldiers?

Answer. There has been a steady escalation of this problem by North Vietnam for the past five or even six years, despite the fact that for four or five years there was no bombing of North Vietnam, despite the major efforts made to find a political settlement in Southeast Asia. A full division of the North Vietnamese Regular Army moved into South Vietnam before there was U.S. bombing of North Vietnam, except for the strike in connection with the Gulf of Tonkin incident.

The demilitarized zone became an issue because a division of the North Vietnamese regular forces moved through the demilitarized zone into South Vietnam. Now, when you look at the chronology of escalation, it is based upon the fact that they keep coming. And this effort to seize South Vietnam by force is the thing which the United States and its allies cannot accept. If that ceases to be the problem, then peace can come very quickly.

Question. You spoke of willingness to try any kind of negotiations, including bilateral. In that connection, would you care to tell us what you think about Prince Sihanouk's proposal, in an interview with The New York Times, that the United States try getting in touch with the Vietcong and not looking to Hanoi and Peking? It was answered in general terms here yesterday by your spokesman, but I wonder if you would address yourself more specifically to that idea.

Answer. I think I had better stay to the general language, because there is no indication from those who have the real influence on the other side that they are prepared for serious talks. I have said to you many times that there has never been a problem here of lack of contact with the other side. That is a pretty comprehensive statement. The National Liberation Front has an interest in peace. So the problem of contact is not the problem.

Question. One of the issues discussed before the bombing of the P.U.L. installations started was the question of foreign shipping in the harbor of Haiphong. Can you tell us what the volume of that shipping is—and what sort of U.S. policy applies to military flights over or combat operations over the harbor area?

Answer. We have not been hitting shipping in the Haiphong harbor. I don't have the exact figures on the shipping that might have been in the area at the time of our strikes. But that shipping was not in the area of the strikes and not in the target area, and was not hit. There has been considerable reduction in the free-world shipping into Haiphong. I think last month there was only one ship, the month before there were only five ships.

But we have not undertaken a campaign against the shipping in Haiphong harbor and, on the basis of the most accurate information we have—and to me it is utterly convincing that we have not been striking such shipping.

SOLDIERS OR DIPLOMATS

Question. There is a continuing clamor in some Communist countries on readiness to send volunteers to Vietnam if they are requested. How do you read the prospects that such volunteers might be requested and that, indeed, they would go?

Answer. I can't be a prophet on that point. What we would prefer is that they send some negotiators to Geneva and I will

be there. That is the way to avoid the necessity of sending volunteers or to let this matter become further inflamed. What we want are some people in striped pants, not people in uniform. And I will be there to talk about peace in Southeast Asia—perhaps not with striped pants.

Question. In relation to what you said about Prince Sihanouk's proposal before, if the Vietcong did show some indication that it was willing to sit down and talk with the United States, would the United States show a similar willingness?

Answer. You're familiar with what President Johnson said about this in July of last year. This is not a question that can be discussed with those who can't stop the shooting, and I could sit here and negotiate that point with you, but I would much prefer to negotiate it with somebody who can stop the shooting. The President said there would be no insuperable obstacle to obtaining the views of the National Liberation Front if this issue of aggression was brought under control.

[From the CONGRESSIONAL RECORD, pp. 7844-7845, Apr. 18, 1966]

STATEMENT OF SENATOR MIKE MANSFIELD, DEMOCRAT, OF MONTANA

Mr. President, during the past year, our Armed Forces, by their sacrifices, gave a new lease on life to the non-Communist military and political structure of South Viet Nam. But let us not delude ourselves. That new lease on life runs only so long as U.S. support continues and, in present circumstances, continues to grow.

Indeed, the price may be expected to rise once again as a result of the current chain of developments. Certainly, political changes since the death of President Ngo Dinh Diem have tended to increase the cost of support in terms of U.S. lives and aid.

It has been said that the French lost the war not in Indochina, but in Paris. It has been implied, in parallel oversimplification of this most complex problem that if the present war is lost, it will not be lost in Indochina but in the United States and, more specifically, in Washington, and perhaps even in the Senate of the United States.

I think it is about time to dispense once and for all with glib assertions of that kind. The great need is to probe for the dimensions of this complex and changing situation and for a rational role for the United States. The reality is that if Indochina is lost it cannot be lost by the United States which has never possessed it, does not possess it now, and would not possess it if it could. The reality is that, in any meaningful sense, Viet Nam cannot be won or lost in the United States or Washington. Nor can it be won, in a final or an enduring sense by Americans in Viet Nam who have carried their difficult tasks at such great sacrifice.

But if it comes to that, the future of Viet Nam can be won or lost in Saigon by a failure of Vietnamese leadership and by the continuing inadequacies of the present politico-military structure. It can be lost in Saigon, too, if we do not exercise in this matter a wise restraint against over-eagerness to help and in this recent crisis President Johnson has acted most commendably. It cannot be said too often that in this day and age, and in matters of political leadership in particular, our efforts cannot be substituted for the efforts which must come from others on behalf of their own peoples.

To sum up, whatever their outcome, recent events tell us that there is trouble in Viet Nam. It is deeper and more complex than we have heretofore been prepared to acknowledge. We will do well, now, to face up to that fact and to the fact that we are deeply enmeshed in the trouble. We may be prepared to let alone these inner conflicts

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in South Viet Nam but they will not let us alone. They may appear peripheral to us in view of the emphasis which has been given to other aspects of the problem. In fact, they may have very little to do with the war in which our forces are engaged. But the fact is, too, that they are inseparable from that war from the Vietnamese point of view. Indeed, for many in South Viet Nam, the present difficulties are more central to the problems of Viet Nam than the war.

We can ignore these considerations only at the risk of turning the war in Viet Nam into one which is, at best, irrelevant to the people of Viet Nam and, at worst, one in which their hostility may readily be enlisted against us. We had better recognize, instead, that these recent manifestations of schisms in Viet Nam lend added emphasis to the validity of the President's policy. He has designed that policy to serve U.S. interests by an active and continuing search for negotiations in an effort to end the war and so contain our involvement in Viet Nam within reasonable limits.

It bears repeating, therefore, at this time that there is only one really basic factor which from the point of view of U.S. policy is essential to a prompt end to the conflict by negotiations and to the withdrawal of U.S. forces. That factor has been described, in effect, time and again by the President, and without "ifs," and "ands," or "buts." That factor is the establishment of conditions, through negotiations, which will assure and safeguard an authentic and free choice to the people of South Viet Nam as to their political future and as to their ultimate relationship with North Viet Nam. That and that alone is the objective of the United States military effort and the President's policy.

It is most unfortunate that neither the United Nations nor the co-chairmen of the Geneva Conferences—that is the United Kingdom and the Soviet Union—or other participants therein have been able to bring about negotiations looking to a peaceful solution along these lines. It may be, as the Soviet Union and others have said, that conditions do not exist at this time which permit them to take an initiative for negotiations. But it may also be that efforts to bring about negotiations may be pressed more usefully elsewhere than either through the Geneva Conferences or the United Nations. It may be that negotiations should be sought with greater vigor precisely in the region where the proximity of the conflict lends a greater sense of urgency to the necessity for its settlement.

It has been said many times and, in my judgment, correctly that a just settlement of the Vietnamese conflict by negotiations would serve the interests of this nation as well as other nations which are either painfully involved or threatened with involvement. If that is the case then perhaps there is something to be said for a direct confrontation across a peace table between ourselves and Hanoi, Peking, and such elements in South Viet Nam as may be essential to the making and keeping of a peaceful settlement in that region. Certainly, there would be no better place to locate a peace table of this kind than in Japan or Burma or some other proximate and appropriate Asian setting. It is not in Europe but in Asia and the United States where the pain of the war is felt. It is in Asia where the implications of this war are most grim. It is in Asia where other nations are immediately threatened by its spread. It is, in short, in Asia where the peace must be made and kept. It may well be, therefore, that it is in Asia where peace must now be—directly and vigorously—sought.

Mr. AIKEN. Mr. President, as I listened to the remarks of the majority leader, I hoped inwardly that everybody,

particularly officials in Washington, would give heed to those remarks when it becomes apparent, as it is now, the great difficulties which the United States will have even if we use all of our manpower and even if we use all of our resources in settling the affairs and restoring stability to the countries of southeast Asia.

Then, it seems that if southeast Asian countries themselves are willing to undertake this job of restoring peace and stability to that area, we should give them every opportunity to do so and every bit of our assistance, which can be interpreted as not being unwarranted interference with their affairs.

On Tuesday, July 26, in an exchange of views with the majority leader on the subject of General Ky and his willingness to assume leadership for the western democracies, I commented that I did not know whether to "swell with pride or to tremble with apprehension." Lest there be doubt, I now tremble with some apprehension.

I had grave misgivings as to the motivation of General Ky when he proposed to go into North Vietnam to destroy communism "in its lair."

Was he speaking only for himself? I hoped so. Was he speaking for some of his advisers? If so, I hoped none of them were Americans.

Yet, my hopes turned to doubt when I read in the press on August 6, that our Secretary of State did not rule out a ground invasion of North Vietnam.

In this connection, I came across an interesting article in the London Economist for July 9, 1966, entitled "How Not To Influence the Americans." The Economist, I may say, has not been dovish. Nevertheless, one paragraph puts the situation posed by General Ky, and people who think like him, into such clear perspective that I wish to read it into the Record. In commenting on the expansion of bombings to the north, this paragraph reads:

The reaction of China and Russia has been equally undramatic. They have done nothing since the bombing that they were not doing before. No doubt Russia and the other European communists will send more oil and lorries and anti-aircraft guns; no doubt the Chinese will issue more denunciations to add to the pile of 400-odd "grave warnings" they have already uttered on a variety of subjects. *But it is still unlikely that either China or Russia will risk a direct clash with the United States unless America seems to be threatening the very existence of communist North Vietnam. They might risk a world war to keep communists in power in Hanoi; they will probably not risk one to put communists into power in Saigon.* It is the difference between losing something you have, and failing to acquire something you haven't. The first is much worse. *So long as the Americans make it clear that they are limiting themselves to the defensive aim of trying to preserve an independent South Vietnam—no more than that—the odds are that the war itself can be kept limited and local.* (Italic supplied.)

I trust the President will impress on our erstwhile ally in Saigon and those of our own ambitious militarists that the sole aim of the United States is, in the words of the Economist: "to preserve an independent South Vietnam—no more than that."

I ask unanimous consent to have the entire Economist editorial and also an editorial from the St. Louis Post-Dispatch entitled "Stop the Invasion Talk" printed in the Record at this point.

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

[From the Economist, July 9, 1966]

HOW NOT TO INFLUENCE AMERICANS

In the last ten days Britain has come within an ace of chucking away its power to influence the actions of the United States. It does not have all that much power left; but it nearly lost what it has. This is what the revolt in the Labour party against American policy in Vietnam almost managed to achieve.

Mr. Wilson has appeased his left wing by going to Moscow to see Mr. Kosygin; it is a trick that should be good right the way through to the party conference in October. But this is dodging the left wing, not fighting it. The trip to Moscow is little more than a delaying device: Mr. Kosygin is unlikely to give his blessing to negotiations that North Vietnam is still not ready to accept. Mr. Wilson side-stepped the real issue by refusing to take his stand on clear-cut support of the American position in Vietnam. His negotiating power in Washington is thereby diminished; and cutting the left wing down to 30 abstainers on Thursday night by no means makes up for that.

If the British want to, they can give up the attempt to influence American policy. They can retire to the sidelines and blow raspberries instead. It is what the Labour left wing and the Tory right wing would like to do; it is what General de Gaulle has done. They will then be treated the way barrackers usually are treated, by being ignored. But if the British want to keep any influence over what the United States does, they must remember the basic rule for the only sort of relationship that gives Britain any pull in Washington. The rule is that Britain goes along with the main aims of American foreign policy in return for the right to nudge the Americans back on course when they seem to be deviating from those aims. It is a fair exchange. None of the main things the Americans want to do in the world conflicts with the main things Britain wants to do: in almost every respect except direct commercial competition, the two countries' interests run parallel.

Mr. Attlee followed this basic rule in 1950: he edged the Americans back on course when they were in danger of forgetting that their main aim was to defend South Korea, not to have a showdown with the newly emerged power of communist China. So did Mr. Macmillan in 1959 when he manoeuvred the Americans towards the necessary détente with Russia. And so did Mr. Wilson in 1964, when the scheme for a Nato nuclear fleet was in danger of snarling up relations with Russia: he reminded the Americans that relations with Russia came first. This right to dig the elbow into the Americans' ribs at critical moments is extremely valuable.

But only good allies get it; and it depends on picking the right critical moments. The bombing of the Hanoi and Haiphong oil dumps was not one of them. The reconnaissance photographs are now in; and once again, as in the Cuba crisis of 1962, the photographs bear out what the Americans said and what their critics refused to believe until the evidence stared them in the face. What happened on June 29th was that a smallish force of planes—46 light bombers, not the big strategic sort—dropped a relatively modest 91 tons of bombs with painstaking precision on two undeniably military targets in the soggy riverside area outside Hanoi and Haiphong. That is all. It bore as

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much relation to a mass attack on centres of population as a surgeon nicking out a poly-pus bears to a slaughterhouse. The available photographs and reports from witnesses on the ground suggest that the raid caused no more civilian casualties than a Vietcong bombing in Saigon, and a great deal fewer than when a Vietcong unit in the south opens fire on American troops from the cover of a village. The Americans had already bombed about a dozen other oil dumps in similar physical surroundings in North Vietnam without anybody saying that this was the time to break with American policy. The only difference on June 29th was that they moved inside the invisible dotted line that had up to then enclosed a large area of countryside around Hanoi and Halphong.

So much for the "indescribably wicked" event (Lord Soper) that "overshadowed the whole planet" (Mr. Michael Foot), and which the BBC in one broadcast reported as having set fifty square miles on fire. There are seeds of hysteria in Britain today. True, the bombing will not bring North Vietnam's leaders running to the negotiating table. It is almost certainly nonsense to hope, as some Americans hope, that it will change North Vietnam's mind about the desirability of doing what it can to equip and reinforce the rebellion in the south. But it is equal nonsense to suppose that the chances of negotiation are today actually less than they were before the bombing, when the business of helping the Vietcong was easier than it is now. The North Vietnamese have probably lost something like half their stock of fuel. They will buy more, and conceal it better. But at the very least there will be a few weeks or months in which fewer lorries will bump down the Ho Chi Minh trail, and the communist forces in the south will be correspondingly weaker. It is one factor which may eventually persuade the North Vietnamese that they are not going to win the battle in the south. If they come to doubt their chances of winning, and if the Americans then offer them some face-saving formula, they may at some stage agree to talk. It is as undramatic as that.

The reaction of China and Russia has been equally undramatic. They have done nothing since the bombing that they were not doing before (see page 140). No doubt Russia and the other European communists will send more oil and lorries and anti-aircraft guns; no doubt the Chinese will issue more denunciations to add to the pile of 400-odd "grave warnings" they have already uttered on a variety of subjects. But it is still unlikely that either China or Russia will risk a direct clash with the United States unless America seems to be threatening the very existence of communist North Vietnam. They might risk a world war to keep communists in power in Hanoi; they will probably not risk one to put communists into power in Saigon. It is the difference between losing something you have, and failing to acquire something you haven't. The first is much worse. So long as the Americans make it clear that they are limiting themselves to the defensive aim of trying to preserve an independent South Vietnam—no more than that—the odds are that the war itself can be kept limited and local.

And this is the crux of the matter. For there are signs, outside the House of Commons, that a serious international debate is now opening up about the underlying aims of American policy in Vietnam. This is a far more important subject than the fiddling argument about the difference between a precision job three miles from Hanoi and another precision job 15 miles from it. It is a subject on which Mr. Wilson will want to put his views to Mr. Johnson when he sees him in Washington on July 29th.

The argument is about exactly what the Americans mean by an "independent South

Vietnam." There two different definitions of what the phrase could mean, and therefore two different courses of action that the Americans could follow. The first and more rigorous of the possibilities open to them is a Korean-style solution. It implies that the South Vietnam which would emerge from the war would be like South Korea after 1953. It would be a country in which the communists had been totally defeated, and in whose political life they and their friends would be allowed to play no part whatsoever. It would be a country tied to the United States by a military alliance, and by the presence of an American garrison on its soil. The military implications for the present war are obvious. To achieve a solution along these lines, it would be necessary to go on fighting until pretty well everybody in the National Liberation Front had surrendered or been killed. It would rule out negotiations with the communists in the south, and so with North Vietnam too, except on the terms of Vietcong's capitulation.

This is the "military solution" people have been talking about, and Mr. Johnson is plainly very tempted by it. It would be the safest solution if it could be achieved without paying an excessive price. But most people in Europe—including most of Mr. Johnson's best friends—doubt whether it can. It would call for a longer war and more blood-letting than a less ambitious policy would. It would mean more hysteria from the anti-Americans, and more doubts among the pro-Americans, and more fraying of the links between the United States and its allies. Above all, it would mean ignoring the one hard fact that has emerged from the fighting. This is that the National Liberation Front, which includes both communists and some non-communists, does represent the frustrations and hopes of a good many South Vietnamese. It could not have put up such a fight if it had not.

The alternative is a solution on the lines not of Korea, but of Greece. The Greek communists were beaten in the civil war that ended in 1949. But afterwards they were permitted to return, in a carefully controlled way, into the political life of the country. They are still not allowed to organize their own party. But they were gradually allowed to make their own point of view felt through the theoretically non-communist Union of the Democratic Left. Through this party, they have been a factor in Greek political calculations ever since the early 1950's. Most people would prefer to see the problem of the communist-led rebels in Vietnam handled in the same way. The war will probably have to go on until they accept that they represent only an active minority of the South Vietnamese. Even then, they will have to be prevented from making another attempt to seize power by armed rebellion. This will require some pretty powerful outside supervision. It is not a fool-proof solution. But it does hold out the hope of meaningful negotiations. It gives a chance of ending the war sooner than it could be ended by a policy of total suppression. And in the end, if peace in Vietnam were followed by a period of stability in south-east Asia, it could pave the way for a national reconciliation in Vietnam.

Mr. Wilson will almost certainly want to argue for a Greek-style solution rather than a Korean-style one. To make his point he will need all the influence he can bring to bear in Washington. It is his chance to do the sort of thing that Mr. Atlee did in 1950. This is what the whole business of British influence with America is about. What the irrelevant ructions about Hanoi and Halphong have done is to endanger his chance of getting a serious hearing. Who is going to Washington? Is it Harold, the welcome confident whose ideas are worth listening to? Or is it General de Wilson, the irritating pontificator ripe for a brush-off?

[From the St. Louis Post-Dispatch]

STOP THE INVASION TALK

Secretary of State Rusk's discussion of the possibility that American troops might invade North Viet Nam is frightening. It is difficult to believe that the United States would commit such a tragic blunder, and it is true that Mr. Rusk said, "There is no policy desire to move into North Viet Nam or the demilitarized zone" between North and South at the Seventeenth parallel.

But Mr. Rusk's discussion of the matter at a press conference indicated that an invasion, urged a few days ago by Premier Ky of South Viet Nam, was not out of the question. It will depend, Mr. Rusk said, "on the turn of events; the commander will have to do those things necessary to protect the security of his troops."

We concede that a field commander has this obligation. But his superiors have the obligation of instructing him to keep his men out of areas where such a course might appear necessary to him. A movement of infantry across the parallel would involve another drastic change in the nature of the war. It would be similar to the movement that brought the Chinese into the Korean war. It would alienate international opinion still further from United States policies. Ultimately, it might mean disaster.

The United States has recently been bombing not only North Viet Nam but the buffer zone in the vicinity of the Cambodian border, across which North Viet Nam troops are said to flee to sanctuaries. These raids, different in kind from an invasion, are taking place as Ambassador Harriman prepares to go to Cambodia to seek ways of keeping that peaceful little country out of the Indochina conflict. We earnestly hope he succeeds.

Standing alone, Mr. Rusk's remarks are not so disquieting as when placed in conjunction with what Premier Ky said on two occasions within the last two weeks. In effect Ky posed the alternative of a war of five to 10 years duration or an invasion of the North, which he said he did not think would mean Chinese intervention. The State Department refused to repudiate Ky's statements; instead, it tried to dissociate itself from Ky's proposals without appearing to offend Ky.

Unfortunately, the history of United States involvement in Viet Nam is one of escalation, and so there are additional reasons for viewing the Rusk and Ky remarks with trepidation. Perhaps this is mitigated to some extent by Mr. Rusk's repeated assertion of his desire for peace in Southeast Asia, and his willingness to negotiate for it.

Any chance of negotiation would be further jeopardized, however, if not destroyed, by an invasion, and the Administration ought at once to put a stop to any idea that it could take place. Talk has a way of creating a climate of acceptance; it should be terminated by firm assurance that invasion is unthinkable.

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

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished senior Senator from Vermont, the ranking Republican in this body, for the pertinent remarks which he has just made. As always, he is quite conservative in his use of words but he gets to the point rather quickly so that no one can misunderstand.

As I interpret correctly what the distinguished Senator is saying, in effect, quoting the Economist, is that the best way to carry on the war is to keep it limited and to try to prevent it from becoming open ended. If it does become

open ended, then, of course, all bets are off and the dire possibilities are tremendous.

I would hope that this admonition would be kept in mind and that we would keep our eye on the ball at all times and be aware of the limited objectives, which we have because the President has stated time and time again that that is the nature of our engagement in that part of the world.

Mr. AIKEN. I thank the Senator from Montana. I try to view the war in southeast Asia in a practical manner.

When I realize the extent to which we have already gone in expending our resources and manpower, and the extent to which we will likely be called upon to go, in the event the war is not limited—certainly not beyond its present extent—then I realize the devastating effect on our country which an expansion of the war may have on its economy, I know that we have already gone so far that a great many people will have to pay a high price for the cost of this venture in southeast Asia, provided we go no further.

Mr. COOPER. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. COOPER. The two speeches we have just heard, one by the majority leader and the other by the ranking Republican Member, are very timely. They should be read with great interest and concern by the Senate and the people of the United States.

Yesterday, I read a statement by a writer in one of the newspapers that the war in southeast Asia might last for 8 years, and that it might involve the introduction of American troops into Vietnam to a total of 750,000 men. Of course, this is speculation. But, no one can foresee the future, and the prospect ought to lead to increased efforts for negotiation.

The majority leader has brought to our attention that movements seem to be underway at the present time by countries in southeast Asia toward some sort of negotiation.

I thought it was interesting that two of the foreign ministers at the recent conference, from the Philippines and Thailand, represented countries which are among our closest friends.

At times it may appear that there is little prospect of negotiation—and I am aware of the efforts of the administration to obtain negotiations—but the current efforts of Asian nations are important. They should be watched carefully and encouraged by the administration.

Mr. PROXMIER. Mr. President, I, too, should like to commend the distinguished Senator from Vermont [Mr. AIKEN] and the distinguished Senator from Montana [Mr. MANSFIELD] on their statements today.

It is most significant that these two outstanding leaders of the Senate have expressed their enthusiastic support of efforts to have the southeast Asian nations try to achieve peace, and to support U Thant and the United Nations, in their initiative to achieve this.

Mr. President, I also support the Senator from Vermont and the Senator from

Montana in their expressions of hope that we can, somehow, keep this terrible catastrophe in southeast Asia as limited as possible, consistent, of course, with achieving the prospect of independence for South Vietnam.

STRIP MINE STUDY

Mr. LAUSCHE. Mr. President, I have had the pleasure of reading an advance copy of an Interim Report by the Secretary of the Interior to the Appalachian Regional Commission dealing with the problem created by the strip mining of land to dig coal out of the earth. I commend Mr. Udall and all others who are participating in this study.

In the past, I have introduced three different bills calling for a study and asking that a determination be made by the Government concerning what part the U.S. Government should take in regulating the operations in which the surface of the land is stripped, the trees and grass removed, the coal excavated, and, finally, the land left useless and sterile. In many instances neither vegetation nor wildlife is on the land when the strip miners get through with it.

As I pointed out, I introduced bills on

this subject on three different occasions: First, in 1962 (S. 3304); second, in 1963 (S. 1013); and third, again in 1965 (S. 368). Finally, in 1965, the contents of my bill were incorporated as an amendment to S. 3 and became section 205(c) of the Appalachian bill, which passed the Congress and was signed into law in March of that year and is now known as Public Law 89-4.

While my bills provided for a thorough study of strip and surface mining activities and problems relative to all minerals and all States, this interim report deals with the Appalachia States only, where the problems are most acute and serious. Section 205(c) provides for a nationwide study which will be reported in the Secretary's final report to the Congress.

EFFECTS OF STRIP MINING

Mr. President, the magnitude of coal stripping and land desecration in the 12 Appalachia coal producing States is revealed in an up-to-date table contained in the interim report. I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

TABLE 1.—Status of strip and surface mined coal lands in Appalachia as of Jan. 1, 1965, in acres, as reported by State authorities

State	Unreclaimed	Partially reclaimed	Completely reclaimed	Total disturbed
Alabama.....	2,200	11,700	5,000	18,900
Georgia.....		75	225	300
Kentucky.....	31,487	4,489	12,363	48,289
Maryland.....	494	763	995	2,242
New York.....				
North Carolina.....				
Ohio.....	33,540	21,900	123,816	179,256
Pennsylvania:				
Bituminous.....	158,500		83,600	242,100
Anthracite.....	50,000		9,000	59,000
Total, Pennsylvania.....	208,500		92,600	301,100
South Carolina.....				
Tennessee.....	25,387	275	1,098	26,760
Virginia.....	15,014	13,549	503	29,066
West Virginia.....	145,718		46,320	192,038
Subtotal.....	108,122	52,691		
Total.....	354,218		282,920	797,951

¹ From inception of stripping to Jan. 1, 1965, unless otherwise noted.

² Represents reclamation for period 1948-65.

³ Represents disturbed acreage 1914-65.

⁴ No breakdown reported by State.

⁵ Represents disturbed acreage to Jan. 1, 1966.

Mr. LAUSCHE. Mr. President, in the tabulation of the States in which the most extensive strip mining has been done contained in the report of the Secretary of the Interior, Pennsylvania seems to lead the list. I regret very much to say that Ohio is second in this grim treatment and abuse of the land.

I call attention in particular to the situation in Ohio where under law enacted while I was Governor of that State some reclamation admittedly has been accomplished, but it has been far too little. Of the total 179,256 disturbed acres, 33,540 are unreclaimed; 21,900 are partially reclaimed; and 123,816 are completely reclaimed.

The interim report of the Secretary does not distinguish the difference between partially reclaimed and completely reclaimed land. If any portion

of the last cut or highwall of the areas inspected has not been substantially reduced by back filling and grading off, then I say the reclamation project is not complete. The Secretary of the Interior and his staff should pay particular attention to this phase of reclamation, for exposed seams of coal at the face of the highwall are the source of most pollution and the ungraded highwall itself is the greatest potential for landslides, highway destruction, and damage to adjacent unstripped lands.

Communities in unreclaimed spoil bank areas too suffer from blight, reduced tax revenues, and general deterioration. The Federal Government can no longer close its eyes to this spreading cancerous situation. While I continue to emphasize that the ultimate and whole responsibility for adequate land

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construction performance bond on the Washington, D.C., Stadium for his son-in-law's insurance firm.

In addition, it has been charged McCloskey is involved in three housing projects in Florida which were covered by Federal Housing Administration loans totaling \$28.8 million, which loans were subsequently defaulted.

I would like to call attention to an editorial which appeared in the Albuquerque Journal of July 21, and an article which appeared in the Scripps-Howard newspapers on July 20.

The Albuquerque Journal editorial states:

Sen. MILWARD SIMPSON, R., Wyoming, has sold grounds for protesting the award of a \$12.6 million contract for a new Philadelphia mint to Matthew McCloskey, former Democratic national Treasurer.

At the end of the editorial it is stated:

Senator SIMPSON has lined up a formidable array of arguments against the McCloskey contract award. But in view of McCloskey's powerful party connections, it appears likely his protest has come too late.

I hope this is not so. I hope the General Services Administration will reconsider the awarding of the contract in view of the conduct of McCloskey in his work and other questions which have been raised.

For the purpose of informing Senators who may be interested I ask unanimous consent that the editorial and article to which I have referred be printed at this point in the RECORD.

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

[From the Albuquerque (N. Mex.) Journal, July 21, 1966]

A TIMELY PROTEST!

Sen. MILWARD SIMPSON R-Wyoming, has sold grounds for protesting the award of a \$12.6 million contract for a new Philadelphia mint to Matthew McCloskey, former Democratic national treasurer.

SIMPSON's protest, aimed at General Services Administration, holds no contracts should be awarded McCloskey "until questions relating to the man's ethical and professional standards are clarified."

The questions SIMPSON referred to include:

—A federal court suit seeking to recover damages resulting from "incompetent work" on a Veterans Hospital near Boston—sliding on the hospital peeled off the day following completion of the project by McCloskey & Co.;

—McCloskey "has been accused of making an illegal \$25,000 campaign contribution to Democrat war chests;"

—"He also has been accused of paying a \$10,000 kickback so he could obtain the construction performance bond on the Washington D.C. stadium for his son-in-law's insurance firm;"

—McCloskey & Co. is involved in three Florida housing projects, covered by FHA-insured loans totaling \$28.8 million—loans subsequently defaulted;

—McCloskey & Co. "constructed the most expensive office building in the world, the Rayburn House Office Bldg., at twice its original price . . ."

In his letter to Lawson B. Knott, GSA head, SIMPSON also noted it is "quite possible" pending, court action against Bobby Baker—former Senate majority secretary—"will involve Matthew McCloskey."

Senator SIMPSON has lined up a formidable array of arguments against the McCloskey contract award. But in view of McCloskey's powerful party connections, it appears likely his protest has come too late.

MCCLOSKEY MINT JOB DRAWS FIRE

WASHINGTON, July 20.—Sen. MILWARD SIMPSON, R-Wyo., has protested awarding of a \$12.6 million contract for construction on the new Philadelphia mint to Matthew McCloskey, former Democratic national treasurer.

SIMPSON has written Lawson B. Knott, head of the General Services Administration (GSA), charging that no federal contracts should be awarded to McCloskey and Co. of Philadelphia "until questions relating to the man's ethical and professional standards are clarified."

The letter to Knott was placed in the Senate record.

"I remind you that a civil suit is pending in federal court to recover damages brought about by 'incompetent work' on the Veterans Administration Hospital near Boston," SIMPSON said.

SIDING PEELED OFF

He said the siding on the hospital peeled off one day following completion of the project by McCloskey and Co.

SIMPSON referred to McCloskey and Co. as "politically powerful" and reminded Knott that McCloskey "has been accused of making an illegal \$25,000 campaign contribution to Democrat war chests."

"He also has been accused of paying a \$10,000 kickback so he could obtain the construction performance bond on the Washington, D.C. stadium for his son-in-law's insurance firm," SIMPSON wrote.

PROJECTS DEFAULTED

In addition, the senator charged, McCloskey and Co. is involved in three housing projects in Florida which were covered by Federal Housing Administration (FHA) loans totaling \$28.8 million and were subsequently defaulted.

"I'm sure you are aware also that it was McCloskey and Co. that constructed the most expensive office building in the world, the Rayburn House Office Building, at twice its original contract price," SIMPSON said.

He told Knott it is "quite possible" pending court action against former Senate Secretary Bobby Baker "will involve Matthew McCloskey."

VIETNAM WAR IMPACT ON ECONOMY FAR LESS THAN IN PAST WARS

Mr. PROXMIRE. Mr. President, perhaps the most common economic fallacy in Congress and out is that the Vietnam war is feeding the fires of inflation, or is likely to do so soon, in a big and devastating way.

This notion is a fallacy because our economy has grown so immensely in the 15 years since our last war in Korea that it is able to take the current burden of belligerence—with all its heavy cost—without even using up all its economic slack:

One of the ablest economic commentators in the Nation is Edwin Dale, of the New York Times. In the first of a series on the impact of Vietnam on the economy, Mr. Dale writes this morning that—

The war has had distinct effects on the economy and on the people and businesses that make it up, but the effects have been far less than in any other war in modern times.

Figuratively speaking, the extraordinary American economy is carrying the war on its little finger, although the finger is hurting a little.

The article continues:

The best evidence that the war is not causing a drastic change in the Government's financial situation is in the magnitude of the Treasury's planned borrowing, which is actually a little less in the last half of this year than had been estimated several months ago.

Meanwhile, industry is adding to its plant and equipment at the record rate of \$60.8-billion this year. This means that the capacity of the economy to meet the demands of defense without cutting back on the civilian economy is growing in line with the expanding defense expenditures, and possibly faster.

In any event, almost no one foresees what has been associated with war in the past—shortages of consumer goods, raging inflation, enormous Government budget deficits and the like.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Vietnam War's Impact: Economy Is Hardly Hurt," written by Edwin L. Dale, Jr., and published in the New York Times for today, Monday, August 8, 1966.

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

VIETNAM WAR'S IMPACT: ECONOMY IS HARDLY HURT

(NOTE.—This is the first of four articles in which correspondents of The New York Times have attempted to estimate the impact of the Vietnam war on the American economy, the nation's politics, the lives of its citizens and foreign policy.)

(By Edwin L. Dale, Jr., special to the New York Times)

WASHINGTON, August 7.—In the first six months of this year sportsmen and business executives bought more than 8,000 private airplanes, easily a record and nearly half again as many as those purchased last year.

This footnote to the American economy in 1966 illustrates a major truth about the war in Vietnam.

The war has had distinct effects on the economy and on the people and businesses that make it up, but the effects have been far less than in any other war in modern times. Figuratively speaking, the extraordinary American economy is carrying the war on its little finger, although the finger hurts a bit.

Guitar strings have been reported in short supply in some music stores around the nation, and some retailers of men's suits complain that there have been delays in deliveries of a few sizes and models of fall suits because of the Government's demand for military uniforms.

As everyone knows, however, there has been nothing remotely resembling a shortage of consumer goods, as has occurred in past wars. From air-conditioners to gasoline, from swimsuits to rugs, the effort has been to sell rather than to turn customers away. Automobile dealers have the biggest unsold stocks of cars in history.

Prices have gone up—housewives are conscious of paying about 8 per cent more for meat than a year ago—and the costs of medical care have soared. Last week President Johnson lost a battle with the steel industry over a price increase, and investigators sprouted over higher prices for the consumer staples, bread and milk.

However, the inflation has been very small by comparison with the zooming price in-

creases of the Korean War, World War II or even World War I.

For example, measured by the Government's Consumer Price Index, the rise in prices of the last 12 months of 2.5 per cent was only one-fourth as great as in the first year of the Korean War. Some items, such as automobiles, are cheaper now than they were a year ago.

FOOD PRICES CITED

Much of the price increase, and the hurt for the consumer, has been in food, where overall prices are up nearly 4 percent from a year ago. However, a reduced baby pig crop, drought and a smaller number of dairy cows have had far more to do with this rise than the war.

As for steel, prices have gone up much less than in the last peacetime inflation, in 1956-58.

Over-all, wholesale and retail prices have risen in the first half of this year at an annual pace of 3.5 per cent, enough to worry seriously both consumers and the Government, but less than in nearly all other industrial countries, which are not at war.

Taxes have gone up. The Government took away in April the reduction in the excise tax on telephone bills it had given in January, and it did the same for a 1 per cent tax on automobiles, amounting to from \$20 to \$35 a car.

These increases, however, are minor by comparison with the big cuts in income and excise taxes of 1964 and 1965, and by comparison with the tax increases of previous wars. The main change has been merely a speed-up in tax collections, including graduated withholding taxes that had long been advocated on their own merit.

TAX CUT CONJECTURED

What is more, there are reputable economists who think the Government will be considering another tax cut next year, with the war still going strong.

Interest rates have gone up—indeed, one of the steepest increases on record. Many individuals trying to buy a home have found a mortgage difficult to obtain, and new homebuilding has slowed.

This "tight money" situation, not altogether caused by the war, has not, however, prevented a record expansion of total lending in the economy. The individual with a reasonable credit standing who could not get a personal loan has yet to turn up, and one personal finance company is drawing up business by sponsoring the Washington Senators' baseball games.

Business loans by banks have grown more rapidly in the last six months than in all but one or two years in the last 20. Even mortgage financing has only slowed, not stopped.

The war has worsened supply troubles in a few metals, such as copper and molybdenum. Some types of aluminum are on a delayed delivery basis and electric wire has been hard to acquire in the quantities manufacturers have wanted. As noted, textile and apparel mills have been hard put to fill Government orders at a time of booming civilian business, and some use of direct priority orders has been required.

There is a severe shortage of skilled manpower in the precision machining industry. As an example of how the problem can be made worse, nine out of the 23 apprentices in Muskegon, Mich., being especially trained to fill the gap, with Federal training funds, have been taken away by the local draft board.

CONTROLS SYSTEM LACKING

Despite these and other examples, and in sharp contrast to prior wars, there is no system of general allocations controls over materials or manpower, simply because one is not needed. In contrast with World War II and the Korean War, when every pound of the key metals and other materials was allocated by the Government, this time there is

only a system of priorities for defense and one or two nondefense purposes, limited to steel, copper, aluminum and nickel. The "set-aside" of steel production for military purposes is only 6 per cent of total production, of copper and aluminum 13 per cent. Autos, highway bridges, color television sets and pleasure boats are jointly consuming far more of these metals than the war.

Moreover, in a telling illustration of the total picture, a spokesman for the precision machining industry, after describing the desperate labor shortage, recently told a House subcommittee on small businesses that was investigating problems of related industries that if the war should "dry up" tomorrow, the machine tool industry would still have nearly as great a problem.

The war has cost the Government money, and thus has reduced the availability of funds for domestic purposes. The President's budget last January cut \$1.6-billion from the amount authorized in about 25 new Great Society programs in health, education, antipollution and the like.

In addition, only minor increases were permitted in two of the most important new programs—antipoverty and aid for elementary and secondary education. Such promising new ideas as automatic sharing of part of the Federal income tax with the states and direct income transfers to the poor were pigeonholed because of the \$10.5-billion war cost estimated for the fiscal year 1967, which began on July 1.

The new welfare programs are not the only ones affected. Government public works starts were cut in half in the new budget, and the space agency, although still given the sizeable sum of \$5-billion, was denied a few glamorous items, such as an advanced orbiting solar observatory, and suffered a reduction of planning funds for what comes after the first landing on the moon.

SOCIETY PROJECTS ON INCREASE

This is only part of the picture, however. In dramatic contrast with the past, spending on the new Great Society programs, although less than the full amount authorized by Congress is actually increasing in this fiscal year by more than \$3-billion—and this does not take into account the start of the expensive new Medicare program.

In the last fiscal year, with defense outlays building up, total domestic spending, including Social Security, far from declining, rose \$7.5-billion from the previous year.

Also in contrast with the past, the budget deficit has declined despite the war, and there is a chance that the budget will have a surplus in the current fiscal year.

Prices, taxes, credit, Government spending, shortages—all tell the same story. The war has had an effect, but an astonishingly small one.

TWO REASONS GIVEN

The explanation for this picture is agreed to by most economic analysts in and out of the Government. It has two parts. Both are in a sense obvious, but they do not appear to be altogether appreciated by the public.

One is that this is the first time the United States has entered a major war with a very large existing defense establishment. This means, simply, that the needed build-up has been comparatively small.

When the Korean war broke out, total military Personnel numbered only 1.5 million and this jumped to 3.3 million in a year, or a rise of more than 100 per cent. Equipment and weapons requirements increased proportionately.

This time the build-up in a year has been from 2.7 million men to 3.1 million, or about 15 per cent increase. No conceivable increase will equal or approach the Korean experience.

The defense budget more than doubled the first year of the Korean War from \$12.5-billion to \$30.5-billion, and it rose to \$47-billion in the next 12 months. This time the increase in the first year was about \$7-billion,

to \$54-billion, or only 15 per cent, and the next year's increase is likely to be about the same.

A MATTER OF SIZE

The second reason given for the relatively small impact of the war on the economy is the size of the American economy.

In the first year of the war since the major commitment began last July the gross national product—the total output of goods and services, and the best measure of the over-all output of the economy—has averaged \$711-billion. The \$6-billion cost of the war in that period represents the amazingly small amount of eight-tenths of 1 per cent.

The entire defense outlay, war costs included, ran less than 8 per cent of the gross national product by the second quarter of this year, less than some recent peacetime years when the gross national product was smaller.

By contrast in the Korean War this proportion zoned from 4.5 per cent before the war started to 11.3 per cent a year later and eventually to 13.6 per cent.

This single figure—a war cost of less than 1 per cent of the gross national product up to now—tells why the impact of the war, relatively speaking, has been so slight on the normal life of the economy. A \$6-billion war in any other economy would have a far greater effect.

The cost of the war, of course, is still rising. At present it is probably running at an annual rate of about \$12-billion or a little more, with total defense outlays now at a rate of about \$60-billion.

However, the gross national product is also rising—hence the capacity to absorb the war with little strain. Unless the nature of the war changes—to an all-out conflict with Communist China, for example—the cost of the war above "normal" defense spending is unlikely ever to rise above 2 percent of the gross national product. It is now about 1.5 per cent:

EFFECT ON EMPLOYMENT

The relatively small impact of the war as measured against the total size of the economy has had its counterpart in unemployment figures.

In past wars the economy quickly moved to full employment—and a manpower shortage. This time, too, the war has spurred an economy already nearing full employment and added to the number working.

However, the improvement, seen in perspective, has not been spectacular.

In the 12 months from June, 1964, to June, 1965, as the economy was roaring ahead under the impetus of the big tax cut of 1964, the unemployment rate was reduced from 5.4 per cent of the labor force to 4.7 per cent.

In the next 12 months, with the war providing the additional stimulus, the rate dropped from 4.7 per cent to 4 per cent—exactly the same decline. There were still 3.1 million persons out of work in June, even after allowing for the normal rise at the end of the school year.

A DRAIN ON GOLD

In specific communities, of course, defense spending has had a much bigger impact than in the nation as a whole. For example, unemployment has been sharply reduced in the Eastern Panhandle of West Virginia because of expanded helicopter production by the Fairchild Aircraft Company at nearby Hagerstown, Md.

Jobs attributable to defense, however, remain less than 10 per cent of the total, and the increase in jobs because of additional defense spending caused by the war appears to be no more than 2 per cent of the total. This does not count the 400,000 additional men in uniform.

Despite the relatively small impact of the war at home, it has had one serious economic cost not felt by the ordinary citizen: It is directly responsible for sharply worsening the deficit in the balance of international

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payments after a heartening improvement in 1965.

The direct foreign exchange cost of the operations in Vietnam will be an estimated total of \$750-million this year. What is more serious, an unknown number of these dollars are finding their way to France, which now converts every dollar it receives into gold at the United States Treasury.

The worsening of the balance of payments has not brought on any financial crisis, nor does it threaten to do so, but it has delayed the day when the gold outflow will be stopped.

What if the war should end? What then for the economy?

James R. Hoffa, the president of the international brotherhood of Teamsters, has forecast a sharp jump in unemployment and, among other things, a consequent weakening in union bargaining power. There can be little doubt that millions of citizens instinctively fear that the present boom is a result of the war and that peace would bring economic trouble.

Once again, however, most experts disagree.

Defense spending, to begin with, would not decline abruptly but would taper off, they say. Some part of the reduction, they explain, would be replaced by the economic cost of reconstruction in Vietnam, possibly in both north and south, which could run \$1-billion a year or even more.

Regardless of how much or how little defense outlays—and defense manpower—decline, the economic impact can be readily offset in either or both of two ways.

One is a tax reduction, which in effect simply replaces Government spending with private spending. The total demand of goods and services is unimpaired, although some individual businesses gain orders and others lose them.

The other offsetting factor is an expansion of Federal domestic spending. There is no lack of ideas for enormous expansion of outlays on the home front, ranging from direct transfer of income to the poor to a huge assault on the educational deficiencies of Northern slum areas. Spending on a number of Federal programs has been curtailed, although not reduced, by the war, and expansion could come quickly.

"I am convinced," said one respected Wall Street analyst the other day, "that peace would be bullish—bullish for the economy and bullish for the stock market."

Many economists agree.

FUTURE IS WEIGHED

Assuming no early peace, is the strain on the economy likely to increase as spending on the war continues to rise?

The strain might become a little more noticeable, depending on the place at which defense spending increases. However, although the Government has refused to divulge its latest estimates on defense outlays, officials are now assuming a rate of increase no greater than in the last 12 months.

This would mean some further rise in defense costs in relation to the national economy, with the "add-on" caused by the war coming to about 2 per cent of the gross national product in the first half of next year. Budget expenditures for defense will clearly be larger than the \$58.3-billion estimated in the budget last January for the current fiscal year—probably about \$5-billion higher.

Revenues, however, are growing, too, and faster than estimated. The best evidence that the war is not causing a drastic change in the Government's financial situation is in the magnitude of the Treasury's planned borrowing, which is actually a little less in the last half of this year than had been estimated several months ago.

Meanwhile, industry is adding to its plant and equipment at the record rate of \$60.8-billion this year. This means that the ca-

capacity of the economy to meet the demands of defense without cutting back on the civilian economy is growing in line with the expanding defense expenditures, and possibly faster.

NO SHORTAGES FORESEEN

In any event, almost no one foresees what has been associated with war in the past—shortages of consumer goods, raging inflation, enormous Government budget deficits and the like.

Some economists, such as Oscar Cass of Washington, believe that economic capacity from now on will grow faster than total demand, including demand from war spending. In this picture, unemployment would be rising a little by the end of the year, with the war going full blast, and the Government might well be considering a tax cut to stimulate the economy.

If this happened, or if the President felt called upon to propose an increase of from \$5-billion to \$10-billion in domestic spending, it would be the most dramatic evidence yet of how readily a three-quarter-trillion dollar economy can cope with what is, after all, a sizable war.

MILWAUKEE JOURNAL HAILS 20TH ANNIVERSARY OF FULBRIGHT SCHOLARSHIPS

Mr. PROXMIRE. Mr. President, yesterday the Milwaukee Journal saluted the distinguished Senator from Arkansas, Mr. FULBRIGHT, on the 20th anniversary of his great program of Fulbright scholarships.

I ask unanimous consent that this thoughtful tribute from one of the Nation's finest newspapers to the remarkable chairman of the Foreign Relations Committee, an editorial entitled "20 Years of Fulbrights," published in the Milwaukee Journal of August 7, 1966, be printed in the RECORD at this point.

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

TWENTY YEARS OF FULBRIGHTS

Sen. FULBRIGHT (D-Ark.), embattled over Vietnam and the foreign aid bill, must have enjoyed a moment's respite Monday when he was able to mark the 20th anniversary of his brilliantly conceived and highly successful Fulbright program. Just two decades ago President Truman signed the Fulbright act, providing for international educational exchange.

Since then 14,174 American students have gone abroad and 33,220 foreign students have come to the United States, all on Fulbright grants. In addition 12,070 foreign lecturers and teachers have come here from abroad and 11,136 American lecturers and teachers have gone abroad under the grants.

Ironically, China was the first nation to agree to participate in the exchange program—on Nov. 10, 1947. And the first American grantee was a well known Sinologist from the University of Pennsylvania whose grant was for research to complete the second volume of a history of Chinese philosophy. That was before the coming of the Communist regime, of course, which has put relations between the two nations in deep freeze.

Fulbright scholars have gone to all parts of the globe. A majority has worked and studied in Europe, next largest number in far east and, next in order, in Australia, New Zealand, near east, Latin America and Africa. A 1962 survey showed that, out of every 100 American grantees, about 55 studied, 25 lectured in universities or did research and 20 teachers or school administrators worked in classrooms or undertook

special projects of professional development. Fulbright scholars in Greece worked on the restoration of the Agora, beneath the towering heights of the Acropolis. A Fulbright grantee helped developed a canning industry in the Shan states of Burma and showed the people how to make sauerkraut from discarded surplus cabbages.

The program hit a critical period in the early fifties. Sources of foreign currency which were essential to its continuation were drying up. McCarthyism, with its unfounded charges of Communist infiltration, focused on the Fulbright effort for a time. Fortunately, good sense prevailed and Congress kept the program going. In 1961, it received its most significant endorsement with passage of the Fulbright-Hays act. That measure confirmed the program's rationale, extended many of its features, gave it a broader field of action and more financial support.

The foreign teachers and lecturers who came here reached 311,725 American students, and American teachers returned here have reached the lives of some 3.2 million students going through elementary and secondary schools. Thus our educational system has been enriched, and we have helped enrich education abroad. The Fulbright program has made it a smaller and better world.

SCHOOL MILK PROGRAM ESSENTIAL FOR GOOD SCHOLARSHIP

Mr. PROXMIRE. Mr. President, legislation extending the special milk program for schoolchildren an additional 4 years as well as an appropriations measure funding the program for fiscal 1967 is still being considered here in Congress. Those who were so eager to see the school milk program continue on as it has so successfully in the past now assume that victory is theirs. It is true that the bill appropriating funds for the program for fiscal 1967 has passed both Houses. The only step that remains is for the House and Senate conferees to agree to resolve the difference between the House and Senate passed versions of the bill. It is also true that legislation extending the school milk program has been passed by the Senate and reported by two House committees.

However, this is no time to rest on our laurels. We must make the final push now if we are to insure the continuance of a healthy school milk program. The doubt and uncertainty that failure to act quickly on these two pieces of legislation will produce in the administrators that set aside State and local funds for the program this fall could substantially damage its effectiveness.

Reduced program effectiveness, moreover, could have a direct impact on the scholarship of the poorer children among our school-aged population. For there is no gainsaying the fact that you cannot teach a hungry child. The school milk program, by providing underprivileged children with a midmorning milk break to take the place of the breakfast they did not have, has contributed substantially to the learning process among the very group that stand to gain the most from this process. Let us not fail these children. Let us act now.

THE VICE PRESIDENT WARNS OF FOOD SHORTAGES

Mr. McGOVERN. Mr. President, speaking in St. Louis, Mo., today to the

Midcontinent Farmers Association, Vice President HUBERT HUMPHREY has given a timely warning of potential food shortages ahead and declared that "next year will be a year for bringing a substantial part of reserve acreage out of mothballs" in the United States.

The Vice President points out that world reserves of wheat are seriously depleted; rice is in short supply, soybean carryover is minimal, and our feed grain stocks may be below a safe carryover level by October next year.

The Vice President's emphasis on the United States and world food supply situation is timely, for decisions on acreage allotments for 1967, and on incentives to get our agricultural producers to increase their output, are now being considered.

It is my hope that the allowance and the incentives to plant and harvest greater acreage will be provided, so our country will not have to cut back its conduct of the most important war—the war against want.

Because of its great significance, I ask unanimous consent to put Vice President HUMPHREY's address to the Midcontinent Farmers Association in the RECORD.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY TO MISSOURI FARMERS ASSOCIATION AND MIDCONTINENT FARMERS ASSOCIATION CONVENTION, COLUMBIA, Mo., ON AUGUST 8, 1966

Today America lives in abundance. Yet, the world around us remains much the same as President Truman described it in his inaugural address 17 years ago.

"More than half the people of the world," he said, "are living in conditions approaching misery. The food is inadequate. They are victims of disease. Their economic life is primitive and stagnant. Their poverty is a handicap and a threat both to them and to more prosperous areas."

Today, then, I want to talk about both our own American abundance and about the challenge—and opportunity—facing us in the hungry world outside.

First, let us take a hard, clear look at the realities of our own American agriculture.

The best bargain in the world today is the food basket of the American family.

This is a reality not fully appreciated by those of us who pay for that food basket. We are better fed, at less cost, than any other people in the world. Last year only 18 per cent of our disposable income went for food.

In the last five years, the price of the 11 key foods in the consumer price index has risen by less than 9 per cent. During the same period the weekly earnings, after taxes, of the single worker in industry, for instance, have risen more than 20 per cent.

One hour of factory labor earnings in 1965 bought 12.5 pounds of white bread as compared with 11.1 pounds in 1960; 2.4 pounds of round steak as compared with 2.1 pounds in 1960; 3.5 pounds of butter compared with 3 pounds; 9.9 quarts of milk compared with 8.7 quarts; 5 dozen eggs as compared with 3.9 dozen in 1960.

If we make comparisons over a longer period, they are truly startling. We find one hour of factory labor earnings buying two to three times as much in key commodities as 10 to 20 years ago.

While the cost of farm products has been reduced, the farmer has had to pay more for what he buys.

Since 1960, the cost of things the farmer must buy has gone up by some 11 per cent. He has had to keep running to make even gradual gains in his net income.

Since 1960, farm productivity per man per hour has increased by nearly one third, compared with a productivity gain of about 18 per cent in the rest of our economy.

We must not lose sight of this: consumers benefit from having fair prices paid to farmers, just as farmers benefit from full employment and expansion in the rest of the economy. We all need each other for a full and balanced prosperity.

Farmers create millions of jobs in our economy.

More than 10 million people have jobs storing, transporting, processing, and merchandising the products of agriculture. Nearly a million and a half have jobs providing the supplies farmers use. And thousands in rural communities make their livelihood providing services to farmers.

Total investment in American agriculture is more than 250 billion dollars. This is comparable to about three fourths of the value of current assets for all corporations in the country. It represents three fifths of the value of all stocks listed on the New York Stock Exchange.

The investment in agriculture represents 30 thousand, five hundred dollars for each farm worker, as compared with an average investment of 19 thousand, six hundred dollars per employee in manufacturing.

In 1965, when our farmers realized a gross income of nearly 45 billion dollars, they spent almost 31 billion dollars to operate their farm businesses.

Last year they spent more than 3 billion dollars to buy trucks, tractors, and other farm machinery and equipment. They spent about 2 billion dollars to buy automobiles.

Farming uses more petroleum than any other single industry. In 1965, more than 3 billion dollars was spent by farmers for petroleum, fuel, and oil, and repairs and operations of motor vehicles and machinery.

And all this productivity, all this economic activity is generated by fewer people than live today in the State of California. Our national farm population is today only 12 million.

Where does American agriculture stand in the world?

Exports of our farm commodities are up sharply.

This has a major positive effect on our balance of payments.

In fiscal year 1963, exports of farm products from the United States amounted to less than 3 billion dollars. By fiscal year 1966 the export figure had jumped to nearly 7 billion dollars. Products from 78 million acres of American cropland were shipped abroad. More than 75 per cent of these commodities were sold for dollars.

The market for feed and food grains, oil seeds, protein meals and vegetable oils is highly competitive. But we can and do compete. We can look forward to expansion of farm exports as the economies of other nations grow and their purchasing power increases.

Seneca once observed that "A hungry people listens not to reason nor cares for justice."

And, in that knowledge, we have, under the Food for Peace Program, reached and helped more than a hundred countries.

Under this program we have delivered 150 million tons of food, valued at 15 billion dollars, to needy and disaster-struck nations.

Our Food for Peace Program reflects the democratic and humanitarian character of the American people.

We will continue to share our abundance with people who lack it. But our programs of food assistance must support, and not

deter, agricultural development in places which need it. Food aid is only one part of the war on hunger.

We need the help the developing countries with an export of ideas and techniques from our own experience. But these programs must be adapted to their way of doing things—adapted to problems of climate and water and social structure. Part of the assistance we can give is in establishment of local research institutes, using local staffing and resources, to undertake the same kind of agricultural research which has so contributed to our own productivity.

This is the essence of our new Food for Freedom proposals—to help others help themselves. When President Johnson proposed the Food for Freedom Program he said:

"... The time is not far off when all of the combined production, of all the acres, of all the agriculturally productive nations, will not meet the food needs of developing nations—unless present trends are changed."

Last month I carried this message again, as spokesman for our Government to the Development Assistance Committee of the Organization for Economic Cooperation and Development. This committee is composed of high-ranking ministers of the industrialized nations—countries that are in a position to be of help to the less developed areas of the world.

I made it quite clear that President Johnson has made a commitment on behalf of the American people to join with the other developed nations in an all-out effort to eradicate large-scale famine and hunger from the face of the earth.

And this brings me to the next reality of American agriculture we all must face.

In the past few years we Americans have come to know what we call "turnpike trance"—the hynosis of the highway which has led to thousands of mishaps and accidents.

I say far too many Americans have also fallen victim to "surplus stare"—the blind belief, taken as fact, that our country is buried under unnecessary costly tonnages of food.

Today the age of surpluses if all but gone.

Already, our food stocks are dwindling. If we look toward sufficient production for our own needs, for our commercial exports, and for emergency food assistance for the developing countries, we find ourselves close to the safety margin.

The world has been eating into its grain reserves, sharply reducing the carryovers to a point where they should be rebuilt and restored to prudent levels.

In the last four years the world has consumed some 200 million bushels of wheat per year more than it has produced.

In the last four years it has utilized about 6 million tons of feed grains more than it has harvested.

In the case of soybeans, we are using all we produce. Carryovers are minimal.

It is clear that we must raise our production sights in rice.

Because any plan for agriculture must allow for ample lead time, we must always be deeply concerned about the level of reserves. Weather, as all of us know, is an unpredictable hazard. There are reports of drought in many areas of the country this year. We do not know what the size of this year's feed grain and soybean crops will be. We hope for the best, but we will all be concerned until the harvest is in.

It is now apparent that, at the end of the current marketing year, our wheat stocks will fall below the desirable reserve level. The same is true for soybeans, where no true reserve is in sight. Our production of milk is insufficient now. That is why we have raised the support level for manufacturing milk to four dollars per hundredweight.

August 8, 1966

17753

Applications to Farmers Home Administration for financial assistance for applicants in the State of Arkansas

Kind of assistance requested	Number	Amount		
		Loan	Grant	Total
Operating loans.....	167	\$745,822	0	\$745,822
Emergency loans.....	18	68,130	0	68,130
Economic opportunity loans (individual).....	173	286,488	0	286,488
Farmownership loans.....	635	5,376,545	0	5,376,545
Soil and water loans (individual).....	29	96,400	0	96,400
Rural housing loans.....	1,708	11,327,840	0	11,327,840
Labor housing loans (individual).....	1	6,000	0	6,000
Soil and water association loans and grants:				
Sewer-water, or both.....	122	11,224,504	\$11,140,151	22,364,655
Recreation.....	14	2,610,364	0	2,610,364
Grazing.....	2	85,000	0	85,000
Watershed loans.....	7	1,932,640	0	1,932,640
Economic opportunity cooperative loans.....	4	197,000	0	197,000
Comprehensive planning grants.....	13	0	98,300	98,300
Total.....	2,891	33,956,733	11,238,451	45,195,184

Watershed projects, 1967 fiscal year construction contribution program

	Estimated amount
Flat Creek.....	\$44,000
West Fork Point Remove Creew... ..	217,300
East Fork Point Remove Creek... ..	417,100
Muddy Fork of Illinois River Watershed.....	235,000
Big Creek.....	213,000
Kelso-Rohwer.....	94,000
Poteau River.....	629,100
Mud Creek.....	140,700
Lee Phillips.....	508,500
Garrett Bridge.....	232,500
Upper Crooked Creek.....	369,600
Cooper Creek.....	347,200
Little Clear Creek.....	590,600
Fleschman's Bayou.....	247,700
Total.....	4,286,600

ARKANSAS: TELEPHONE PROGRAM, APPLICATIONS ON HAND AS OF JUNE 30, 1966

1. Southwest Arkansas Telephone Cooperative, Inc., Texarkana, Ark., amount: \$450,000 for upgrading and expansion.
2. Northern Arkansas Telephone Company, Inc., Filippin, Ark., amount: \$225,000 for upgrading and expansion.
3. Allied Telephone Company, Fordyce, Ark., amount: \$2,000,000 for upgrading and expansion.
4. Mountain View Telephone Company, Mountain View, Ark., amount: \$1,000,000 for financing, upgrading and expansion.
5. Perco Telephone Company, Perryville, Ark., amount: \$250,000 for upgrading and expansion.

ARKANSAS: ELECTRIFICATION PROGRAM, APPLICATIONS ON HAND AS OF JUNE 30, 1966

1. Arkansas Valley Electric Cooperative Corp., Ozark, Ark., amount: \$1,345,000 for distribution purposes.

Applications pending June 30, 1966, grants for scientific research

AGRICULTURAL RESEARCH SERVICE	
University of Arkansas, Fayetteville, Ark.: entomology research.....	\$30,000
COOPERATIVE STATE RESEARCH SERVICE	
experiment station, Fayetteville, Ark.:	
Cotton research.....	67,000
Dietary research.....	50,000
Soybean research (insect, viruses, and environment).....	110,172
Soybean research (processing procedures).....	141,550

No. 129—14

WATER RESOURCES RESEARCH PROGRAM FOR 1966

Mr. JACKSON. Mr. President, events and developments of recent years have shown that every State of the Union has water problems in one form or another. Therefore, I know that every Member of this body will be interested in the report of the Federal water resources research program for fiscal year 1967, issued by the Office of Science and Technology, which recently was received by the Interior and Insular Affairs Committee. It will be recalled that the Interior Committee considered and reported S. 2 in the 88th Congress, which became Public Law 88-379 establishing the program. The report summarizes the activities of the Committee on Water Resources Research during the past year, and presents a tabulation of 1965 expenditures and fiscal year 1966 appropriations. It also includes the estimates for fiscal year 1967.

The Office of Science and Technology made a major report on achievements and progress in March of this year, entitled "A 10-year Program of Federal Water Resources Research," so the present report is rather brief. Both of these reports are for sale by the Superintendent of Documents at the Government Printing Office.

Mr. President, in view of the national interest in our water resources research program, I ask unanimous consent that the letter of transmittal be included in the RECORD at the end of my remarks.

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

FEDERAL COUNCIL FOR SCIENCE AND TECHNOLOGY, Washington, D.C., July 25, 1966.

Hon. HUBERT H. HUMPHREY, President of the Senate, Washington, D.C.

DEAR MR. PRESIDENT: Through its Committee on Water Resources Research, the Federal Council for Science and Technology coordinates the efforts of 18 offices and bureaus engaged in water resources research. The Committee has recently completed a report which summarizes in a single document the proposed FY 1967 efforts of the agencies as contained in the Administration's budget. I am pleased to transmit a copy of this report

entitled, "Federal Water Resources Research Program for Fiscal Year 1967" to you for your information and use.

Earlier this year, President Johnson transmitted a long-range study of the Committee entitled, "A Ten-year Program of Federal Water Resources Research." The FY 1967 program reflects the recommendations of that long-range study. The total cost of the proposed program this year is \$107 million.

I believe you will find this report useful in the deliberations of the Congress and, to that end, I am sending copies of the report to the chairmen and members of the several committees concerned with water resources research.

Sincerely,

DONALD F. HORNIG, Chairman.

U.S. INTERVENTION IN VIETNAM IS NOT LEGAL

Mr. GRUENING. Mr. President, that the U.S. intervention in Vietnam is not legal is the opinion of William L. Standard, of the New York bar, and an eminent attorney expressed in response to an article in the May issue of the American Bar Association Journal. It is an opinion that Senator MORSE and I have long held and have expressed for 2½ years on the Senate floor.

In addition to that, we long expressed the opinion that it is not only illegal, but immoral, indefensible, and in every other way disastrous.

As our casualties mount, as the death toll both of our fine young boys and of the victims of our unrestricted bombing in both North and South Vietnam increases, the folly of our whole policy there will become increasingly apparent. Every passing day deepens my conviction that in all our history, the United States has not committed so grave an error. As I have said again and again, and now repeat, the alleged bases of intervention are false. Many Americans are not aware of it. They believe what has been the official justification. But the facts, which can be fully documented, are otherwise.

We were not invited in by a friendly country to help it repel aggression. We asked ourselves in.

We went half way around the world to inject ourselves into a civil war. When the United States intervened militarily—beginning first with the military mission after the French collapse in 1954; then in 1961, with the increase of the number of military advisers; then in 1965, by sending, for the first time, our troops into combat and starting the bombing of North Vietnam—the only outsiders, the only intruders, were the forces of the United States. All the others were Vietnamese.

We have since, by great pressure, managed to induce a few token commitments from nations whose governments feel obligated to do so because of our insistence upon it and their need to comply. But virtually we are carrying on the fight all alone. Ours are the heavy costs in lives and in money.

The SEATO treaty does not give us any authority to do what we have done, as alleged by the official propaganda. That too can be documented.

It is utterly indefensible to draft our young men, to send them to fight against and kill people against whom they have no grievance, and to die in the process. Last year, in 1965, let me repeat, there were 96,000 desertions from the South Vietnamese Army. Why should our boys be sent to fight and die for a cause that has such doubtful support from those whose cause we allege it is? We are supporting now in South Vietnam the eighth self-imposed government since the fall of Diem. It has little popular support. It has brought about a civil war within a civil war. It exists only because of United States armed and financial support. It would fall instantly were that to be withdrawn. We are imposing it on an unhappy, war-torn, distressed and ravaged people.

The so-called peace offensives and professions by the administration of eagerness to take the war to the conference table are meaningless as long as it refuses to offer to negotiate with those who are doing the fighting—the National Liberation Front or Vietcong. Those peace offensives are valueless as long as we engage in the double talk by which, on the one hand, we allege we are willing to go back to the Geneva Agreements, which stipulate a united Vietnam—North and South—following Vietnam-wide elections, an arrangement we pledged adherence to in the unilateral statement of Walter Bedell Smith, Under Secretary of State, and which we then violated, and on the other hand, insist on an independent South Vietnam. These two positions are utterly contradictory and incompatible. Therefore, it is not surprising that we get no response from the adversaries, who are not, as our official position maintains, North Vietnam and Hanoi, but South Vietnamese fighting the coup-imposed junta of 10 generals, as they have fought the other Saigon regimes, beginning with Diem. What is so indefensible about the U.S. position and illegal is that in invading Vietnam militarily, we violated every treaty to which we had committed ourselves—the United Nations Charter, the SEATO treaty, and the declaration of our policy by our Under Secretary of State, Walter Bedell Smith, in which we pledged our support to the Geneva accords and support of elections in 1956 to unite the temporarily separated halves of Vietnam—North and South.

I ask unanimous consent that the article by William L. Standard, entitled: "U.S. Intervention in Vietnam Is Not Legal," which appeared in the July 1966 issue of the American Bar Association Journal be printed at this point in my remarks.

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

U.S. INTERVENTION IN VIETNAM IS NON LEGAL (Responding to an article in the May issue of the Journal, Mr. Standard asserts that the United States intervention in Vietnam violates the Charter of the United Nations, the Geneva Accords of 1954, the SEATO treaty and our own Constitution. He urges a cease-fire of at least six months' duration, during which the 1954 accords should be renegotiated. If this should fail, he declares that "a great power may withdraw with honor when it admits that it judged poorly")

(By William L. Standard)

Satire and sarcasm often have been weapons of effective, if deluding, advocacy. The article by Eberhard P. Deutsch, "The Legality of the United States Position in Vietnam", in the May, 1966, issue of the American Bar Association Journal (page 436) is a classical demonstration of this technique. The author takes issue with the Lawyers Committee on American Policy Towards Vietnam, as expressed in its memorandum of law, on the following fundamental questions: (1) The right of self-defense under the United Nations Charter; (2) Violations of the Geneva Accords; (3) Sanctions by the SEATO treaty; and (4) Violations of our own Constitution.

But the author concludes with the statement that the memorandum of the Lawyers Committee "is grounded on an emotional attitude opposed to United States policy, rather than on law". He seeks to demonstrate this by quoting the concluding paragraph of a 26-page, carefully documented statement of the applicable law, which in peroration states in the very last sentence: "Should we not spell the end of the system of unilateral action . . . that has been tried for centuries—and has always failed?"

The author then wields the weapon of sarcasm by contrasting the Lawyers Committee memorandum with the "temperate statement of thirty-one professors of law from leading law schools throughout the United States". The statement of these professors appears in the CONGRESSIONAL RECORD of January 27, 1966 (page A410), and the entirety of that statement is:

"As teachers of international law we wish to affirm that the presence of U.S. forces in South Vietnam at the request of the Government of that country is lawful under general principles of international law and the United Nations Charter. The engagement of U.S. forces in hostilities at the request of the Government of South Vietnam is a legitimate use of force in defense of South Vietnam against aggression. We believe that the evidence indicates that the United States and South Vietnam are taking action that attacks neither the territorial integrity nor the political independence of the People's Republic of Vietnam—action that seeks only to terminate aggression originating in North Vietnam."

This one-paragraph "temperate statement" is not buttressed by a single citation or authority. What is particularly deplorable is that it was issued in November of 1965 as a rebuttal to the committee's memorandum, which was issued in late September, 1965.

The author of the "legality position" article then contrasts the Lawyers Committee memorandum with "the simple resolution adopted unanimously on February 21, 1966, by the House of Delegates of the American Bar Association". This resolution, in a concluding one-sentence statement, asserts that "the position of the United States in Vietnam is legal under international law, and

is in accordance with the Charter of the United Nations and the South-East Asia Treaty". The House of Delegates' resolution, too, does not support its conclusion with a single citation or authority.

When the Harvard Law Record on March 10 contrasted the memorandum of law of the Lawyers Committee with the "simple resolution" adopted by the House of Delegates, it had this to say: "Viewed against the background of the sober and erudite Lawyers Committee brief and Arthur Krock's research, the ABA resolution contributes little to the national dialogue on Vietnam" (emphasis supplied).

The satirical technique of the author of the "legality position" article is worthy of an undergraduate debater, but not of the respected Chairman of the American Bar Association Committee on Peace and Law Through United Nations. He does, indeed, wrestle earnestly with four basic propositions discussed by the Lawyers Committee, and it is to these propositions that I shall address myself.

I. UNILATERAL INTERVENTION VIOLATES U.N. CHARTER

The writer of the "legality position" article discusses the first exception of Article 51 of the Charter of the United Nations, which reads: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security" (emphasis supplied).

He asserts that "A thesis that members of the United Nations are not permitted to participate in collective self-defense to repel aggression, on the ground that the aggrieved nation is not a member of the United Nations, can hardly be supported on its face, in reason, logic or law." He cites as authority two distinguished writers.¹

The Lawyers Committee in its memorandum concludes that Article 51 does not permit the United States to act unilaterally in the "collective self-defense" of Vietnam because Article 51 applies only if an armed attack occurs against a member of the United Nations.

This limitation was not inadvertent. It was the result of careful draftsmanship by Senator Arthur H. Vandenberg, who "was the principal negotiator in the formulation of this text" of Article 51.² In a statement of June 13, 1945, before the United Nations Commission that drafted Article 51, Senator Vandenberg said: "We have here recognized the inherent right of self-defense, whether individual or collective, which permits any sovereign state among us [i.e., members of the United Nations] or any qualified regional group of states to ward off attack . . ."³

Secretary of State Edward R. Stettinius, Jr., noted the following on May 21, 1945: "The parties to any dispute . . . should obligate themselves first of all to seek a solution

¹ Bowett, "Self-defense in International Law," 193-195 (1958); Kelsen, "The Law of the United Nations," 793 (1960).

² The quoted words are from a memorandum, "Participation in the North Atlantic Treaty of States Not Members of the United Nations", dated April 13, 1949, prepared by the Office of the Legal Adviser, Department of State, and reproduced in 5 Whiteman, "Digest of International Law," 1068.

³ Memorandum, op. cit. supra note 2, in 5 Whiteman, "Digest of International Law," 1068, 1072.

by negotiation, mediation, conciliation, arbitration or judiciary settlement, resort to regional agencies or arrangement or other peaceful means of their own choice" (emphasis in original).⁴

Professor Julius Stone states: "The license [of individual and collective self-defense] does not apparently cover even an 'armed attack' against a non-Member."⁵

Furthermore, the United States has acknowledged that the right of "collective self-defense" applies to Vietnam only if it becomes a member of the United Nations. On September 9, 1957, in arguing before the Security Council for the admission of Vietnam to the United Nations, Henry Cabot Lodge, our representative, stated: "The people of Vietnam . . . ask now only . . . to enjoy the benefits of collective security, the mutual help which membership in the . . . United Nations offers."⁶

This does not mean, of course, that a non-member state or entity does not have the "inherent" right of self-defense or that non-member states may be attacked with impunity. But it does mean that in case of an attack upon a nonmember state it is for the United Nations to decide upon the necessary measures to be taken by its member states and not for any state to decide for itself that it will employ arms for "collective self-defense".

During the Suez crisis President Eisenhower said: "The United Nations is alone charged with the responsibility of securing the peace in the Middle East and throughout the world" (emphasis supplied).⁷

And at the same time, Secretary of State John Foster Dulles characterized as "unthinkable" a proposal that the United States and the Soviet Union act jointly to restore the peace in that area, saying that that was the function of the United Nations. He said:

"Any intervention by the United States and/or Russia or any other action, except by a duly constituted United Nations peace force would be counter to everything the General Assembly and the Secretary-General of the United Nations were charged by the Charter to do in order to secure a United Nations police cease fire."⁸

The author of the "legality position" article confuses the right of an attacked non-member state to defend itself with the lack of right of a member state to participate in that defense in the absence of United Nations' authorization.

The issue is the lawfulness of the actions of the United States, which is both a non-attacked state and a member of the United Nations. It does not follow that because Vietnam has an "inherent" right to defend itself, the United States has an "inherent" right to decide for itself to participate unilaterally in that defense. Professor Hans Kelsen, one of the principal authorities relied upon by Mr. Deutsch, has pointed out this critical distinction: "It is hardly possible to consider the right or the duty of a non-attacked state to assist an attacked state as an 'inherent' right, that is to say, a right established by natural law."⁹

The argument also makes the United States its own judge to determine the occurrence of an "armed attack" in Vietnam, whereas Article 39 of the United Nations Charter provides that "The Security Council

shall determine the existence of any threat to the peace, breach of the peace, or act of aggression . . .". But as Phillip C. Jessup, now a Judge of the International Court of Justice, has noted:

"It would be disastrous to agree that every State may decide for itself which of the two contestants is in the right and may govern its conduct according to its own decision. . . . The ensuing conflict would be destructive to the ordered world community which the Charter and any modern law of nations must seek to preserve. State C would be shipping . . . war supplies to A, while State A would be assisting State B . . . and it would not be long before C and D would be enmeshed in the struggle out of "self-defense" [emphasis supplied]."¹⁰

Acceptance of Mr. Deutsch's argument would destroy the concept of collective peacekeeping, which the Charter embodies, in the case of nonmember states or areas.

NO ARMED ATTACK WITHIN MEANING OF THE CHARTER

The author of the "legality position" article also seeks to justify the United States' intervention in Vietnam on the ground that "these attacks [against United States' naval vessels] are part of a deliberate and systematic campaign of aggression", to quote the Congressional Joint Southeast Asia resolution of August, 1964. The Lawyers Committee on American Policy Towards Vietnam takes the position that the occurrence of an armed attack within the meaning of the United Nations Charter has not been established.

Under the clear text of Article 51 of the charter, the right of self-defense arises only if an "armed attack" has occurred. The phrase "armed attack" has an established meaning in the charter and in international law. It was deliberately employed because it does not easily lend itself to expedient elasticity or to arbitrary ambiguity.

"Self-defense" is not justified by every aggression or hostile act, but only in the case of an "armed attack", when the necessity for action is "instant, overwhelming, and leaving no moment for deliberation". This definition was classically stated by Secretary of State Daniel Webster in "The Caroline"¹¹ and affirmed in the Nuremberg judgment. It was codified in the charter by unanimous vote of the General Assembly at its first session.¹²

This strict limitation of permissible self-defense to cases of an "armed attack" was at the time of the framing of the charter being pressed by the United States, the Soviet Union and Great Britain in the Nuremberg trials. The defense was offered that Germany was compelled to attack Norway to forestall an Allied invasion. In reply, the tribunal said: "It must be remembered that preventive action in foreign territory is justified only in case of an instant and overwhelming necessity for defense, leaving no choice of means, and no moment for deliberation." (The Caroline Case, Moore's Digest of International Law, II 412.)¹³

Thus, while any hostile act may be an aggression, not every aggression is an "armed attack", and forceful self-defense is not a permissible response unless there is an "armed attack."

On March 4, 1966, the Department of State issued "The Legality of United States Participation in the Defense of Vietnam". This

¹⁰ Jessup, "A Modern Law of Nations," 205 (1948).

¹¹ 7 Moore, "Digest of International Law," 919 (1906).

¹² U.N. Gen. Ass. Off. Rec., 1st sess., res. 95 (I).

¹³ International Military Tribunal (Nuremberg) 171 (1946); Bin Chang, "General Principles of Law," 84 (1953).

52-page memorandum acknowledges that an "armed attack" is an essential condition precedent to the use of force in self-defense and that aggression is not enough. Astonishingly, however, it glosses over the crucial distinction between the two. While it alleges the occurrence of an armed attack "before February 1965", it fails to furnish any facts or details concerning such an attack. Indeed, it admits that it is unable to do so. This is not like the situation in Korea, where the Security Council found that an actual, visible, forcible invasion beyond the demarcation line had occurred at a specific time and place by large forces. This memorandum states that because of the "guerrilla war in Viet Nam" (i.e., the indigenous character of the conflict) the State Department is unable to indicate when or where the "armed attack" began. It also admits that "the critical military element of the insurgency . . . is unacknowledged by North Viet Nam". The memorandum contends that acts of externally supported subversion, the clandestine supply of arms and the infiltration of armed personnel over the "years" preceding the direct intervention of the United States, "clearly constitutes an 'armed attack' under any reasonable definition".

These allegations, even if true (as appears below), indicate acts of aggression, but they do not show the occurrence of an armed attack "leaving no choice of means, and no moment for deliberation".¹⁴

Such acts were well known as forms of aggression when the charter was drawn and long before. Nevertheless, the framers of the charter rejected the mass inadequate to justify the unilateral use of force. Except in the limited instance of an armed attack "leaving no choice of means, and no moment for deliberation", they left nations to the peacekeeping procedures of the United Nations for collective redress against aggression.

Furthermore, the State Department memorandum refutes its own charge of the occurrence of an "armed attack". The long-smoldering conditions of unrest, subversion and infiltration cited in the memorandum are not acts that gave rise to such a need for an immediate response that "no choice of means, and no moment for deliberation" remained.

The memorandum does not sustain its charge of external aggression. It indicates that prior to 1964 the "infiltrators" from the North were South Vietnamese who were returning to the South. The lumping of "40,000 armed and unarmed guerrillas" is not meaningful. Unarmed Vietnamese have an inherent right to move about in their own country. In the absence of the functioning of the International Control Commission, the subsequent movement of Vietnamese from one zone in Vietnam to another zone in Vietnam would appear to be an internal matter, not a violation of international law.

The Mansfield report (cited in footnote 14) shows that prior to 1965 infiltration of men from North Vietnam had been going on "for many years", but that this "was confined primarily to political cadres and military leadership until about the end of 1964". On the other hand, it notes, "In 1962, U.S. military advisers and service forces in South Vietnam totaled approximately 10,000 men." The Mansfield report makes plain that significant armed personnel were introduced from the North only after the United States had in-

⁴ 12 Department of State Bull. 949-950 (1945).

⁵ Stone, "Legal Controls of International Conflict," 244 (1954).

⁶ U.N. Security Council Off. Rec., 790th meeting, 5.

⁷ "United Nations Action in the Suez Crisis: International Law in the Middle East Crisis" (Tulane Studies in Political Science, vol. IV (1956)).

⁸ New York Times, Nov. 6, 1956.

⁹ Kelsen, op. cit. supra note 1, at 797.

¹⁴ See the report of Senators MIKE MANSFIELD, EDMUND S. MUSKIE, DANIEL K. INOUE, GEORGE D. AIKEN and J. CALB BOGGS to the Senate Committee on Foreign Relations, dated January 6, 1966, entitled "The Vietnam Conflict: The Substance and the Shadow", hereafter referred to as the Mansfield report. It is reprinted in 112 CONGRESSIONAL RECORD, 140 (1966).

tervened to avoid the "total collapse of the Saigon government's authority [which] appeared imminent in the early months of 1965". The report states:

"U.S. combat troops in strength arrived at that point in response to the appeal of the Saigon authorities. The Vietcong counter response was to increase their military activity with forces strengthened by intensified local recruitment and infiltration of regular North Vietnamese troops. With the change in the composition of the opposing forces the character of the war also changed sharply.¹⁵

The introduction of North Vietnamese forces as a counter response is also emphasized by the observation in the Mansfield report that by May, 1965, about 34,000 United States service forces were in Vietnam and that "Beginning in June [1965] an estimated 1,500 North Vietnamese troops per month have entered South Vietnam . . .". Significant forces from the North thus followed and did not precede the direct involvement of the United States.

INTERVENTION NOT JUSTIFIED BY "COLLECTIVE SELF-DEFENSE"

The State Department memorandum is structured on the wholly untenable assumption that the conflict in South Vietnam is the result of external aggression ("an armed attack from the North") and is not a civil war. For if it is a civil war, the intervention of the United States is a violation of its solemn undertaking not to interfere in the internal affairs of other countries.

It is hardly open to dispute that the present conflict in South Vietnam is essentially a civil war among what James Reston has described as a "tangle of competing individuals, regions, religions and sects . . . [among] a people who have been torn apart by war and dominated and exploited by Saigon for generations".¹⁶

The State Department memorandum itself shows that before 1964 the so-called infiltration was of South Vietnamese returning to their homeland. Even if they were returning for the purpose of participating in the fighting in South Vietnam, that still constitutes civil war by any definition.

The Declaration of Honolulu also implicitly concedes that the conflict had its origin in the internal situation in Vietnam and not in an external armed attack. The stress which the declaration places on the urgent need for basic social reform is an acknowledgment that the war is essentially a revolt against domestic conditions. To this may be added the existence of a desperate desire for peace and independence from foreign intervention, which all neutral reporters have observed.

The author of the "legality position" article also argues that the conflict arises from an external aggression. This is contradicted by his failure to consider the role played by the National Liberation Front; yet it does exist and is unquestionably in actual control of most of South Vietnam and the government in those areas. The only conceivable justification for the refusal of the United States to acknowledge the existence or the belligerent status of the National Liberation Front is that the front consists of rebels or insurgents. If that be so, then they are fighting their own government in a civil strife and are not foreign aggressors.

As stated by Benjamin V. Cohen in the Niles memorial lecture, "The United Nations in Its 20th Year": "True, the charter does not forbid civil war or deny the right to revolt. But it does not sanction the right

of an outside state to participate in another state's civil war."¹⁷

It cannot be asserted that South Vietnam is a separate "country" so far as North Vietnam is concerned. The Geneva Accords recognized Vietnam as but one country, of which South Vietnam is only an organic part. The accords declared that the temporary military line that established the north and south military zones at the seventeenth parallel pending the elections "should not in any way be interpreted as a political or territorial boundary" (Section 6). And Section 7 stated that the political settlement should be effected on the basis of "the independence, unity, and territorial integrity" of Vietnam.

But even if North Vietnam and South Vietnam are deemed separate entities in international law, the United States may not respond to the intervention of North Vietnam in the civil war in the South by bombing the North. There is no legal basis to respond to an intervention of one state in a civil war by a military attack on the territory of the intervening state. It is sobering to reflect that not even Germany under Hitler or Italy under Mussolini claimed that their intervention in behalf of France during the Spanish Civil War would have vindicated their use of military force upon the territory of another state intervening in behalf of the loyalists. And no country intervening in behalf of Spain's legitimate government asserted a right to respond by military force against Germany or Italy.

Therefore, even if North Vietnam were an intervening state so far as South Vietnam is concerned, under the legal position advanced by Mr. Deutsch, the bombing of the United States by North Vietnam would have as much legitimacy as does the bombing of North Vietnam by the United States.

II. U.S. MILITARY PRESENCE VIOLATES GENEVA ACCORDS

The author of the "legality position" article suggests that United States intervention in Vietnam is not in violation of the Geneva Accords on the ground that "since their inception these accords have been violated continuously by Hanoi". He states that "It is an accepted principle of international law that a material breach of a treaty by one of the parties thereto dissolves the obligation of the other party, at least to the extent of withholding compliance until the defaulting party purges itself."

The Lawyers Committee takes the position that United States intervention is not justified by the purported breach of the Geneva Accords by Hanoi. The accords embody two central principles: (1) recognition of the independence and freedom of Vietnam from foreign control and (2) the unification in the elections set in the accords for 1956.

In its own pledge to observe the Geneva Accords, the United States recognized that the military participation in Vietnam was temporary and that, in any case, it was not political or geographic. Insofar as the United States referred to that country, it designated it as "Vietnam", not "South Vietnam" or "North Vietnam". The elections thus were to determine not whether North and South Vietnam should be united, but what the government of the single state of Vietnam should be. As the time for the arrangements for the elections approached, however, the Diem regime, which was then in control of South Vietnam, announced on July 16, 1955, that not only would it defy the provisions calling for national elections, but would not engage even in negotiations for modalities.

¹⁷ 111 CONGRESSIONAL RECORD, 2473 (1965). He cites Cohen, "The United Nations, Constitutional Developments, Growth and Possibilities," 53-54 (1961).

The reasons for not agreeing to the elections of 1956 are quite understandable. President Eisenhower has told us that the actual reason the elections were not held was because "persons knowledgeable in Indo-Chinese affairs" believed that "possibly 80 per cent of the population would have voted for the Communist Ho Chi Minh".¹⁸

Under the Geneva Accords, the undertaking to hold the elections within two years was unconditional. The refusal of Saigon to hold the elections plainly violated one of the two central conditions that had made the Geneva Accords acceptable to all parties. That the Vietnam conflict ultimately did resume is, therefore, not surprising. For as George McT. Kahin and John W. Lewis, professors of government at Cornell University, asked in a question wholly ignored by our State Department, "When the military struggle for power ends on the agreed condition that the competition will be transferred to the political level, can the side which violates the agreed conditions ultimately expect the military struggle will not be resumed?"¹⁹

The military involvement of the United States in Vietnam also violates the second essential provision of the accords—the prohibition against the introduction of foreign troops and the establishment of military bases. Article 4 of the Geneva Accords prohibits the "introduction into Vietnam of foreign troops and military personnel", and Article 5 prohibits in Vietnam any "military base under the control of a foreign power". Therefore, it is the presence of 250,000 American troops and the installation in Vietnam of massive military bases under the control of the United States that violate these agreements, not the presence of North Vietnamese in Vietnam.

III. U.S. INTERVENTION VIOLATES SEATO TREATY

Mr. Deutsch also challenges the conclusion of the Lawyers Committee with respect to sanctions under the SEATO treaty, which was adopted in September, 1954, Article 1 of the treaty provides:

"The parties undertake, as set forth in the United Nations Charter, to settle any international disputes in which they may be involved, by peaceful means . . . and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations."

It must be pointed out that Article 53 of the United Nations Charter provides that "No enforcement action shall be taken under regional arrangements or by regional agencies, without the authority of the Security Council." Furthermore, Article 103 of the charter provides:

"In the event of a conflict between the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail."

The use of our ground forces since the spring of 1965 is sought to be justified under the provisions of the SEATO treaty. But extracts from the 1954 Senate debate on the treaty demonstrate the fragility of this claim. In explaining the commitments under the SEATO treaty to the Senate, Walter F. George, Chairman of the Senate Committee on Foreign Relations, made the following statements:

The treaty does not call for automatic action; it calls for consolidation with other signatories. If any course of action shall be agreed . . . or decided upon, then that action must have the approval of Congress,

¹⁸ Eisenhower, "White House Years: Mandate for Change, 1953-1956," 372 (1963).

¹⁹ Bulletin of the Atomic Scientists, "The United States in Vietnam", June 1965, p. 28.

¹⁵ Mansfield report, 112 CONGRESSIONAL RECORD, 140, 141 (1966).

¹⁶ New York Times, Apr. 3, 1966.

because the constitutional process of each signatory government is provided for . . . It is clear that the threat to territorial integrity and political independence also encompasses acts of subversion . . . but even in that event the United States would not be bound to put it down. I cannot emphasize too strongly that we have no obligation . . . to take positive measures of any kind. All we are obligated to do is consult together about it.²⁰

Richard N. Goodwin, a former Deputy Assistant Secretary of State, in a recent article discussing the significance of our reliance upon the SEATO agreement as the basis for our intervention in Vietnam, states in part:

"One can search the many statements of Presidents and diplomats in vain for any mention of the SEATO Treaty. Time after time, President Johnson set forth the reasons for our presence in Vietnam, but he never spoke of the requirements of the treaty, nor did anyone at the State Department suggest that he should, even though they surely reviewed every draft statement. The treaty argument is, in truth, something a clever advocate conceived a few months ago."²¹

Furthermore, the SEATO treaty also clearly pledges the parties to respect the Geneva Declaration of 1954, which was agreed upon only a few months before the SEATO treaty. The State Department memorandum of March 4, 1966, referred to above, significantly misquotes the SEATO treaty on essential points. It asserts (Section IV B) that Article 4(1) of SEATO creates an "obligation to meet the common danger in the event of armed aggression". The term "armed aggression" is not to be found in the treaty. Article 4(1) speaks of "aggression by means of armed attack". In case of such "armed attack", "each Party recognizes" that it "would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes."

Hence, only in case of an "armed attack" (in the meaning of Article 51 of the United Nations Charter) would the United States have, at most, the right, but no obligation, to assist the "Free Territory of Vietnam" until it was to be unified by July, 1956.

The invocation of the SEATO treaty is the latest of the ever-shifting grounds which the State Department has advanced to sustain the lawfulness of its position. Arthur Schlesinger, Jr., has characterized this argument as an "intellectual disgrace". Arthur Krock has described its origin as follows:

"The President had utilized the provocation of the Tonkin Gulf attack on the Seventh Fleet by North Vietnamese gunboats to get a generalized expression of support from Congress. This worked well enough until it was argued, against the public record, as approval by Congress of any expansion of the war the President might make in an unforeseeable future. Then Rusk shifted the major basis for the claim to the SEATO compact.

"But extracts from the 1954 Senate debate on the treaty demonstrate the fragility of this claim."²²

The credibility of the argument that the SEATO treaty furnished a legal justification for the President's action is also refuted by the fact that the State Department in its March, 1965, memorandum, entitled "Legal Basis for United States Actions Against North Vietnam", did not even mention SEATO. Significantly, too, President Johnson in a press conference statement on

July 28, 1965, explaining "why we are in Vietnam", made no mention of SEATO. This can hardly be squared with the present belated claim that the treaty imposed an obligation upon the President to intervene in Vietnam.

Moreover, the invocation of SEATO does not advance the State Department's case. In the first place, Article 1 of the treaty is expressly subordinate to the provisions of the United Nations Charter and Article 6 expressly acknowledges the supremacy of the charter. Article 103 of the charter, quoted above, subordinates all regional treaty compacts to the charter, and Article 53 is explicit that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council . . .".

The United States is not obliged by SEATO to engage in any military undertaking in Vietnam even if it were otherwise permitted to do so under the charter. As noted by Representative MELVIN R. LAIRD, the SEATO treaty was "not a commitment to send American troops to fight in southeast Asia. It carefully avoided the kind of automatic response to aggression embodied in the NATO agreement . . .".²³

Representative LAIRD pointed out that in soliciting the advice and consent of the Senate to the treaty, Senator H. ALEXANDER SMITH of New Jersey, who was a member of the United States delegation to the Manila Conference at which the treaty was negotiated and who was one of the signers of the treaty for the United States, emphasized that "Nothing in this treaty calls for the use of American ground forces. . .". On the floor of the Senate on February 1, 1955, he said,

"Some of the participants came to Manila with the intention of establishing . . . a compulsory arrangement for our military participation in case of any attack. Such an organization might have required the commitment of American ground forces to the Asian mainland. We carefully avoided any possible implication regarding an arrangement of that kind.

"We have no purpose of following any such policy as that of having our forces involved in a ground war. . . .

"For ourselves, the arrangement means that we will have avoided the impracticable overcommitment which would have been involved if we attempted to place American ground forces around the perimeter of the area of potential Chinese ingress into southeast Asia. Nothing in this treaty calls for the use of American ground forces in that fashion."²⁴

Article 4, Section 2, is explicit that if South Vietnam were threatened "in any way other than by armed attack", "the [SEATO] Parties shall consult immediately in order to agree on the measures which should be taken for the common defense".

SEATO therefore prohibits unilateral assistance action. Indeed, the treaty originally required previous agreement among the other seven partners before any SEATO power could take any "measures", including nonmilitary measures, not to mention combat assistance. In 1964 the unanimity requirement was reinterpreted to mean that "measures" could be taken in the absence of a dissenting vote among the SEATO partners. The United States has not convened the SEATO powers because of the certainty of such a dissent. It can hardly claim, therefore, that SEATO obligates it to pursue its present course when in fact it is evading its treaty obligation to obtain collective permission for "collective defense", as even the name of the treaty indicates.

Finally, the United States actions also vio-

late Article 53 of the United Nations Charter, quoted above, which unequivocally prohibits enforcement action under regional arrangements except with previous Security Council authorization. Hence, even if the United States had obtained the required consent from its SEATO partners, it would still need the authorization of the Security Council to make its "measures" legal.

Therefore, the United States, far from being obligated, is not permitted by SEATO or by the charter to engage in its military undertaking in Vietnam.

IV. U.S. INTERVENTION VIOLATES THE CONSTITUTION

The President has repeatedly stated and acknowledged that the United States is at war in Vietnam.²⁵ The Lawyers Committee on American Policy Towards Vietnam in its memorandum of law took the position that our intervention is violative of our own Constitution. The committee predicated its conclusion on the provisions of Article I, Section 8, Clause II, in which the power to declare war is confided exclusively to the Congress. Congress alone can make that solemn commitment. The clause granting this power does not read "on the recommendation of the President" or that the "President with the advice and consent of Congress may declare war". As former Assistant Secretary of State James Grafton Rogers has observed, "The omission is significant. There was to be no war unless Congress took the initiative."²⁶

The Supreme Court has held that

"Nothing in our Constitution is plainer than that declaration of war is entrusted only to Congress. . . . With all its defects, delays, and inconveniences, men have discovered no technique for long preserving free government except that the executive be under the law, and that the law be made by parliamentary deliberations."²⁷

President Woodrow Wilson underscored the President's lack of power to declare war in his historic statement to a joint session of Congress on April 2, 1917:

"I have called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making."

Congress has not declared war in Vietnam and the President does not claim that any declaration of war supports his actions in Vietnam. In fact, the President has been reported to be extremely reluctant to ask Congress to declare war.²⁸

The writer of the "legality position" article, however, takes the position that the Southeast Asia resolution (Tonkin resolution) of August 10, 1964, is "undoubtedly the clearest and most unequivocal Congressional sanction of the President's deployment of United States forces for the defense of South Vietnam." The writer then quotes Senators JOHN SHERMAN COOPER, J. WILLIAM FULBRIGHT and WAYNE MORSE during the debates on the Tonkin resolution, and he concludes that since "the resolution authorizes the President 'to make war,' it surely has the same legal effect as a Congressional 'declaration of war' *in haec verba* would have had."

²⁰ 52 Department of State Bulletin, 606, 838 (1965). Arthur Krock, "By Any Other Name, It's Still War", The New York Times, June 10, 1965.

²¹ Rogers, "World Policing and the Constitution," 21 (1945).

²² *Youngstown Sheet & Tube Company v. Sawyer*, 343 U.S. 579, 642, 655 (1952) (Jackson, J.).

²³ The Wall Street Journal, "The United States May Become More Candid on Rising Land-War Involvement", June 17, 1965, p. 1.

²⁰ 101 CONGRESSIONAL RECORD, 1051-1052 (1955).

²¹ The New Yorker, "Reflections on Vietnam", Apr. 16, 1966, p. 57, at p. 70.

²² The New York Times, "The Sudden Rediscovery of SEATO", Mar. 6, 1966.

²³ 112 CONGRESSIONAL RECORD, 5558 (1966).

²⁴ 101 CONGRESSIONAL RECORD, 1052-1054 (1955).

It would seem that the action of Congress under the conditions that prevailed when the Tonkin resolution was submitted constitutes, at most, an ultimatum and not a declaration of war.

Senator FULBRIGHT in a recent article stated:

"The joint resolution was a blank check signed by the Congress in an atmosphere of urgency that seemed at the time to preclude debate. . . .

"I myself, as chairman of the Foreign Relations Committee, served as floor manager of the Southeast Asia resolution and did all I could to bring about its prompt and overwhelming adoption. I did so because I was confident that President Johnson would use our endorsement with wisdom and restraint. I was also influenced by partisanship: an election campaign was in progress and I had no wish to make any difficulties for the President in his race against a Republican candidate whose election I thought would be a disaster for the country. My role in the adoption of the resolution of Aug. 7, 1964 is a source of neither pleasure nor pride to me today."²⁸

There have been instances when the President has sent United States forces abroad without a declaration of war by Congress. These have ranged from minor engagements between pirates and American ships on the high seas to the dispatch of our Armed Forces to Latin American countries and our involvement in Korea. But, except for the Korean War, none of these instances remotely involved so massive and dangerous a military undertaking as the war in Vietnam. And in the Korean War the United States fought under the aegis of the United Nations.

Since Mr. Deutsch assumes that the Tonkin resolution does constitute "Congressional declaration of war *in haec verba*", empowering the President to act, it is fitting to recall that on May 6, 1954, at a time when the fall of Dien Bien Phu was imminent, then Senator Lyndon B. Johnson criticized the President in these terms:

"We will insist upon clear explanations of the policies in which we are asked to cooperate. We will insist that we and the American people be treated as adults—that we have the facts without sugar coating.

"The function of Congress is not simply to appropriate money and leave the problem of national security at that."²⁹

Congress should, therefore, exercise its constitutional responsibility as a co-equal branch of government of checks and balances to determine whether this country shall continue to be involved in the war in Vietnam. Under the rule of law, compliance with the forms and procedures of law are as imperative as compliance with the substance of law.

WHAT ACTION TO TAKE IN THIS SOLEMN HOUR

This is a solemn hour in history. We have a moral obligation to history to return to the high purposes and principles of the United Nations. We may be on the threshold of a further involvement in Asia. The United Nations Charter forbids our unilateral intervention in the circumstances which exist in Vietnam.

It may be that the world could be brought closer to peace if we agreed to the following:

1. Declaration of a six months' (or more) cease-fire to create conditions for negotiations.

²⁸ The New York Times Magazine, "The Fatal Arrogance of Power", May 15, 1966, p. 28. This article was based on an address at the Johns Hopkins School of Advanced Studies.

²⁹ Jackson, "The Role and Problems of Congress with Reference to Atomic War," publication No. L 54-135, Industrial College of the Armed Forces (1954).

2. That during the cease-fire period the Soviet Union and Great Britain (the co-chairmen of the Geneva Conference in 1954) be requested to reconvene the 1954 conference and invite all the nations which participated at the "Final Declaration" of the Geneva Conference on July 21, 1954, to renegotiate the 1954 accord.

3. If efforts to negotiate prove inconclusive we should resort to the candor urged by an eminent political scientist. Emmet John Hughes, after a searching recent visit to Vietnam, details his views of the conditions in that country and concludes his report as follows:

"... And it means the wisdom to sense that American repute in Asia is not dignified but diminished by untiring war for the unattainable victory... and American honor is not tarnished but brightened when so great a power can say, with quiet assurance: we have judged poorly, fought splendidly, and survive confidently.

"I can think of no other way that the leaders of the United States might match the courage of the soldiers they have dispatched."³¹

TREATIES NEED FORCE BEHIND THEM

Mr. TALMADGE. Mr. President, as the war drags on and on in Vietnam, there is insistence from many quarters that the United States exert every effort to achieve negotiations to end this conflict.

Of course, the U.S. Government has almost on bended knees implored the Hanoi regime to come to a conference table and discuss peace. And as we all know, these efforts have been scorned at every turn.

Many authorities contend that the way to achieve peace in Vietnam is to make such a show of force—in the air and on the sea—that Communist North Vietnam will realize the futility of aggression. I thoroughly concur. By the same token, peace can be maintained by a continued demonstration of force which will have the effect of deterring action by would-be aggressors.

This point of view was discussed in a column on August 2 in the Columbus, Ga., Enquirer by editor Millard Grimes, who points out with great truth:

Peace is kept by force rather than treaties. Its assurance cannot rely on man's trustworthiness, but only on his fear and respect for power. Treaties are useful, of course, but few nations have ever signed a treaty with a potential foe and then dismissed all of its soldiers and scrapped its guns, content in the knowledge that a scrap of paper was sufficient defense against aggression.

I ask unanimous consent that this editorial column be printed in its entirety in the RECORD.

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

TREATIES NEED FORCE BEHIND THEM

A research project at a university in Bucharest has discovered that about 7,500 international treaties were signed between 1500 B.C. and 1850 A.D. The average effectiveness of these treaties was found to be about two years, although the terms of all of them called for the treaties to remain binding for "eternity."

³¹ Newsweek, May 30, 1966, pp. 22-23.

In the 115 years since 1850, an undetermined number of additional treaties have been signed and similarly disposed of in due time.

One of the most famous treaties was the Briand-Kellogg Pact of 1928 which pledged its signatories to renounce war as an instrument of foreign policy. Less than 12 years later, most of the Pact's participants were engaged in history's worst war.

Sadly, one must conclude from looking back at history that peace is kept by force rather than treaties. Its assurance cannot rely on man's trustworthiness, but only on his fear and respect for power.

Treaties are useful, of course, but few nations have ever signed a treaty with a potential foe and then dismissed all of its soldiers and scrapped its guns, content in the knowledge that a scrap of paper was sufficient defense against aggression.

Today in Korea, 13 years after the cease-fire, American and South Korean troops stand guard against any new aggression from North Korea, and presumably, the North Koreans are convinced that their troops are assuring that their country will not be invaded from the south. But peace is maintained, and no treaty could have kept it for so long.

What the Bucharest study most plainly showed, I feel, is that while negotiations are preferable to fighting, they should not be taken seriously as durable arrangements between the combatants.

A great emphasis has been placed on the need for negotiations in Viet Nam, and President Johnson has spared no effort to bring about negotiations. In his publicized "peace offensive" of last December, an unparalleled campaign was waged to persuade the North Vietnamese and Viet Cong to agree to negotiations.

The campaign failed and the war continued.

Ironically, the ensuing months have placed the United States and South Viet Nam in a much stronger negotiating position than they enjoyed in January.

Not only has the military situation improved but the Saigon government of Premier Ky appears on firmer footing, and would be able to go to the negotiating table with added confidence.

But the North Vietnamese refused to negotiate in January for the same reason they continue to refuse. They realize even if the United States hesitates to admit it, that the only acceptable negotiated peace would involve a withdrawal of all Communist forces from South Viet Nam, and an end to the Viet Cong attempt to take over the nation.

Yet, that is the objective of the war, and the Communist forces can end the war at any time by simply abandoning that objective and pulling back their units.

To agree to negotiations would require North Viet Nam to admit that it is an aggressor, and that the Viet Cong are not a group of insurrectionists.

So, quite possibly there will never be negotiations in the Viet Nam conflict. The war may simply end slowly and without a dramatic final confrontation.

If that happens, its conclusion can nonetheless be as decisive and enduring as if a treaty was drawn up and signed.

Because as the Bucharest study indicated, treaties only provide breathing spells.

—MILLARD GRIMES.

OFFICE OF ECONOMIC OPPORTUNITY PROGRESS IN THE STATE OF NEW HAMPSHIRE

Mr. McINTYRE. Mr. President, since the establishment of the Office of Economic Opportunity in the 88th Congress,

August 8, 1966

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NATO. On the other hand, many recalled how bitterly he opposed negotiations with the Soviets following Khrushchev's threat to the Berlin Corridor in late 1961. He had said at that time that he would refuse to enter into any "negotiations" since we were there by right and to agree to negotiate would suggest to the Soviets an intent on our part to give something away that was rightfully ours.

The remarkable thing about his trip, therefore, was that he so skillfully avoided leaving any impressions that he was negotiating over West Germany, despite the desire of the Soviets to talk about European "security." At the same time he was able also to finesse Soviet suggestions of the need to discuss recognition of East Germany. On the positive side, agreements were reached on technological, cultural and scientific exchanges. Since current French economic trade with the Soviet bloc is going quite well, the total package represents significant achievement. The ultimate outcome of his visit, therefore, could have profound military significance.

For some years the United States has exchanged visits of artists, athletes, and academicians as part of a program that had as its goal the relaxation of tension between the United States and the U.S.S.R. The time now has come to encourage the visits of businessmen between both countries, and to encourage our trade with the U.S.S.R. and its satellites. To an increasing extent, the profit motive is playing a significant role in the Soviet economy, and the Soviets are trading extensively with our Allies. Our President, in his State of the Union Message this year, urged Congress to pass the necessary legislation to enable us to get on with an increased trade. This should be done without delay, for increased trade will not only reduce tension, but will increase the standard of living and improve the social and economic prospects of people wherever the trading is done.

Conspicuous by its absence from this discussion is the problem of the unification of Germany. It should be absent, for until economic and political relations between Western Europe and the Soviet bloc are improved, there is little prospect of finding an acceptable reunification formula.

In the past two decades, the world has changed from a community of many independent nations, frequently remote from one another, to one small world community. It will look with great apprehension on any indiscriminate use of military power. In the meantime, from an unprecedented abundance of scientific and technological knowledge, man has acquired the potential for tremendous good and tremendous harm. This new knowledge must be channeled into the areas where the greatest good for the most can be realized; to help our Great Society at home and to help the emerging nations abroad. The most influential force in world affairs today is the economy of the United States. It should be sustained and enriched as a matter of sound strategic policy.

Tactical engagements that do occur should not be permitted to grow as uncontrollably as a malignant cancer. Fighting will certainly occur, from time to time, at any point along the abrasive interface between the Communist nations and the Free World. Our power must be used to persuade those who seek to improve their position through aggressive attacks upon their neighbors that they will be deterred and cannot possibly succeed. Concurrently, we should make clear our intention and ability to maintain a dominant position in global affairs. Our global power must be exercised with restraint and wisdom. At a time of Great Britain's greatness, Disraeli said, "All power is a trust—and we are accountable for its exercise." Now, we too are accountable, not only to the American people but to people of the world community of nations.

PROPELLER CLUB STATES POSITION ON IMPLEMENTATION OF NATIONAL MARITIME POLICY

Mr. BREWSTER. Mr. President, the Propeller Club of the United States is a strong, active association dedicated to promoting and supporting the American merchant marine. For some years now, I have derived considerable enjoyment and edification from membership in the Propeller Club of Washington; this organization provides a valuable forum in which the problems of our merchant marine can be discussed with candor and authority.

When the Propeller Club takes a public stand, it deserves to be heeded by everyone involved with the merchant marine. Recently, the Propeller Club has taken a position on the implementation of our national maritime policy which is, I think, realistic and constructive. It is a position which I endorse wholeheartedly; therefore, I should like to commend it to the attention of my colleagues in the Senate.

Mr. President, I ask unanimous consent that the position on the implementation of our national maritime policy of the Propeller Club of the United States be printed in the RECORD.

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

THE PROPELLER CLUB OF THE UNITED STATES POSITION ON IMPLEMENTATION OF OUR NATIONAL MARITIME POLICY

BACKGROUND

At its National Convention in 1965 at Galveston, Texas, the Propeller Club of the United States adopted the following language in one of its key resolutions:

"The Propeller Club urges the continued development and vigorous application of a permanent, non-partisan, high level Administration policy which is firm in the conviction that this nation must have a strong and active U.S.-flag Merchant Marine to serve the commerce and defense needs of the country. The Propeller Club urges maritime agencies of the government to re-double their efforts in support of practices and procedures in consonance with the provisions of basic maritime law and the expressed will of Congress and calls upon such agencies to join in a forceful program to promote U.S.-flag shipping in a troubled world which vitally requires it for progress and survival."

Subsequent thereto concepts have been advanced and policies advocated which are in direct conflict with our national maritime policy, our basic maritime laws and proven shipping practices.

The very purposes, which the National Resolution of the Propeller Club was intended to serve, are being hindered by varied and sundry proposals that would weaken rather than advance the cause of achieving a strong American Merchant Marine.

It therefore becomes a matter of the highest importance that the Propeller Club of the United States reaffirm and implement its position on "high level Administrative policy" as expressed in the resolution adopted at its last National Convention.

POSITION

The Propeller Club of the United States vigorously reaffirms the principles of our National Maritime policy as expressed in the Merchant Marine Act of 1936 and in implementation thereof calls upon the Congress, interested maritime agencies and maritime labor and management to give particular and continued support to the following:

The present cost-equalization parity concept of operation subsidy as distinguished from untried and unproven theoretical concepts of government support.

The existing essential trade route concept of our national maritime policy with such reasonable liberalization as is necessary for greater promotion of United States foreign commerce.

The present basic arrangements for participation of American flag liners in conferences with any necessary corrective measures contingent upon a study by a special government commission.

A construction subsidy program to replace current tonnage and capacity of existing un-subsidized liner fleets, coupled with operating subsidy arrangements contingent upon: (a) compliance with existing subsidy regulations, (b) agreement on fleet replacement, and (c) divestiture of all foreign flag operations.

A construction subsidy program with necessary attendant benefits including the establishment of a Construction Reserve Fund and provision for accelerated depreciation, to encourage the building in U.S. shipyards of a U.S.-flag dry bulk fleet capable of handling a substantial portion of the bulk trade.

The continuation of cargo preference laws which provide cargo for U.S.-flag ships and combat traditional foreign flag routing preferences and discriminatory practices.

A construction program with shipyard support sufficient to make our Merchant Marine a more effective instrument in our waterborne commerce and to aid in the national defense through expansion of U.S.-flag merchant fleet construction and repair in U.S. shipyards.

Establishment of a joint government-industry national research program to explore new technology for improving the U.S.-flag merchant fleet.

Vigorous application of our current non-partisan national maritime policy as expressed in the Merchant Marine Act of 1936 in order to best serve the commercial and defense needs of the nation.

FOREIGN SUPPORT OF U.S. DEFENSE OF FREEDOM IN VIETNAM

Mr. THURMOND. Mr. President, we hear a great deal about the existing lack of support in foreign lands of the U.S. defense of freedom in Vietnam. What we do not hear is the fact that there are widespread areas of support and, in many instances, even more detailed and perceptive information published about the brutal Communist efforts to overrun freedom in some of the foreign press than is generally found in our own.

In this regard, the July 17 issue of the Italian newspaper, *Lo Specchio*, has been brought to my attention.

Lo Specchio—the Mirror—is the most pro-American weekly magazine in Italy and among the most pro-American in all Europe. Its publisher is George Nelson Page, an American-Italian who is the nephew of Thomas Nelson Page, U.S. Ambassador to Rome in the Woodrow Wilson administration.

Published in Rome and enjoying a nationwide readership, *Lo Specchio* has vigorously supported President Johnson and the Americans fighting in Vietnam. Especially is this true of its July 17 issue.

The entire front cover of this issue contains a picture of two American fliers being paraded through the streets of Hanoi with the heading of "Vietnam—Communist Torture for USA Pilots."

The magazine carried a two-page spread of a story from Washington de-

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lished despite the fact that we have steadily reduced the amount of foreign aid until today, in 1966, it is but 48 per cent of our Gross National Product, compared to 1.75 per cent at its inception in the late 1940's.

There is an old combat maxim that one should reinforce success; this we are not doing. In speaking at the Boston University Commencement exercises in June of this year, Lady Barbara Ward Jackson recommended that the "have" nations such as the United States, contribute 1 per cent of their Gross National Product to help the underprivileged and underdeveloped countries. Some attribute our unwillingness to do so to the cost of the Vietnam war. If so, this at least raises the question of whether or not we may now be following a course inimical to our long-term strategic interests.

Another area in which Americans have achieved great success has been in the exportation of products and business know-how. Our exports, which amounted to approximately \$37 billion in 1950, have grown to well in excess of \$100 billion in the mid-Sixties. Our direct investment abroad has increased from \$25 billion to \$50 billion in the same period of time. In addition to this direct investment, we have indirectly invested \$20 billion through stocks and portfolio holdings. Our direct investment abroad is now increasing at an average of more than \$10,000,000 a day. With this investment we have exported entrepreneurial skills and management techniques that have proven to be very attractive to the Western world. So successful has this been that the return on our investments abroad today amounts to \$4 billion annually.

This has all been possible because of a burgeoning economy at home and the aggressive drive of our businessmen to find markets and business opportunities abroad. At the same time, businessmen have sought to raise the standards of living wherever they have marketed their products and services. In this they have been, by and large, very successful. There is nothing that the Communists have done, or so far can do, that can compare with this. It is with great uneasiness, therefore, that thoughtful businessmen consider restrictions on the flow of dollars overseas. For the export of our entrepreneurial skills and products has been one of the most successful undertakings of foreign affairs in the history of our country, and the most productive of good in our confrontation with the Communist bloc. No tactical conflict, whether it be undeclared war or not, should be allowed to expand at their expense.

Maintenance of our position in the world community is based not only on those programs that we export abroad, but also on the kind of a society we have at home. World opinion will be formed by not only the prosperity and higher standard of living that we can help other nations achieve, but also by what the world knows that we are able to do in our own society. Through our ability to manage our own internal affairs, we export an image of America and of our way of life. And in this area there is much to be done.

We have made progress in dealing with some of the problems of the aged and of the very young, but, in my opinion, we have not yet begun to deal adequately with the problems of the teen-agers and the near teen-agers. We must completely revitalize our educational system by bringing together the vast industrial, scientific, and technological resources of this country with our educators, to the end that we can significantly improve the education and technical training of our young. In addition, we must provide opportunities for those out of school for some time to return to educational centers to update their knowledge and to learn new skills.

Equally as important as directing the intellectual energies of our young people into useful channels is the problem of helping them to develop their physical talents. Very few countries do not have national amateur sports programs assisted and guided by a national council; the United States is one of them. It was the hope of our late President, John F. Kennedy, that some day every boy and girl, regardless of race or economic background, would be given an opportunity to achieve excellence in competitive amateur sports. President Johnson directed a study to this end some time ago, and, it is hoped, a program will be under way this year. The solution of this problem is intimately related to the problems typified by Watts.

Now, what does this discussion on the relationship between military power and economic programs mean when applied to problems of today? What, for example, does it mean in terms of Vietnam?

I think that we would all agree that we should not be in the predicament that we are in in Vietnam, but the fact is that we are there. The problem now is to handle our resources—men, weapons, aircraft, etc.—in such a manner as to neither impair our strategic efforts in other areas nor our tactical prospects in future conflicts. The cost of the Vietnamese involvement now is on the order of \$16 to \$18 billion a year. This has already made it necessary for us to curtail the flow of dollars overseas. We have also continued to cut back on our foreign aid programs. Our domestic economy is beginning to show the impact of the Vietnam struggle.

Obviously, we have reached the point where further escalation could seriously impair our strategic commitments—our exportation of capital and management skills, our foreign aid programs, and our science and technology programs—and our social programs at home. Perhaps we have passed this point. Furthermore, we should anticipate and be ready for a very serious struggle for Thailand and the Kra Peninsula. And if our involvement plunges us deeper into war in Southeast Asia, we should be prepared for a reopening of the Korean front. It is important, therefore, that we accelerate the measures to bring the Vietnam situation under control. Certainly, we should not willingly allow it to escalate.

For example, our present position in Vietnam is based upon the need to defeat the North Vietnamese aggressors who have carried their attack into South Vietnam. What is the nature of the aggressor's forces coming from North Vietnam, in weapons, size of forces, and current rate of buildup? Are they as numerous and as well equipped as we allege? It seems to me that answers to these questions should be obtained as a matter of highest priority.

One of the outcomes of the 1954 Geneva Conference was the establishment of an International Control Commission. This Commission should be abundantly equipped with helicopters, fixed-wing aircraft, and up-to-date communications equipment if it is to do its job. The staff supporting it should also be increased until it is capable of carrying out its intended task. It is not capable of doing this today. If we were to spend but a small part of what we are expending in combatting the North Vietnamese to determine with accuracy the nature and composition of their forces, we could probably make a significant contribution to the ultimate resolution of the problem. Concurrently with this improvement in the capability of the International Control Commission, we should ask for a reopening of the 1954 Geneva meeting to determine if other measures can be taken to bring the situation under control, and hopefully find a formula for resolving the conflict.

High on the list of national priorities must

be the restoration of stability within the Atlantic Alliance. We have insisted for too long on maintaining the status quo in NATO, ignoring the powerful trend toward Europeanism and the towering strength of the European Common Market. Profound changes have taken place in Europe since NATO was originally established, and our policy does not reflect an awareness of these changes. At times we seem more preoccupied with isolating de Gaulle than with making positive proposals to which our European allies could adhere.

The most significant change that has taken place has been the growth of the European Common Market. Although conceived as an economic organization, it is rapidly assuming all aspects of a powerful military and political bloc. Purists will argue this point, pointing out that the Fouchet Mission to Brussels of five years ago failed in its efforts to have the members of the Common Market agree on a commonality of political, military, and cultural objectives. But the fact is that the European Common Market represents growing political and military strength. The need, therefore, is for a recognition of this within the structure of the Atlantic Alliance.

There are those who fear such a Europe as a third power, but now is not the time for such fear; it is a time for an understanding of Europe as a strong partner. Furthermore, Great Britain is part of Europe and must play a significant role in the affairs of Europe. Our reaction to de Gaulle's withdrawal of his armed forces from NATO has been to orient our attention more toward Germany as the leading power on the Continent. This policy has in it the seeds of disaster, for a German-dominated Europe would never be accepted by our allies and would be bitterly opposed by the U.S.S.R. and its satellites. A Europe without Great Britain's participation in its economic and political affairs will be an unending source of irritation and trouble for us. It is imperative, therefore, that we assist in any way that we can Great Britain's entry into the Common Market.

This should begin with an understanding on our part of the need for Great Britain to sever her special nuclear relationship with us, and for her to enter into frank discussions on the problems of nuclear weapons and the Common Market area. Based upon numerous conversations that I have had with responsible members of the de Gaulle government, including the General himself, I am convinced that Great Britain would be welcomed into the Common Market if she were willing to come in, bombs and all, and meet all the provisions of the Rome Treaty. Among other things, this will require a minimum period for the transition of the Commonwealth nations out of their special relationship to the U.K. economy.

As the strength of Europe increases, the need for U.S. military forces on the Continent will diminish. Our present commitment is based more on diplomatic than military need. A significant reduction of our troop strength, in my opinion, would improve our economic situation worldwide and thus add to our global strategic strength without increasing the military risk in Europe.

General de Gaulle's recent visit to the U.S.S.R. was a remarkable *tour de force*. Although generally denigrated in the American press, the General's achievements were noteworthy. There were many who remembered that the General had written in his memoirs, published in 1959, that it was his intent to insure the security of France by making arrangements with either the East or the West; hence, there was concern lest he enter into a conventional military pact following the withdrawal of French forces from

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scribing the great support from the American public which President Johnson received after the bombing of the oil depots on the perimeters of Hanoi and Haiphong on June 29; it devoted four pages of a story and pictures of Communist atrocities from its correspondent in Saigon; a page containing the picture of Communist-led demonstrators in St. Peter's Square demanding "peace" in Vietnam; it devoted one page to the pacification program the United States is waging in South Vietnam villages, and carried an editorial by the publisher commenting on the plight of the American fliers held prisoners by Hanoi and threatened with trials as war criminals.

Certainly we Americans should be thankful for Lo Specchio's bringing the truth of the war in Vietnam so forcefully to its Italian readers.

Mr. President, I ask unanimous consent that a translation of Mr. Page's editorial be printed in the Record at the conclusion of my remarks.

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

[Translation of editorial by George Nelson Page, publisher of Lo Specchio—the Mirror—magazine, Rome, Italy, July 17, 1966]

THE HANOI SAVAGES

No one knows what cruelties have been committed against the American fliers who fell into the hands of the Communist North Vietnamese, but pictures we have seen seem to justify the deepest pessimism. Moreover, the statements attributed by Hanoi to Captain David Hatcher and Commander Mulligan show the moral standard—certainly below that of savages—of the North Vietnamese rulers who are no more than loyal followers of the Communist tyrants specialized in brainwashing and psychological murder which so often precedes the physical murder of their victims.

The shameful farce has already begun. According to the tradition of the totalitarian regimes, the mobs have been mobilized and ordered to claim death sentence.

The Italian "vestals" of our time, usually ready to rush to Piazza San Giovanni in Rome to cheer the speakers of the Communist Party who harangue in "defense of civilization" being threatened by American aggressors, keep silent.

When Daniel and Sinyavski were found guilty of writing without authorization by the Soviet Inquisition and convicted to penal servitude, those same "vestal virgins" were compelled—against their will—to say something in favor of the two Russian writers. On the other hand, our progressive "vestals" have not gathered their energies to protest the plight of the American pilots whose treatment is against any humanitarian principle and represents a violation of all rules on the status of war prisoners.

The impartial behavior of the Communists and their fellow travelers is really admirable; the gravity of a crime is judged according to who commits the crime! Stalin's murders, justified as a necessary purge when he was the leader of the Communist world, became crimes only after his post-mortem degradation by the bosses of the new regime.

The same is now happening in Vietnam; American war operations, even if carried out in full respect of international rules accepted by all civilized nations, are "criminal actions" while there is nothing wrong or, at least, deserving too much consideration, with torturing and killing soldiers taken prisoner in the accomplishment of war missions.

Luigi Longo (Italian Communist leader) will tell us whether and when tortures and

murder deserve a written and verbal disapproval. Until that day we will not know.

Up to now the American authorities have been cautious in commenting on the barbaric behavior of the Asian Communists, probably because of the necessary delicate handling of wild beasts capable of the worst crimes. But the reaction of the American people is such that they cannot ignore it, just as they could not, in World War I, ignore the sinking of the Lusitania by German submarines, causing the United States to enter the war against Germany. Likewise, it was an aroused American public which caused the declaration of war 24 hours after the attack on Pearl Harbor. History has much to teach, even to the most inattentive observers.

The ultimate fate of the American fliers, for whom the "voice" of Hanoi claims a death sentence, cannot be foreseen, but the deepest concern is legitimate. What is beyond doubt is that if the Peking rulers are determined to provoke a reprisal from the greatest industrial power in the world with enormous means at its disposal, all they have to do is to ask Hanoi to administer the "justice" announced by the savages disguised as Asian "progressives."

TIMPANOGOS CAVE REGISTERS ONE MILLIONTH VISITOR

Mr. MOSS. Mr. President, one of the Nation's oldest national monuments under the direction of the National Park Service has just recorded its one millionth visitor. I speak of Timpanogos Cave National Monument, near Provo, Utah.

The Park Service opened Timp Cave, as we refer to it in Utah, in 1922. Since that time, this wonder of nature has been made more accessible, but it is still a short hike up a mountain trail from the new visitor center.

Timp Cave is not on a major highway, but it is only a few minutes drive from either Provo or Salt Lake City. The delicate crystal formations and the interesting Park Service tour are memorable for the many tourists who visit the monument each year.

Mr. President, the Daily Herald newspaper in Provo recently published a fine editorial on the millionth visitor. I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

[From the Provo (Utah) Daily Herald, Aug. 5, 1966]

TIMP CAVE'S MILLIONTH VISITOR

Within a week Timpanogos Cave National Monument is due to have its one-millionth visitor since it was opened to the public in 1922.

The occasion is a good time to reflect on our good fortune to have a valuable asset like Timpanogos Cave here.

Although not as big as a number of other caves in the West and Midwest, Timpanogos Cave is certainly one of the most beautiful, with delicate crystal formations and its "great heart of Timpanogos."

The fact that our cave isn't on the main highway and that you have to hike some distance uphill to reach the entrance tend to slow the tempo of tourist visits in comparison with some other caves more readily accessible.

Nevertheless, Timp Cave is seen annually by persons from throughout the country and the tempo of visits seems to be picking up from year to year.

Travel to the national monument currently is 23 per cent ahead of that of last year. For the first five days of July over 5000 people visited the cave. This is a far cry from 1934, the first year the cave was managed by the park service, when only 1000 people visited the cave in the entire season.

If trends continue as anticipated, another million will likely see it within the next 10-year period.

This wonder of nature right in our own county is a fine attraction as you will see anywhere. Without doubt it is one of our best tourist attractions and could be made even more of a drawing card with wider publicity.

Undoubtedly there are people right here in Utah Valley who have not visited the cave. For their benefit, we suggest an outing at an early date. Those who have not had the experience have missed a real treat.

RESIGNATION FROM BELGIAN PARLIAMENT OF PAUL-HENRI SPAAK

Mr. FULBRIGHT. Mr. President, I wish to call the attention of my colleagues in the Senate to the recent resignation from the Belgian Parliament of a most distinguished politician and diplomat, Mr. Paul-Henri Spaak. His was a long and successful career. He served the cause of postwar Western democracy with the dedication equaled by few other men.

We in the United States have sometimes been critical, and rightly so, of the tendency on the part of some leaders in smaller nations to be irresponsible in the conduct of their official duties, especially with regard to their reluctance to carry a fair share of the burdens of common defense and regional economic development. No such thing can be said about Mr. Spaak. His foresight and persuasiveness helped to create an atmosphere which permitted Europe to recover from the ravages of World War II. Pointing to the past as a lesson not to be repeated, he helped temper those who understandably were hesitant to include Germany in any European partnership, realizing that a prosperous Europe could not exist without a healthy Germany. He was one of the earliest statesmen to recognize the merits of interdependence.

As the first President of the United Nations General Assembly, he warned of the perils of power politics in the atomic age. As Prime Minister and Foreign Minister of Belgium, he guided that country into collective economic and military agreements which have permitted his people to enjoy prosperity.

Mr. Spaak is living testimony to the fact that international affairs are not conducted solely by men who are irresponsible to genuine partnership.

He has contributed greatly to the mutual trust which exists between the United States and our European allies. American diplomats will be among those who will sorely miss his wise counsel when dealing with international problems.

Mr. President, I ask unanimous consent that articles appearing in the New York Times on this European patriot be submitted in the RECORD at this point.

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

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[From the New York Times, July 28, 1966]
BELGIAN STATESMAN—PAUL-HENRI SPAAK

During the third General Assembly of the United Nations in Paris, Paul-Henri Spaak turned to Andrei Y. Vishinsky, the Soviet delegate, and said:

"The Soviet delegate need not look for complicated explanations of our policy. I will tell him the basis for our policy in terms which only the representative of a small nation may use. It is fear of you, fear of your Government, fear of your policy."

This uncompromising comment characterized the Belgian statesman who was to become one of the principal architects of European unity and the North Atlantic Treaty Organization.

The militant Socialist, who had led street demonstrations in Brussels in his early career, had been through the fire of World War II. He had seen his country's neutrality violated by the Nazi armies. He saw a prostrate, chaotic Europe as a helpless prey to the advancing tide of Soviet power.

Mr. Spaak was one of the Western European statesmen to understand what had happened to the established order in Europe as old empires and predatory states collapsed, to be replaced by a new and more powerful imperialist state. The starting point for Mr. Spaak's philosophy of European unity and of alliance with American power was his recognition that a fragmented, impoverished, wrecked Western Europe could never hope to build a counterweight to Soviet power.

MORE THAN A BELGIAN

In this context Mr. Spaak was more than a Belgian—he was a European who, in face of the new peril, had no difficulty in finding a common language with Dr. Konrad Adenauer, the creator of the West German Federal Republic, and with Jean Monnet and Robert Schuman, the French architects of European unity.

As a Belgian, Mr. Spaak, who is 67 years old, combines the qualities of his Flemish and Walloon forebears—an enormous capacity for work, tough-mindedness, a somewhat authoritarian attitude and a great flair for language. He is rated a powerful orator in French.

His turbulent 41-year career, the ending of which was announced yesterday, exemplifies the belief that it frequently requires more talent, political creativity, foresight and courage to govern a small country in a world of big powers than to manage a big power. Great powers can afford risks and mistakes, small ones cannot.

Mr. Spaak was trained for power and leadership. His mother was Belgium's first woman Senator. His maternal grandfather was Paul Janson, a 19th-century liberal leader. An uncle, Paul-Emile Janson, was a Premier and was known as the Cato of Belgian politics. Mr. Spaak's father was a successful author and director of the Brussels Opera.

A RANGE OF TALENTS

Young Spaak displayed a talent for bridge, versifying, jurisprudence, journalism, repartee and statecraft, and in his spectacular career, brought to fruition the diverse qualities of his family heritage.

Amiable and courtly though he is, Mr. Spaak is also capable of deep-seated political animosities and enmities. When the Nazi armies overran Belgium, he urged King Leopold III to flee to Britain, but the King refused, remaining during the Nazi occupation. After the liberation it was Mr. Spaak who led the movement to bar Leopold from the throne.

Queen Wilhelmina of the Netherlands, who took the bitter road of exile, returned in triumph to her country, but King Leopold's postwar insistence on retaining his throne was greeted with antiroyalist riots and demonstrations. He was compelled to abdicate in favor of his son, Baudouin.

Interrupting an active career in successive postwar Governments, which he served as Foreign Minister and Premier, Mr. Spaak became Secretary General of the North Atlantic Treaty Organization in 1957. In his five years in Paris he sought to establish political consultation among the members and to head off conflict. However, he has been highly critical of President de Gaulle's opposition to the unified NATO command and to British membership in the European Economic Community.

Showing the flexibility of the great statesman, Mr. Spaak, despite his fear of the Russians, believed that efforts should be made to build bridges between East and West although he was convinced that little rapport existed between them.

EDUCATED FOR THE LAW

Born in 1899, Mr. Spaak was educated for the law, a profession he practiced for a relatively short time. He was elected as a Socialist member of Parliament in 1932 and received his first Cabinet post in 1935 as Minister of Transport and Posts. He was named Foreign Minister for the first time in 1936 and became Premier two years later. In all he held the Premiership twice and was Foreign Minister six times.

Mr. Spaak was elected president of the first General Assembly of the United Nations after having played a pre-eminent role at the founding meetings of the world organization in San Francisco in 1945. In 1957, he helped draft the Treaty of Rome, which established the Common Market.

Mr. Spaak's first wife, the daughter of a wealthy industrialist, died in 1964. They had three children. He remarried last year.

SPAAK IS ENDING POLITICAL CAREER—LEADER OF UNITY MOVEMENT IN EUROPE QUILTS PARLIAMENT

BRUSSELS, July 27.—Paul-Henri Spaak, Belgian statesman and one of the founders of the European Common Market, has decided to retire from political life, it was announced today.

Mr. Spaak, 67 years old, has sent a letter resigning his parliamentary seat to the president of the Chamber of Representatives (lower house), Achille van Acker.

After having served his country six times as Foreign Minister and twice as Premier, Mr. Spaak left the Government last year.

He began public life in 1925 as political secretary to the then Minister of Labor, M. J. Wauters, a Socialist.

He became known as an international figure as a result of his eloquent speeches at the founding meeting of the United Nations in San Francisco in 1945. He was the first president of the United Nations General Assembly.

Mr. Spaak's outstanding achievement was in his postwar contributions to European unity. He played a leading role in the negotiations on the treaties creating the European Common Market and Atomic Energy Agency in 1957.

He was said to be planning to resume a law career as defense counsel in a murder case in the fall. He is also writing his memoirs.

PROCEDURAL ASPECTS OF CONSTITUTIONAL BAN ON UNREASONABLE SEARCH AND SEIZURE

Mr. BREWSTER. Mr. President, one of the leading attorneys in the State of Maryland, and one of the outstanding authorities on criminal procedure, is William W. Greenhalgh.

Bill Greenhalgh is currently professor of law at the Georgetown Law Center. He directs the legal internship program there, providing counsel for indigent

criminal defendants in the District of Columbia—a pioneer program which has won praise across the country.

Professor Greenhalgh was recently invited to address the National Bar Association Convention on the procedural aspects of the fourth amendment ban on unreasonable search and seizure. Since this is a matter of some importance to everyone concerned with problems of law enforcement, I ask unanimous consent that Professor Greenhalgh's lecture be printed in the RECORD.

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

PROF. WILLIAM W. GREENHALGH, GEORGETOWN UNIVERSITY LAW CENTER, LECTURE TO NATIONAL BAR ASSOCIATION, AUGUST 4, 1966, DETROIT, MICH.

I. PROBABLE CAUSE FOR ARREST WITHOUT A WARRANT

IVth Amendment provides:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."

An arrest may occur where either:

A. Circumstances known to a reasonably prudent police officer by personal observation amount to a felony or misdemeanor committed, or attempted, in his presence or view (*McDonald v. United States*, 335 U.S. 451 (1948)), or

B. Information received is such as would justify a reasonably prudent police officer that a felony or excepted misdemeanor has been committed or is being committed (*Johnson v. United States*, 333 U.S. 10 (1948)).

1. Although probable cause may be based on hearsay information and need not reflect the direct personal observations of the police officer, he must possess some of the underlying circumstances from which the source of the information concluded that a crime had been or was being committed as well as some of the underlying circumstances from which the officer concluded that the source of information (whose identity need not be disclosed) was credible, or his information reliable (*Aguilar v. Texas* 378 U.S. 108, 84 S.Ct. 1509 (1964)).

a. Informant of known reliability. (*Draper v. United States*, 358 U.S. 307 (1959)).

b. Anonymous source of information. (*Mills v. United States*, 90 U.S. App. D.C. 365, 196 F.2d 600 (1953)).

Thus, a police officer may not arrest upon mere suspicion (*Henry v. United States*, 361 U.S. 98 (1959), *Beck v. Ohio*, 379 U.S. 89 (1964), *One 1958 Plymouth v. Pennsylvania*, 380 U.S. 693, 14 L. Ed. 2d 170, 85 S. Ct. 1246 (1965)) but only upon probable cause (*Ker v. California*, 374 U.S. 23 (1963)). Nor may he arrest for "investigation"; yet he has a duty to approach (*Lee v. United States*, 221 F.2d 29, D.C. Cir. 1954), confront and interrogate. It is the most useful, most efficient, and most effective method of investigation. Often it develops probable cause. Remember the validity of the subsequent search and seizure thus turns upon the question when the arrest occurred (*Rios v. United States*, 364 U.S. 253 (1960)).

In order for there to be an arrest it is not necessary that there be an application of actual force, or manual touching of the body, or physical restraint which may be visible to the eye, or a formal declaration of arrest. It is sufficient if the person arrested understands that he is in the power of the one arresting, and submits in consequence. (*Kelley v. United States*, 298 F.2d 310 (D.C. Cir. 1961)). In other words, there must be some detention of the person to constitute

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point, while we were putting \$175 million worth of food through Egypt's front door, Nasser was sending \$41 million worth of rice to Russia, Cuba, Red China and other communist countries. Another time we delivered \$23,700,000 worth of corn for free distribution to Egyptians supposedly suffering a famine due to failure of the local crop. Our General Accounting Office later discovered that there was no evidence of crop failure and that nearly half the corn was not distributed free, but sold for the account of the Egyptian government.

Congress time and again has adopted legislation designed to cut off aid to Nasser. Time and again the executive branch has indicated that it would be cut off. Yet in spite of Nasser's deals with the communists, in spite of his telling us to take our aid and go jump in the sea, our food subsidy still goes to him year in and year out.

Blundering administration of our food program has led to waste and worse. The Greek government publicly advised its farmers to replace wheat with other cash crops, since Uncle Sam would take care of Greece's wheat needs. One South American country appealed for "temporary" Food for Peace disaster relief because of a flood; instead, it got a massive fivefold increase of food which continues unabated years later. While we fed Italians through Food for Peace charity grants, Italy exported so much macaroni to Britain that London newspapers complained of dumping. Indonesia's Sukarno was able to mortgage his nation's economy to pay for \$1.1 billion worth of Soviet arms for military forays, because we were helping to feed his people.

COOLEY LOANS

Thus many countries neglect their agriculture and shift their food needs to Uncle Sam while they divert their own resources to various economic and military adventures. This results in large part from the mechanism we have used to pass along most of our Food for Peace. We "sell" it for the recipient country's own currency. Then we turn most of this paper back to the same government for its own use.

The futility of this approach led Congress in 1957 to insist that part of this foreign currency be put to work in loans to businessmen, both American and native, for agricultural and industrial development. Named after Chairman Harold Cooley of the House Agriculture Committee, these "Cooley loans" have enabled Purina to build an animal-feed plant in Colombia, John Deere to manufacture tractors and farm implements in Mexico, Pfizer to produce pharmaceuticals in Taiwan. They have financed manufacture of silos, corrugated board and petroleum by-products in Israel; fertilizer, steel and tires in Turkey; poultry farming and hotels in Pakistan; cattle ranches in Paraguay.

Such loan constitute foreign aid that succeeds where giveaways have failed. But jealous administrators, both American and foreign, eye the Cooley program as competition for their own government-run projects and so fail to enforce it. As of June 30, 1964, only a paltry three percent of the foreign currencies derived from Food for Peace transactions had been loaned to businessmen; 65 percent was handed back as gifts or soft loans for pet government spending schemes.

Two years ago the Senate Agriculture Committee angrily noted that "this record is not responsive to expectations." So Congress amended the law to require that our food currency be employed "to the maximum usable extent" for Cooley loans. Yet last spring the House Agriculture Committee protested that the intent of Congress had been ignored in case after case.

The United States "sold" the Philippine government \$12 million worth of food, but offered only a meager ten percent to businessmen. Nasser has been allowed to get by with just a single free-enterprise loan. A

sampling of 19 Food for Peace sales agreements showed that none provided more than 15 percent of our foreign currency for private enterprise.

IT CAN WORK

Clearly, it is time for Congress and the American people to compel realism on the part of our food-aid administrators. Our generosity will prove but a prelude to disaster unless we face—and force our food-aid recipients to face—these facts:

We are already on the brink of global famine. Thousands of people die of starvation and malnutrition every day, and more than half the world goes to bed hungry every night. Yet in five years the world's population will have increased by another 285 million, and within 35 years it will have more than doubled, from 3.3 to 7.4 billion. Of these people, six billion will live in countries where already four out of every five subsist on deficient diets.

Even the bounty of American agriculture cannot continue to stave off mass starvation. Last March, Agriculture Secretary Orville Freeman told a Senate committee that by 1985 the food needs of 66 developing countries will be so great that the United States cannot possibly fill the gap, even if we farm every arable acre at full capacity.

Those countries depending on us to make up their food needs must be compelled to devote their principal efforts to development of their own agricultural resources. The United States should not be burdened with the responsibility of determining who starves and who survives. For the good of all, we must insist that in the emerging countries a greater share of our Food for Freedom and foreign aid go for agriculture. They must devote more of their own budgets to food production and agricultural research. We must encourage vocational education to train farmers and agricultural technicians. We must insist that private incentive replace repressive taxation and regulation. We must further urge freedom for private industry so that agriculture will be a part of a balanced, growing economy.

To this end, we should require all aid legislation and executive action to fulfill the following conditions already defined by the House Agriculture Committee: "A proper climate for private initiative and investment should include, among other things, provision for maximum private ownership and initiative in new and existing industry, non-discriminatory treatment between the public and private sectors, rates of taxation designed to promote maximum utilization of private investment capital, and adequate protection of industrial property rights."

Food for Freedom can be made to work, and untold millions of people can be saved. But this is possible only if we keep the executive branch under constant pressure to recommend such economic reforms forcefully and to stand ready to cut off food aid to those countries that ignore them.

TRAFFIC CONGESTION IN THE WASHINGTON, D.C., METROPOLITAN AREA

Mr. BREWSTER. Mr. President, the Washington metropolitan area is encountering a growing problem of traffic congestion. Anyone who drives to work each morning and struggles to return home every evening can appreciate the difficulties of which I speak.

I was a cosponsor of the legislation which authorized a basic rapid rail transit system in the District of Columbia. Final planning for this system is now going forward on schedule.

Now as the Montgomery County Sentinel points out, the House and Senate

must act to assure the orderly continuation of this system.

As a cosponsor, together with my distinguished colleagues from Maryland and Virginia, of legislation which would create the Washington Metropolitan Area Transit Authority I urge the Senate to act favorably on this measure during this session of Congress.

I ask unanimous consent to place this timely editorial in the RECORD.

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

[From the Montgomery County Sentinel, Aug. 4, 1966]

TRAFFIC CHAOS

President Johnson on June 9 made the following statement:

"In 1950, nearly three quarters of the (Washington Metropolitan) area lived within the boundaries of the District of Columbia. By 1970, however, that situation will be almost totally reversed. At that time, there will be an estimated 1,688,000 citizens living in our Maryland and Virginia suburbs—67 percent of the area's swelling population. Even today, this shifting population is creating massive traffic problems, with more than a million automobiles entering and leaving our city every 24 hours. Even with a full mass transit system—on a regional basis—that figure is expected to double by 1985. Without such a system, a complete breakdown in area transportation would be only a matter of time. We simply cannot allow that to happen. Our goal—the goal of both the Congress and the Administration—must continue to be a regional system of rapid rail transit."

The President made the statement in his message to Congress asking approval of the Interstate Transit Compact which would permit Maryland, Virginia and the District to plan a regional rapid transit system through the Washington Metropolitan Area Transit Authority (WMATA).

Full compliance with the President's request is imperative on the part of Congress if a nightmarish situation is to be avoided here. Any delay on the part of Congress will delay that much longer this critically needed program. If suburbanites ever wrote their Congressmen, now is the time to do it. Traffic strangulation and chaos are approaching unless it is headed off—now.

VIETNAM

Mr. McGOVERN. Mr. President, the July 22, 1966, issue of the London Daily Telegraph carries a thoughtful article by Mr. Frank Robertson entitled "Vietnam: Optimism and Reality." Mr. Robertson underscores a number of significant developments in the Vietnamese war including the following observation:

There are now strong indications that the Viet Cong and North Vietnamese are reverting to phase one of their three-phase scheme of operations, breaking up into small units most of the time to wage guerrilla warfare.

Mr. Robertson points up the difficulty of waging a successful military effort against the Vietcong guerrillas at a time when economic, political, and social factors in the struggle are so unstable and uncertain. I ask unanimous consent that this article be printed at this point in the RECORD.

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

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VIETNAM: OPTIMISM AND REALITY

(By Frank Robertson)

SAIGON.—America's mid-term elections in November cast a curious shadow over the war in Vietnam. For political purposes President Johnson has generated a degree of optimism over the war's progress that is far from justified.

There are now strong indications that the Viet Cong and North Vietnamese are reverting to phase one of their three-phase scheme of operations, breaking up into small units most of the time to wage guerrilla warfare. This applies particularly to the Viet Cong, who know the country and its people so much better than the Northern invaders.

It is a pattern that must be particularly disturbing to Gen. Westmoreland, the American commander, massively equipped to fight a more conventional war. Devastating air power and the ability to air-lift three or more battalions count for little unless large bodies of the enemy can be found.

American air cavalrymen operating in the central province of Phu Yen found very few Viet Cong or Northerners after punishing weeks combing twisting valleys and steep hills. Yet it is believed that the enemy was assembling a division in this region.

QUICK RESULTS

The same is true of another long-established Viet Cong province, Phuoc Tuy, northeast of Saigon. Here the Australian task force has turned up only a few score Viet Cong after two months of rigorous effort in swamplands and overgrown rubber plantations drenched by heavy rain.

In recent weeks Washington has tempered its public optimism. But American military and civilian officials here remain under the heaviest pressure to produce bright results "immediately if not sooner," and inevitably this has led to some misrepresentation of the course of events, even to correspondents on the scene.

It is a blurred picture at best. The military segment is brightest, but this is a purely relative assessment considering the apparent change in Communist tactics.

The economy is in a most precarious state. Public dissatisfaction with the heavy increase in the price of food in recent weeks is widespread, and probably felt more keenly than the need to struggle against fellow Vietnamese said to be Communists.

This has a direct and disruptive bearing on political stability, the necessary requisite for success. Marshal Ky, the young Prime Minister, has confounded doubters and critics by remaining in power for over a year, but inflation can only strengthen the position of the lay and religious politicians working against him, and what is more dangerous, increased public apathy.

There is no doubt that the American troops, in particular, are doing well, but driving the enemy underground cannot produce victory. The Communists have time on their side, a fact driven home by the statement of President Ho Chi Minh that the Communists will fight for 20 years if necessary.

Allied intelligence puts enemy strength at 157 battalions, each of from 300 to 500 men. Of this number more than 60 battalions are from the North.

Last October the North Vietnamese sent thousands of engineers into Laos to improve the road network leading to South Vietnam, and for three or four months before the south-west monsoon began in May 1,500 lorries were in use transporting troops and supplies. It is believed that the infiltration rate then reached a peak of 10,000 men a month.

Now it is back around the 4,000 mark. No doubt American raids on lines of communications in the North, and greatly increased attacks on the road in Laos, have had some effect, but bad weather is the principal factor.

In the northern provinces of South Vietnam 50 percent, of the enemy troops are

North Vietnamese. In the centre including the highlands, they account for 65 percent, of the so-called main force—that is, excluding militia. There are no Northerners in the southern delta, and they make up on only 10 percent, of the forces in the provinces around Saigon.

By no means all of these are regulars of the calibre of the men who stormed Dien Bien Phu. Many are conscripts, and a lot are homesick lads of 15 or 16. For this reason at least one American divisional commander believes that seasoned Viet Cong units are tougher opponents than the mixed battalions from the North.

Morale certainly is lower among the Northern conscripts, as the rising number of prisoners testifies. There is a great deal of sickness, wounded are not repatriated and there is no system of rotation, which has led to the bitter statement found in not a few diaries: "born in the North to die in the South."

It is estimated that supplies, including food, fall 50 per cent short of requirements. This situation can only become worse as the southwest rains increase.

TACTICAL SLOGAN

Obviously the enemy badly needs a victory to boost morale, preferably against the Americans. Where he will try for this is a matter of conjecture.

The main areas of Communist concentration are north of Hue, the central highlands, the two central coastal provinces of Quang Ngai and Binh Dinh, and the province of Phu Yen, which long has been dominated by the Viet Cong, and is a principal source of rice. It is estimated that the enemy control at least 70 per cent of the nation's rice production.

The Viet Cong and North Vietnamese have a tactical slogan known as "four quick and one slow." The slow step involves careful intelligence work and sophisticated planning, stockpiling of ammunition, food and medicine, and meticulous rehearsal.

This is followed by a rapid advance and assault, fast clearing of the battlefield and, if necessary, quick withdrawal. Gen. Westmoreland's strategy is to search out and strike the enemy during the slow period of preparation, thus keeping him off balance, and this appears to be working.

But it is a long slow process, at which the allies work continuously. The American 101st Brigade, for example, has spent only four weeks in base camp since it arrived one year ago. Optimists who predict an end to the war in six months overlook the fact that only 2.4 per cent of the territory that the Communists held a year ago has been regained and secured.

Nor do the optimists consider the awfully high civilian casualty rate, possibly because it is not discussed either in Washington or Saigon. In the Da Nang area, for example, the American Marines have killed 2,000 Viet Cong and North Vietnamese since they arrived more than a year ago.

During that time the provincial hospital in Da Nang has treated almost 10,000 civilian battle casualties (many of them wounded by Viet Cong mines). The Vietnamese are an astonishingly stoic people, but this casualty rate, coupled with war weariness, certainly does not stiffen the will to fight.

At a time when the allies are said to be winning the war, depressed morale has caused increased desertion from South Vietnam's Regular Army. More Government troops are slipping away from their units now than ever before, despite recent pay increases.

VARYING QUALITY

But here again the picture is not sharply defined. During the first six months of 1966 9,500 Viet Cong soldiers came over to the Government, against 4,000 for the same period of 1965.

The performance of Government forces is

uneven. Some battalions are very good indeed, while others are at the other end of the scale.

They have increased their strength by 30 battalions in the past year, and for what it's worth they have carried out 3,300 operations involving at least one battalion so far this year. But again, the fact that large numbers of the officers and men of the First Division sided with the Buddhists in Hue during the anti-Government demonstrations cannot be overlooked.

The Australians are breaking in two new battalions, which include a fairly high percentage of National Servicemen, and although they have been on several operations, they have not really begun to function effectively. Obviously they will be pressed to live up to the reputation established by the professional battalion they replaced.

The South Koreans, after a painful first few months adjusting to guerrilla tactics (their war had been fought largely from trenches), have become an efficient fighting force, soon to be augmented by a Second Division. Their civic action programme is one of the best in the country.

In purely military terms it is fair to say that the allies are winning whenever and wherever they find the enemy. Gen. Westmoreland accurately assessed the present position when he said: "If the military aspects of the war could be separated from the political, social and economic—and they can't—we've come a long way in a year."

On present evidence final victory, if it is possible at all, will take many more years.

DOVES VERSUS HAWKS CLARIFIED

Mr. McGOVERN. Mr. President, with all the controversy among doves and hawks these days, I am confident that Members of the Senate will enjoy a passing note by a distinguished ornithologist about the subject.

I ask unanimous consent that an excerpt from the Washington Post of August 3, 1966, be printed at this point in my remarks.

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

DOVES VERSUS HAWKS CLARIFIED

Dr. S. Dillon Ripley, secretary of the Smithsonian Institution and a man who knows his birds, says doves are more bloodthirsty than hawks.

True hawks, the noted ornithologist said recently, are sensible, full of wisdom and not ferocious. He added that studies of animal behavior show doves to be cruel and insensate and far more bloodthirsty.

But it is not expected that this latest authoritative contribution to the hawk-dove debate on Vietnam will change any congressional opinions—or labels.

TRIBUTE TO CLAUDE L. CALLEGARY, COMMANDER OF THE DISABLED AMERICAN VETERANS

Mr. BREWSTER. Mr. President of all the groups in this country who deserve our thanks and our attention, perhaps the Disabled American Veterans rank at the top of the list. These men have made a sacrifice for their country—each of them has suffered an injury for his country. Many have lost arms or legs.

The retiring commander of the Disabled American Veterans is a Baltimorean, an outstanding attorney and citizen, and a good friend of mine. He is Claude L. Callegary, and he has done

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lion; physically and mentally unfit—2 million.)*

Total men and women available for a compulsory service corps: 14 million.

If each individual in this eight-year (18-26) age span serves for two years, then one-fourth of the 14-million group—i.e., 3.5-million—would be in service at any one time. What would a 3.5-million-strong national service corps cost? Adopting arbitrarily a modest figure of \$3,500 per capita to cover training, equipment, maintenance and a token salary, the annual bill would be around \$12-billion—exclusive of the undoubtedly heavy cost of tooling up. This is hardly a sum the Congress or the taxpayers are likely to approve at the present time—after all, only \$1.5-billion annually has been allocated to the entire Poverty Program.

Apart from its cost, a compulsory program of the size we have projected is up against the fact that we do not have an adequate plan as yet for using the 3.5-million workers it would provide. And I can think of no surer way to foredoom a potentially admirable effort than to launch it without careful advance planning. Furthermore, after discussions with young people, educators and thoughtful public officials, I have concluded that there is an essential conflict between the concepts of conscription and humanitarian service.

I therefore believe that the answer, at least for the present, is a small voluntary national service corps, including both men and women. The response of Americans to well-planned voluntary programs has always been impressive. The men's and women's Job Corps, for example, have had to turn down, for budget reasons, nine out of every ten applicants. (There are fewer than 30,000 in the Job Corps today. Well over 500,000 persons—most from deprived backgrounds—have applied to date.) The dedicated service given by volunteers in Operation Headstart and other Poverty Program projects is a measure of a huge untapped reservoir of idealism among Americans. Judging by the figures on the 18-26 age group already given, I believe that it would be possible to mobilize at least two million young people in a service corps on a purely voluntary basis.

But a corps of two million is still too large for the moment. We are not yet tooled for it. I propose, instead, that Congress create a National Service Agency authorized to mobilize 500,000 civilian volunteers, selected initially on the basis of their dedication to and aptitude for the corps' varied missions. The cost would be in the neighborhood of \$1.7-billion annually. This, theoretically, is how the corps would be set up:

Upon signing in, all volunteers would go to basic-training centers operated by the Army, which would perform the function it did for the C.C.C. The Army also would be requested to operate a classification system designed to match interests, skills and national needs.

Thereafter, volunteers would be dispersed to newly established service centers around the country for training and duty. Some would work in conservation camps administered jointly by the Army and by the Departments of Interior and Agriculture, in the C.C.C. pattern. Many would be assigned to public and private institutions to work as nurse-teacher-librarian aides; mental-health assistants; or in recreation and urban-improvement programs. The National Service Agency would be responsible for setting

standards and maintaining a continuous check on the performance of volunteers and the agencies authorized to supervise them.

(Experimentally, I think it would be useful to make such voluntary service an alternate to military duty for the men. It seems to me unlikely that the armed forces would be shortchanged if this choice were offered. For only a minute proportion of the civilian corps could be accommodated in such "glamour" agencies as the Peace Corps. The vast majority would face assignment to rugged labor on conservation projects or to the relatively drab tasks cited above.)

Even before establishing a National Service Agency and embarking on this modest pilot program, however, we should take these steps:

(1) Enlarge the Peace Corps and VISTA and the Teachers' Corps to at least double their present size. This is an effort in which the colleges will have to help, as several are already doing.

(2) Increase the Job Corps tenfold—to an estimated 400,000. To do this will require a major shift in emphasis—stressing service to human beings and the career opportunities in welfare fields, rather than routine vocational training. This will also require a more democratic mix in Job Corps enrollment, with the better-educated volunteers spending at least part of their time as teachers of their less-well-equipped colleagues—as is done in Israel. The Job Corps, in effect, should be converted from a rehabilitation program for the poor into an opportunity for democratic service for all. The reconstituted Job Corps—and possibly also the Peace Corps, VISTA and the Teachers' Corps—would be absorbed by the National Service Agency when established. If, as is quite likely, there remains a need for a program of remedial education and vocational training, along the lines of the present Job Corps, it should be set up under educational auspices apart from the service program.

(3) Compile a national inventory of worthwhile conservation and urban-rehabilitation projects and of the urgent manpower and womanpower needs of institutions, schools and social agencies across the country. Supplement this listing with a catalogue of the new services desperately needed by the nation's old people, children, harassed working mothers and the footloose adolescents. Such a compilation is by no means beyond the capacity of the nation's social scientists and computers.

By thus translating the nation's human needs into perceivable form, I believe we would dramatize the fact that we do have more than five million unfilled jobs. And we would begin to see a national service corps, not merely as an "alternative to the draft" or as a corrective to the draft's "inequities," but as a tool for alleviating the anguish of neglected patients in our hospitals and mental institutions, the misery of lonely old people, the plight of neglected children and the decay of our neglected land and cities—the medieval blights in our affluent society.

WOMANPOWER

It has been fashionable in recent years to deplore the waste of "a great national resource—womanpower." Chief objects of concern have been the college-educated women who marry too young and languish in suburban domesticity. A tour of duty in a national service program might awaken members of this group to the realities of the society in which they live and attract them in increasing numbers to those classic "woman's vocations" which are now so woefully shorthanded—notably nursing, teaching and social work.

However, no more than 10 per cent of the 1.5 to 2 million girls who will reach the age

of 18 annually in the next decade will become college graduates. Over 200,000 of the total group will be "nonwhite" and a high proportion of these predictably will come from impoverished, disorganized homes. Little has been done to date to develop the potential of girls who drop out or just make it through high school. The Job Corps, for example, has found room for less than a tenth as many girls as boys.

A national service program could open up vast vocational opportunities for this neglected group. Among many needed functions, they could help ease the lot of American working mothers. According to the latest Women's Bureau survey, there are 3.8 million children under 6 in this country whose mothers are away from home working full time. But in the entire United States there are accommodations for fewer than 300,000 children in licensed public and private day-care facilities.

This shocking gap in our social services will be closed only if we mobilize—on all levels—the womanpower which is indeed now wasted. Since not only child care, but a high proportion of the other tasks of the service corps can best be done by women, at least half of the enrollment should be women.—M.K.S.

FORTHCOMING ELECTION IN VIETNAM WILL BE AN IMPORTANT EVENT

(Mr. TODD asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. TODD. Mr. Speaker, last Thursday, I suggested to this Chamber that the forthcoming election in Vietnam would be an important event, regardless of the outcome: Important if not rigged and honest, as the basis of a viable and independent government; important if rigged and dishonest, as a way of discrediting whatever Vietnamese regime follows them as well as ourselves; important whether honest or not and whether carefully evaluated or not, as a source of uncertainty and controversy about their meaning and our own credibility.

Whether we like it or not, and whether the administration likes it or not, the statements about the honesty of the elections neither by the Government of South Vietnam nor by our own State Department will be taken seriously. They should not be. Both sources are interested parties.

If events progress at their apparently appointed pace, the elections will be held. Nobody will believe they were representative. They will be the source of endless argument and confusion. And it would be better if they had never occurred. We will have lost an opportunity at least as great as a major military victory. In fact, if we continue to refuse to consider seriously the great importance of the election's credibility, we will be heading, willy-nilly, into a setback as great as a major military defeat.

Why are we doing this? Are we smug? Are we preoccupied with military actions? Do we hope clever propaganda can overcome lack of substance? Have we neither an answer nor a set of alternatives?

I suggested one last week—perhaps the wrong one, but at least a sugges-

*These figures presuppose an eventual reduction in military forces from the present 3 million; deferments but not exemptions for students; and fewer exemptions for unfit-ness, since national-service qualification requirements would be lower than those of the armed forces.

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tion—when I pointed out that the international press corps could be freed to assess the election and asked to prepare an evaluation of all its aspects. Other suggestions, such as the International Control Commission and the U.N. are said, unofficially, to be unworkable. Perhaps this suggestion is also. But we must have some answer other than the word of Premier Ky and the State Department, and I exhort them to act now rather than to remain silent so they can give us the word later.

This point has been grasped by the former Vice President, Mr. Nixon, who recently visited Vietnam and came away with two conclusions: First, the solution to the conflict must be political as well as military; and second, we must have the patience and determination to secure such a solution.

I hope the State Department and Premier Ky do not respond to my suggestions by asserting that we should believe whatever they say about the elections. I know I will not. I know some others have grave doubts already. I fear these doubts will turn out to be merely the dew before the deluge.

To illustrate this, I ask permission to insert a news story from the Washington Post of August 5, 1966:

SAIGON ELECTION STIRS SKEPTICISM—PUBLIC INDIFFERENT
(By Ward Just)

SAIGON, August 4.—The election of an assembly to write a constitution for South Vietnam is barely five weeks away, and professional politicians here are skeptical and the public largely indifferent.

Suspicion of the election results runs so deep that one prominent politician estimates that in Saigon as much as one third of the electorate may stay away from the polls or deliberately spoil ballots.

These views emerged from interviews with candidates, journalists and qualified observers of politics in Saigon and the neighboring province of Gladinh, which together will elect 26 of the 117 delegates to the assembly. The interviews were restricted to Vietnamese. Nearly all those interviewed agreed that topic A in Saigon today is the economy, specifically the inflation which followed the June devaluation of the piastre. The public is largely indifferent to the election (the formal campaign period does not begin until Aug. 26), and that indifference is reinforced by what one observer called traditional suspicions and sniping from the sidelines by Buddhist militants who have vowed to boycott the balloting.

Among politicians, there is bitterness over Amendment 20 to the electoral law, the provision that allows the government to amend the constitution after it has been written, and requires a two-thirds majority of the constituent assembly to overrule it.

"This is the rule of the minority in an assembly elected to write a constitution," says Dr. Phan Quang Dan, the highly respected former government minister who heads an electoral slate in Gladinh. "It exists nowhere else in the world."

Somewhat less controversial is the provision, said to be unprecedented in Vietnamese politics, that candidates run on a slate in constituencies where more than one delegate is to be elected.

The intricate, complicated device of a slate was intended, by one account, to prevent Communists or neutralists from running for the assembly. An authentic nationalist, the argument went, would think twice before including on his slate a Communist

who would almost certainly doom the entire slate to defeat.

If there are four slates composed of five men each contesting a five-seat constituency, and the front-running slate gets 60 per cent of the vote, the top three names on that slate are elected. The remaining two seats go to the top men on the next most popular slate, or slates, depending on the vote.

It appears to be an exercise in higher Vietnamese mathematics, but what the procedure does, in effect, is place a premium on being the top man on the slate.

Already there are charges, unsubstantiated by proof but widely believed, that wealthy men have bought the top place on certain slates by promising to pay the campaign expenses of their statemates.

Anyone can get together a slate (there are 248 of them nationwide in the September election; 133 candidates are running on single tickets in districts where only one delegate will be elected), and the theory was that the most popular and highly respected would head the slate.

Some dissenters contend that the slates will promote harmony among candidates, but others are not so sure. The political rule of thumb in Vietnam is that if you have two men on a streetcorner you have two political parties. If you have three, you have two parties and a faction.

Wherever one talked, there was a rippling undercurrent of suspicion of government intentions. Nowhere was there proof of fraud, but everywhere there were doubts "Up to now," said an earnest Vietnamese politician, "there have been only rumors, but no evidence."

Feeding the rumors are the Buddhist militants, with leaflets and handbills and gossip. The Vietnamese, according to Phan Khac Suu, the former chief of state in the Huong and Quat civilian governments, have been "victimized" so long by their leaders—President Ngo Dinh Diem's rubber-stamp congresses, for example—that it is easy for the Buddhists to subvert confidence, which Suu says they are doing with great skill.

Suu's view of a deeply suspicious electorate egged on by Buddhist propaganda is probably the majority view here, although some would differ.

One who does is Dr. Dan. He argues that while the electorate may be suspicious and indifferent, the Vien Hoa Dao (the Buddhist Institute) does not even represent a majority of Buddhists, much less a majority of Vietnamese (a point with which most independent observers would agree). In the end, Dr. Dan says, most Vietnamese will go to the polls.

The trouble is confidence, or the lack of it. A young government civil servant, who demonstrated in Hue against U.S. support of Prime Minister Ky and for civilian rule under elections, now says the constituent assembly elections are wrong. Why? "Not suitable," he says vaguely. "They will solve nothing."

What the Vietnamese expect to emerge from the election is elusive. The politicians, after paying homage to doubt and suspicion, appear to be anxious to test the levers of power, even under a government which would probably (under Amendment 20) hold a veto. Prognostications differ widely.

Dr. Dan Van Sung, the editor and publisher of the Saigon daily Chinh Luan and no friend of the Ky regime, who is a candidate for the assembly, predicts that as many as 80 of the 117 delegates will be supporters of the government. But he also says the minority will be vigorous, and places as his aim the creation of a legal opposition.

Former Chief of State Suu, an old Vietnamese political pro, says flatly: "If a candidate in this election supports the government, surely he will be defeated."

At least part of the problem revolves around the programs of the candidates. If

the interviews are any indication, the men who face the electorate will talk about the constitution, the value of legitimate government, the high cost of living, the price of rice.

One moderate, very highly respected candidate who was said to be almost certainly a winner, declared when he was asked about the war that "Vietnam wants to negotiate with the North."

Would he say that on the election platform?

"No."

Why not?

His translated answer was that "every candidate has the right to express his views on the right things only—not on everything." It was not now "convenient" to speak of negotiation with the North.

WHILE ROME BURNS

(Mr. WHITTEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITTEN. Mr. Speaker, the August 8, 1966, issue of the U.S. News & World Report carries an article "Can Riots Be Stopped?" The article lists every section and many cities of the United States where mobs have destroyed life and property. The answer, Mr. Speaker, is that like any other problem we must determine and then correct the cause.

Law enforcement is the responsibility of and is dependent upon local government, the city, and its police; the county and its sheriff; and in emergency, the State and its militia. Under present conditions none of the officers of either of these governmental units can fully perform their functions of law enforcement because the Supreme Court with other Federal courts following has set up rules which frequently make it impossible for the police and local officers to protect the public. The Federal courts have been and are supported in this destructive course by the Attorney General and the Executive Department of Government. We can stop rioting but to do so we will have to stop courts from muzzling our law enforcement officers by new court-fixed rules governing procedures of local officers and admissibility of evidence. To this end we need the help of a responsible press, radio, and television—for frequently in the past few years, it has been hard to tell where honest news reporting ended and news promotion, almost to the point of inciting a riot, began.

Last week, I discussed this problem in some detail in connection with the bill before us, the so-called Civil Rights Act of 1966, excerpts from which I present here:

CRIME INCREASES

Mr. Chairman, like many of my colleagues, I served as district attorney. I know a majority of the Congress have had experience in the courtroom. If any Members do not believe it takes a man of a little more than average courage to bring in a conviction and send a fellow man to jail or to the penitentiary, or to punish him, those Members have not had experience in the courtroom.

All recognize that throughout the United States today, it is getting harder and harder to convict criminals, and have the conviction stand. The certainty of punishment is be-