

tegrity of both our judicial and executive systems.

Here we have a charge, the implication of which is that in 1965 the selection of the nominee for the position of U.S. attorney in the District of Columbia was based, not upon the qualifications of the individual, but upon the effect his selection would have on the outcome of the charges then pending against Mr. Robert Baker.

The additional fact that prior to their Government service both Mr. Fortas and Mr. Bress were attorneys representing Mr. Baker and his companies cannot be overlooked and only emphasizes the importance of clarifying the record.

Mr. President, I am not in a position to pass any opinion as to the validity of these accusations; however, I do say that in view of the serious nature of the implications involved they cannot be ignored, and a mere denial issued by "an unidentified spokesman" for Justice Fortas is not enough.

The implications behind Mr. Greenhalgh's allegations as appearing in the Washington Post of October 5 are that the executive branch, after conferring with a member of the Supreme Court, acted on an appointment in the judicial system with the thought of how it would influence the outcome of a potential court case against Mr. Robert Baker. Nor can we ignore the fact that both Mr. Fortas and Mr. Bress were attorneys for Mr. Baker prior to their Government service.

What makes these allegations especially pertinent at this time is that Mr. David G. Bress has recently been nominated by the President as a Federal judge in the District of Columbia, and the question of his confirmation is now pending before the Senate Judiciary Committee. In fairness to our judicial system and in fairness to the President, Justice Fortas, and Mr. Bress the serious implications behind the charge of Mr. Greenhalgh cannot be ignored.

Therefore I am today forwarding to the chairman of the Senate Judiciary Committee a request that prior to any further consideration or action on the nomination of Mr. Bress as a Federal judge, Mr. Greenhalgh and those others who were mentioned in this article be asked to testify before the committee as to their knowledge of the incident.

I emphasize that I am not passing judgment as to the validity of these allegations; but the Washington Post is a responsible paper and Mr. Greenhalgh was a former assistant U.S. attorney and now that the charges have been printed the far-reaching implications therein cannot be overlooked. The integrity of our judicial system as well as the reputation of the executive branch is at stake.

I ask unanimous consent that there be printed at this point in the Record the article appearing in the Washington Post of October 5 by Lawrence Feinberg entitled "Greenhalgh Says Fortas Blocked Him" followed by the article which appeared in the same paper the following day entitled "Intervention by Fortas on Greenhalgh Denied."

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

[From the Washington (D.C.) Post, Oct. 5, 1968]

**GREENHALGH SAYS FORTAS BLOCKED HIM**  
(By Lawrence Feinberg)

Montgomery County Council President William W. Greenhalgh said yesterday that the personal intervention of Supreme Court Justice Abe Fortas blocked him from being nominated as U.S. Attorney for the District of Columbia in 1965.

Greenhalgh said Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy." He added that Fortas told the President that "because the Bobby Baker case was pending in the U.S. District Courthouse, I couldn't be trusted."

Greenhalgh, a professor of law and head of the Legal Intern Program at Georgetown University Law School, served as an assistant U.S. attorney in Washington from 1958 to 1963.

**TWO RECOMMENDATIONS**

He said he was recommended to Johnson for the U.S. attorney's post in August, 1965, by Nicholas deB Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general.

Greenhalgh said he had been a friend of Robert Kennedy since 1950 when the two met as students at the University of Virginia Law School.

He said that Fortas suggested that the President name his "great and good friend" David Bress as U.S. attorney, and Johnson did so despite the fact that Bress once was Baker's lawyer.

Just before Bress was named, Greenhalgh said that Johnson told Sen. Daniel B. Brewster (D-Md.), "I need a man that I can trust."

**TALK IN BETHESDA**

Greenhalgh, a Democrat, made his accusation in a speech to the Montgomery County Press Association in Bethesda. Fortas, who asked the President to withdraw his nomination as Chief Justice on Wednesday, could not be reached for comment.

Greenhalgh said Fortas's approach to Johnson on his appointment was an example of the Justice's "interjecting himself into legislative and executive matters . . . and lends some credence to the apprehensions of the U.S. Senate."

In his talk, Greenhalgh also said that the late David Scull, a maverick Republican who was Montgomery County Council president last year, told him a few months before his death in January that "if Nixon were nominated for President he would switch parties."

Greenhalgh said Scull hoped to run for County executive in 1970 if the voters approved a charter revision that is on the ballot next month.

[From the Washington (D.C.) Post, Oct. 6, 1968]

**INTERVENTION BY FORTAS ON GREENHALGH DENIED**

A spokesman for Supreme Court Justice Abe Fortas denied yesterday that Fortas intervened to block the nomination of William W. Greenhalgh, now president of the Montgomery County Council, as U.S. attorney for the District of Columbia in 1965.

Greenhalgh made the charge in a speech Friday in which he said that Fortas, who had just been named to the High Court, went to President Johnson in August, 1965, and "persuaded him that I was too close to (Robert) Kennedy."

The spokesman for Fortas said yesterday that Greenhalgh's name was completely unknown to the Justice.

Named to the U.S. attorney post was David Bress. At the Senate hearings on Fortas' nomination to be chief justice, Fortas denied having anything to do with the Bress nomination or any other nomination.

Greenhalgh, a professor of law and director of the legal intern program at Georgetown University Law School, made his accusation in a speech to the Montgomery County Press Association.

He said he was recommended to Johnson for the U.S. attorney's post by Nicholas deB. Katzenbach, then attorney general, and by Ramsey Clark, who then was deputy attorney general. Greenhalgh served as an assistant U.S. attorney in Washington from 1958 to 1963.

**RETIREMENT OF JAMES E. WEBB AS ADMINISTRATOR OF NASA**

Mr. STENNIS. Mr. President, yesterday the Government lost an outstanding official. James E. Webb officially retired as Administrator of the National Aeronautics and Space Administration after serving for almost 8 years in that capacity. As well as Jim Webb has earned a respite from his arduous duties and awesome responsibilities during this period, I personally regret very much to see him leave.

I have always advocated the necessity for a strong and viable research and development program for this Nation. For the past 7½ years we have had in Jim Webb a man of outstanding personal integrity who was capable of the type of leadership needed to carry out that objective.

I supported Mr. Webb's nomination in February 1961, and at that time stated I felt he was the kind of man that our Government needed to assume the enormous responsibilities that touched so much in the present as well as the future of our Nation. Mr. President, I have never considered myself a prophet, but reflecting back on that statement I do not believe I have ever spoken truer words. No one who has followed closely the tremendous progress of our Nation's civilian space efforts can fail to recognize the handwork of Jim Webb. Tiring tirelessly and with an unflagging dedication to his responsibilities, he has built an outstanding organization geared to maintaining this country's preeminence in space. He leaves with the satisfaction of knowing that his efforts have been rewarded by our outstanding space successes to date and that at the present time our Nation has the tools to continue to be preeminent in space.

As one Member of the Senate who believes firmly that our Nation's future military security as well as its leadership position among Nations rests in large part on its ability to carry out activities in space, I fervently hope that the Government will continue to utilize the tools that have been provided by Jim Webb effectively in the future. If this is done, I know that Jim Webb would consider this a fitting monument to his accomplishments.

Mr. President, I have been a member of the Committee on Aeronautical and Space Sciences since about the time Mr. Webb was appointed to head NASA. I am not given unduly to praise a man. I am not impressed by a title. I am impressed by a record. But I am certainly impressed with the fact that Mr. Webb, carried out his responsibilities for NASA with an expenditure of \$34 billion, in what might be called a crash program; and I have

not seen any evidence of any activity of his except that clothed in the highest degree with integrity, honesty, frankness and openness in his dealings with the committee, with Congress, as well as with the public.

Some unfortunate incidents did occur in connection with various programs, but he came out frankly and told the whole truth about them, the good as well as the bad. To me, that is one of the sources of his strength. Congress and the people of this country are entitled to more such practices and more such talent as that from its Government officials.

He never did anything for me and I never did anything for him, but I certainly do like his dedication, honesty, and frankness and consider him to be a fine, effective public official, doing very difficult work, plowing new ground all the time and pioneering previously unblazed trails. I commend him highly and am sincerely sorry to see him leave, even though I am sure he will have a worthy successor.

Mr. SPARKMAN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. SPARKMAN. I certainly endorse the statements just made by the distinguished Senator from Mississippi. Of course, my State is greatly interested in the space program. An important part of it is located, as the Senator knows, in my hometown of Huntsville.

I have had very close contact with Mr. Webb, having known him way back there at the end of World War II, or thereabouts. He has held many responsible positions, in the State Department, in the Budget Bureau, and in various other governmental activities, where he proved his ability. I was very much pleased when he was named to head the newly formed NASA.

I think he has done a tremendous job. In fact, there have been times when I have wondered how in the world he ever carried on under the great load of his unusual responsibilities and the various problems that certainly would have plagued beyond endurance a man of lesser strength than he.

I am very sorry to see Mr. Webb leave NASA. I am sure that there will be a strong man to take his place; but nevertheless, when we have found one, tried and true, and who has been proven himself in every way, we hate to give him up. I regret very much to see Mr. Webb leaving NASA.

I extend to him my very best wishes for continued happiness and great success throughout his life.

Mr. STENNIS. I thank the Senator from Alabama for his remarks. Those are my sentiments as well. I did not know Mr. Webb in any official capacity before he came to NASA. He did a fine job there, although I was not so much in contact with him. Again, I am sincerely sorry to see him leave.

In all this \$34 billion program there was no hint of slander or suspicion.

Mr. President, I congratulate Jim Webb for a job extremely well done and wish him the very best in the years ahead.

#### ORDER OF BUSINESS

Mr. SPONG. Mr. President, I ask unanimous consent that the rule regarding germaneness be suspended and that I be allowed to proceed for 4 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### NEED FOR MIDDLE EAST SETTLEMENT

Mr. SPONG. Mr. President, some 15 months have passed since Arab-Israeli tensions culminated in the 6-day war of June 1967. During that 15-month period, there have been times of hope and optimism and there have been times of discouragement and pessimism for the future of the Middle East.

Unfortunately, the underlying causes of the Arab-Israeli conflict have not been removed or mitigated during this period. Instead, they have been allowed to fester and in the process, they have given rise to new conflicts and passions.

If there is anything that can give us hope at this point, it is perhaps the diplomatic proposals and the multinational concern now being expressed over the Middle East.

The United States has always been a strong advocate of a negotiated settlement in the Middle East. We have offered our opinion on what points must be included in any settlement and we have indicated our support for the U.N. mission headed by Swedish diplomat Gunnar Jarring.

Last week, the Soviet Union offered a plan for the Middle East. The plan itself was not without fault. It overlooked a number of the most pressing of the Middle East problems: the arms race, free access of nations to international waters for innocent purposes, and provisions for Arab refugees. In addition, the Soviet proposal failed to include any consideration of the status of Jerusalem, which arouses strong emotions among Arabs and Israelis.

Furthermore, in addition to the omissions in the plan, there is the possibility that the proposal is nothing more than a Soviet gesture, designed to recoup Russian prestige lost in the denunciations of the invasion of Czechoslovakia.

The United States should not, however, permit these vexations to detract it from pursuit of peace and security in the Middle East. While our Nation must proceed with caution, the Soviet Union should be encouraged to reinforce its plan with concrete actions in the direction of a settlement. And, of course, the most positive manner in which the Soviet Union could demonstrate a desire for peace in the Middle East is by exerting influence on the Arab nations to work toward a settlement.

There are, now, indications that the Arabs may be agreeable to an imposed settlement—mainly because they would later have cause to violate it, if they so determined. As with the Soviet plan, an imposed settlement such as this is beset with shortcomings. But, also, as in the Soviet case, the indication of Arab inter-

est in a settlement at all should be explored and encouraged.

Likewise, Israel Foreign Minister Abba Eban should be encouraged to outline Israel views on a settlement when he appears before the United Nations today.

It is obvious that no nation can approach negotiations in the Middle East, knowing from the beginning that all of its conditions will be met. At the same time, Israel's hesitancy to accept an agreement is understandable in view of her experiences with the settlements of 1948 and 1956. But, without negotiations, there will never be assurances that any of a nation's conditions will be met.

And, there can be little hope of preserving any security or particular status quo in the Middle East with guerrilla attacks and surprise actions.

With the 23d regular session of the United Nations now in progress, the facilities of this international organization should be used to exhaust the potential for a settlement. While success cannot be predicted and perhaps is even unlikely, no nation concerned with the Middle East can ignore the recent diplomatic suggestions of interest in a Middle East settlement.

#### SENATOR EDMUND S. MUSKIE DISCUSSES THE NEED FOR DRAFT LAW REVISION

Mr. YARBOROUGH. Mr. President, in recent days, the distinguished Senator from Maine, EDMUND S. MUSKIE, the Democratic Party's nominee for Vice President of the United States, has been making many friends for himself and for his party. Senator MUSKIE has avoided flamboyant partisanship and rhetorical flourishes that are used by some candidates to capture newspaper headlines. Rather, he has brought his quiet, low-keyed campaign directly to the people of America and has sought to engage the electorate in a thoughtful dialog on the critical issues facing America in this election year.

No speech is a better indication of Senator MUSKIE's desire to talk honestly and sincerely with the people than the one he made at the University of Colorado, at Boulder, last Thursday, October 3, 1968.

Speaking before a group of students at the University of Colorado, Senator MUSKIE confronted directly a critical problem that is uppermost in the minds of many students today—the draft. In a very thoughtful and provocative address, Senator MUSKIE came to grips with this very complex issue. Nor would he talk in vague generalities or simply demagog on the inadequacy of the present system. Rather, the Democratic nominee spoke in terms of specific changes which are needed to make our system of selective service more equitable.

Mr. President, the issue of draft law revision is one of the great issues of this generation and of this decade. Any time young men are drafted to go into battle, possibly to die, it is essential that they be equitably and fairly selected. Even now, although hopeful peace talks are underway in Paris, hundreds of draftees