and buyers of insurance policies—which means most of us. But it is not enough to say all this. All of us would prefer a relatively stable price level just because we would prefer it; but would we inflict some extra weeks of unemployment on hundreds of thousands of our fellow citizens in order to get it?

There are considerations that go beyond the immediate problems of the aged, the poor and buyers of insurance. In one recent month, for instance, more than 20 state and local governments were unable to sell bonds to finance desirable improvements because the interest rate was too high for them. And the interest rate was high because of inflation.

In the last year, the annual rate of housing starts in a nation rapidly approaching the point of housing shortage has fallen from 2 million to 1,3 million. Why? Because of inflation's impact on interest rates as well as on other elements of construction.

In the autumn of 1969, absolutely sound public utilities and telephone companies were paying close to 9 per cent interest to sell bonds that were needed to keep our country going, and some of the bonds did not sell. There has been no collapse yet, but if inflation continues—and such lenders as insurance companies and pension funds continue to insist (legitimately) on higher and higher interest rates—one day the utilities and many others may not be able to raise capital at all. And 90 per cent of the long-term capital in this country is raised through bonds, not through the stock market, despite its charisma and public attention.

Troubled men are worried about such things. The financial markets have been swept by a dangerous disease called "inflationary expectations." The result is higher interest rates for the home buyer (who must pay 8 per cent or more for a mortgage) as well as the electric company. The financial actions and inter-actions involved in this are complex, and even economists and bankers do not pretend to understand all of them. There is little doubt, however, that inflation is at the root of what is happening to interest rates and to the bond market; and there is little doubt that developments in both areas imply real danger.

Sidney Homer of the Wall Street firm of Salomon Bros. & Hutzler, a historian of American finance, points out the problem:

"Under Johnson, the policy of 'no recession ever' became explicit and was widely accepted by economists, both of the left and of the right, and by a large preponderance of businessmen. This naturally touched off a capital-goods boom. Prices and costs started to rise after years of stability. . . . Finally, in recent years, civil disorders and social-reform proposals have seemed to provide an even more positive assurance that recessions will be politically unacceptable at any time ever and at any cost. . . . Such an assured point of view is entirely novel, and I believe it is the basis for the expectations of unending inflationary prosperity which have developed over the last three years. These expectations are basically responsible for our high rate of inflation and our capital market distortions."

Why lend your money—which is what buying a bond is—if inflation is going to erode the interest return? No one can be sure that capital will dry up in this country. But in a real sense it has dried up elsewhere—in Brazil, for example, a country that is as old as we are, that has perpetual inflation and that is very poor. If investment patterns in the United States change markedly because of inflation, it is likely that we shall all be poorer.

Another reason to feel a little frightened about continued inflation is, in a sense, as intangible as bonds and interest rates; it is the international monetary system. Douglas Dillon, the former Democratic Secretary of the Treasury, had some words in early December that are at least worth noting:

"The proper functioning of the international monetary system is wholly dependent upon a sound and relatively stable dollar. Our continued inflation at home threatens that stability. Without a stable dollar, world trade as we know it today would not be possible. . . . This is the one circumstance I can foresee that could cause a worldwide recession or even a depression. We ourselves could not escape such a phenomenon. Therefore, it is urgently in our own interest to so conduct our monetary and fiscal affairs that we put an end to the current inflation as rapidly as possible."

Mr. Dillon, incidentally, also said that we would "have to pay a noticeable penalty" to stop inflation, including "more unemployment than we would like and smaller profits for business than is pleasant."

And there is one more reason to feel a sense of urgency about ending inflation: It has been a primary cause of the financial crisis of the cities. An enormous portion of local governments' expenditures go to wages and salaries; in an inflationary economy, the cities have had no choice but to give large pay increases to teachers, policemen and subway motormen; and revenues, based in good part on local property taxes, have not risen proportionately. This financial crisis is a much bigger obstacle to social progress than a small rise in unemployment.

Back to the President. No man can say for certain how he—or the Federal Reserve, which is largely independent—will face up to the agony of 1970. The guess here is that he means what he says, which signifies that when things slow down the Government will be very cautious about letting demand expand rapidly again. It signifies that a fairly prolonged slowdown will be accepted as the only way to kill the inflation and, even more, inflationary expectations.

McCracken, the chairman of the Council of Economic Advisers, has told businessmen that after the "valley" of a severe slowdown this year, demand will not again be permitted to rise as rapidly as in the last four inflationary years. This means that when policy, particularly monetary policy, is at last eased, it will not switch as in the past to one of pumping up the economy at a rapid rate. If the Government means what it says, we may be in for a sluggish economy well into 1971.

The President's economic report to Congress predicts a flat economy for the first half of this year, making three quarters of no growth, with some rise in unemployment. Though the strategy calls for a resumption of the rise in demand, and hence growth, in the second half, the rise is to "moderate" so as to be "consistent with continued progress in reducing the rate of inflation." And even this expansion is not guaranteed; unemployment could easily be a persistent problem all through 1970.

If one agrees that there is no dobut about Mr. Nixon's present intentions, what about the 1970 elections? What about "political pressure" as unemployment creeps up?

Here again, there are some widespread assumptions that may be wrong. Economic issues, including unemployment, can be important, but they invariably make up only part of a cluster of issues. If the President is making progress in extricating the country from Vietnam, that could easily swamp almost anything that is happening in the economy. For at worst 94 or 95 out of every 100 of us in the labor force will still be working. There might even be some progress on the inflation front by late 1970, which would make the Administration case a good deal more attractive.

In any event, there will be pressure, in part political. The President says, at least, that he has made his choice: that the policy of stopping inflation must go on, even though it causes pain. If he means it, he can, with the help of the Federal Reserve, stop inflation, though no completely in 1970. Inflation is no more inevitable that Vietnam, and it is much easier to see the solution: as tough a budget as Congress will permit and a sharp limitation on the growth of money and credit. But each man—and especially the President—must decide for himself whether the price (unemployment and some severe business losses) is worth paying. If we are to stop inflation, it will have to be paid.

CHARGES AGAINST TRAN NGOC CHAU

Mr. FULBRIGHT. Mr. President, yesterday we learned of the latest chapter in the case of the Vietnamese legislator, Tran Ngoc Chau. On Monday Chau was sentenced by a military tribunal to 20 years at hard labor, ostensibly because of contacts with his brother, a North Vietnamese intelligence agent, which he did not report to the South Vietnamese authorities. On Thursday Chau was taken by the police from the National Assembly Building in Saigon to jail.

The charges against Chau are regarded by many as a transparent pretext for silencing one of the most outspoken critics of the Thieu regime. The manner in which Chau's immunity was lifted and his trial conducted raises serious questions regarding President Thieu's attitude toward the Vietnamese Constitution and the justification for continued American respect or support for the Thieu government.

For the benefit of those who may not have followed the most recent developments in the Chau case may I point out that the petition used to justify the lifting of Chau's parliamentary immunity is apparently of dubious constitutionality. Two appeals on this point are pending before the Vietnamese supreme court. These appeals apparently should have entitled Chau to freedom pending decision. Furthermore, the authenticity of some signatures on the petition has been challenged. At least one Vietnamese deputy is reported to have declared before the trial that his signature had been forged and another has apparently asked that his name be withdrawn from the petition. Even if the constitutionality of the petition procedure is upheld, since the petition requires the signatures of a majority of the members of the assembly to be effective, the elimination of these two names would mean that the petition would not suffice to lift Chau's immunity. I should add that it has been widely reported that several of the other signatures on the petition were obtained by threats and bribery.

Mr. Chau was apparently tried and sentenced without benefit of counsel. According to a story by Mr. Robert G. Kaiser in Wednesday's Washington Post, the tribunal was unexpectedly convened an hour earlier than its normal starting time with the result that Mr. Chau's attorney had no opportunity to present his case. Mr. Kaiser reported that the court accepted, without question, the prosecution's suggestions for punishment.

As I explained on an earlier occasion, the circumstances of the Chau case seem to show that President Thieu's charges against Chau are politically motivated. Furthermore, it appears that the Amer-

ly restrictive so that they cause a certain amount of pinching and binding and a certain amount of pain."

There is no point in going further. If these are not truths, all the textbooks will have to be rewritten. William McChesney Martin Jr., who has just retired as chairman of the Federal Reserve Board, says simply: "You can change the nature of demand and alter the composition of supply, but you can't abolish the law of supply and demand. This is a law we must reckon with always."

Though the Government has been working for almost a year through its fiscal and monetary policy to slow the growth of demand, it took a long time for the economy to show any results. But by the end of the year there was not much room for doubt; all the indicators were showing the same thing, slowdown. The effects on the price level were still almost invisible, but that was always true this early in the game. There remained, however, a legitimate question of whether the slowdown in demand and output would last long enough to do any good.

There are those who think that it will not. Such men as Pierre Rinfret, the flamboyant business consultant, believe that the economy—and, with it, prices and wages—will go right on booming this year. There is some ground for this skepticism.

It has to do primarily with the American political process and the way Government expenditures and revenues are determined. Even before Mr. Nixon started the final stages of his budget-making process these things had happened:

Social Security benefits had been increased by 15 percent.

The income-tax surcharge was due to expire—partly a decision by the President, but a decision made in the weary assurance that Congress would never again extend it, as all the Congressional leaders said.

The tax reform and reduction bill, while putting off most revenue loss until later years, was due to reduce collections somewhat (beyond the expiration of the surcharge) in calendar 1970 and fiscal 1971.

The uncontrollable items in the budget—such things as interest on the debt, Medicare and veterans' benefits—and probably the pay of Government workers as well, were heading up by $7-billion or so.

Despite these problems, the President has managed to come up with a fairly credible budget of $200.8-billion showing a modest surplus of $1.3-billion. Fiscal policy is hardly massively restrictive—and probably not as restrictive as it ought to be. But the budget is consistent wtih the basic strategy of continued restraint on the economy.

Unfortunately, there is no assurance that by the time Congress gets through the budget will still be showing a surplus. There is a growing feeling in Washington that a rational fiscal policy verges on the impossible in the United States, given the diffused state of power and responsibility in Congress. The awareness that Congress in 1969 was acting in a fairly inflationary fashion on both expenditures and revenues—and the resulting belief that fiscal policy was beginning to soften—probably contributed to the business community's decision to increase again this year its investment in plant and equipment. This would not happen if business were convinced that markets were going to be weaker and stay weaker for some time to come.

But despite concern about Congress, the Administration's economic team is reasonably confident that fiscal policy will be firm enough this year to keep the policy of overall restraint on track. A major reason for the confidence is a conviction that monetary policy is, if anything, more powerful than fiscal policy. Mr. Burns and his men can keep monetary policy as tough as they want as long as they want, though this year will probably see some relaxation of the severe restraint that characterized most of 1969.

Herbert Stein, an owlish-looking, quietly humorous man who is probably the leading economic intellectual in the Nixon Administration, has begun to wonder aloud whether fiscal policy matters much at all. Stein, a member of the Council of Economic Advisers, keeps pointing out that the budget swung from a deficit of $25-billion in fiscal 1968 to a surplus of $3-billion in fiscal 1969, by far the biggest swing in modern history, and nothing much seemed to happen in the way of sharply checking the economy or its inflation. Noting that there will be a far smaller shift in the budget the other way this year, but also noting that monetary restraint continues, he remarks:

"What is astonishing is that after the experience of the last year, this prospective shift in the budget position should be assigned as much weight as it commonly is in appraising the outlook for inflation. . . . The expiration of the surcharge strengthens the case for expenditure restraint and for caution in other policy, but it does not mean that the anti-inflation game is lost."

At another point, Stein said: "Continuation of these policies will reduce the rate of inflation . . . There is no record of long continuation of the present rate of inflation with anything like the present degree of restraint. Uncertainty among economists about the size and timing of the effects of restrictive financial policy does not extend to the point of asserting that the effects are zero."

It is well at this point simply to accept the evidence of history. Mr. Stein is right. Even with a mild swing away from restraint in the budget, the policy, overall, is still very restrictive. If it does not work, we shall be faced with a situation equivalent to that facing the doctors who discovered that bleeding was not, after all, the best cure for disease. There is no evidence yet that we need be concerned on this score; the history of the postwar period shows that restraint works.

Who gets hurt when restraint does work? Here some figures are necessary. John F. Kennedy took office as President in January, 1961, at the bottom of the fourth postwar recession (albeit a mild one) and at the end of four years of sluggish economic growth (meaning, of course, sluggish demand and little inflation). In that month, there were 1.6 *million* Americans who had been out of work for 15 weeks or longer.

Subsequently, as we all know, the Government gradually adopted a policy of stimulating the economy, notably through the tax cut of 1964. The stimulation was overdone, as we also all know, following the intervention in Vietnam. And that is why we have inflation. But in late 1969 the number of unemployed who had been out of work for 15 weeks or longer was down to a rockbottom figure of a little more than 300,000 in a total labor force of more than 82 million. What is more, the modest rise in unemployment that occurred in 1969 as the policy of restraint began to have an effect has not changed the figure for the long-term unemployed—the hardship unemployed—so far.

In a typical recent month, a total of 3 million people were unemployed. Who were they?

Teen-agers seeking their first jobs.

Housewives looking for "second incomes" who have not yet found their first jobs since re-entering the labor force.

Machinery, auto or cannery workers who have been laid off temporarily, most of whom are receiving unemployment compensation.

People who have moved and are seeking employment in their new locations.

Finally, a relatively small minority who qualify as hardship cases because of the duration of their unemployment.

There are some interesting aspects to the figures. The 200,000 increase in the number of unemployed from December, 1968, to December, 1969, can be accounted for entirely by white workers. Through the figures for one or two months are not conclusive, Negro unemployment at the end of 1969 was at its lowest point in 17 years. Only 40 per cent of the 2.6 million people who were unemployed in December, 1969, had lost their jobs; the rest were new entrants or re-entrants into the labor force. Contrary to conventional beliefs, widespread layoffs are not the common experience in modern America, nor are they likely to be the common experience in a slowdown. It would be harder to *get* a job, but job losers would not necessarily increase much.

It is true that there have been some layoffs in the automobile industry, and there will be others in the more cyclical manufacturing industries. But less than 30 per cent of our nonfarm payroll employment is in manufacturing. The bulk of our labor force is now employed not in direct production but in transport, distribution, government and services, where jobs are much steadier. Chrysler lays off people when demand falls, but this is not true of the supermarket or the telephone company or the bank, not to mention the public school system or the police department.

What all of this says is that there is no direct connection between a rise in the national unemployment percentage and a rise in serious hardship. Still less necessarily is there a connection between a rise in the national unemployment percentage and "social unrest." Ghetto unemployment, particularly among teenagers, has been relatively high all along. The riots occurred when unemployment was about as low as it could get nationwide, and there is little evidence that a rise in the national unemployment rate toward 5 per cent from 4 per cent is, by itself, likely to increase social unrest—or indeed the basic social-racial problem. It may, but it may not. We have no reason for assuming, *a priori*, that it will. To make that assumption is the equivalent of assuming that fat corporation profits or union-induced wage increases are the cause of inflation.

Mr. Okun and others are quite right in pointing out that a rise in the unemployment rate creates real losses, even if it does not add much to genuine "hardship" unemployment. In the kind of slowdown we are talking about, more than half a million people who had held steady jobs may suffer five weeks of unemployment during the year. This will cut their income (and their spending—and, of course, inflation); it is no fun. But one must choose. This is the only way to check inflation—to get the rate of price increase down from its present 6 per cent, as measured by the consumer price index, to as little as 2 per cent.

A final thought on this point is relevant. Britain's unemployment rate, as a result of "austerity," has moved up from a fairly stable 1.5 per cent of the labor force to a fairly stable 2.5 per cent. Ten, or even five, years ago this would have been regarded as a prescription for social, and certainly political, disaster. In fact, there has been almost no outcry and the British economy is at last doing better.

Why is the price of added unemployment—even if it does not imply massive hardship—worth paying? Why not just take the inflation?

This is the hardest question of all for a democracy to answer. What is more, it is hard for the experts to answer. No man can say with total assurance that X will lead to Y—that the continuation of inflation will lead to some kind of truly massive hardship or permanently reduced well-being.

We are well aware that inflation hurts the aged and others living on fixed incomes. We all know that it hurts some of the poor (though some others, who get jobs or higher pay as a result of a tight labor market, benefit). We all know that inflation hurts savers

ican Embassy bears a measure of responsibility in this matter. Despite warnings of Chau's intention to disclose his past relationships with Americans, and I know that there have been such relationships, and despite recommendations from some American officials that the Embassy assist Mr. Chau, mission officers have been ordered to keep hands-off the Chau case. The apparent reason for this decision is our unwillingness to do anything which might displease President Thieu.

The real reasons for President Thieu's campaign against Chau and our hands-off policy seem to have little to do with Chau's contacts with his brother. Such contacts among members of Vietnamese families, divided by the war, are not at all unusual. Furthermore, Chau's contacts were known to high American authorities in Vietnam at the time they occurred. More recently, some of the best informed and most experienced American officials in Vietnam have said that they know of no grounds for believing that Chau is a Communist. It is interesting to note that although Chau's contacts with his brother had been known to the Thieu government at least since April 1969, and that Chau had openly acknowledged them in July, Thieu did not begin to press his charges against Chau until November 1969.

President Thieu's campaign against Chau must be considered against the background of Chau's open advocacy of a negotiated political settlement to the war. Because of the strength of Vietnamese sentiment for an end to the war, Chau's espousal of talks with the NLF apparently made him a potentially dangerous political rival and threatened to undermine Vietnamese support for continuing the war.

As I have stated before, Chau's credentials as a Vietnamese nationalist and opponent of communism are not questioned by those who are familiar with his record and his views. Given that fact, Chau's belief that peace can come only as the result of direct talks between Saigon, North Vietnam and the NLF takes on added significance. Chau wrote on this point in January 1969:

We have the right to call the National Liberation Front by a hundred terms which are bad, vile and most servile, but we must admit that this organization exists in reality, and that there could never be any peace talks which could bring an end to the war if we did not agree to make some concessions to this organization and thus to satisfy some of its minimum demands.

We have done this before with regard to some armed opposition groups. Why can't we do it again with regard to the National Liberation Front? Is it because this Front is Communist or dependent on the Communists?

That is the truth.

But at present, both we and the U.S. have realized that our army and the army, technical ability and resources of the most advanced modern power in the world can't exterminate them and because of that, we are forced to talk with them at the conference table.

Whether we like it or not, we are compelled to discuss the methods of ending the war in order to restore peace.

The unwillingness of the United States to intercede on Chau's behalf is perhaps all the more understandable when one notes that Chau blames the United States for the failure of the Paris negotiations. In the same interview quoted above, Chau said:

In the past the U.S. has proven its power through the evolution and shifts of power among the patriots and scoundrels among the leadership of the Vietnamese nation, and at present the U.S. is still the most influential power from our local level to the central government and from the companies and battalions to higher echelons.

If the U.S. had withdrawn some assistance items or some supply items, certainly what happened to President Diem, to the regime prior to 1963, would have happened to President Thieu, to the present regime.

With its available open and secret power, the U.S. is the main obstacle which blocks Viet Nam on the road to war or peace. If the U.S. does not agree with the RVN.

Therefore, let us demand that the U.S. reconsider its attitude at the Paris peace negotiation and at other peace talks to come.

It strikes me as unfortunate that the Embassy and the State Department are unable to maintain an attitude toward Vietnamese internal affairs which will permit such nationalists as Tran Ngoc Chau to play an active and constructive role in the pursuit of peace and the building of a truly democratic society in Vietnam. Instead, we find ourselves, once again, the willing servitor and apologist of a regime which seems to exploit the American presence, in the cause of self-perpetuation and not, as our rhetoric would have us believe, for the sake of self-determination.

STATEMENT OF SENATOR HRUSKA AT HEARINGS ON VOTING RIGHTS ACT

Mr. DOMINICK. Mr. President, the Senate will begin consideration of the Voting Rights Act next Monday. We will be discussing the administration proposal and a simple extension of the 1965 act.

The Senator from Nebraska (Mr. HRUSKA) is ranking Republican on the Constitutional Rights Subcommittee which has been holding hearings on these proposals. On February 18, he presented a statement to the subcommittee in support of the administration proposal. Many of us have not yet taken a position on this legislation. I found Senator HRUSKA's statement most informative and think it should be placed in the CONGRESSIONAL RECORD for our review and consideration over the weekend.

I ask unanimous consent that this statement be printed in the RECORD.

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

STATEMENT OF SENATOR HRUSKA

Mr. Chairman, last July this Subcommittee had hearings on a number of Senate proposals to amend and to extend the Voting Rights Act of 1965. Our hearings on those Senate bills were extensive and balanced. We heard from many witnesses, including Attorney General John Mitchell. Since our hearings a House bill has been considered and enacted by the House to accomplish this purpose. That bill is H.R. 4249, which, together with the Senate bills on which testimony was received in our hearings, is now pending before this Subcommittee.

H.R. 4249 was introduced in the House at the same time that S. 2507 was introduced in the Senate. They were identical bills, and were introduced on behalf of the Nixon Administration. Since the 1965 Act expires this August, the Administration sought to introduce appropriate legislation early in the 91st Congress to permit enactment before the existing law expired. This was a laudatory goal, and the Department's prompt sponsorship has permitted the Congress to move forward. Only Senate action is now required.

The bills before this Subcommittee, and those considered by the House, fall into two basic categories: those that seek merely to extend the 1965 Act, and those that seek to amend as well as extend the 1965 Act. H.R. 4249 seeks to amend as well as to extend. The difference, in my opinion, is primarily that of approach rather than of objective. They share the same fundamental purpose, that is, to enforce the guarantee of the 15th Amendment of the U.S. Constitution that the right to vote shall not be denied on account of race or color.

Both approaches are committed to the need to make more effective the voting rights of our citizens who are being denied the vote due to racial discrimination. However, H.R. 4249 goes further. It seeks, in addition, to make more effective both the rights of persons nation-wide who are denied the opportunity to vote because they are undereducated and the rights of those who are denied the opportunity to vote in presidential elections because they cannot meet local residency requirements.

Both approaches provide procedures for the appointment of federal voting observers and examiners. The 1965 Act, however, applies this procedure only to six states and parts of three others. H.R. 4249 would, on the other hand, extend this procedure to every state of the nation.

Both approaches provide procedures for challenging the laws of states or political subdivisions which are allegedly discriminating against the right of citizens to vote due to race or color. Again, basic remedies of the 1965 Act apply only to six states and parts of three others. H.R. 4249 would apply to all states equally.

I think these differences are strong arguments for H.R. 4249. The Nixon Administration unqualifiedly supports this proposal, and the House, by a majority vote, adopted this proposal. Let us consider its broad merits.

First, it abandons the onus of regional legislation that exists with the 1965 Act. The Act was passed, as I recall, for the purpose of bringing extraordinary remedies to bear on a few states of the union where voting discrimination seemed most prevalent. This judgment was based on the registration and voting records of these states in the 1964 presidential election. The Act's formula was a departure from the general rules of good legislation, and I feel, was a troublesome precedent for the future of our federal-state relations. The Congress, however, considered the problem to be critical and the formula contained in the 1965 Act to be the only solution. I want the record clear at this point that I voted for that Act, and am satisfied that the remedies applied had salutary results. We were told at our hearings last year that over 800,000 Negroes have been registered in the covered states since passage of the Act.

Mr. Chairman, times and circumstances change. Problems, while once critical and demanding of extraordinary remedies, over time evolve toward solutions. Registration in these affected states is now as good or better than in many other states in the union. Extraordinary remedies, in my opinion, should be necessary only to restore a situation to circumstances that can be dealt with by traditional and proven procedures. In my opinion, that time has come.

Next, H.R. 4249 extends the scope of the Attorney General's power to correct abuses

of the 15th Amendment rights anywhere in the country. This bill grants him direct authority to send federal voting observers and examiners to any of our fifty states. It clarifies his power to bring lawsuits and obtain injunctions against discriminatory laws in any state or political subdivision in the nation. It extends his power, once a particular case of discrimination has been proven in a court of law, to suspend future laws or practices in the appropriate states or subdivisions as long as the federal court having jurisdiction considers it necessary. Thus, while H.R. 4249 would relieve the six presently covered states from the burden of regional legislation, it would not weaken the Attorney General's ability promptly to correct voting abuses anywhere in the nation, including those states.

I think that it is obvious that discrimination does not exist in just one part of the country. Unfortunately, discrimination occurs in different places, in differing degrees, all over the country. The Administration's recommended bill would extend coverage of the Voting Rights Act to all of those instances of discrimination.

A third change from the present Act is that the Administration's bill will return the thrust of enforcement back to the judicial processes and away from the administrative procedures which now exist. This is important. Our system of government is based on checks and balances, and the judiciary has been the most consistently reasonable and fair arbiter in this system. Administrative procedures, in place of judicial remedies, might be necessary under extraordinary conditions, but should not be extended once the basic conditions improve. The unreviewable suspension power of the Attorney General over state and local laws contained in the 1965 Act is such an administrative power; it has served its function. Registration and turnout of voters in the covered states has greatly increased. Let us now return to our courts of law.

Furthermore, H.R. 4249 prohibits the use of literacy tests in any state in the nation. The 1965 Act was directed at the discrimination against Negroes in southern states resulting from use of literacy tests. However, it is becoming a well-known fact that literacy tests have the effect of discriminating against all educationally-disadvantaged citizens, of all races and colors. As Attorney General John Mitchell stated during the Subcommittee hearings last July:

"The widespread and increasing reliance on television and radio brings candidates and issues into the homes of almost all Americans. Under certain conditions, an understanding of the English language, and no more, is our national requirement for American citizenship.

"Perhaps, more importantly, the rights of citizenship, in this day and age, should be freely offered to those for whom the danger of alienation from society is most severe—because they have been discriminated against in the past, because they are poor, and because they are under-educated. As responsible citizenship does not necessarily imply literacy, so responsible voting does not necessarily imply an education. Thus, it would appear that the literacy test is, at best, an artificial and unnecessary restriction on the right to vote."

A recent study shows that, in general, states of the North and West which have literacy tests have lower registration and turnout rates than those without literacy tests. It can be little doubted that literacy tests in all states that have them inhibit voting by minority group persons. A nationwide ban on literacy tests, as proposed in H.R. 4249, would add numbers of educationally-disadvantaged black and whites, Mexican-Americans, Puerto Ricans, and American Indians to the voting rolls.

Finally, Mr. Chairman, the Administration bill will limit the application of state residency requirements in presidential elections. It may be reasonable to require a period of residency for local elections, but such a requirement has no relevance to presidential elections. Presidential elections receive nation-wide coverage, and the issues are nationwide in scope. The Bureau of the Census indicates that 5.5 million persons were unable to vote in the 1968 presidential election due to local residency requirements. In a increasingly mobile society, this problem must be resolved.

Mr. Chairman, I urge the members of this Subcommittee, and the witnesses who appear before us, to retain sight of the goal which we all share. That goal is to guarantee the right of each citizen to vote, recognizing in this guarantee that voting is the most fundamental right in a democratic society. The prominence of this right to the durability of our system, and the dedication we all share to enforcing that right, should lend dignity and calm reason to our inquiry.

The results under the 1965 Act are impressive, and all thoughtful men recognize that the Act has served the extraordinary purposes for which it was enacted. On the other hand, the facts and circumstances on which its regional remedies were based have changed. We should not assume that it is necessary to preserve the Act without change in order to continue the most active nationwide enforcement of the right to vote for all of our citizens.

LESTER MADDOX

Mr. HARRIS. Mr. President, the recent action of the Governor of Georgia, Lester Maddox, in handing out ax handles in the restaurant of the U.S. House of Representatives was an outrage and a disgrace. What a sickening thing to have happen, and Representative CHARLES DIGGS was quite right in trying to get Governor Maddox to come to his senses and correct his boorish behavior.

An editorial in today's Washington Star expresses my sentiments, and I ask unanimous consent that it be printed at this point in the RECORD.

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

GIVE HIM THE AX

The people of the sovereign state of Georgia, of course, like those of the other states, are entirely within their rights to elect anyone they wish as governor. They have exercised that right by electing Lester Maddox, who sprang to fame as a fried chicken king passing out ax-handles to customers so they could beat off any Negroes attempting to enter his emporium.

Also, it may be recalled that Calvin Coolidge, in another connection, noted that the fools of the nation are entitled to some representation in the government and they usually get it.

That said, there remains little excuse one can think of for the Georgians allowing their interesting specimen to come to Washington and pass out his weapons in the restaurant of the House of Representatives.

Coming as it did, just as the Stennis amendment has obscured, to say the least, the congressional intent to desegregate schools, Mr. Maddox's performance was a sickening reminder of some of the frightening realities behind the appeal to reason so loftily asserted by Senators Stennis and Ribicoff.

Mr. Maddox, it is said, is an amusing adjunct of his state house, receiving daily long lines of the people in somewhat the manner of a feudal lord and even going out to the byways if the people fail to show up in quantities sufficient to suit him.

Surely some simple method can be devised to keep him there. He represents a problem that should be solved by, not flaunted in, the nation's Capitol.

IMPENDING GAS SHORTAGE

Mr. HANSEN. Mr. President, during the controversy over oil import controls, I and others have warned that any decline in exploration and development of domestic oil reserves would also affect natural gas supplies.

There is a definite interrelationship between gas and oil which affects not only discoveries but, basically, the type of capital commitment, total capital commitment, and incentive for an industry.

During hearings before the Senate Interior Subcommittee on Minerals, Materials, and Fuels last November, the chairman and members of the Federal Power Commission testified that the wellhead price of natural gas was the most fundamental and controlling aspect of supply and that the exploratory effort of the industry is related entirely to gross revenues. When revenues have gone up, there has been a greater exploratory effort.

One of the commissioners who testified during these hearings, Carl E. Bagge, recently came out in favor of deregulation by the Federal Government of natural gas prices at the wellhead and called the cost-base area-rate approach a failure.

In commenting on a deepening supply crisis on natural gas, Commissioner Bagge said that after a decade of industrywide cost-based area rates, the regulatory process is equally as frustrated as it was in 1960.

I certainly agree with Commissioner Bagge's hypothesis that market forces rather than Federal control must prevail in pricing gas at the wellhead and I ask unanimous consent that an article from the Oil Daily, which reported a speech in which he expressed his views and recommendations on producer gas rate regulation, be printed in the RECORD.

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

[From the Oil Daily, Feb. 25, 1970]

AREA-RATE APPROACH "A FAILURE": BAGGE CALLS FOR DEREGULATION OF NATURAL GAS PRICES AT WELL

COLORADO SPRINGS.—A top federal natural gas regulator came out here Tuesday in favor of de-regulation by the federal government of natural gas prices at the wellhead—calling the cost-based area-rate approach a failure.

Commissioner Carl E. Bagge of the Federal Power Commission unleashed his bombshell recommendation at the 65th annual meeting of the Midwest Gas Association at the Broadmoor here.

Bagge, who has shown increasing irritation with the inability of the FPC to come to grips with the deepening supply crisis on natural gas, pointed out that a decade ago the FPC had jettisoned-utility approach to producer gas rate regulation because it was unworkable.

Then it opted for the area-rate style of regulation, proposing that prices be set on the over-all financial requirements of the producing industry as a whole.

"Today," Bagge declared, "after a decade of industry-wide cost-based area rates, the

in Belvidere is consistently harmless to aquatic life, Roche has designed a large aquarium where fish will live and breed in water receiving a continuous sample of treated waste, thus serving as an exceedingly sensitive biological monitoring system.

Round-the-clock vigilance: Day and night, seven days a week, sensitive, sophisticated electronic equipment monitors the quality of fumes, steam, water, and other effluents at Roche. Should any malfunction threaten, an alarm immediately alerts one of the operators who are in constant attendance; thus prompt action is taken before any problem arises. Automatic detection systems and recording apparatus also produce continuous permanent records which indicate that Roche operates well below State limits.

Planned prevention: In designing new processes and equipment, Roche engineers pay special attention to the prevention of the escape of fumes, dust, solid particles, acids, and other potentially harmful substances. By switching from fuel oil to gas and to expensive low sulfur fuel oil, Roche took a major step in minimizing the formation of sulfur dioxide—a serious threat to air purity. By modernizing both of its incinators, switching from oil to gas firing, and compacting waste, the emission of smoke and fly ash has also been effectively controlled.

Looking ahead: As Roche continues to grow and to produce new and better weapons in the fight against pain and disease, all its planning and designing of new buildings and processes will continue to provide for ever higher standards of air and water purity—both in the Nutley-Clifton area and in Belvidere.

V. D. MATTIA, M.D.,
President and Chief Executive Officer.

ABNER MIKVA LEADS THE FIGHT AGAINST "NO-KNOCK"

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 25, 1970

Mr. KOCH. Mr. Speaker, our colleague from Illinois (Mr. MIKVA) has been leading the fight against the "no-knock" provision of the administration's drug control bill. His major arguments showing how pernicious that proposal is are set forth in an editorial appearing in Chicago Today. I would urge our colleagues to read it because it so clearly presents Mr. MIKVA's sensible objections to the provision which would pose a mounting threat to our citizens' right of privacy in their homes. The editorial follows:

SHOOTOUT ON THE "NO-KNOCK" LAW

In all the testimony for and against the administration's drug control bill with it famous "no-knock" provision for police raids, the most persuasive we've seen came from Rep Abner J. Mikva (D., Ill.), who testified Wednesday before the House subcommittee considering the bill.

Mikva is against the no-knock provisions, as we are, and for the same person: A law allowing police to burst into a private dwelling unannounced, no matter how helpful it would be in catching suspects with the evidence, would knock a frighteningly big chip out of the citizen's presumed right to privacy. And the erosion certainly would not stop there.

As Mikva observed, if this provision is "necessary" to catch drug violators—as its proponents claim—it can be shown to be equally necessary in raiding, say, gamblers or suspected conspirators. They too might get rid of some incriminating evidence if alerted by a police knock. Where does it stop?

Mikva pointed out, however, an odd contradiction in the claim of "necessity." He said:

"When pressed to justify the no-knock procedure, its advocates inevitably fall back on a curious argument of nonnecessity. After arguing that the provision is essential, [they] turn around and indicate that the measure will not be used very often. They point to the experience in New York state, where authorities used no-knock warrants only 12 times in a single year. . .

"If no-knock is 'necessary,' then why wasn't it used more often? If it isn't really necessary, as the New York experience seems to indicate, then why should Congress authorize it anyway? Is the apprehension of 12 pieces of evidence worth this kind of inroad on our liberty?"

Aside from constitutional and policy objections, Mikva brought up this very practical one. "The reaction of the average citizen to an unexpected attempt to break into his home is to fight like hell. There are now some 90 million firearms in 60 million households thruout this country. In this situation, a no-knock provision is an invitation to a shootout with police. It will result in more dead policemen, more dead citizens, and more firearms violence in America."

We hope these sensible objections will help sober up Congress from its current stampede, in which anything goes if it can be labeled "law and order."

SOUTH AFRICA AND VIETNAM: PARALLELS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 25, 1970

Mr. BINGHAM. Mr. Speaker, I recommend that my colleagues in the House, and other readers of the RECORD, examine carefully the following two items from today's Washington Post and New York Times, and ponder the parallels:

[From the Washington Post, Feb. 25, 1970]

TWO LEGISLATORS WITHOUT COUNSEL ARE CONVICTED QUICKLY IN SAIGON

(By Robert G. Kaiser)

SAIGON, February 25.—Tran Ngoc Chau, the House deputy who President Thieu accused of helping the Communists, was sentenced to 20 years at hard labor this morning by a military court. Another deputy, Hoang Ho, was sentenced to death on a charge of treason.

Neither defendant attended the trial, which lasted about half an hour. Attorneys representing the accused deputies came to the courtroom expecting the session to begin at 9 a.m., only to find it had begun at 8. Journalists had the same experience. Vietnamese observers said the court had always met at 9 in the past.

After announcing its verdicts, the court issued an order for the arrest of Chau and Hoang Ho.

An hour and a half later, however, Chau was giving interviews to the press in the National Assembly building, and no officials had appeared to arrest him. Hoang Ho's whereabouts are unknown. Reuters quoted his wife as saying he had left the country.

Chau said the fact that he was not hiding from the police proved he was not a Communist. He also said that his conviction was unconstitutional, and that anyone who wanted to arrest him "will have to use a weapon—a rifle, a bayonet—to get me out of here."

Under the terms of this morning's verdict, handed down by a court of five army officers, Ho and Chau will also lose all their private property. Both are married and Chau has seven chilldren.

However, today's verdict is not likely to be the final legal word in the case. Under Vietnamese law, Chau is entitled to another trial after he is arrested, since he was absent for this one. Even if the sentence against him stands, it may be less harsh in practice than it sounds. Other politicians sentenced to hard labor in the past have ended up in relatively comfortable circumstances.

The military court accepted the prosecution's suggestions for punishment, and accepted the prosecution's case without question.

The action is certain to set off a legal set-to here. The trial was pressed ahead despite appeals to the Supreme Court protesting that Chau was deprived illegally of his congressional immunity.

Progovernment deputies claim they removed Chau's and Ho's immunity by getting three-fourths of the members of the House of Representatives to sign a petition authorizing their prosecution. The accused say this petition is an unacceptable substitute for formal floor action. Even the government's supporters admit they could not have got a three-fourths floor vote against the deputies, if only because attendance at the House is so spotty.

The Supreme Court has already begun deliberating the constitutionality of the petition. There have been some signs that the court might take this opportunity to make its first significant break with President Thieu. Many prominent lawyers have attacked the petition as illegal, and no recognized attorneys outside Thieu's immediate circle have defended it.

It was unclear this morning what would happen if the court found that the petition was illegal. Vietnamese observers doubt the government would respect such a decision after Chau and Ho had been convicted, but the situation would be unprecedented.

Throughout the Chau case the government has tended to ignore legal niceties. The episode began after Chau's brother, Tran Ngoc Hien, was arrested last year as a spy for North Vietnam. In a confession, Hien said he had met often with his brother Chau during the last five years.

Chau and Hien both claimed these meetings were argumentative, fraternal sessions, and that Chau did nothing to help his brothers' espionage work. Chau contends he was trying to arrange direct negotiations with North Vietnam and the National Liberation Front through his brother.

Chau has claimed in several interviews in recent weeks that the U.S. government was fully informed of his contacts with his brother since 1965. Chau said he told many high U.S. officials of his meetings, and U.S. officials encouraged him to maintain his contacts. The U.S. Embassay here has refused to comment on this claim.

Chau was waiting for reporters in the House this morning. He has been living there all week as a kind of sit-in protest against his prosecution. He said: "I consider my actions so far in the past 25 years as a service I render to my country." He also charged that the government condemns unity, reconciliation with the Buddhists, and a just peace settlement in Vietnam." Chau has long advocated a dovish policy of "national reconciliation" to settle the war.

Last fall, President Thieu began speaking out publicly against Chau and two other deputies—including Ho—who he accused of helping the Communists. Thieu was soon campaigning openly and vehemently for the House to take action against these three. The petition, which theoretically allowed

prosecution of two of them, was the culmination of the campaign.

As soon as the government had the petition in hand it moved against Chau and Ho, authorizing the defense minister to prosecute them in a military field court set up to handle cases involving national security. The court wasted no time reaching its verdict.

The case against Hoang Ho was based on his implication in a Communist spy ring, several of whose members were convicted in the same court last year. Confessed members of the ring said Ho was a principal member of it. Ho has denied any connection with the spies.

[From the New York Times, Feb. 25, 1970]

AGAIN, SOUTH AFRICAN "JUSTICE"

In its treatment of 22 blacks charged with working for the banned African National Congress, South Africa seems determined to outdo even its own appalling record for "legal" cruelty and hypocrisy. The prosecution in Pretoria was having deep trouble making a case against the defendants under the Suppression of Communism Act, so it abruptly dropped the charges.

The judge told the accused they had been found not guilty, but even while they were rejoicing in the Supreme Court at this unexpected turn they were rearrested under the Terrorism Act, then hauled back to prison. Now they can be held indefinitely without charge—incommunicado, with no right to counsel, no *habeas corpus*, no bail—as they were before being charged last October.

The prosecution was obviously embarrassed by two things: One was the triviality of its own "evidence" against the defendants. The other was the persistence of Justice Simon Bekker, rare in South African courtrooms nowadays, in inquiring into the pretrial treatment of state witnesses, some of whom had also been detained for months under the provisions of the Terrorism Act.

Nomyamise Madikizela, twenty, held in solitary for six months, told the court how police had threatened her with ten years in prison if she refused to testify against her sister, Mrs. Nelson Mandela, wife of the leader of the African National Congress, now serving a life term. A young Indian woman refused to give evidence against Mrs. Mendela and another defendant, even though she was kept in solitary for six months and interrogated constantly for five days while forced to remain on her feet.

The prosecution's strategy seems clear: It will simply hold the defendants under the Terrorism Act until more "evidence" can be obtained or concocted by the bestial methods that have become a hallmark of South African "justice."

In addition to being charged with furthering Communism, the defendants were accused of having "encouraged feelings of hostility between the races." It would be hard to conjure up a more effective weapon than South Africa's warped concept of "justice" for advancing Communism and racial hostility in that country and beyond.

PARAPSYCHOLOGY, ENERGY, AND YOUR LIFE—PARTS V AND VI

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 25, 1970

Mr. BROWN of California. Mr. Speaker, over the past week, I have been inserting in the RECORD a fascinating series of lectures dealing with philosophy for our times by Mr. Irving Laucks of Santa Barbara, Calif.

I was enthused by the deep thought Mr. Laucks reaches in his analyses and recommendations and I am now putting into the RECORD the final two segments of this six-part series:

PARAPSYCHOLOGY, ENERGY, AND YOUR LIFE—V

(By Irving Laucks)

PSYCHIC ENERGY AT WORK

At various times in this series of talks I have spoken of the superior power of psychic energy, of its control of other forms of energy, and of its operation in a third realm or dimension quite different than space and time with which we are so familiar.

Let me clarify how I use this word dimension. I call space one dimension, time a second, and energy a third. We often hear that there are three dimensions of space, but that is only near earth or some other body of matter. Out in space all of these are *one*. It is the third dimension or realm of energy that The Cooperators believe is so important for the future of mankind.

After the serious study and experimentation of psychic phenomena began not quite a century ago it was soon realized that a previously unrecognized form of energy was acting. This was called psychic energy. That was still in the horse and buggy age. I have been told before the story of the great Gladstone wondering what Faraday was going to do do with his electric energy. Chemists had barely begun to show what chemical energies could do, and had no idea that they would later be called upon to supplement the farmer as producers of human food. And, of course, there was no realization whatever that solid matter itself was merely another form of energy.

The knowledge of all the various kinds of energy (except that of motion and of gravity) was begun by people with sufficient curiosity to follow up queer phenomena which they were unable to explain. Electrical, chemical, magnetic, nuclear all started this way, and have been developed by hard work. Psychic energy is following the same course, although its mystery is even more baffling at present, and needs much more work done on it.

Psychic energy seemed to be connected in some way with human beings. Not long before this, various unfortunate persons who possessed an unusual amount of it and hence had unusual powers had been persecuted as witches. In fact, they still are—maybe not quite as horribly. The Church connected them with the Devil. So psychic energy's early manifestations were under quite a cloud.

Then also, certain manifestations of it could easily be imitated fraudulently, by tricks, and this of course increased the suspicion under which all honest experimenters labored. Such doubts have lingered to the present day, and have greatly hindered progress in learning of this subject.

I spent fifty years of my life as a chemist—with some success. The science of chemistry was fathered by alchemy, not long prior to the start of psychic research. There was much skulduggery and crookedness mixed up in alchemy but that has not deterred the modern chemists who, in general, I believe, have a pretty fair reputation for accomplishment. So I am not discouraged in psychic research by a shady parentage.

The best know display of psychic energy is so common that we think nothing of it. The process of using our intellects to *think* is available to every human being in varying degree. Actually this ability spreads downward in the animal kingdom quite a ways. Maybe it even determines what we call life. We are finding it displayed remarkably in the dolphins. I say remarkably because man generally thinks of himself as having a monopoly of the ability to think. Some matter-minded scientists still cling to the idea that thinking is a phenomenon of the matter of the brain—but then I believe that there are still people who insist that the world is flat—even after the pictures taken from the moon. I never could figure out how these materialistic scientists accounted for the fact that Einstein's brain was not much different in *size* and *weight* than many other of the higher animals while he had infinitely more power to think.

I suppose there is no need to remind this audience that the psychic energy of man has been able to control all other kinds of energy that he has discovered so far. He is having considerable trouble with the last one found—nuclear energy, but give him a little more time. Do I hear some one object that he exercises this control simply by means of material or mechanical devices? Such objections do not go back far enough. First comes the thinking—maybe assisted by a pencil and paper—or maybe even by a computer. The final machine or apparatus desired is only the last step.

But if the doubter still doubts, there is plenty of evidence of direct control of other energies. Let him consider the following:

At the end of the last century there was a man, D. D. Home in England who was observed by a number of reputable witnesses to rise off the floor at will. Once he was observed to float out of an open third story window and float back in another. These feats were duplicated by an English clergyman, Stainton Moses, and others. An Italian peasant woman, Eusapia Paladino, was able to raise heavy objects by no physical means, and occasionally to raise herself, among other apparently impossible feats.

These are all examples connected with people of European descent, among whom it is noteworthy that psychic energy is possessed to a much smaller degree in modern times. A number of mystics and saints of the Catholic Church also have been reported to have had such powers. Some as late as the 17th century. All ancient history is replete with examples.

Reliable reports are plentiful, however, of the present ability of Indian Yogis and other Orientals to perform such "miracles". The Yogi retires to the solitude of the Himalayas to meditate, that is, to study the workings of the human mind or its psychic energy. He is reported much annoyed when involuntarily he levitates as a by-product of his meditation. The same is true of the Sufis of the Moslems. Besides levitating, these psychics have a number of other "miraculous" abilities—miraculous to the Western comprehension, nevertheless entirely natural according to the powers of psychic energy—a universal force which the materialistic West has temporarily lost touch with due to the growth of materialism in the last few centuries. For example, Yogis have amazing control of their own bodily functions, which has also been demonstrated by various other psychics, from Edgar Cayce down to practitioners of psychosomatic medicine.

There is a reciprocal effect operating in some of these phenomena of psychic energy. This has been well demonstrated in E.S.P. (extra-sensory perception). Communication depends for success on both sender and receiver being attuned. Something of the sort happens with other psychic phenomena, a psychic has difficulty in demonstrating to a hostile audience. Some psychics have attempted to demonstrate before audiences who had paid admission. Psychic energy cannot be turned on by throwing a switch or pressing a button. Some performers, when their powers failed them before doubting audiences, have resorted to trickery, which generally is easily detected. This also has tended to cast suspicion on all psychic phenomena.

One phenomenon of ESP has been turned to very practical use, after having been derided for a century after its re-discovery by Mesmer. Hypnotism, "mesmerism," a variety of ESP, has been put to much practical use today by the medical profession.

WASHINGTON POST DATE 2 MAR 70 PAGE 15

Saigon Deputy Tried Again

SAIGON, March 2 (Monday) (AP) — Fiery legislator Tran Ngoc Chau, accused of pro-communist activities, went on trial today for the second time in five days. The military trial began under tight security.

He is accused of having contacts with an admitted Communist agent, his own brother, Tran Ngoc Hien, who is expected to testify for the government. Another brother, Trau Chau Khang, a former government information agent now in prison for pro-Communist activity, is also expected to testify for the government.

Chau was jailed Thursday after a melee at the National Assembly building, where he had been holed up since last Monday. A five-man military tribunal convicted him in absentia Wednesday and sentenced him to 20 years at hard labor.

Under Vietnamese law, a person convicted in absentia is entitled to retrial after he is taken into custody.

THE EVENING STAR DATE 1 PAGE 12

2 Viet Deputies 'Guilty,' One Appeals to Nixon

By DONALD KIRK
Star Staff Writer

SAIGON—A military court today officially ended the case of two National Assembly deputies accused of aiding the Communists by sentencing one to death and the other to 20 years in prison.

It was clear immediately after the five-man court passed the sentence, however, that the politically combustible case was far from over.

One of the deputies, Tran Ngoc Chau, appealed to President Nixon to intercede and promptly began what turned out to be a day-long press conference in his office in the assembly building. He challenged police to "come and get me."

U.S. Casualties Cited

Chau was sentenced to 20 years in prison, for secret contacts with his brother, now serving a life sentence for his activities as a Communist intelligence officer.

Chau said police would have to "capture me with bayonets and other weapons and beat me until I'm unconscious" before he would leave the assembly building.

(Chau, 46, said he sent a plea by cable to President Nixon to intercede in behalf of himself and other Vietnamese politicians in jail, the Associated Press reported.

("For these liberties you take for granted, 40,000 of your sons and over 200,000 of our sons have died," he told Nixon. "Let not their sacrifices be in vain.")

The reason American officials objected—in private, never publicly—was that Chau had provided information to American agents while serving several years ago as chief of the Upper Delta province of Kien Hoa, still heavily influenced by local Viet Cong guerrillas despite gains in the past year in the allied pacification program.

The indictment said that Chau had informed American agents—probably representatives of the Central Intelligence Agency—of meetings with his brother, Capt. Tran Ngoc Hien, but had never told his South Vietnamese superiors.

In interviews with reporters in his home here, Chau has charged both U.S. officials and Thieu "betrayed" him by not blocking the government's case. "I am no Communist, I am a genuine nationalist fighting for the cause," Chau reiterated today after the 20-minute trial.

Besides reflecting on American-Vietnamese relations, the case symbolized the question of the power of the executive branch of the government here as opposed to the National Assembly. The accused deputies were immune from prosecution under the Constitution until 102 deputies signed a petition waiving that immunity.

Chau claimed some of the deputies were "bribed," said he would appeal to such organizations as the International Parliamentary Union, the International Human Rights Commission and the International Association of Lawyers.

At the bottom of the government's distaste for Chau and Hoang Ho is that both of them appear sympathetic with moves for compromise to end the war. Thieu has repeatedly indicated his government will resist a coalition and fight to the end.

Chau made clear today his views had not changed. He urged Thieu to "cooperate with opposition leaders, reconcile with Buddhists, build a genuine nationalist force capable of extricating South Vietnam from the clutches of the Communists and heavy dependence on foreign countries."

Viewed As Neutralism

This statement might not appear pro-Communist in itself but government officials view it as an appeal for a "neutral" foreign policy. They believe neutrality would play into the hands of the Communists, who also call for a "neutral" position.

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WASHINGTON POST DATE 25 FEB 70 PAGE 1

2 Legislators Without Counsel Are Convicted Quickly in Saigon

By Robert G. Kaiser
Washington Post Foreign Service

SAIGON, Feb. 25 (Wednesday) — Tran Ngoc Chau, the House deputy who President Thieu accused of helping the Communists, was sentenced to 20 years at hard labor this morning by a military court. Another deputy, Hoang Ho, was sentenced to death on a charge of treason.

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After announcing its verdicts, the court issued an order for the arrest of Chau and Hoang Ho.

An hour and a half later, however, Chau was giving interviews to the press in the National Assembly building, and no officials had appeared to arrest him. Hoang Ho's whereabouts are unknown. Reuters quoted his wife as saying he had left the country.

Chau said the fact that he was not hiding from the police proved he was not a Communist. He also said that his conviction was unconstitutional, and that anyone who wanted to arrest him "will have to use a weapon—a rifle, a bayonet—to get me out of here."

Under the terms of this morning's verdict, handed down by a court of five army officers, Ho and Chau will also lose all their private property. Both are married and Chau has seven children.

However, today's verdict is not likely to be the final legal word in the case. Under Vietnamese law, Chau is entitled to another trial after he is arrested, since he was absent for this one. Even if the sentence against him stands, it may be less harsh in practice than it sounds. Other politicians sentenced to hard labor in the past have ended up in relatively comfortable circumstances.

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See SAIGON, A13, Col. 1

SAIGON, From A1

The action is certain to set off a legal set-to here. The trial was pressed ahead despite appeals to the Supreme Court protesting that Chau was deprived illegally of his congressional immunity.

Progovernment deputies claim they removed Chau's and Ho's immunity by getting three-fourths of the members of the House of Representatives to sign a petition authorizing their prosecution. The accused say this petition is an unacceptable substitute for formal floor action. Even the government's supporters admit they could not have got a three-fourths floor vote against the deputies, if only because attendance at the House is so spotty.

The Supreme Court has already begun deliberating the constitutionality of the petition. There have been some signs that the court might take this opportunity to make its first significant break with President Thieu. Many prominent lawyers have attacked the petition as illegal, and no recognized attorneys outside Thieu's immediate circle have defended it.

It was unclear this morning what would happen if the court found that the petition was illegal. Vietnamese observers doubt the government would respect such a decision after Chau and Ho had been convicted, but the situation would be unprecedented.

Throughout the Chau case the government has tended to ignore legal niceties. The episode began after Chau's brother, Tran Ngoc Hien, was arrested last year as a spy for North Vietnam. In a confession, Hien said he had met often with his brother Chau during the last five years.

Chau and Hien both claimed these meetings were argumentative, fraternal sessions, and that Chau did nothing to help his brother's espionage work. Chau contends he was trying to arrange direct negotiations with North Vietnam and the National Liberation Front through his brother.

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The case against Hoang Ho was based on his implication in a Communist spy ring, several of whose members were convicted in the same court last year. Confessed members of the ring said Ho was a principal member of it. Ho has denied any connection with the spies.

THE EVENING STAR DATE [illegible] PAGE 6

Viet Deputy Starts Sit-In At Assembly, Assails Bunker

SAIGON (AP) — A South Vietnamese deputy accused of pro-Communist activities began a sit-in in the National Assembly building today and said U.S. Ambassador Ellsworth Bunker is deceiving anti-Communists in South Vietnam.

Tran Ngoc Chau, a 46-year-old House member, emerged from seclusion and went into an office just as his trial was about to start. He vowed to stay there "night and day" until the trial is over and defied the government to arrest him.

The trial, instigated by President Nguyen Van Thieu, was postponed without explanation until Wednesday.

"Deceived" by Envoy

Chau called the trial unconstitutional and said Thieu was pressing the case against him in an effort to silence all political opposition. He said the clampdown is related to the American policy to "Vietnamize" the war.

"I think that President Thieu and many anti-Communist personalities in South Vietnam are being deceived by Ambassador Bunker in a most dark scheme whereby the new American policy can be realized," Chau said. American policy, he said, is to "establish and consolidate a government representing a minority in South Vietnam."

TRAN NGOC CHAU

He said that since such a government would be backed by the South Vietnamese army, "the United States would influence this government more easily, particularly regarding the problems of conducting the war and restoring peace."

Chau also said his American friends had been instructed by Bunker to cease all contact with him.

The U.S. mission had no comment on Chau's charges.

Contacts with Brother

Chau is accused of having illegal contacts with his brother, Tran Ngoc Hien, who is now serving a prison term for being a Viet Cong intelligence agent.

He said he has no intention of appearing before the five-man military tribunal.

Government sources said there were no plans to arrest Chau unless he is convicted by the court.

Chau predicted he would be convicted and that after the trial "the government will come here to arrest me or probably execute me."