SENATE

THURSDAY, SEPTEMBER 19, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the President pro tempore.

Hon. KENNETH B. KEATING, a Senator from the State of New York, offered the following prayer:

Our Heavenly Father, we commend ourselves to Thee. Wilt Thou guide our minds, our hearts, and our lips in everything we do, that we may better serve our country and, above all, serve Thee.

Wilt Thou be with all the Members of the Senate and their families, particularly with those who may now be impaired in health or suffering in some manner unknown to their colleagues.

We thank Thee for the help Thou hast given in the past to our Nation and to those of us who endeavor to serve our Nation in the Halls of Congress.

We ask it in Thy name on this day of dedication. Amen.

Mr. MANSFIELD. Mr. President, I wish to take this means to express to the distinguished Senator from New York [Mr. KEATING] my deep appreciation for the prayer he has just offered. It was most moving and touching, and I think it was in the best possible taste. I believe the Senate is indebted to this distinguished Member of the Senate for the prayer he offered in the Senate Chamber this morning.

COMMENTS ON SENATORS' DECISIONS ON THE NUCLEAR TEST BAN TREATY

Mr. MANSFIELD. Mr. President, I have been disturbed by a trend during the course of the debate on the question of Senate approval of the nuclear test ban treaty, as reflected by a tendency on the part of columnists, commentators, cartoonists, and organizations, to question the integrity and motives of Senators in connection with their decisions to vote either for or against Senate approval of the treaty.

In my opinion the treaty has caused a great deal of soul searching by the great majority of Senators. I do not question the motive of any Senator in connection with his consideration of the treaty, because I know each Senator has given the matter deep and thoughtful consideration; and I am sure each Senator is aware of the terrible responsibility which is his as an elected official.

No Senator has been irresponsible. No Senator has sought to delay the Senate's consideration of the treaty. No Senator has advocated anything except what he thought would be in the best interests of the United States.

Therefore, Mr. President, I hope that when this issue is decided, no columnist, commentator, cartoonist, or organization will impugn the patriotism or good faith of any Senator, but that, instead, all will realize that the Senate, in its collective wisdom, will have done its best in facing this knotty and difficult question.

Insofar as patriotism, integrity, and responsibility are concerned, these labels should be applied equally to all Senators—both to Senators who vote in favor of Senate approval of the treaty and to Senators who vote against it.

ORDER FOR ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 10 o'clock tomorrow morning.

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

NOMINATION

Mr. MANSFIELD. Mr. President, I ask that the Senate now proceed to consider the nomination on the Executive Calendar.

COMMODITY CREDIT CORPORATION

The legislative clerk read the nomination of George L. Mehren, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

Mr. MANSFIELD. Mr. President, for the information of the Senate, let me state that, in the opinion of the leadership, the action just taken does not constitute a break with our statement that no other business would intervene before final action on the treaty was taken. The nomination has the unanimous approval of the committee, and meets with the approval of the leadership.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour, and that statements in that connection be limited to 3 minutes.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 18, 1963, was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Housing, of the Committee on Banking and Currency, was authorized to meet during the session of the Senate today.

PERSONAL STATEMENT BY SENATOR ROBERTSON

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two items from the news ticker, dealing with my complaint that an Associated Press story last Monday misrepresented the views I expressed in a Senate speech opposing ratification of the limited nuclear test ban treaty.

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

WASHINGTON.—Senator A. WILLIS ROBERTSON, Democrat, of Virginia, complained in the Senate today that an Associated Press story last Monday misrepresented the views he expressed in a Senate speech opposing ratification of the limited nuclear test ban treaty.

ROBERTSON said in the Monday speech:

"Knowing what I do about the military issues involved, I would violate the dictates of my conscience if I voted for the pending treaty."

In the Associated Press story, a sentence intended to quote ROBERTSON as saying it would violate his conscience to support the treaty quoted him inadvertently as saying that he would "violate the dictates of my conscience" to support the pact.

A correction was sent later but the original version of the story was published in some newspapers.

ROBERTSON told the Senate today he had seen the erroneous story in Monday's edition of the Los Angeles Herald-Examiner. He read a telegram he sent to that newspaper asking that it publish a correction "making clear that I oppose the treaty, that I am going to vote against it, and that I said so in my floor speech, Monday, September 16."

ROBERTSON told the Senate the Associated Press is "a fine agency and they did not mean to misrepresent me," but added: "I have received telegrams and letters which expressed the feeling that the writers were shocked that a man would violate his conscience by voting for the treaty."

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, told ROBERTSON, "I know the distinguished Senator from Virginia is not really worried about this misquotation because there is not a living mortal in Virginia or outside Virginia who would ever believe that the Senator from Virginia would vote against his conscience and what his conscience directs him to do."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

H.R. 772. An act to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich. (Rept. No. 508); and

H.R. 4842. An act to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes (Rept. No. 509).

JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS—REPORT OF A COMMITTEE—INDIVIDUAL AND SUPPLEMENTAL VIEWS (S. REPT. NO. 504)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with an amendment, the concurrent resolution

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

(S. Con. Res. 1) to create a joint committee to study the organization and operation of the Congress and recommend improvements therein, and I submit a report thereon, together with the individual views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT], and the supplemental views of the Senator from Pennsylvania [Mr. CLARK]. I ask unanimous consent that the report be printed, including the individual and supplemental views.

The PRESIDING OFFICER (Mr. HART in the chair). The report will be received, and the concurrent resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

AUTHORIZATION FOR FORMER PRESIDENTS TO ADDRESS THE SENATE—REPORT OF A COMMITTEE (S. REPT. NO. 505)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, the resolution (S. Res. 78) admitting former Presidents of the United States to a seat in the Senate as Senators at Large with certain privileges, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and printed, and the resolution will be placed on the calendar.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 507)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, the resolution (S. Res. 89) providing for germaneness of debate under certain conditions, and I submit a report thereon, together with the individual views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT]. I ask unanimous consent that the report be printed, together with the individual views.

The PRESIDING OFFICER. The report will be received and the resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

MEETINGS OF COMMITTEES WHILE SENATE IS IN SESSION—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 506)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, the resolution (S. Res. 111) amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, and I submit a report thereon, together with the individual views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT]. I ask unanimous consent that the report be printed, together with the individual views.

The PRESIDING OFFICER. The report will be received and the resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

BILLS INTRODUCED

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

By Mr. BIBLE (by request):

S. 2155. A bill to provide for regulation of the professional practice of Certified Public Accountants in the District of Columbia, including the examination, licensure, registration of Certified Public Accountants, and for other purposes; and

S. 2156. A bill to provide that the Commissioners may accept or permit the acceptance of the performance by volunteers of services for and on behalf of the municipal government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. JOHNSTON (by request):

S. 2157. A bill to amend title 13, United States Code, to provide for the payment of local telephone service in private homes;

S. 2158. A bill to clarify the intent of Congress with respect to certain annuity increase legislation; and

S. 2159. A bill to extend life insurance and health benefits coverage to non-U.S. citizen employees, and health benefits coverage to retired non-U.S. citizen employees, whose permanent duty station is or was in the Canal Zone; to the Committee on Post Office and Civil Service.

NUCLEAR TEST BAN TREATY—RESERVATIONS

Mr. TOWER. Mr. President, I submit two reservations to the nuclear test ban treaty and ask that they be printed. I ask that the two reservations be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The reservations will be received, printed, and will lie on the table; and, without objection, the reservations will be printed in the RECORD.

The reservations are as follows:

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until the President shall have determined and certified to the Senate that all assessments for the financing of peace and security operations of the United Nations, heretofore made by the United Nations upon the Union of Soviet Socialist Republics, have been fully paid".

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until such treaty has been revised by the original parties so as to provide for a system of on-site inspections adequate to detect any violation thereof, and advice and consent to the ratification of the treaty as so revised has been given by the Senate".

Mr. TOWER. Mr. President, first, I have offered a reservation providing that the U.S. instrument of ratification of this treaty not be deposited until the President has determined and certified to the Senate that all assessments for the financing of peace and security operations of the United Nations made by the U.N. upon the Soviet Union have been fully paid by the Soviet Union.

I note that in the preamble of this treaty which the Soviet Union signed there is mention of actions to be taken—and here I quote the language of the treaty—"in accordance with the objectives of the United Nations".

I submit then, that if we are to believe that the Soviet Union is at long last to adhere to the objectives of the United Nations, it is not unreasonable to ask that the Soviet Union demonstrate her good faith by paying up the $52,622,137 arrearage she has amassed.

For 18 years the Soviet Union has done its utmost to sabotage the United Nations—through 101 security council vetoes, by refusing payment of dues for peace operations, by the troika plan for three Secretaries General, and by propaganda abuse. And yet, after the Cuban missile crisis Premier Khrushchev said—and I quote—that he "passionately wished the U.N. to develop as an instrument of strengthening peace and of organizing cooperation between states."

I suggest that this Senate give the Premier his opportunity of achieving his "passionate" desire. If this is to be a peacemaking treaty and a cooperation treaty, we need some assurance that the Soviets really mean it this time.

The Soviet Union owes the United Nations Emergency Force a total of $15,638,166. She owes the United Nations Operation in the Congo a total of $36,984,971. These are legal obligations of the United Nations according to a ruling of the International Court of Justice. If legal obligations are not paid, the U.N. will eventually flounder in bankruptcy.

Before we accept a Soviet pledge in a treaty which quotes the objectives of the United Nations, we must have some demonstration that the Soviets will support the U.N. and its objectives.

Mr. President, I ask that a table listing Soviet arrearages be printed at this point in my remarks, and that at the conclusion of my remarks there be inserted explanations of the U.N. fiscal crisis from three sources: First, U.S. News & World Report; second, the Senate Republican policy committee; and third, a speech by Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs.

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

The following table lists the assessments and arrears of the Soviet Union with regard to UNEF and ONUC as of July 31, 1963:

United Nations Emergency Force (UNEF)

[In U.S. dollars]

	Assessment	Arrears
1957	2,050,676	2,050,676
1958	3,405,000	3,405,000
1959	2,070,921	2,063,805
1960	2,721,032	2,706,146
1961	2,562,085	2,548,457
1962 (Jan. 1 to June 30, 1962)	1,459,575	1,444,204
1963 (July 1 to Dec. 31, 1963)	1,419,878	1,419,878
Total due (as of July 31, 1963)		15,638,166

United Nations Operation in the Congo (ONUC)

[In U.S. dollars]

	Assessment	Arrears
July 14 to Dec. 31, 1960	6, 596, 425	6, 596, 425
Jan. 1 to Oct. 31, 1961	13, 491, 828	13, 491, 828
Nov. 1, 1961, to June 30, 1962	11, 976, 000	11, 964, 504
July 1 to Dec. 31, 1963	4, 932, 209	4, 932, 209
Total due (as of July 31, 1963)		36, 984, 971

Notes on table:

The assessments for each year through 1962 are taken from "Information on the Operations and Financing of the United Nations," joint committee print of Senate Committee on Foreign Relations and House Committee on Foreign Affairs, 87th Congress, 2d session, and supplement to joint committee print.

The cost of both the UNEF and ONUC operation was financed from July 1962 through June 1963 by the U.N. bond issue.

The assessments for 1963 are from U.N. Doct. ST/ADM/SER.B/174.

The arrears as at July 31, 1963, are from U.N. Doct. ST/ADM/SER.B/176.

Note that for certain years Soviet arrears are less than the assessment. This does not indicate that the Soviet Union has paid a portion of its assessment but rather comprises credits from the U.N. tax equalization fund.

(For explanations, see exhibit 1.)

Mr. TOWER. Mr. President, I now turn to my second reservation.

It provides that the U.S. instrument of ratification of this treaty not be deposited until the original parties to the treaty have revised the treaty so as to provide for a system of on-site inspections adequate to detect any violation of the treaty. The reservation provides also that the Senate shall advise and consent to the required revision of the treaty.

I believe that any party which intends in good faith to observe the treaty will accept on-site inspection to prove its good faith. If this treaty is desired in good faith, then every party to it should demonstrate that good faith. Only on-site inspection can assure this treaty's effectiveness. Since the hopes of the world already have been pinned on the treaty, it is but little to ask that it be made positively effective.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a report which outlines past U.S. insistence upon on-site inspection, which insistence rightly developed into a major tenet of U.S. policy for peace.

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

INSPECTION FOR DISARMAMENT

Throughout the postwar years it has been a major tenet of U.S. disarmament policy that this country would enter a disarmament agreement only if it provided for methods to verify that the agreement was being observed by all parties. The history of prewar disarmament experience was interpreted to show the need for inspection to accompany disarmament. President Eisenhower said at Geneva in 1955:

"No sound and reliable agreement can be made unless it is completely covered by an inspection and reporting system adequate to support every portion of the agreement.

"The lessons of history teach us that disarmament agreements without adequate reciprocal inspection increase the dangers of war and do not brighten the prospects of peace." [1]

Harold Stassen, then the Special Assistant to the President for Disarmament, stated the following year:

"History shows that any time you make an agreement that you cannot inspect, the agreement itself becomes a source of doubts and rumors, suspicions, charges, countercharges, and actually increases the dangers of war, instead of improving the prospect of peace." [2]

A decade before this, however, in 1946 the first postwar U.S. proposal on the international control of atomic energy had already contained inspection as a key element. Bernard Baruch, in presenting the proposal to the United Nations Atomic Energy Commission on June 14, 1946, included inspection and freedom of access for control purposes among the fundamental features of a plan to control nuclear energy. He said:

"Adequate ingress and egress for all qualified representatives of the Authority must be assured." [3]

Similarly, early U.S. proposals on conventional armaments and armed forces gave heavy weight to inspection provisions. A paper on U.S. views submitted to the United Nations on May 18, 1958, stated:

"The reporting, inspection, and verification of the elements of the military and paramilitary establishments of the signatory nations is considered the most important safeguard for the regulation and reduction of conventional armaments and armed forces." [4]

In an address to the United Nations General Assembly on October 24, 1950, President Truman included as one of the three basic principles for any successful disarmament plan:

"Third, the plan must be foolproof. Paper promises are not enough. Disarmament must be based on safeguards which will insure the compliance of all nations. The safeguards must be adequate to give immediate warning of any threatened violation. Disarmament must be policed continuously and thoroughly. It must be founded upon free and open interchange of information across national borders." [5]

Inspection continued to be included in the principles which the United States maintained were essential in a disarmament program. On April 24, 1952, the United States proposed as essential principles for a disarmament program that international agreements on the subject "must provide an effective system of progressive and continuing disclosures and verification of all armed forces and armaments, including atomic, to achieve the open world in which alone there can be effective disarmament." [6]

As early as 1952 the importance of "on-the-spot" inspection (which later in the test ban negotiations was known as on-site inspection) was spelled out. A U.S. working paper submitted to the United Nations Disarmament Commission on April 5, 1952, stated:

"The system of disclosure and verification is an integral part of the system of safeguards which must be established to ensure observance of the over-all program of regulation, limitation and balanced reduction of armed forces and armaments, so as to provide for the prompt detection of violations while at the same time causing the minimum degree of interference in the internal life of each country. It will not be adequate to provide merely for the verification of disclosed information. In addition, provision must be made for determining the adequacy of the disclosed information, through broad general powers of "on-the-spot" inspection, through access to statistical data permitting independent confirmation of required reports and through aerial surveys." [7]

The importance of having any disarmament agreement accompanied by adequate inspection was reiterated by governmental officials on countless occasions. For example, speaking to the First Committee of the General Assembly on January 14, 1957, U.S. representative, Henry Cabot Lodge, stated:

"Deeply as we are convinced of the desirability of a reliable agreement and of the dangers in the absence of agreement, we have nonetheless concluded that a bad agreement is worse for the cause of peace than no agreement. An uninspected agreement, or an inadequately controlled agreement, or a one-sided agreement would be a bad agreement. It would not serve the objective of peace." [8]

President Kennedy in an address to the General Assembly on September 25, 1961, described the U.S. disarmament proposal as one which "would assure that indispensable condition of disarmament—true inspection—and apply it in stages proportionate to the stage of disarmament." [9]

The statement of principles agreed to by the United States and the Soviet Union on September 20, 1961, included as one principle the necessity of inspection including unrestricted access as necessary for the inspectors. It stated:

"All disarmament measures should be implemented from beginning to end under such strict and effective international control as would provide firm assurance that all parties are honoring their obligations. During and after the implementation of general and complete disarmament, the most thorough control should be exercised, the nature and extent of such control depending on the requirements for verification of the disarmament measures being carried out in each stage. To implement control over and inspection of disarmament, an International Disarmament Organization including all parties to the agreement should be created within the framework of the United Nations.

"This International Disarmament Organization and its inspectors should be assured unrestricted access without veto to all places as necessary for the purpose of effective verification." [10]

In an exchange of letters accompanying this statement of principles Presidential Adviser McCloy expressed the U.S. position that adequate inspection must consist of inspection of armaments retained under a disarmament agreement as well as the armaments reduced. He said it was "implicit in the entire joint statement of agreed principles that whenever an agreement stipulates that at a certain point certain levels of forces and

[1] Statement by President Eisenhower at the Geneva Conference of Heads of Government, July 21, 1955. Department of State. Documents on Disarmament, 1945–59, vol. 1, pp. 484–487.

[2] Hearing before a subcommittee of the Committee on Foreign Relations, Jan. 25, 1956, pp. 20–21.

[3] Statement of June 14, 1946. Documents on Disarmament, op. cit., p. 15.

[4] Senate Committee on Foreign Relations, Subcommittee on Disarmament, Disarmament and Security, a collection of documents, 1919–55, p. 282.

[5] Documents on Disarmament, op. cit., p. 258.

[6] Collection of documments, op. cit., p. 86.

[7] Documents on disarmament, op. cit., p. 350.

[8] Documents on disarmament, op. cit., p. 735.

[9] Documents on disarmament, p. 469.

[10] Documents on disarmament, 1961, p. 441.

armaments may be retained, the certification machinery must have all the rights and powers necessary to insure that those levels are not exceeded." [11]

INSPECTION OF A NUCLEAR TEST BAN

The importance of adequate inspection has also been consistently stressed by the United States in the negotiations for a nuclear weapons test ban. After the Geneva Conference of experts reached a conclusion in August 1958 that it was technically feasible to establish a control system to detect violations of a test suspension, President Eisenhower proposed negotiations for an agreement to end tests and establish the suggested control system. He said:

"Progress in the field of disarmament agreements depends upon the ability to establish effective international controls and the willingness of the countries concerned to accept those controls." [12]

The plan for an inspection system submitted by the United States on December 16, 1958, provided for onsite inspections to be initiated automatically, whenever detection techniques determined the location of an event which could not be identified as a natural event and could be suspected of being a nuclear explosion. In the case of seismic events, all those above 5 kilotons were to be inspected and 20 percent of those under 5 kilotons. The United States rejected Soviet proposals on the grounds that they did not contain adequate safeguards.

On April 13, 1959, President Eisenhower did suggest as an alternative to a comprehensive test ban which would require procedures for onsite inspection a ban which would not include tests underground or above 50 kilometers in altitude. He said:

"A simplified control system for atmospheric tests up to 50 kilometers could be readily derived from the Geneva experts' report, and would not require the automatic onsite inspection which has created the major stumbling block in the negotiations so far." [13]

After long negotiations inspection still remained the principal issue separating the Soviet and Western positions. On April 28, 1961, the date of the 300th meeting of the Geneva Conference on the Discontinuance of Nuclear Weapon Tests, Ambassador Arthur Dean, the chief U.S. negotiator, stated:

"The problems of the second category, where the U.S.S.R. is demanding new Western concessions, go to the very heart of control effectiveness. The Soviet Union wants only a token number of annual onsite inspections, namely, three on each original party's territory. The United States and the United Kingdom, basing themselves on the agreed scientific studies, want a realistic number which will actually tend to deter potential violators, namely, 20 on each original party's territory.

"Again, on criteria, the U.S.S.R. insists on a formula which would make it questionable whether even one event per year would be certified as eligible for inspection. This has no appeal to the West, which wants scientifically reasonable criteria.

"The Soviet delegation refused to consider any more than 15 control posts on Soviet territory, even though we have already moved to meet its demand, coming down from 21 to 19 and have proved, by the Soviet delegation's own arithmetic that the number cannot be reasonably fewer than 16 in Soviet Asia, 2 in Europe and 1 on a Soviet island." [14]

A United States note to the Soviet Union on June 17, 1961 complained:

"The Soviet proposals would prevent achievement of the objective of effective control. They would amount to adoption of the principle of self-inspection and would permit any country, if it wished, to evade the agreement with impunity. * * * The United States believes that a treaty prohibiting nuclear weapons tests, like other agreements in the field of disarmament, must contain effective provisions for control." [15]

On November 1, 1961, Ambassador Dean in the First Committee of the General Assembly explained why the United States believed an international control system to accompany a test ban was needed. He said:

"Even without a complete international treaty control system, it is possible at present to identify a great number of atmospheric tests of higher yields with fairly good reliability.

"But when tests occur on the fringes of outer space and of smaller yields in the atmosphere these tests present much more difficult problems. For accurate detections of these tests, an international treaty system of reporting stations is essential.

"In comparative terms also, tests in the ocean are much more difficult to detect; but the difficult hydro-acoustical problems could be solved by an effective treaty organization.

"For all these reasons, it is apparent that an international treaty control system is absolutely necessary in order to have any real assurance that the obligations undertaken not to test nuclear weapons are in fact being fulfilled." [16]

At a press conference on February 8, 1962, President Kennedy said:

"But at the same time, and with equal energy, we shall go on seeking a path toward a genuine and controlled disarmament.

"What this means for atmospheric testing is methods of inspection and control which could protect us against a repetition of prolonged secret preparations for a sudden series of major tests. If and when effective agreements can be reached, no nation will be more ready than ours to see all testing brought under control and nuclear weapons as well. The fact that we must prudently meet our defense needs in the meantime is only one more reason for working toward disarmament." [17]

Secretary of State Rusk on March 23, 1962, told the newly convened 18 Nation Disarmament Conference in Geneva:

"We will not again make our security subject to an unenforceable and uncontrolled moratorium, whether this be in the form of a verbal pledge or a pseudo-treaty such as the U.S.S.R. proposed on November 28, 1961."

"Although American scientists have for the past several years been actively seeking new methods of detection and, even more, of identification of possible nuclear explosions, and although there are some promising avenues of investigation which may be proven in the next few years, the fact is that very little has been discovered up to date to justify any significant modification of the conclusions and recommendations of the Geneva scientists of 1958.

"A test ban, or any disarmament measure, will be acceptable to us only when it is accompanied by adequate measures of verification.

"The United States will consider any proposal which offers effective international verification but the United States cannot settle for anything less." [18]

In a letter of December 28, 1962, President Kennedy replied to Premier Khrushchev's letter indicating that the Soviets would be willing to accept two or three inspections per year:

"I am encouraged that you are prepared to accept the principle of on-site inspections. These seem to me to be essential not just because of the concern of our Congress but because they seem to us to go to the heart of a reliable agreement ending nuclear testing." [19]

EXHIBIT 1

[From the U.S. News & World Report, June 10, 1963]

IS THE U.N. ON THE VERGE OF A CRACKUP?

UNITED NATIONS, N.Y.—By all standards normal to business and government, the United Nations is going broke, on the verge of a crackup.

The world organization today is more than $100 million in the red. By the end of the present year the deficit may be up to $140 million. If funds are not found, it is said, the peace-keeping organization is likely to turn into a debating society.

All of this has been brought about mainly by the Soviet Union and its satellites. The Communists, including Castro's Cuba, refuse to pay bills for any U.N. activities not favored by them. The amount they owe the U.N. so far exceeds $62 million. France, Nationalist China and Belgium also are in arrears on U.N. payments.

UNITED STATES TO THE RESCUE?

The result is that the U.N., once again, must be bailed out—probably by the United States.

There is concern, but little real alarm here at U.N. headquarters. Top officials believe a way will be found for the U.N. to maintain its police functions in the Gaza strip between Egypt and Israel in the Mideast, and in the Congo in Africa.

In addition, the U.N. is sending a peace-keeping mission of 200 observers to Yemen. Cost of this force, however, is to be borne largely by Egypt and Saudi Arabia.

Communist attack on the U.N. this time is aimed at these peace-keeping forces. It is largely the bills for these forces that Russia and its East European satellites, plus Cuba, refuse to pay. A senior U.N. official explained the Russian tactics.

"In trying to bend the U.N. to their own needs and desires, the Russians have found that the boycott is dangerous. They tried that at the time of Korea. It was the Russian absence which enabled the U.N. to approve military action in Korea.

"Just last year the Soviets tried to get control of U.N. machinery by dividing the Secretary-General's powers between three assistants—one a Communist, one a Westerner and one a neutral. But the U.N. wouldn't accept the troika.

"Now the Soviet Union is trying to sabotage the U.N. financial machinery. That won't work either, but it's causing us a lot of trouble."

TURNING POINT: THE CONGO

The Soviet Union approved the first move to send U.N. troops into the Congo. Khrushchev, at that time, thought the United Nations force would help his man in the Congo, Patrice Lumumba, to stay in power. But the U.N. force, instead, stood in the way of a Communist takeover. It was at this point that the Soviets changed their tactics.

Arguing that the U.N. force in the Congo had become merely a front for the United States and the European colonial powers, Russia and the other Communist members refused to pay their share of the cost of

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[11] Documents on disarmament, 1961, p. 442.

[12] Statement of Aug. 22, 1958. Department of State. Geneva Conference on the discontinuance of nuclear weapon tests. History and analysis of negotiations, p. 310.

[13] Ibid., p. 355.

[14] Ibid., p. 525.

[15] Ibid., p. 544.

[16] Ibid., p. 565.

[17] New York Times, Feb. 8, 1962, p. 16.

[18] Department of State Press Release, March 24, 1962, No. 186.

[19] Washington Star, Jan. 21, 1963, p. A6.

the troops. Nor were they alone in this attitude.

France, also opposing the Congo operation, refused to pay. So did Belgium.

At present, the Communist U.N. members owe $62.5 million to the U.N. while France owes $14 million and Belgium $3 million.

Chiang Kai-shek's government on Formosa is also in default, by $10 million, but this is largely a matter of money, not politics. The assessment for China's seat in the U.N. involves payment for all of mainland China, which Chiang claims as his own.

What worries the U.N. is that most of the money owed to it is owed for the U.N. peacekeeping units in the Congo and the Mideast.

Out of the $502 million needed for all U.N. activities last year, $102.5 million was for such social welfare programs as the refugee and children's funds. These programs are voluntary and the Communists contribute little, while the United States pays more than its share.

The regular U.N. budget, involving salaries of the permanent staff and the maintenance of U.N. headquarters, ran to $75 million last year.

LIMIT ON LAGGARDS

The founders of the U.N., knowing the ways of governments, set a rule under which any member nation in arrears for more than 2 years on its assessments to this regular budget will lose its vote in the Assembly. More than 40 U.N. members take advantage of this 2-year rule and are habitually in arrears. But, so far, all of them have paid up before they lost their Assembly votes.

The Communists—and France and Belgium, too—argue that members who disapprove of specific peace-keeping operations, as in the Congo, should not be assessed for their costs as part of regular dues. They refuse to pay. In 1962, U.N. costs in the Congo amounted to $120 million.

As a way around the financial problem of special peace-keeping assessments, Secretary-General Thant in 1961 came up with the idea of a U.N. bond issue, the returns from which would be used to pay the U.N.'s bills.

About $135 million worth of these bonds, out of $200 million worth in all have been sold. Half were sold to the United States, the rest abroad. Interest and payment charges were to be added to regular charges to members.

To test the legality of this move, the U.N. went to the International Court of Justice at the Hague to get an opinion on the issue. In July 1962 the justices ruled that the charges for peace-keeping missions should be considered part of the obligations of U.N. members.

Last December, the U.N. General Assembly held, over the opposition of the Communists and the French, that the Congo and Mideast-force assessments were legal and binding on all members and that the 2-year rule applied to these charges just as it does to the rest of the regular U.N. budget.

FROM MOSCOW: ANOTHER "NYET"

Russia, on May 22, served notice on U Thant that it would not pay its share of the U.N. bond charges or of four other items on the regular budget. These included charges for the U.N. commission in Korea, the U.N.'s cemetery for its troops killed in the Korean war, the U.N. mission in the Mideast and the U.N. field service supplying personnel for overseas missions.

In addition, the Russians said they would pay their dues to the U.N. technical assistance fund only in rubles. The Russian dues thus could be used only for the purchase of items from Russia or for the hiring of Russian personnel. Under U.N. rules it is up to the Secretary-General, not the members, to decide what currencies are acceptable.

SHOWDOWN AHEAD

Said a U.S. official after this Russian move: "The Russians are carrying this battle so far that in the next year or so we are going to be forced to throw them out or make them pay."

The fact is that the Congo operation—main target of the Soviet campaign—is almost at an end. U Thant hopes to get all U.N. military forces out of the Congo before the year's end. That would leave little more than a technical mission.

The U.N. Emergency Force in the Gaza Strip is a different matter. Many experts feel that, if this force were removed, Egypt and Israel would soon be at war again.

Most U.N. officials doubt that the Communist attack on these peace-keeping forces of the U.N. will make much difference for the future. Said one:

"If some real emergency arose I think we would put together a U.N. force and find the money later. Of course, the United States and Britain would pay promptly, but the little fellows could put up token contributions to keep the operation international."

On the other side you hear opinions like this: "No nation is going to contribute troops unless it has some guarantee that these troops will be paid. If something serious broke out in Portuguese Angola or in South-West Africa, run by the Republic of South Africa, you'd get plenty of troops from African countries without any trouble. But Asians? Scandinavians? I doubt it."

RUSSIA'S NEXT MOVE

Deadline for the Communist bloc to pay up at least some of the money they owe the U.N. or lose their Assembly votes comes at the end of this year. What then? Here's the guess of a top U.N. official:

"They'll do just what they've done in the past. They'll fight this thing to the edge of the last ditch, but not into it. They'll pay enough to keep the vote—and when they do pay they'll make statements about how they want to save the U.N. for humanity."

The French already appear embarrassed by their stand with the Communists against payment of their share of the U.N. Congo force. They, like the Belgians, appear to be seeking a means of paying up gracefully before they lose their votes.

Much of the Communist campaign against the U.N. has boomeranged against Moscow, particularly in regard to the small and backward nations of Africa. Many of these countries look on the U.N. as their best protection and do not sympathize with efforts to weaken the world organization.

As for the U.N. itself, the betting here at U.N. headquarters is that the United States, with help from Britain and many smaller nations, will keep the U.N. going through this financial crisis, forcing Russia and its satellites to pay up what they owe, however slowly.

[From the CONGRESSIONAL RECORD, Apr. 4, 1963]

INFORMATION ON THE CURRENT FINANCIAL STATUS OF THE UNITED NATIONS

(NOTE.—Prepared by the staff of the Senate Republican policy committee, BOURKE B. HICKENLOOPER, chairman; David S. Teeple, staff director.)

The United Nations regular budget was $82 million in 1962. Of this the United States is obligated to pay 32.02 percent; the Soviet Union, 14.97 percent; the United Kingdom, 7.58 percent; France, 5.94 percent; and the rest lesser percentages down to a minimum fixed by the General Assembly, of 0.04 percent.

The regular budget of the United Nations is prepared by the U.N. Secretariat. When the General Assembly of the United Nations meets, it has before it both the budgetary estimates of the Secretary General and the report of the Advisory Committee on Administrative and Budgetary Questions. Decisions on the budget are made by a two-thirds vote of all General Assembly members present and voting.

No serious difficulties have been encountered on payments to the regular budget but difficulties have arisen on the special assessments levied for the U.N.'s Emergency Force in the Middle East (hereinafter designated as UNEF) and the U.N. operation in the Congo (hereinafter designated as UNOC).

The charter of the United Nations lays a specific obligation upon all countries to pay their assessments or, after 2 years in arrears, face the loss of their votes. But the charter provides, in article 19, "The General Assembly may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member." As a result member countries great and small are refusing to fulfill their financial responsibilities to the United Nations.

No one has seriously suggested that any of them be deprived of their votes.

Prior to 1956, the expenses of peace and security operations had been carried within the regular budget. In 1956 UNEF was financed under a special budget, called a special account, and in 1960 in the case of UNOC, the budget was called an ad hoc account.

Another account, titled the "Working Capital Fund," is assessed on the same basis of percentage as the regular budget. It currently has a ceiling of $40 million. It is used partly as a revolving fund to carry the U.N. through the period when the regular budget assessments are due and when regular budget assessments are collected, and partly to finance emergency operations.

While willing to vote these peace and security operations into existence, most countries in the United Nations refused to share the cost of UNEF and UNOC in the usual manner; that is, on the basis of the regular scale of assessments. Because of default on these special levies, the organization will approach a debt of $200 million by the end of 1963. Reasons offered by defaulters for their refusal to share the cost of UNEF and UNOC in the usual manner were many and varied.

First, they contended the charter contemplated peace and security actions should be carried out primarily by the five permanent members of the Security Council who would furnish their troops without cost to other U.N. members. They said the five permanent members of the Security Council should therefore pay considerably more than their ordinary assessment percentage for UNEF and UNOC.

Second, they said the "aggressors" who made U.N. peace and security actions a necessity, plus "parties in interest" should pay all or most of the expenses.

Third, some member countries claimed they could not afford to contribute to the UNEF budget and UNOC budget.

Finally, some countries felt these operations to be unwarranted and in violation of the charter. As a result the United States has felt it necessary to make voluntary contributions, over and above our normal assessment contributions, in 1957, 1958, 1959, 1960, 1961, and 1962.

The Soviet Union argued these emergency items did not fall within the assessments procedure provided by the charter and therefore any disapproving member is free to refuse to help pay for them.

The United States contended the charter's provision applied to all expenses of the U.N. The International Court of Justice at The Hague in July 1962 issued an advisory opin-

ion supporting the U.S. position. The Soviet Union says it will ignore the Court's opinion and continue to refuse to pay its share of the special assessments. The Communist bloc countries have followed the Soviet lead and approximately 40 other nations have also refused to contribute to either or both of the peace-enforcing operations.

In the face of this financial crisis the Assembly in December 1961 voted to authorize the Secretary General to sell $200 million worth of bonds. At President Kennedy's request Congress last year passed a bill authorizing the United States to purchase up to $100 million worth of the U.N. bonds if the amounts are matched by other members.

Further financial criticism was directed at the United Nations when it was revealed, late in 1962, that the U.N. had undertaken to provide a grant of $1,157,600, over a 5-year period, to assist in the development of an agricultural research program in Cuba. To the extent the United States provides approximately 40 percent of the money contributed to the U.N. Special Fund for Economic Development, it was said that 40 percent of the cost of this assistance to Cuba was defrayed by the United States, contrary to our national interests.

Not all operations of the United Nations are financed through assessments. Several specialized agencies receive voluntary contributions from member countries. These specialized agencies include:

1. International Atomic Energy Agency.
2. International Labor Organization.
3. Food and Agriculture Organization.
4. United Nations Educational, Scientific and Cultural Organization.
5. World Health Organization.
6. International Bank for Reconstruction and Development.
7. International Development Association.
8. International Finance Corporation.
9. International Monetary Fund.
10. International Civil Aviation Organization.
11. Universal Postal Union.
12. International Telecommunications Union.
13. World Meteorological Organization.
14. Intergovernmental Maritime Consultative Organization.

[From the daily CONGRESSIONAL RECORD, Mar. 21, 1963]

SOME CLEAR THOUGHTS ON THE UNITED NATIONS FINANCING

(By Richard Gardner)

In treating this subject today I shall not speak about various long-term solutions to the U.N.'s financial problem, for example, the development of independent sources of revenue. Other participants in this panel may wish to deal with various possibilities of this kind. It is appropriate, it is useful, for discussions of the long-term problem to go forward. But you will recall the famous words of Lord Keynes: "In the long run we are all dead." There will not be a long run in which to seek bold solutions for U.N. financing unless we can deal with the financial crisis which faces us here and now.

Therefore I propose to confine my remarks today to the present financial crisis of the United Nations and to consider in turn three specific questions: What has caused this financial crisis? What progress has been made in coping with it? What now remains to be done?

I

The causes of the U.N.'s financial difficulties are familiar to most of you. These difficulties do not arise from the ordinary operations which are paid from the U.N.'s "regular budget." The regular budget covers such items as salaries of members of the Secretariat, expenses of operating the headquarters building in New York, and the costs of meetings and conferences. It also includes some of the smaller peacekeeping expenditures such as the truce supervision activities in Palestine, Kashmir, and Korea.

The regular budget is financed principally by an agreed scale of assessments on members which is broadly based on capacity to pay. The United States contributes 32.02 percent of this amount. The payment record of the members is generally good and the arrears are not of disruptive dimensions.

As you know, however, the expenses for the Middle East and Congo operations were financed from the beginning from separate accounts. Taken together, these operations since 1960 have imposed on the members of the U.N. expenses of about $140 million a year, about double the size of the regular budget.

Because these costs were so large, opposition quickly developed on the part of many U.N. members to sharing the cost in the usual manner—that is, on the basis of the percentage assessments used in the regular budget. In order to gain approval by the General Assembly for resolution to finance these operations it was necessary, beginning with the Middle East operation in 1956, to reduce the assessments for members less able to pay; in other words to assess them for peacekeeping operations at only a fraction of the assessment they have to pay for the regular budget.

Over the last few years almost 90 percent of the U.N. membership has secured relief from the regular assessment rate with respect to the Congo and Middle East budgets. Of the 110 U.N. members, 42 countries have a regular assessment rate of 0.04 percent. For Congo and UNEF their assessment was reduced by 80 percent of their normal scale, to 0.008 percent. As an example of how this has worked out, we can look at the way the costs of the Congo and Middle East operations were shared in the first half of 1962. Instead of being asked to pay the $35,900 they would have paid at the regular budget scale these countries were asked to pay only $7,180.

Reductions by 80 percent were also given 43 additional countries whose regular budget assessment rate was more than 0.04 percent but who were recipients of U.N. technical assistance. Moreover, four additional countries received 50-percent reductions. Thus no less than 89 member governments were excused from 50 to 80 percent of their assessments to these vital peace and security operations.

UNITED STATES AND VOLUNTARY CONTRIBUTIONS

To finance these operations notwithstanding the reduced assessments on these 89 countries the Secretary General appealed for voluntary contributions. Starting with the Middle East operation in 1957, the United States has made large voluntary contributions each year in addition to its regular scale assessment to make it possible for these operations to go forward. In the last several years no other country has made voluntary contributions of this kind, with the sole exception of the United Kingdom which has made very small voluntary payments for the Middle East operation.

With these voluntary payments added to our assessed share, the United States in recent years has been assuming an average of about 48 percent of the burden of the Congo and Middle East operations.

This is the method of financing U.N. peacekeeping operations which has been in effect since 1957. It does not take very long to conclude that this system had two unacceptable aspects:

First, it placed a disproportionate share, nearly half, of the cost of these operations on the United States.

Second, and even more important, a large number of U.N. members were not even meeting their obligations under this arrangement.

The members of the Communist bloc refused to pay because they oppose peacekeeping operations in general.

France, South Africa, the Arab countries, and others refused to pay for at least one of the operations because they did not agree with this peacekeeping operation in particular.

Others, including most of the less developed countries, failed to pay even their reduced assessment and argued that they were too poor to do so.

To make matters worse, legal arguments were advanced by the Communist bloc and many other countries to the effect that the General Assembly could not levy valid assessments for peacekeeping operations outside the regular budget and accordingly that they were under no obligation to pay.

As a result of this nonpayment of assessments, the United States was in the unacceptable position of paying in even more than the 48 percent of the Middle East and Congo operations it had undertaken to pay, although of course the amounts are still due and payable by the defaulters. At the same time the gap between the assessments due for the costs of the two operations and the money actually received from the membership continued to grow until it reached about $100 million by the middle of 1962.

RESCUE OPERATION, SPECIAL FUNDS

To reduce the disproportionate U.S. share of U.N. peacekeeping operations, to avoid the imminent collapse of these operations as a result of the growing deficit, and to safeguard the future potential of the U.N. as a vital factor in maintaining peace and security, the U.S. Government joined with other free world countries and with the Secretary General to search for ways and means of solving the U.N.'s financial crisis. This search produced a rescue operation beginning in the 16th General Assembly which had four major elements:

First, one more General Assembly resolution for the emergency financing of the Middle East and Congo operations for the first 6 months of 1962 by the usual combination of assessments and voluntary contributions.

Second, a bond issue to finance these operations after June 30, 1962, while a more satisfactory solution to the financial problem was worked out.

Third, a request to the International Court of Justice for an advisory opinion which would establish a firm legal basis for the collection of arrearages by determining whether peacekeeping assessments constituted binding legal obligations in the same way as assessments for the regular budget.

Fourth, an intensified study of better ways of financing U.N. peacekeeping operations in the future.

Since this rescue operation was approved by the 16th General Assembly in December 1961, there has been progress on a number of fronts.

Purchase of U.N. bonds got underway in 1962. The U.S. Congress authorized a loan to the United Nations to purchase bonds up to the amount purchased by all other countries. Some foreign governments, such as the Scandinavian countries, responded handsomely to the bond issue by purchasing amounts far in excess of their regular budget percentage. And the 17th General Assembly in its budget authorization for 1963 included an amount of $4,650,000 for repayment of interest and principal of the bonds in the regular U.N. budget, in which the United States share is 32.02 percent.

ICJ ADVISORY OPINION

The International Court of Justice handed down last July a favorable advisory opinion

which ruled that the costs incurred by the U.N. in the Congo and Middle East operations were "expenses of the organization" and that the assessments levied to pay for them constituted binding legal obligations. The General Assembly accepted this opinion on December 19, 1962, by a vote of 76 in favor, 17 against, and 8 abstentions.

The events in the General Assembly leading up to the acceptance of this opinion provided considerable grounds for satisfaction. A number of States, including the Soviet bloc and France, urged that the General Assembly should only "take note" of the Court's opinion. The effect of this language, as brought out in the debate, would have left it to the discretion of each state whether it considered itself bound to pay for the peacekeeping assessments. An amendment to change the wording of the resolution from "accepts" to "takes note" was proposed in the Fifth Committee and defeated by 28 votes in favor, 61 against, and 14 abstentions.

The debate on the advisory opinion made it abundantly clear that the term "accepts" used in the General Assembly resolution meant that the U.N. was adopting the Court's view as its operating rule. This means that the assessments in question have been determined to be binding obligations on member states and are therefore due and payable. If not paid, a member becomes subject to loss of vote in the General Assembly under article 19 of the charter, if its total arrears exceed its last 2 years' assessments on accounts. This will apply to the Soviet Union as of January 1, 1964, if it pays nothing for the Congo and UNEF between now and that time.

With the question about the legality of past assessments out of the way, the Secretary General was at last in a position to mount an effective campaign to collect them. A number of governments which had declined to pay their assessments for the Middle East and Congo operations announced in the wake of the General Assembly resolution that they would now begin to pay.

The 17th General Assembly also decided to increase the working capital fund from $25 million to $40 million. This action establishes a more rational relationship between the present level of the regular budget and the need for reserves. It adds significantly to the financial capacity and resources of the organization.

As a further measure to put the U.N.'s financial house in order, the Secretary General appointed as his chief financial adviser Eugene Black, former president of the World Bank. Mr. Black will assist the Secretary General in dealing with the problem of arrearages as well as advise him generally on other aspects of the U.N.'s financial problem.

Finally, the General Assembly buckled down to work on the future financing of peacekeeping operations. It set up a working group of 21 nations, of which the United States is a member, to study and make recommendations on a cost-sharing formula for the future costs of these operations. The group is now in session and is under instructions to complete its work by March 31. A special session of the General Assembly has been called to convene on May 14 to act on its recommendations.

All this is on the credit side of the ledger, but the last year has registered serious debits as well.

Although the General Assembly authorized a $200 million bond issue, only about $74 million has been subscribed by 58 countries other than the United States, despite our readiness to buy up to $100 million of bonds on a matching basis. Assuming that all the bonds subscribed are actually purchased, the U.S. matching purchase would bring the total up to only about $148 million of the $200 million worth of bonds that was anticipated. Prudent financing dictates that the rest of these bonds be sold, and sold quickly.

Moreover, although many members have indicated their readiness to abide by the law declared by the International Court and confirmed by the General Assembly, they have not actually paid. The Soviet bloc, which apparently does not believe in abiding by the law even after it has been declared, has still not paid 1 cent toward the Middle East and Congo operations. France is still refusing to pay its past assessments for the Congo; indeed, it has announced that it will not even pay that portion of its regular budget assessment which is necessary to pay back the principal and interest on the U.N. bonds.

As a result of these and other facts, arrears owed to the U.N. as of January 1, 1963, amounted to $121 million. Twenty-five U.N. members have still paid nothing on their UNEF assessments; 48 members have still paid nothing on their Congo assessments.

It is difficult to escape the conclusion that the United Nations is not being supported and is not supporting itself when arrears have accumulated so far and continue to increase and when major and minor powers continue to refuse to fulfill their legal obligations.

If this situation long continues, public opinion in the United States will be forced to interpret these facts as a denial in practice by many members of the U.N. of something which all the members have accepted in principle, that peacekeeping operations are conducted in the interest of the well-being of the entire world and should be the responsibility of all the members of the organization. This is what we mean by the phrase "collective financial responsibility," it is, or should be, the cornerstone of the organization.

WHAT ARE THE NEXT STEPS?

It is against this mixed record of success and failure that we must now consider what next steps to take in dealing with the U.N.'s financial crisis.

In discussing these next steps it will be useful to keep our eye on the central question. The problem currently before the working group of 21 in New York is very specific; namely, How to finance the Congo and Middle East operations beyond June 30, which is about when the money from the bond issue runs out.

When the General Assembly meets in special session in May it will have to adopt resolutions which will provide for the future financing of these two operations, at least from July 1 to December 31, or it will have to recommend their abrupt discontinuance.

This is the very practical problem immediately before us. It should receive prompt attention and not be lost sight of in a search for possible general principles to govern the financing of unknown operations which are not yet even a gleam in any member's eye.

To put it more broadly, the United States believes that for some time to come it would be wise for the U.N. to deal with the method of financing of each peacekeeping operation if and when that operation occurs, learning from each experience what might be desirable for the future and adjusting each solution to the particular facts of each case. We believe that this approach is the only sensible and practical one to follow at this time, given the present financial plight of the United Nations, the present deep political difficulties between its members, the unpredictable character of any future peacekeeping operations, and the virtual impossibility of now agreeing on any one single formula or any one single set of principles or criteria to govern unknown operations yet to be begun.

Assuming, then, that the immediate question is the financing of the Middle East and Congo operations for the 6 months of 1963, and that the answer to this question constitutes no precedent for the future—what is the answer to be?

In posing this question we are assuming that these operations must continue. Obviously the United States favors the most rapid possible reduction of the Congo force consistent with the increasing capability of the Congolese Government to maintain minimal levels of security and insure its national integrity.

At the same time it would be the height of "pennywise pound foolishness" to reduce either operation so rapidly as to jeopardize all the substantial gains that they have brought to Africa and the Middle East with much sacrifice and effort over the past few years.

Assuming there will be a cost, though somewhat reduced, for the Congo and UNEF operations in the last 6 months of 1963, a strong case can be made for financing this cost at the regular budget scale for the following reasons:

1. The regular budget assessment scale is broadly based on capacity to pay. Very substantial adjustments in the regular assessments scale are made for low per capita income countries, beyond what would be called for by comparative national income figures. It is true that the regular budget scale involves a ceiling for the U.S. contribution. But this ceiling derives from a fundamental principle long accepted by the General Assembly, that, in an organization of sovereign states where each nation has one vote, it is not in the interest of the organization to depend too much financially on any one state.

2. The United States has been virtually alone in making voluntary financial contributions to the Congo and Middle East operations. It has thus been assuming an average of 48 percent of the burden. The financial load simply must be more broadly based, and the carefully worked out cost-sharing formula to accomplish this is the regular budget scale.

3. Since the establishment of the United Nations, the United States has been by far its largest financial supporter. Its assessed contributions have always been more than twice those of the second largest contributor. The proportion of its voluntary contributions has been even higher. It contributes 70 percent for the Relief and Works Agency for Palestine refugees, over 50 percent for the Congo economic assistance program, 42 percent for the U.N. Children's Fund, and 40 percent for the Special Fund and the Expanded Program of Technical Assistance.

4. Quite apart from the United Nations, the United States is bearing a heavy load of foreign aid and defense burdens. Our total contributions for economic development abroad amount to over $5 billion a year—more than double the aid total of the rest of the free world and at least five times the aid made available by the Communist bloc.

5. The peacekeeping operations of the United Nations are not just a matter of interest to the great powers. The small countries have perhaps the greatest stake of all in their success and effectiveness. It is true that these countries are not well off, but the amounts involved are not substantial. For the last 6 months of 1963 the regular assessment share of the 42 countries in the 0.04-percent category would amount to the cost of two or three large limousines or a few big diplomatic receptions. Is this too high a price to pay for keeping the peace?

It is these reasons, coupled with the still inadequate record on the payment of past assessments, which have led to the present U.S. position in the working group of 21. Lest there be any question, the United States stands ready to pay its full 32.02-percent share of the Congo and Middle East operations. But until collective financial respon-

sibility becomes a fiscal practice as well as a legal theory, it would hardly be fair for the United States to pay more than this percentage, either through assessed or voluntary contributions.

We are hopeful that a determination to get the U.N.'s financial house in order is beginning to manifest itself among the members. There are signs of recognition that only through a meaningful system of collective financial responsibility can the organization continue to carry out its current tasks and future responsibilities.

The hard fact of political life is this: Attitudes in the United States toward any possible future contribution above our regular scale assessment for peacekeeping operations will inevitably depend on whether the vast majority of the membership takes the necessary measures in the next several months to give the United Nations the financial support which is absolutely essential to its survival.

6. "The United Nations," said U Thant in his recent Johns Hopkins lecture, "does not represent a vague ideal of universal peace and brotherhood which has its appeal only to starryeyed idealists and moralists. Far from it. It is hardheaded, enlightened self-interest, the stake that all humanity has in peace and progress and, most important of all, survival that dictates the need for the United Nations as a practical, institutional embodiment of the needs of nations on a shrinking planet, as a potent and dynamic instrument at the service of all nations, east and west, north as well as south."

If this statement of the Secretary General is correct, and we most definitely believe that it is, then it is time to face the financial consequences.

The present financial crisis of the United Nations involves the survival of the organization itself, for no institution can long survive if it cannot pay its debts and if its members are not willing to supply it with the funds necessary to continue its operations.

The menu of the U.N. is substantial and important. The check is no less so. Countries cannot expect to take the benefits of membership in the U.N. without the burdens.

AMENDMENT OF SECTION 22 OF INTERSTATE COMMERCE ACT—ADDITIONAL COSPONSORS OF BILL

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 2075) to amend section 22 of the Interstate Commerce Act so as to assure that rates, fares, and charges established under that section for the U.S. Government are free from undue prejudice and preference, introduced by me on August 23, 1963, the names of Mr. HARTKE, Mr. HUMPHREY, Mr. MCCARTHY, Mr. MCNAMARA, and Mr. PROXMIRE may be added as cosponsors.

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

CONDOLENCES TO FAMILIES OF NEGRO CHILDREN KILLED IN BIRMINGHAM—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of Senate Resolution 200, extending condolences of the Senate to the families of Negro children killed in Birmingham and favoring the designation of Sunday, September 22 as a day of national observance to their memory, the name of the Senator from Maryland [Mr. BREWSTER] be added as a cosponsor.

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

CONGRESSIONAL REVIEW OF FEDERAL GRANTS-IN-AID — ADDITIONAL COSPONSORS OF BILL

Mr. MUSKIE. Mr. President, I am pleased to announce that both the junior and senior Senators from Wisconsin have joined the distinguished list of cosponsors of the bill (S. 2114) to provide for periodic congressional review of future Federal grants-in-aid to States and to local units of government. This brings the total number of sponsors to 30, which augurs well for the future of this legislation. I ask unanimous consent that at its next printing the names of Mr. PROXMIRE and Mr. NELSON be added.

The PRESIDING OFFICER (Mr. HART in the chair). Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—ADDITIONAL COSPONSOR OF AMENDMENTS

Under authority of the order of the Senate of September 11, 1963, the name of Mr. DOMINICK was added as an additional cosponsor of the amendments submitted on September 11, 1963, by Mr. KEATING (for himself and other Senators), intended to be proposed by them, jointly, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

NOTICE OF HEARINGS ON NOMINATION OF JOHN A. GRONOUSKI TO BE POSTMASTER GENERAL

Mr. JOHNSTON. Mr. President, as chairman of the Committee on Post Office and Civil Service, I wish to announce that hearings have been scheduled for Monday, September 23, 1963, at 10:30 a.m. in connection with the nomination of Mr. John A. Gronouski to be Postmaster General.

Hearings will be held in room 6202 of the New Senate Office Building. Those wishing to testify may arrange to do so by calling CA 4–3121 extension 5451.

NOTICE OF HEARINGS ON FREEDOM OF INFORMATION BILL

Mr. LONG of Missouri. Mr. President, I would like to announce hearings before the Subcommittee on Administrative Practice and Procedure on S. 1666 on October 28–31 inclusive, in room 2228, New Senate Office Building, beginning at 10 a.m. each day.

S. 1666 is designed to revise section 3 of the Administrative Procedure Act. It is the so-called freedom of information bill, introduced by me with 17 distinguished cosponsors on June 4 of this year.

Persons wishing to testify should notify the subcommittee's chief counsel, Mr. Bernard Fensterwald, Jr., room 3216 New Senate Office Building, telephone CA 4–3121, extension 5617.

NOTICE OF HEARING ON NOMINATION OF GEORGE CLIFTON EDWARDS, JR., OF MICHIGAN, TO BE U.S. CIRCUIT JUDGE, SIXTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, October 1, 1963, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of George Clifton Edwards, Jr., of Michigan, to be U.S. Circuit Judge, Sixth Circuit, vice Thomas F. McAllister, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. HART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

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

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

By Mr. MUSKIE:

Address delivered by Senator MCINTYRE at Bristol, Ind., on August 16, 1963.

By Mr. SCOTT:

Letter on minority staffing, written by Representative FRED SCHWENGEL, of Iowa.

CANADIAN WHEAT AGREEMENT WITH THE SOVIET UNION

Mr. CARLSON. Mr. President, Russia's recent purchase of great quantities of wheat from Canada and Australia should prove to us that we must be practical and realistic in our trade programs. This is no time for Pollyanna platitudes. World trade is not only competitive; it is also a cold and calculated business operation.

At the last session, Congress spent months writing foreign trade legislation; and I believe every realist must agree that despite its idealistic approach to world trade, our experience—which is only limited—must convince everyone that trade between nations must be realistic and practical.

Trade based on the most-favored-nations principle may be altruistic, but I firmly believe it is time that we as a nation begin to consider some bilateral trade arrangements.

Russia's purchase of 239 million bushels of wheat from Canada for $500 million, with a time delivery of next July 31, and her purchase, within the last week, of 58½ million bushels of wheat from Australia, valued at $90 million, proves the value of bilateral trading. It no doubt also proves that Russia is suffering a serious food shortage, although it is estimated that these purchases equal only about one-seventh of the current Soviet wheat crop.

Russia and Canada are our real competitors in the world trade of wheat.

We have never sold wheat to Russia, as her wheat trade has always been on the export side of the market.

It is interesting to note that even though Russia has purchased this large quantity of wheat from Canada and Australia, she is at the same time selling wheat to Brazil, Cuba, and Japan, plus giving our Nation real competition in the European markets.

I am not advocating the sale or trade of strategic war material to Russia, but I do urge the Department of Agriculture and the Department of Commerce to study proposals for increased trade with Russia in such items as food and nonstrategic materials.

Our Nation has a substantial surplus of quality wheat and the facilities with which to move it into world markets. Therefore, we must prove to the world that we can place it on the world market, in competition with any other wheat-producing nations.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. HART in the chair). In the absence of the Vice President, the Chair announces for him the appointment of the Senator from New Mexico [Mr. MECHEM] to be a member of the Joint Committee on Navajo-Hopi Indian Administration, vice Mr. GOLDWATER.

UNITED STATES-CANADIAN RELATIONS

Mr. KEATING. Mr. President, I have spoken more than once on the issue, which is extremely vexing to many who live in States along the New York-Canadian border, of differences in tariffs or other regulations between the United States and Canada which place American firms and workers at a real disadvantage.

Two issues in particular have been called to my attention by persons throughout New York State, and, interestingly enough, also by Canadians who are critical of their Government's role: I refer to the 7½-percent tariff on bread imports to Canada, which, since the United States imports bread without tariff, makes it very easy for Canadian bread to flood American markets, but makes it very difficult for United States bread to sell competitively within Canada. This inequality has worked a real hardship on bakery employees in the United States and is contributing to unemployment in many Northern States.

Another question equally disturbing is the continued limit of $25 on Canadian tourist purchases in the United States that may be admitted to Canada duty free. This is a sore point with all towns that might conceivably hope to get some Canadian business, but as a result of this inordinately low limit do not do so.

Some weeks ago I called this situation to the attention of the Departments of State and the Treasury, hoping that representations could be made to the Canadians. Economic talks between the two Governments on a number of issues are scheduled to begin September 21. In reply to my query, the State Department, through Under Secretary George Ball, informed me, as did Treasury Secretary Dillon, that these questions will be taken up with the Canadian Government. I am very glad to have these assurances and hope that something positive will be forthcoming from the talk at the end of this week.

Lest anyone feel that I am exaggerating the importance of these issues, I suggest any who doubt merely glance at the map which has been prepared by the Area Redevelopment Agency to illustrate development areas and public works acceleration areas as of July 1, 1963. In every area along the border with Canada where there is any substantial number of people at all, there is unemployment, often at a high level. From Maine to Washington, the northern portion of every Canadian border State shows depressed areas, with labor surpluses. Only a few relatively uninhabited parts of North Dakota and Montana are not in this category. Now I am certainly not blaming the Canadians for all the problems in these areas, but I do feel that it is more than just a coincidence that these conditions of economic hardship should exist at exactly these points where a lack of reciprocity in United States-Canadian relations has been an obvious source of criticism.

I am delighted that these points will be considered in connection with forthcoming economic talks and trade negotiations with the Canadians because I believe they are of substantial importance to many parts of our Nation.

Mr. President, I ask unanimous consent to include, following my remarks in the RECORD, the text of the reassurances I have received from Under Secretary Ball on these matters.

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

DEPARTMENT OF STATE,
Washington, August 28, 1963.

The Honorable KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: Thank you for your letter of July 24, 1963, concerning imports of Canadian bread in certain areas, particularly Buffalo, and the effect on border residents when returning from visits to the United States.

As you have noted, the bill to inaugurate the interest equalization tax provides for an exclusion from the tax in circumstances that fit the situation of Canada and thus would permit the sale of new, but not outstanding, issues of Canadian securities in the United States without the tax. The judgment as to the need for such an exclusion is based on what took place after the President's message of July 18, in which he announced his proposal for the tax. The shock to the financial markets in Canada that followed the President's message was immediate and severe. The financial authorities of Canada considered that, unless there were an exclusion, they would have no choice but to take extreme measures to protect their currency—measures that unavoidably would have posed a threat to the international monetary system and to the United States balance of payments. The Canadian authorities stated that, if Canadian securities were not subjected to the tax, it would be their intention not to increase Canada's monetary reserves through the proceeds of borrowings in the United States.

In the circumstances, the discussions with Canada on the tax were confined to international monetary questions and to the financial assurance of the Canadian side; questions of commercial policy were not introduced. Following the discussions, it was decided by the administration to establish an interdepartmental committee to maintain surveillance over the Canadian situation in the light of the stated intentions of the Canadian authorities.

The Department has been concerned about the two problems which you mention and about the effect that they have on certain border communities. It would seem appropriate to consider the Canadian tariff on bread within the context of the Trade Expansion Act negotiations that are scheduled to take place next year. Preparations for these negotiations are underway and I shall see to it that the interest of the bread industry in border communities in seeking reduction of the Canadian tariff is given full consideration.

As you may know the Canadian Government formalized the present level of duty free allowances for returning residents which permits entry of $25 worth of goods per person every 4 months. This subject will be discussed with the Canadian Government in the context of overall economic relations between the two countries at the forthcoming meeting on September 20–21, 1963, of the Cabinet-level Joint United States-Canadian Committee on Trade and Economic Affairs. The Department will keep you informed of any developments.

Sincerely yours,

GEORGE W. BALL,
Under Secretary.

CORNELL AND THE PEACE CORPS IN PERU

Mr. KEATING. Mr. President, for 12 years Cornell University has supervised an ambitious and worthwhile project in the Andes directed by Dr. Allan R. Holmberg of the department of sociology and anthropology, and Dr. Carlos Monge, president of the Peruvian Indigenous Institute. The purpose of the project is to bring Peruvian Indian peasants from this remote Andean community out of a feudal age of backward agriculture into 20th century self-government and a personal share in the ownership of the land they work and the economy of the area.

This program has proved conclusively that with technical assistance, credit and political cooperation, land problems in Latin America can be resolved in favor of the peasants and increased productivity, and better living conditions can be assured. The Peace Corps has sent volunteers to assist the program and recent reports indicate that their efforts are most constructive and helpful.

A recent story in the New York Times depicts a New Yorker, Betty Hart Jansen of White Plains, N.Y., with her pupils in the doorway of a 1-room schoolhouse.

Mr. President, I ask unanimous consent to include in the RECORD following my remarks the text of the story about this project from Juan de Onis.

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

[From the New York Times, Sept. 5, 1963]

ANDEAN INDIANS RISE FROM PEONAGE—UNITED STATES HELPS TO BRING SELF-RULE AND FARM SKILLS TO VICOS

(By Juan de Onis)

VICOS, PERU, September 3.—The Indian peasants of this Andean community have

moved in a decade from servitude and subsistence agriculture to self-government, a share in the money economy and ownership of the land they work.

The 400 men of Vicos were peons. Now they are farmers. They are united in an agricultural cooperative that is the second largest marketer of potatoes in Peru, and they own a truck that takes produce to market in Lima and brings back fertilizer and insecticides.

All trucks in Peru carry a slogan painted on the front bumper or headboard. The 5-ton Vicos truck proclaims proudly: "Vicos. Community Property. The Cry of Reform."

The message out of this community of 2,500 Indians in the highland valley of Huaylas is dramatic. In many parts of Peru, land-hungry peasants are invading rural estates and forcing the issue of agrarian reform. Vicos is proof that with technical assistance, credit, and political decision the land problem can be resolved in favor of the peasants and that increased production can be the result.

This has been accomplished here in 12 years by the Cornell-Peru Andean project, directed by Dr. Allan R. Holmberg, of the department of sociology and anthropology of Cornell University, and Dr. Carlos Monge, president of the Peruvian Indigenous Institute. The project has received grant aid from the Carnegie Foundation, New York.

PEACE CORPS HELPS OUT

U.S. Peace Corps volunteers are now assigned to Vicos, and are helping to integrate this once isolated, impoverished community with modern Peru.

Robert Roberts of San Francisco, the volunteer group leader here, played a key role in the Vicos community's decision to buy the neighboring Chancos estate. It will also lease for development the medicinal hot springs and a rundown tourist hotel on the Chancos property. The 110-acre estate and its 13 Indian families will be incorporated into the Vicos community.

To carry out the operation, Mr. Roberts has obtained a $7,000, 4-year Bank of America loan. The Ottinger Foundation of the family of Frank Ottinger has lent Vicos an additional $5,000. Mr. Ottinger is on the Peace Corps staff in Washington.

The prospective purchase and lease arrangement with the Public Benevolent Society of Huaraz, which owns Chancos, requires Vicos to invest $20,000 over the next 5 years in developing the hot springs site. The Vicos community has already started work on refurbishing the 14-room hotel and installing a restaurant, warm-water swimming pool, steam rooms and baths.

The Huaylas Valley along the Santa River nestles beneath the snow-capped White Sierra of the Peruvian Andes and is one of the country's most beautiful tourist attractions. There is a steady flow of visitors to the hot springs.

The decision to buy the Chancos agricultural property and go into the hotel business was taken by the 11 elected members of the Vicos Community Council. Twelve years ago, when Cornell University leased Vicos from the Huaraz Benevolent Society, there was no semblance of such a self-governing body. Orders were given on all aspects of community life by the former lessee of the 20,000-acre Vicos property.

The community council decided to form the agricultural cooperative in 1957, to buy the Vicos property for $75,000 in 1961, and to buy the truck for $6,300 in 1962. The Vicos purchase was half financed on a 20-year basis by the Peruvian Government, which will be repaid by the community.

The prosperity of the community is based on a great increase in potato production achieved through improved techniques, including the use of fertilizers and insecticides and new marketing methods.

In 1962, the community produced 240 tons of potatoes that were marketed through the cooperative.

Two Vicos Indians are in the United States, living on farms in Montana as guests of the National Farmers Union. One of them, Vicosino Agustin Sanchez, has written that his host, Norman Sundyold of Froid, Mont., wants to return his visit and come to Vicos next year. The National Farmers Union brought 18 Peruvian farmers to the United States this year, as well as similar groups from Chile, Bolivia, and Venezuela.

RESOLUTION OF U.S. COUNCIL OF THE WORLD VETERANS FEDERATION FAVORING LIMITED NUCLEAR TEST BAN TREATY

Mr. MUSKIE. Mr. President, yesterday, six of the leading veterans organizations in the United States—all affiliated with the World Veterans Federation—have urged the Senate to ratify the nuclear test ban treaty without further delay.

They have spoken with one voice through the collective mechanism of the U.S. Council of the World Veterans Federation, which is composed of the Disabled American Veterans—DAV; the American Veterans of World War II and Korea—AMVETS; the American Veterans Committee—AVC; the Military Order of the Purple Heart; the Paralyzed Veterans of America, and the Blinded Veterans Association.

But, as they themselves remind us, their action is also an echo of a larger and more insistent voice which cries out across the world in the opening words of the federation's own credo that "None can speak more eloquently for peace than those who have fought in war."

I have been aware of the praiseworthy activities of the World Veterans Federation and its U.S. affiliates for several years; and I have been particularly struck by the quality of the WVF approach to this crucial issue of disarmament.

Just recently, for example, I have received a booklet entitled "Disarmament Is Possible," published by the World Veterans Federation at its headquarters in Paris. As the Secretary General, Mr. Norman Acton, points out in the foreword, this booklet sets forth an authoritative and objective review of the current status of all disarmament negotiations and the problems remaining to be solved. Its content is based on a special session on disarmament sponsored by the federation during their general assembly last summer in Denmark, under the chairmanship of Jules Moch, former French Vice Premier and the permanent French representative to the U.N. Disarmament Commission.

This booklet available for general distribution offers no easy panacea for the world's ills. Neither does it retreat into pacifism. Rather, it seeks to square the hopes of man with the hard facts of international life.

Such an approach is to be expected from this federation, uniting as it does more than 20 millions of war veterans in 164 different organizations from 51 nations.

I ask unanimous consent to place in the RECORD the resolution adopted Wednesday, September 18, by the federation's U.S. council.

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

The U.S. Council of the World Veterans Federation, consisting of the Disabled American Veterans (DAV), the American Veterans of World War II and Korea (AMVETS), the Military Order of the Purple Heart, the American Veterans Committee (AVC), the Blinded Veterans Association and the Paralyzed Veterans of America:

Reaffirming in the opening words of the federation's credo our conviction that "none can speak more eloquently for peace than those who have fought in wars," and

Having previously endorsed the principle of disarmament through the collective action of the last General Assembly of the World Veterans Federation in Copenhagen; and

Believing that the partial nuclear test ban treaty pending in the Senate can be the first significant step toward a realistic goal of worldwide disarmament; now

Urges the U.S. Senate without further delay to advise and consent to the ratification of the nuclear test ban treaty now under debate.

"THE FEDERAL UNION UNDER FIRE"

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the RECORD an informative and timely article by Fred J. Cook which appeared in the September 1963 issue of the Progressive magazine. In this account, entitled "The Federal Union Under Fire," Mr. Cook presents a detailed analysis of the origin and development of the rightwing movement to amend the U.S. Constitution.

Various recent speeches and newspaper columns have dealt with the three proposed radical right amendments and attempts by their sponsors to repeal 174 years of American history under this venerable document.

We have reached the point now where the menace of these radical efforts to re-create a confederal association of the States has been fairly well publicized. At the same time, an exhaustive study of the background of this movement has been lacking heretofore. For that reason, Mr. President, I recommend this excellent article to all sincere defenders of our traditional constitutional system.

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

THE FEDERAL UNION UNDER FIRE

(By Fred J. Cook)

(Three Constitutional amendments whose total impact would weaken the Federal Union, imperil progressive legislation, cripple civil rights and liberties, and perpetuate minority rule, have achieved an extraordinary degree of approval in a number of State legislatures in the first round of the struggle to make them the law of the land. Fragments of the story of this organized assault on our Constitutional system have appeared in a number of publications, but they have lacked many of the essential ingredients of the whole story. The Progressive assigned Fred J. Cook, a seasoned reporter-investigator, to dig deeply into every phase of this dangerous development. He was aided in his extensive researches by a grant from the Stern Family Fund. Mr. Cook is a freelance writer whose major magazine work has appeared in the Nation; he

has also written for the Reader's Digest, American Heritage, the New York Times magazine, Comet, Saga, and others. He has won four major awards for the excellence of his magazine articles.)

On July 27, 1962, delegates from 12 Southern States met in Biloxi, Miss., for a conference that was to have far-reaching effects. It was a conference that was to stimulate a racist, ruralist, rightwing attempt at counter-revolution in America. It was a conference that was to develop a unique power-play of national dimensions, a play directed from the top by a group of powerfully placed legislators, supported by reactionary business, and rural interests, whooped on by adherents of the lunatic fringe; a play that at its inception could boast virtually no grassroots demand or support, but that, if successful, would alter drastically the American system of government by stripping away Federal power, instituting State supremacy, and reducing the Nation to little more than a confederation of States.

This was the program, mapped tentatively at Biloxi, that has only now, more than a year later, generated a mounting measure of alarm by its phenomenal success—a success that has seen three proposed radical-right amendments to the Constitution speed through the legislatures of a broad cross section of States. One proposal has received full approval in 15 States and partial approval in 5 others; another, full approval in 12 States and partial approval in 7 others. The spadework begun at Biloxi has, so far, tunneled its destructive way into, or through, more than half the State capitols in the Union.

The southerners who met at Biloxi, all officials of Southern States, were attending a regional conference of the Council of State Governments. They were possessed by a States rights fervor which John C. Calhoun might have envied. Many elements contributed to this state of mind. Southern politicians long had been alarmed over a Federal power that reached down into their States and threatened their stubbornly maintained racial primitivism. Ever since the U.S. Supreme Court's unanimous school desegregation decision in 1954, they had been in covert or open rebellion. Now, in 1962, they had a new case, a new cause—one that presented them with a golden opportunity.

In March, the Supreme Court in *Baker* v. *Carr*—the Tennessee reapportionment case—had made another landmark decision. Many States, dominated by rural political machines, had ignored the specific mandates of their constitutions to reapportion legislative districts to keep up with shifts in population. This failure to redistrict legislative seats continued through an era that has seen America change from a predominantly rural economy to one so overwhelmingly metropolitan that it is estimated 80 percent of us ultimately will be living in cities. Tennessee had ignored this change; it had not reapportioned its legislature in 60 years. As a result, it had virtually disenfranchised hundreds of thousands of city voters, maintaining a "rotten borough" system in which rural influence was predominant. It was this system, common across the land, that the Supreme Court struck down in *Baker* v. *Carr*. The Court ruled that when legislatures failed to correct such serious distortions of voting equality, the Federal courts themselves could reapportion legislative districts. It was a ruling that could topple rural and smalltown dominance of legislatures in the South and other regions. Implicit in *Baker* v. *Carr*, if carried out in full measure, was the naked threat of extinction to every rural political oligarchy in the land.

This new "court crisis" gave southern politicians a rare opportunity to join forces with legislatures in every region in a common resistance cause. Southerners had been toying for years with the hope of forming such a new power base. Alone, they had recognized their helplessness, but they had long dreamed of fusing Dixie with the Midwest Farm Belt and the Mountain States in a rural-oriented complex that could counterbalance the voting power of the great industrial States. This, essentially, had been the dream of Senator LYNDON JOHNSON in his abortive campaign for the Democratic presidential nomination in 1960; it remains the gleam in the eye of Senator BARRY GOLDWATER as he looks hopefully to 1964. In *Baker* v. *Carr* the southerners found a fulcrum with which to lever national political action, and the evidence demonstrates that the more perceptive among them seized the opportunity.

The Biloxi regional meeting adopted two important resolutions. The first asked Congress to draft a constitutional amendment forbidding the Federal courts to interfere in reapportionment cases. The second cited a long list of grievances, replete with condemnation of Federal judicial power. It called for a strict separation of Federal-State powers, demanded judicial restraint, and appealed for legislation to curb the authority of the Federal judiciary. The two resolutions formed, in effect, a States' rights manifesto. The southerners, having adopted them, looked for a base of support. They set their sights on the annual conclave of the influential National Legislative Conference, to be held in Phoenix, Ariz., in September 1962.

Step by step there now developed the inside power play that was to lead to the launching of three drastic constitutional amendments. One would so alter the method of amending the Constitution that the States could propose and ratify amendments without any participation by Congress, by legislative action on the State level with no national forum to focus and crystallize public opinion. The second would deny the Federal courts any jurisdiction over the apportionment of legislative seats. The third, and most radical of all, would create a Court of the Union, composed of the chief justices of the 50 States, with power to overrule the U.S. Supreme Court in all cases involving Federal-State relationships.

Such was the explosive package for which the fuse was to be lighted by the southerners when they moved on to the next stage of their power play in Phoenix.

To understand the sequence that now unfolded, one must first appreciate the interrelationships and the interlocking power of a number of organizations of legislators and State officials.

At the pinnacle is the Council of State Governments, a 30-year-old agency maintained by the States. Its objectives are to improve State procedures, further cooperation in solving interstate problems, and improve Federal-State relations. Since it is the one permanent, functioning body in its field, it also serves as a secretariat for a number of other loosely affiliated organizations.

Two of these were to achieve special importance in the developing amendment drive. The first was the National Legislative Conference. This is composed of two elements: staff personnel who work for State legislative bureaus or committees, and legislators and other elected officials who serve as members of permanent or interim committees directing such personnel. The second organization is the General Assembly of the States. This is composed entirely of State officials and legislators. The assembly meets biennially, its convention details arranged by the Council of State Governments, to discuss State problems and the relationships of the States to the Federal Government.

Even a cursory examination of this interlocking chain is revealing. It is obvious that although the bases for membership in the various organizations differ slightly, their directorates, which are dominated by important legislative leaders, often overlap. This enables an inside power complex of extreme conservatives in the National Legislative Conference also to exert influence on the General Assembly of the States and to a marked degree on the highly prestigious Council of State Governments itself.

Certain other vital aspects of these organizations must also be noted. First, though they have a quasi-official prestige, they are not truly official nor truly representative. The word delegates, when applied to attendance at their conventions, has meaning only in the loosest sense. Anyone who qualifies for membership is entitled to attend. There is no formal selection of those who should attend; the only determining factors are private desire and financial means. As a result, attendance is likely to be composed principally of ax grinders who have been supplied with either public or private resources to get to the site of the grinding.

A spokesman who has observed from inside the mechanics of these interrelated groups puts it this way:

"Most State legislatures tend to be quite conservative, and usually it is the more conservative of these conservatives who attend the meetings. It is the old story. Those who are passionately against something, those who are really wrought up, are the ones most likely to show. The good guys, the lofty idealists, you might say, tend to be less well-organized, and they don't charge into the breach until the damage has been done and a crisis is at hand."

In 1962, the normally strong conservatism of these legislative conventions was intensified to an ultrahue by State's rights pressures especially by the emotions aroused by *Baker* v. *Carr*. This was the nettle in the minds of some 750 State legislators and officials from 46 States who gathered in Phoenix for the 3-day convention of the National Legislative Conference held September 19–21. One observer, who watched the delegates in action, has provided this description:

"It is important to remember that members of the State legislatures felt themselves most affected by *Baker* v. *Carr*. As a group, they certainly felt changes were going to affect them personally—things were going to be done to them. There has been, of course, for some time, a large amount of underlying criticism of Supreme Court decisions, but it was *Baker* v. *Carr* that crystallized resentment into action at this particular time."

Definitely, says this observer, there were strongly organized groups within the conference who knew exactly what they wanted and were determined to get it. He explains that he does not mean radical right organizations like the John Birch Society. The wheels were set in motion by highly placed men, jealous of their own prerogatives. The southerners, in their segregationist fervor, were a dynamic force but they were only part of a national coalition which powerful leaders had been assembling for months.

From as unlikely a State as New Jersey (heavily industrialized, in 1960 the second State in the Nation in population density) came a delegation as united in purpose as any delegation from the South. Its leaders were Assemblyman Frederick H. Hauser, a Democrat from the declining onetime Hudson County stronghold of the late Boss Frank Hague, and Senator Wayne Dumont, a Republican from Warren County, and in 1961 an unsuccessful contestant for the State gubernatorial nomination against President Eisenhower's onetime Secretary of Labor, James P. Mitchell. The *Baker* v. *Carr* decision had shaken Dumont. Though the limits of the newly proclaimed Federal power were still to be defined by future court decisions, Dumont, a lawyer, read into it a declaration of carte blanche authority on

the part of the Federal judiciary to revamp the entire legislative membership of the States.

What most disturbed him was the prospect that the Federal courts might order reapportionment of the State senates, as well as the lower houses, on a strict population basis. The present New Jersey constitution, adopted in 1947 by popular referendum, provides that each of the State's 21 counties shall have one senator and that each county shall also have a minimum of one assemblyman, with the remaining seats in the lower house apportioned on the basis of population.

"We have built into our constitution a system of checks and balances," Dumont says, "and if you do not have such a system in the legislature, the smaller counties will never get any legislation passed. A few large counties like Essex (Newark) and Hudson (Jersey City) would dominate everything, and out here we would be lucky if we even got crumbs. People who want to base everything on population may be idealists, but I'll say one thing—they've never served in a legislature. If they had, they'd soon have found things don't work that way. You have to have bargaining power."

It should be noted that Dumont's fears may not have been exaggerated, for on July 17, 1963, a three-man Federal court, in the first action of its kind in the Nation, reapportioned both houses of the Oklahoma Legislature on a strict population basis.

"If this is what is going to happen, the counties will lose their political identities completely," Dumont says. "Any redblooded individual who is going to let that happen to him is nuts. And I mean that literally."

In Phoenix, he found other State legislators whose views were virtually identical with his own. "Everybody was aroused about it, and we all felt the same way," Dumont says. "I have never seen all the States so united on anything."

The issue came up for discussion on the last day of the Phoenix conference. The original intention of the southerners, reportedly, had been to get the conference to endorse the Biloxi resolutions, but, instead, a change in strategy was adopted. The conference passed a resolution of its own, entitled "Strengthening the States in the Federal System." The resolution cited the "increasing concentration of power in Washington" and instructed the conference's Federal-State Relations Committee "to prepare a report exploring a clearcut approach" to a method of amending the Constitution through action initiated by the States. The committee was instructed to report its recommendations at the next meeting of the general assembly of the States in Chicago in December.

The ball had now been passed from the meeting of southern delegates at Biloxi to the National Legislative Conference, from the conference to its Federal-State Relations Committee, and the next step had been charted—the step by which the committee would trigger action in the general assembly of the States and the influential Council of State Governments.

With the end of the Phoenix conference, one comes face to face with a key figure in the amendment drive—Representative W. Stuart Helm, Republican speaker of the Pennsylvania house. Helm was chosen chairman of the National Legislative Conference at Phoenix. He was also second vice president of the Council of State Governments and, as such, a member of the council's executive committee. As legislative conference chairman he had the power to appoint the members of the Federal-State Relations Committee that would draft the amendment proposals. In these overlapping capacities, W. Stuart Helm was highly influential, with the power to initiate action and to influence the reception given that action.

Speaker Helm comes from a declining rural-industrial region. His home is in Kittanning, in Armstrong County, about 50 miles from the Ohio border. He has been a member of the lower house of the Pennsylvania Legislature for 24 years, is now its fourth oldest member in length of service, and is serving his second term as speaker. He began his career operating a service station, but for the last 20 years he has been employed by the Sun Oil Co., which is controlled by the Pew family, long noted as bankrollers of Republican and rightwing causes. Now an executive in Sun Oil's merchandising division, Helm exhibits considerable sensitivity about intimations that, because he works for Sun Oil, he is in reality only a mouthpiece for Pew interests.

"I'm employed by Sun Oil, yes, but that's as far as it goes," he insists. "Every year when the legislature meets, I take a leave of absence from my job for several months while the legislature is in session. I've been very careful about that. I don't want anyone to say that there's a conflict of interest."

Obviously, Sun Oil is honored at having on its payroll the speaker of the Pennsylvania House and, patriotically, does not mind the sacrifice it must make in depriving itself of his services for several months each year so that there may be no conflict of interest.

Helm, now in his 50's, stands close to 6 feet tall, has a pleasant, slightly sharpnosed face and thinning gray hair that gives him a distinguished look. He is proud of his stanch conservatism. Drew Pearson, he says, called him a "liberal" conservative, and he bridles at the tag. "I don't know where he gets anything liberal about me," he says. "I've always been a strict organization Republican which, in my understanding of it, tends to be more on the conservative side. I'm certainly no ADAer."

Helm discusses the amendment drive with apparent candor, yet he is sometimes far less candid than he appears. For instance, asked how the idea was born, he responded emphatically:

"I can tell you exactly. We have this committee, a subcommittee of the Conference on Federal-State Relations. This committee came up with these ideas at a time when the conference was not in session. This was following the National Legislative Conference at Phoenix. Since we were not going to be in session, we had provided that any recommendations made by the committee should be submitted to the Assembly of the States meeting in Chicago in December * * * and that was how the whole thing started."

This is at best a deceptive oversimplification. Helm insisted he had never heard of the Biloxi meeting; he even made the astounding statement that the amendment issue had not even discussed at Phoenix—indeed, had never been discussed before the National Legislative Conference. "We didn't discuss it at Phoenix, and we haven't discussed it since," he said. "We have had no occasion to"—a statement that is only technically correct from the viewpoint that specific amendments had not yet been drafted at the time of the Phoenix meeting. The actual proposals, of course, were the work of the committee that Helm named to do the deed.

"The men on the committee were appointed because they were all men I knew," Helm says. "I called them or wrote them—in most cases I called them personally, but in some I wrote letters—and asked them if they would serve, and they agreed."

Subsequent evidence reveals that Helm knew his men well; for of the nine-man committee he appointed, eight were militant advocates of the amendment. Since it was in this Helm-named committee that the deed was done, the identification of its key members becomes important.

Its chairman was Assemblyman Lloyd W. Lowrey, of California, who had begun his career as a teacher but had spent the last 30 years farming and livestock raising. Though elected as a Democrat, Lowrey in recent years had been considered as antiprogressive on most legislative issues. Those who know him rate him an ideal presiding officer for Helm's committee—a man with a definite bias, but one who would consider his role almost judicial and would try to be fair. He would not lead; he would preside and rule—and, though he would strive for fairness, his own personal slant would weight his ruling on any sensitive issue.

With such a chairman, committee sparkplugs would be needed to fire the work, and there is no question Helm found them. All accounts agree that the principal sparkplug was William V. Chappell, 40, a former speaker of the Florida House and a man deemed in Florida political circles to be a radical rightist. During a special session of the Florida Legislature in 1956, Chappell was a leading spokesman for diehard segregationists sponsoring a series of racist bills, some of which would have closed the Florida schools. Some Florida newspapers have labeled Chappell and his political cohorts "the Pork Choppers" from north Florida and have editorially denounced a favorite scheme of theirs to resurrect the so-called blindfold bill. This would set up two slates of unpledged Florida electors in the next presidential election, in effect depriving the electorate of any real choice.

The Florida interests, with Chappell as their moving spirit, were to become dominant in drafting and pushing the amendments. But they received major assistance from at least one northern legislator—Warren Wood of Illinois. Wood, born in Joliet in 1910, represents Will County, south of Chicago. He is vice president of the Union National Bank & Trust Co. of Joliet, and with banking he combines farm management. He served four terms as speaker of the Illinois House, and in 1959 became minority leader. A power in the Illinois Legislature, his political philosophy is reflected by what is perhaps his best known quote—that the 10th amendment to the Constitution "has been raped twice a day for 10 years." The most radical and controversial of the three proposed constitutional amendments, the Court of the Union proposal, is the brain child of Warren Wood.

Other proamendment members of the committee, all active in backing one phase or another of the proposals, were: James Turman, then speaker of the Texas House, later to be defeated in a contest for the post of Lieutenant Governor; Thomas D. Graham, speaker of the Missouri House; Robert D. Haase, speaker of the Wisconsin Assembly (he at first substituted for and later succeeded Speaker David J. Blanchard following Blanchard's death); Clarence L. Carpenter, president of the Arizona Senate, soon to be elected first vice president of the Council of State Governments; and Assemblyman Hauser, of New Jersey.

This was a solid, conservative phalanx. The ninth committee member and lone dissenter was State Senator Frank King, of Toledo, Ohio, a liberal Democrat with a prolabor background. King himself is mystified as to how he came to be chosen. He had not attended the Phoenix meeting, but he had served for several years on the executive board of the National Legislative Conference, he was well-known to many delegates, and he suspects that, since his views were not definitely known, a wrong guess was made in his case. Helm gives a different explanation.

"Originally, King wasn't on the committee," Helm says, "but then someone said that we were loaded with members who were all for the amendments and we should get all shades of opinion, we should hear all sides—and so we asked him to serve."

This passion to hear both sides did not extend to the point of setting up an even

debate; Frank King was left alone to battle eight opponents.

The National Legislative Conference's Committee on Federal-State Relations met in Chicago 2 days after the 1962 general election. It had before it as a working base, according to Senator King, the resolutions that had been adopted at the Biloxi conference in July. The purpose was to rework these resolutions and put them in the form of specific proposals to be submitted to the General Assembly of the States.

The drafting committee began work early in the morning, labored throughout the day, and did not finish until late at night. Frank King was appalled by the determined and, to him, radical attitude of his conferees.

"That fellow from Florida, Bill Chappell, was loaded for bear," King recalls. "He brought a whole delegation with him, judges, lawyers, constitutional experts. Any question that came up, he had an expert there to answer it. They were well financed, well prepared; this was an expensive operation, no question about it. But where the money comes from—that's the $64 question you can't get an answer to."

King still sounds baffled, a man wrestling with extreme frustration, when he tries to describe his attempts to talk sense to his fellow committee members. He could find no possible meeting of minds.

"Take Warren Wood, for example," King says. "To sit down and have dinner with him, he impresses you as a very decent sort, a likable guy. He's not the starryeyed, fanatical type at all. But he has this twist to him. He thinks that something drastic has to be done to save the Nation, and he's ready to do it if he has to die for it. A lot of these fellows seem to really believe it. They don't seem to realize that the very things they advocate would ruin the Nation they say they're ready to die to save."

By the time the day's work was done, the three amendments had been whipped into virtually final form. The strategy of the proponents called for the various State legislatures to pass three resolutions calling upon Congress to summon a constitutional convention. This procedure, though provided for in the Constitution, and intended as an avenue for the States to offer constitutional changes, has never been used in our history by the required two-thirds of the States. There are virtually no guidelines for the organization and functioning of such a convention. Clearly, however, if two-thirds of the legislatures passed the proposed resolutions, the same rural-dominated bodies could handpick the delegates to dominate the convention. Such a convention, if ever called, could dismember the basic structure of the governmental system created by the Constitutional Convention of 1787. Here are the proposed amendments:

(1) This amendment calls for a radical addition to the methods of amending the Constitution. It provides that whenever the legislatures of two-thirds of the States—34—pass identically worded resolutions, Congress would be compelled to deem such amendments proposed. Then, ratification within 7 years by three-fourths of the legislatures—38—would make such amendments the law of the land. This procedure would make it possible to bypass Congress in the amendment process and raises the prospect (as, indeed, was soon to be demonstrated in the amendment drive) that powerful, conservative insiders in the State legislatures could maneuver passage of such amendments before the public knew what was happening. Commenting on this amendment, the American Civil Liberties Union warned that such a step might make it "possible for such basic rights as freedom of speech and religion, the privilege against self-incrimination, the right to jury trial or other freedoms in our Bill of Rights to be removed from the Constitution by a minority point of view."

(2) This amendment is designed to maintain rural control of legislatures in perpetuity. It would prohibit the Constitution "or any amendment thereto" from restricting or limiting "any State in the appointment or representation in a State legislature." It would also bar "the judicial power of the United States" from ruling on any case involving "apportionment of representation in a State legislature."

(3) Warren Wood's Court of the Union proposal would set up a supercourt, composed of the chief justices of each of the 50 States. Within 2 years after any ruling by the U.S. Supreme Court involving Federal-State relations, a demand by the legislatures of five States, "no two of which shall share any common boundary," would be sufficient to bring the Supreme Court's decision before the new supercourt for review. The decisions of this new Court of the Union would be "final" and could be changed "only by an amendment to this Constitution."

With this package virtually completed, the Council of State Governments was asked to place the amendment issue on the agenda of the general assembly. It complied. The amendment-drafting committee met once more, in Chicago, on December 4. This was a brief session, devoted to a final review of the previous month's handiwork. The committee, on this second look, liked what it had wrought and ordered its proposals printed for presentation to the general assembly.

The climax now approached, and the insiders had one more move to make. The board of managers, ruling body of the Council of State Governments, was meeting in Chicago on December 5, the day before the general assembly's convention. If the amendment proposals could go before the assembly with the council's august blessing, their chances would be greatly enhanced. And so an effort was made to gain the endorsement of the council's board of managers.

This time, Brevard Crihfield, executive director of the council, carried the ball. In his annual report to the board, Crihfield minced no words. In explicit terms, he denounced the *Baker* v. *Carr* decision.

"The Supreme Court," he said, "has planted both feet in the political jungle. To me, the only surprising facet of *Baker* v. *Carr* and its aftermath is the relish with which some Federal courts have wielded their now-declared power to tell the States what they shall do—or else.

"What can be done? We can wait, wring our hands and hope that subsequent Supreme Court determination of specific issues * * * will perhaps leave some small area within which the States can retain authority over basic apportionment policies. Or we can decide to take a stand."

Crihfield left no doubt about what the stand should be. "We must have close to unanimous State agreement," he declared, "if the States are to be successful in initiating any amendments to the basic law of the land."

This all-out endorsement by Crihfield has caused considerable trauma within the Council of State Governments itself. Even now, months later, responsible council spokesmen will try to tell you that Crihfield's words did not really mean what they seem to say—that he was not recommending action, merely explaining the problem. Crihfield himself, however, is entirely candid about his position.

"You will notice," he said, "that I said nothing in my remarks about amendment 3 (Warren Wood's Court of the Union proposal). I will say that on the other two my remarks supported those, and I still do."

This, then, was the position of the powerful executive director of the council, backed by support in the board of managers, for Helm, Lowrey, and Carpenter were all members of the board. Despite this, the board did not take a position on the issue. It simply passed the hot potato to the general assembly of the States.

It is intriguing to note that up to this point, except for the southerners at Biloxi, no organization in the circle had irrevocably committed itself. The National Legislative Conference, since it was not meeting (and would not until late this summer, in Honolulu), had not formally ratified the work of its committee. The committee's work had been reviewed by the governing body of the Council of State Governments, but this body had not committed itself either. Yet, despite this lack of full commitment, the ideas germinated at Biloxi had been steered through the channels of command by deft manipulation and were now ready for the general assembly. And, significantly, though the council's top board had not taken a stand, Crihfield's report, fully supporting two of the three amendments, was placed in the hands of all assembly delegates.

These delegates, it turned out, needed little stimulus. When they met on December 6, it quickly became apparent that many were aroused and angry men. As usual, it was the ax grinders who had taken the time and spent the money to attend, but this year, incensed by *Baker* v. *Carr*, there were more and angrier ax grinders.

"I wouldn't want to call this mob action, exactly," says an observer, who was there in an official capacity, "but it was certainly mob hysteria. There was nobody actually foaming at the mouth, but they were certainly wrought up."

Frank King agrees. Once more he found himself a lone voice. The speakers' platform was packed and so, seemingly, was the audience. The Florida delegation, sensing a 20th century Bull Run, had turned out in full force. "There must have been a dozen or more of them," King says, and this time they had brought with them a real rabblerousing voice—that of Millard Caldwell, former Governor, now the State's chief justice.

Florida newspapers have written that Caldwell, as Governor, was virtually the patron saint of the Pork Choppers. In the 1960 Florida gubernatorial campaign. The Miami News criticized him for his "medieval philosophy" and commented bitingly on a "pinko" smear he had employed, characterizing his remarks as "pine and palmetto McCarthyism." Excerpts from some of Caldwell's public speeches seem to justify the appellation. He had bitterly criticized a 1944 Supreme Court decision opening Democratic primaries to Negro voters in the South; he had called Harvard "the rallying ground of the bleeding hearts," and Princeton "the center of egghead internationalists." He had seen Russia, thanks to American camp followers, winning "the first rounds of the cold war and unless those of us who are concerned for the future get busy, they can win the hot war." In a speech distributed by fact finder's forum, an ultraright organization, Caldwell had heaped ridicule upon all liberals as "dogooders" and "bleeding hearts," and by some weird distortion of history had concluded that "Hitler and Mussolini are extreme examples" of what is produced by this type of thinking.

Caldwell, with his racial bias, his anti-intellectualism, his conspiracy view of modern history, was virtually the archetype of the radical rightist, and it perhaps says much for this convention that it was Caldwell who was to be its most persuasive voice. All sources agree on Caldwell's dominant role. Frank King gives what is, of course, a highly personalized version of events, but

one that agrees in its essentials with the views of other observers.

"The segregationists were in the van," King says. "Unless you had seen and heard it, you wouldn't believe that it could happen and that you were in the United States of America. I never heard such nonsense. They had some real spellbinders; they would shout and rant—and then they'd wave the flag. It was well staged, well planned, and there was practically no opposition. I made a speech against it (the package of States' rights amendments); I told the delegates that all it was, was a baldfaced attempt to perpetuate ourselves in office, regardless of the welfare of the country. But the whole thing had caught the delegations, most of them, flatfooted. They had only the vaguest idea what it was all about, and in the circumstances, you know, some of these glibtongued birds can make you believe almost anything the first time you hear it. And they certainly had the glibtongued birds, especially that former Governor of Florida."

An observer at the session agrees with King. He points out that copies of the amendment proposals were not available until the day the assembly met. The insiders, of course, knew what was going on, but other delegates had little opportunity to study the amendments, to ponder their real significance. And Caldwell was the William Jennings Bryan of this convention. "I know he swayed at least half a dozen States," this observer says. Strikingly enough, Wayne Dumont of New Jersey gives an identical estimate. "I know that Caldwell influenced at least half a dozen votes on the Court of the Union proposal," he says, "and remember it only passed by one vote."

In this atmosphere of passion, frenzy, and rank and file ignorance, the amendment resolutions were whipped through the general assembly. They were "brought out, read, debated, passed all in 2 hours," one informant says. "We usually take longer to pass courtesy resolutions."

The first proposal, to change the amendment process, gained the approval of 37 States; 4 opposed and 4 abstained. Twenty-six States favored the reapportionment ban, but 10 opposed and 10 did not vote. On the Court of the Union proposal, 21 States were in favor; 20 opposed; and 5 did not vote.

The insiders had won their major victory.

With the amendments endorsed, the next step was to get action in the State capitols. Once more, the inside power players called on a strategically placed group in which they wielded potent influence. This is still another State organization, called the National Conference of State Legislative Leaders. It is composed, as the name implies, of top level leadership, the presidents pro tem of the senates, the speakers of the lower houses, the majority and minority leaders of both bodies—the dominant officials in every legislature. The general assembly called upon these key leaders "to lend their good offices in seeking favorable State legislative action" on the amendments.

This organization of State legislative leaders had been organized in 1960 with financial help from the Richardson Foundation. The foundation, representing a Vick Chemical fortune, in recent years has poured $532,880 into the Foreign Policy Research Institute of the University of Pennsylvania, and the result has been the promulgation of a hard rightwing doctrine in foreign affairs, expressed in the ridiculously simplified imagery for the nuclear age, that ours is not the lot of peace but the sword. On the domestic front, the Richardson Foundation had been sufficiently interested in the National Conference of State Legislative Leaders to bestow upon it $10,000 to enable the conference to perfect its organization.

Other traces of ultraright enchantment with the amendment proposals soon became evident. Early in 1963, Human Events, the Washington news sheet that is one of the principal bibles of the far right (it also prints and distributes the hard right congressional voting index of Americans for Constitutional Action), devoted major space to an article explaining the wonders of the proposed amendments. The exposition was prefaced by a ruled box, reading: "Human Events suggests that you write your State legislators to back these amendments. With vigorous action, they can be passed." Shortly afterward, when the reapportionment amendment was introduced in the Texas Legislature, copies of Human Events were widely circulated in both houses. The legislature passed the amendment with virtually no discussion, with no one even explaining its purpose.

The amendment push was now getting into high gear, and to keep it rolling still another organization was formed, one whose origins and finances remain something of a mystery. It was called the Volunteer Committee on Dual Sovereignty, and its chairman, by the strangest of chances, turned out to be none other than W. Stuart Helm. Helm gives this explanation of the birth of the Dual Sovereignty Committee:

"Since the National Legislative Conference had taken no official action, we felt we couldn't come out and back the proposals on behalf of the conference. We felt that the best way they could be promoted would be to form a separate, volunteer committee to work for the proposals. They called me and asked me if I would serve as chairman. At first I said I wouldn't, but then I agreed, only with the specific understanding that there should be no official connection with the National Legislative Conference."

"Who were 'they' who called you?" Helm was asked.

"Well," he said, "the men who were leading the fight for these proposals."

He identified them as Chappell, Warren Wood, and "that fellow from California who was the chairman of the committee." The name of Lowrey, whom Helm himself had appointed, seemed to escape him, but when his memory was jogged by mention of Lowrey's name, he indicated that the formal request for him to accept another chairmanship had come from Lowrey.

So the Dual Sovereignty Committee was created, with six vice chairmen assisting Helm. These included four members of the original drafting committee—Chappell, Wood, Hauser, and Haase. Two new names were added—Republican Lieutenant Governor Harold H. Chase of Kansas, and J. D. McCarty, Democratic Speaker of the Oklahoma House. Since Helm was chairman, the Dual Sovereignty Committee listed itself as operating from Harrisburg, Pa., but actually its literature began to bear a Tallahassee, Fla., postmark. For it was in Tallahassee that the committee established a novel public relations setup.

There, in a cubbyhole office tucked away under a staircase in the State capitol, a 37-year-old former newspaperman, George Prentice, set up shop. After leaving the newspaper profession, he had established his own radio and television bureau in Florida, had run into financial difficulties, and finally wound up as public relations man for House Speaker Mallory Horne, of Tallahassee, another close political associate of Chappell.

Prentice says that he was asked to coordinate the effort to pass the amendments in December after the general assembly had endorsed them. His principal functions have been to contact State legislative leaders to urge introduction and passage of the amendments—and to try to keep the movement from being tarred by open involvement with racist and Birchite groups.

"We had some strong approaches from the White Citizens Council of Mississippi and the National Citizens Council, but we have not taken advantage of their offers," Prentice says. "If they want to support the amendments, that's their business. But we don't want our purposes linked with theirs."

Prentice insists that no money has been spent on lobbying. This may be true, since the entire movement is geared to operate from the top, through the close personal ties of powerful legislative leaders. Even so, news releases, long-distance telephone calls, and salaries require quite a bit of money. Prentice's own salary comes to $1,000 a month, he says, and he has one secretary whose salary is paid by a generous Florida State government. In an interview with the Miami Herald, Prentice estimated that the total cost of his dual sovereignty promotion comes to about $1,500 a month, and he added: "My salary is paid primarily by the Dual Sovereignty Committee. Only about 25 percent comes from the speaker's office."

This statement doubtless will come as a shock to W. Stuart Helm. For in Harrisburg, when asked the vital question—where the money was coming from—Helm declared with great emphasis: "We have no money, no organization. We haven't a nickel. We don't spend any money promoting the amendments because we don't have any money to spend. Prentice is a public relations man for the speaker of the Florida House, and whatever he gets paid, he gets for his services as a public relations man to the speaker. We haven't paid him a dime."

Obviously, the gentlemen should get their stories straight.

Such was the behind-the-scenes picture when the amendment drive began to produce astonishing results in the late winter and spring of 1963. State after State, in rapid-fire sequence, began to approve one or another of the amendments. Only then, at a late, late hour, was there any genuine public awakening and opposition.

Two legal experts, Arthur J. Freund, of St. Louis, and Prof. Charles L. Black, of the Yale Law School, were first on the battleline. They corresponded about the amendments soon after they were proposed in Chicago, and Professor Black in a stinging article in the Yale Law Journal, led the attack. He labeled the proposals "radical in the extreme" and argued that they were aimed "not at the preservation but at the subversion" of our governmental system.

"They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation," he wrote. "The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road."

Analyzing the proposed changed method of constitutional amendment, Professor Black argued that it would be "easily possible for a proportion of the American people no greater than that which supported Landon in 1936 to impose on the rest of the country any alteration whatever in the Constitution." He stressed that, as a result of apportionment inequities, legislators representing only 38 percent of their State populations have the power to pass measures in the 38 least populous States. These States contain only 40 percent of the American population. As a result, Professor Black pointed out, the minorities controlling this minority could work fundamental changes and impose their will on the majority. He estimated, for example, that the income tax established by the 16th amendment could be repealed by the votes of legislators representing no more than 15 percent of the people of the Nation.

Black's article had profound impact in legal circles; yet, as late as April 27, 1963, when Chief Justice Earl Warren spoke out on the amendment issue, he reported in shocked amazement that, after researching all law society publications and legal reviews, this was the only article he had been able to find. The Chief Justice lectured the legal profession for its lethargy and called for "a

great national debate" on the three proposals. This call finally broke the barrier of public somnolence and indifference, but the fact that it was needed poses a most disturbing issue.

When the belated awakening came, when it finally dawned on liberal and labor and civil rights groups that the amendment drive must be taken seriously, there was an outcry that the amendments had been "sneaked" through various State legislatures in a devious campaign of deceit and concealment. This charge contains some elements of truth, but also much untruth. For the cardinal and glaring and most unpalatable fact is that, in this stultifying age of conformity and nondissent, few persons were awake; few gave a damn. This applies with almost equal impartiality to virtually everybody—to a soporific and superficial press, to labor leaders, to liberals, to lawyers, and to intellectuals.

Crihfield, the Council of State Governments' executive, sports his disdain of liberals when this liberal "sneak" charge is mentioned to him.

"All the charges that have been made that these were sneak amendments are a lot of nonsense," he says. "The (General Assembly) meeting in Chicago was open to the press, the press was there, but frankly, they paid no attention to it."

Wayne Dumont agrees with Crihfield. He, at least, expected and hoped for publicity. "The next day I went out and bought the papers to see what kind of a press we got," he remembers. "I had to hunt through the Chicago Tribune to even find the story. It was buried in the back somewhere, with hardly any mention of the amendments. It was the same with all the papers."

Frank King, in essence, agrees with his opposition in this estimate of the situation. In his State, a few newspapers like the Toledo Blade were awake and aware from the beginning but generally there was a fog of indifference. "At the outset," King says, "I think a lot of people tended to dismiss this business too lightly, to laugh at it as a crackpot affair. In my estimation, many people still do. But I think it's something not to be taken lightly; I think it's damned serious. I've been fighting this thing in Ohio, and it has involved me in the toughest battle of my political life—and I've been in the legislature 15 years."

These views are reinforced by personal observation. More than 6 months after the Chicago meeting, long after Professor Black and Chief Justice Warren had sounded the alarm bells, there was an amazing paucity of information in usually well-informed circles. In Washington, even in the offices of liberal Senators worried about Birchite threats in their States, the files were barren of any useful information about the amendment drive and the forces behind it. Most labor circles, stirring slowly to opposition, acknowledged that they had done virtually no spadework.

In exculpation, it must be stressed that there were two aspects of the amendment drive that encouraged such lethargy. First, as Frank King noted, the proposed amendments were so extreme that it seemed, to many sensible men, they could never gain wide acceptance. Second, and this is perhaps the most vital single point of the entire story, there had been no public demand for such drastic changes, and it seemed inconceivable, to anyone who recalls how difficult the amendment process has been for even widely publicized causes, that the three-amendment package could get anywhere without a strong basis of grassroots support. That, in spite of this basic weakness, the amendment drive could become a menace express something relatively new in the American experience—the determination and ability of top-ranking ultraconservative elements of the establishment to engineer and organize changes from the top downward while the people sleep.

There can be no question about this. In Ohio where the apparently stymied amendment drive was sparked by Lt. Gov. John Brown, King exposed the movement's glaring lack of popular support. "The Lieutent Governor was the only witness to testify for these things before our committee," King declares. "I challenged them. I demanded that they produce one witness, one resolution—that they show me even one letter that had been written urging this action. They couldn't do it."

In New Jersey, the situation was even more dramatic. Wayne Dumont, worried about the State apportionment issue, was opposed to the radical court of the Union idea, but he was ardently in favor of the other two amendments. "I went around to all the Senators," he recalls. "I explained to them just what the amendments were. There was not one of them who was misinformed. They all knew what they were doing. And they all approved; they all wanted to be cosponsors of the resolution."

The result was that on January 14, 1963, with no debate, just as in Texas, the first two amendments flitted through the New Jersey Senate without a dissenting vote. Later, while action was pending in the assembly, came the first stirrings of public reaction. Civil rights groups began to rouse themselves. U.S. Senator CLIFFORD P. CASE called for repeal of the State senate action. A backfire started. As a consequence, a scheduled assembly hearing was abandoned; the senate recalled the unanimously passed amendments; and on June 28, with desertions taking place on all sides, Dumont withdrew the proposals. They are now, he concedes, definitely dead in New Jersey.

Even Helm, the man at the heart of the amendment effort almost every step of the way, acknowledges that the national drive originated with the legislators, not the public. Discussing public reaction, he said, without any prompting: "Originally, of course, there was none at all. Then, after the amendments were introduced, my mail ran pretty heavily against them. Now, since they have been out for some time and there has been a chance to explain them, there has been a complete change, and my mail is running about 4 to 1 in favor." Helm added that this may not truly reflect public sentiment because "the people who write are almost always those who feel especially strong about something."

Asked if there had been any demand for amendments of this kind before the legislators themselves suggested them, he said: "Oh, no, there was no pressure from the public."

The picture that emerges is clear—and potentially fateful. Amendments that, in the words of Professor Black, could reduce this Nation to a loose confederation of States, had been spawned and promoted by insiders of the establishment with such success that only one (the Court of the Union proposal, which has passed only five legislatures) seems definitely doomed. The other two, adopted by a growing number of States, will come before legislatures again this fall and winter, and no man can say what may be the outcome. That so much could be accomplished by a small cabal of strategically placed officials, backed by wealthy and largely hidden interests, aided by the frenzied cries of racists, States righters, ruralists, and Birchites—all without any perceptible stirring or demand among the people themselves—this is a pattern that speaks of a deep and fateful schism in the American body politic.

It has been obvious for some years that the ultrawealthy, ultraconservative part of our society has been divorced from the broad base of the people, as virtually every presidential election since 1932 has demonstrated. It has been obvious that the power of highly placed rightists has been bolstered mainly by a show of strength on the racist and rabid fringe which, to a great degree, they have actively encouraged and promoted. The rural, rotten borough system, easy to manipulate and control in blocking progressive legislation, has helped to maintain this power, and the coalition in Congress of racist southerners and ultraconservatives mainly from rural areas around the Nation, has stood as testament, for the last quarter century, to the existence and influence of reaction. All that was needed for a further grab for power, for an additional effort to roll back the tides of the 20th century, was some catalytic agent to fuse the coalition tighter and broaden its base. This spark was supplied by *Baker* v. *Carr*.

There is no question that this decision brought a great many legislators, some honestly worried about extreme extensions of Federal reapportionment power, into the amendment camp. They have helped to make possible the success of the amendment drive so far. But, significantly, they did not initiate it; they did not bankroll it; they did not control it. At most, to hold on to their own legislative seats, they collaborated. The significance lies, not in the fact of their collaboration, but in the power of the cabal at the top that has been revealed. When drastic and radical changes that would alter fundamentals of the American system can come so close to being imposed from the top, by inside manipulation, without the shadow of public demand; when, to this use of power and position, there is wedded an all-pervasive lack of dissent and controversy and interest on virtually every level of American society, we are confronted clearly with the potentials for an anti-democratic disaster of appalling magnitude. Whatever ultimately happens to the amendment drive, it has demonstrated the existence of these potentials.

They remain, ready and malleable elements, awaiting the masterful hand of this political junta, or some other, that might use them in new reactionary attacks against the Federal Union and against the degree of democracy so painfully achieved in the 176 years since the Convention met at Philadelphia and agreed upon the document that begins: "We the People of the United States, in Order to form a more perfect Union * * *"

A FLOWER FOR THE GRAVES

Mr. MILLER. Mr. President, the sad, horrifying, and completely unnecessary and inexcusable church bombing in Birmingham last Sunday has shocked all of us. Many things have been written and said about it. One of the most moving, understanding, and timely literary pieces I have ever read came from the pen of a southerner, Eugene Patterson, editor of the Atlanta Constitution, in a column entitled "A Flower for the Graves." I ask unanimous consent that it be printed in the RECORD for all to see and ponder.

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

A FLOWER FOR THE GRAVES

A Negro mother wept in the street Sunday in front of a Baptist church in Birmingham. In her hand she held a shoe, one shoe, from the foot of her dead child. We hold that shoe with her.

Every one of us in the white South holds that small shoe in his hand.

It is too late to blame the sick criminals who handled the dynamite. The FBI and

the police can deal with that kind. The charge against them is simple. They killed four children.

Only we can trace the truth, southerner—you and I. We broke those children's bodies.

We watched the stage set without staying it. We listened to the prolog unbestirred. We saw the curtain opening with disinterest. We have heard the play.

We who go on electing politicians who heat the kettles of hate.

We who raise no hand to silence the mean and little men who have their nigger jokes.

We who stand aside in imagined rectitude and let the mad dogs that run in every society slide their leashes from our hand and spring.

We the heirs of a proud South, who protest its worth and demand its recognition.

We are the ones who have ducked the difficult, skirted the uncomfortable, caviled at the challenge, resented the necessary, rationalized the unacceptable, and created the day surely when these children would die.

This is no time to load our anguish onto the murderous scapegoat who set the cap in dynamite of our own manufacture.

He didn't know any better.

Somewhere in the dim and fevered recess of an evil mind he feels right now that he has been a hero. He is only guilty of murder. He thinks he has pleased us.

We of the white South who know better are the ones who must take a harsher judgment.

We, who know better, created a climate for child killing by those who don't.

We hold that shoe in our hand, southerner. Let us see it straight, and look at the blood on it. Let us compare it with the unworthy speeches of southern public men who have traduced the Negro; match it with the spectacle of shrilling children whose parents and teachers turned them free to spit epithets at small huddles of Negro schoolchildren for a week before this Sunday in Birmingham; hold up the shoe and look beyond it to the State House in Montgomery where the official attitudes of Alabama have been spoken in heat and anger.

Let us not lay the blame on some brutal fool who didn't know any better.

We know better. We created the day. We bear the judgment. May God have mercy on the poor South that has been so led.

May what has happened hasten the day when the good South, which does live and have great being, will rise to this challenge of racial understanding and common humanity, in the full power of its unasserted courage, and assert itself.

The Sunday school play at Birmingham is ended. With a weeping Negro mother, we stand in the bitter smoke and hold a shoe. If our South is ever to be what we wish it to be, we will plant a flower of nobler resolve for the South now upon these four small graves that we dug.

CUBAN TEACHERS OF SPANISH IN IOWA

Mr. MILLER. Mr. President, much has been written about the Cuban refugee and the problems of his assimilation into the mainstream of American life. There are some who feel we are obliged to dole out taxpayer money to support them, forgetting that, like most people, the Cuban is a proud person who wants to stand on his own two feet, making his own way. And too often we Americans are unwilling to admit that the Cubans may have something we need. Such a happy marriage of pride in paying one's own way and need has been and is being demonstrated in a little-publicized program initiated by the Iowa Department of Public Instruction and conducted by the State University of Iowa at Iowa City. Through this program, Iowa is tapping some of the hundreds of jobless professionals in Miami and bringing them to the State as teachers of Spanish. In their ever-increasing quest for knowledge, Iowans felt that this was a proper source to fill the gap resulting from a shortage of Spanish teachers. That this program has potentials going far beyond the State of Iowa is demonstrated in an article appearing in the August 19 issue of Newsweek magazine. The dual results of such a program are summed up in the last paragraph of the article. I quote:

"We'll get along just fine," said Jacqueline Norris, 16, a junior (speaking of her new Spanish teacher). "He'll probably learn just as much from us as we will from him." The new teacher, in turn, was overwhelmed. "I have just one adjustment problem—to get used to living happily again," he said. "I had lost the habit."

Mr. President, I ask unanimous consent that the article, entitled "Iowa, Si" be placed in the RECORD.

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

IOWA, SI

It had been a long and difficult journey from his dank cell in Havana's La Cabaña prison to the white frame house at 1219 Spencer Street in the Corn Belt town of Grinnell, Iowa. As he entered his new home for the first time last week, Vincent H. Rangel—attorney, Cuban refugee, and newest member of the Grinnell High School faculty at a welcome $5,400 a year—turned to one of his hosts and said quietly: "To put it simply, I'm overjoyed."

So was Grinnell, which needed a Spanish teacher as much as Rangel needed a home.

Rangel, 33, whose new status as an Iowan inspired him to change his first name from Vicente to Vincent, is a product of a unique training program for Cuban refugees, conducted by the State University of Iowa and designed to ease a critical shortage of Spanish teachers at Iowa high schools. At Grinnell High School, for instance, there have been four Spanish teachers in seven years. "They didn't like us, we didn't like them, or they moved on for more money," said principal Ray Tyler. "They're just not turning out many good Spanish teachers these days."

COURSES DROPPED

Hearing similar complaints from other schools, some of which had to drop Spanish courses for lack of a teacher, the Iowa Department of Public Instruction had a thought: why not tap some of the hundreds of jobless professionals in Miami's growing colony of Cuban refugees?

With the aid of the U.S. Government's Cuban Refugee Center, the university selected 30 students for this summer's program—pre-Castro lawyers, teachers, businessmen, and even a physician. At the university in Iowa City, the Cubans were subjected to 8 tough, concentrated weeks of study.

"These are mature, well-educated people, but they will be in a strange teaching situation—that is, teaching Spanish as a foreign language rather than a native language," noted Iowa Prof. Florindo Cerreta, director of the program. During 7 daily classroom hours, the Cubans studied not only teaching techniques but American Government and the culture of the Midwest. Besides classroom work in Macbride and Schaeffer Halls on the campus, they practiced new skills on summer-school Spanish students at nearby University High School. Their teaching stressed the sounds of the Spanish language, not its rules of grammar.

FUTURE CRACKERJACKS

Cerreta was pleased with his students. "They have adjusted extremely well," he said. "They will be crackerjack teachers—all of them." The future teachers were happy, too. "In Iowa," said Rangel, "I have been treated like royalty."

By last week, all of the Cubans had been hired to teach, and as their classwork ended, they scattered to such Iowa towns as Eldora, Ringsted, Muscatine, and Van Horne. No welcome exceeded that given Rangel, a handsome, dark-haired man who was imprisoned by Castro for 3 months before fleeing Cuba in the fall of 1960.

Led by the JayceeEttes, a women's club, Grinnell (population 7,300) furnished an 8-room house and collected bundles of clothing and food for Rangel and his wife and four young sons, who joined him this week from Miami. Grinnell High's Spanish students looked forward to instruction from a man so comfortable with the language. "We'll get along just fine," said Jacqueline Norris, 16, a junior. "He'll probably learn just as much from us as we will from him." The new teacher, in turn, was overwhelmed. "I have just one adjustment problem—to get used to living happily again," he said. "I had lost the habit."

THE CRITICAL SITUATION IN BIRMINGHAM

Mr. HUMPHREY. Mr. President, it was my great privilege to meet with some of this Nation's most distinguished churchmen yesterday. They had traveled to Washington from all sections of this Nation to express the deep moral outrage they felt over the tragedy of the Birmingham bombing of last Sunday.

These distinguished churchmen met with many representatives of the Congress, with officers of the executive branch, and last evening, with the Attorney General. They were determined and purposeful men of God. They spoke of the determination which is sweeping the churches and synagogues of this land that freedom and justice shall reign now. They came to urge the speediest possible action by the Congress in enacting the President's civil rights proposals. They referred to this legislation as a minimum program, and to my mind they are absolutely correct.

These churchmen represented every religious faith in the country, and they were here to call to our attention the urgency of the present situation. I stress the word "urgency." They indicated to me that it was their judgment that the Congress did not seem to sense this urgency and the crisis that was upon us. The Sunday bombing greatly intensified the crisis. As one of these churchmen said to me, "Senator, this time I know I fully represent my parishioners. They want the people's representatives in the Congress to speak up and to take action on these vital matters of human rights."

These religious leaders spoke of the need for Americans of every religious persuasion to participate in this quest for full freedom and justice now. They have proposed that every church and

synagogue in America observe this coming weekend as a special Sabbath of prayer and petition. These religious leaders say:

Let us as a nation be still and, praying in our pews, seek the still, small voice of God, asking him for his mercy upon all who have suffered—and upon those who have died. Let us pray for his guidance upon us all that from these present sufferings we might arise at last as one people who dwell together in love, brotherhood, and peace.

I ask unanimous consent that the full text of the statement released by the religious leaders, a list of the leaders, and a digest of their statement to the Attorney General be printed at this point in the RECORD.

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

A CALL TO THE PEOPLE OF AMERICA BY RELIGIOUS LEADERS GATHERED IN WASHINGTON

WASHINGTON, D.C., September 18.—We came to Washington today to express the deep moral outrage which we as religious leaders feel over the hideous massacre which occurred in a city of this Nation last Sunday. We came to tell the Members of Congress and the President, through his Attorney General, that we believe the Nation is ready now as it has never been before for legislation which will insure that incidents such as happened last Sunday—and such as have been happening over and over again in only slightly less monstrous forms throughout this land in recent times—will not occur again. We came to declare that every citizen of this Republic must at last have the full protection of the laws of the United States as they attempt to exercise their rights of citizenship.

We came to Washington to register our convictions as religious leaders. But we feel that the hour has now come when more than the leadership of the churches and synagogues must act. The whole religious community—and that means each and every one of its members—must make their presence felt in Washington, too.

It is our firm belief that Americans of every religious persuasion are yearning for a concrete way in which to express their moral outrage over the atrocities which have taken place. We therefore call upon every church and synagogue in America to observe this coming weekend as a special Sabbath of prayer and petition. We are asking that during their services this Saturday and Sunday, pastors, priests, and rabbis give opportunity for their congregations to respond to the tragic events of the past week in silence, even if this means forgoing their sermons.

Let us as a nation be still and, praying in our pews, seek the still, small voice of God, asking Him for His mercy upon all who have suffered—and upon those who have died. Let us pray for His guidance upon us all that from these present sufferings we might arise at last as one people who dwell together in love, brotherhood, and peace. And then, toward the end of that period of silence, let each worshiper resolve to take pen and paper and write to his Congressman, urging the immediate passage of relevant and effective legislation.

The death of the six young Americans in Birmingham on Sunday which has led us to come here today is tragic and senseless. But it is not an isolated incident. Until a community puts out of its life all sanctioned forms of discrimination and segregation, demented men will find encouragement to commit racist murder.

Our faith calls to us that the deaths of these young people must not be in vain. We can, and we must, mourn their dying, but our mourning will be empty unless out of this dark night of violence can come a new dawn of social and racial justice in our land.

And so, in the spirit of prayer and petition on this Sabbath of silence, we believe it would be a most fitting tribute to the memory of these six children for worshipers everywhere to write their Congressmen and to plead, in the immortal words of Lincoln, "That from these honored dead * * * this Nation, under God, shall have a new birth of freedom."

DELEGATION OF RELIGIOUS LEADERS, WASHINGTON, D.C., SEPTEMBER 18, 1963

Dr. Norman Baugher, general secretary, general brotherhood board, Church of the Brethren, Elgin, Ill.

Rabbi Balfour Brickner, Union of American Hebrew Congregations, New York, N.Y.

The Right Reverend Daniel Corrigan, director, home department, National Council of the Protestant Episcopal Church, New York, N.Y.

Rabbi Richard Hirsch, Synagogue Council of America, Washington, D.C.

His Eminence Iakovos, archbishop, Greek Orthodox Church of North and South America, New York, N.Y.

Dr. J. Oscar Lee, associate director, National Council of Churches, Commission on Religion and Race, New York, N.Y.

Bishop John Wesley Lord, bishop of the Washington area, Methodist Church, Washington, D.C.

The Right Reverend William H. Marmion, Episcopal bishop of southwestern Virginia, Roanoke, Va.

Mr. J. Erwin Miller, president, National Council of Churches, Columbus, Ind.

Mr. Harold Murray, staff member, National Conference on Religion and Race, New York, N.Y.

The Right Reverend James A. Pike, Episcopal bishop of California, San Francisco, Calif.

Mr. Charles Raphael, Orthodox layman, New York, N.Y.

Rabbi Stanley Rabinowitz, Synagogue Council of America, Washington, D.C.

Bishop B. Julian Smith, Christian Methodist Episcopal Church, Chicago, Ill.

Dr. Robert W. Spike, executive director, commission on religion and race, National Council of Churches, New York, N.Y.

Mr. Harold Stassen, president, the American Baptist Convention, Philadelphia, Pa.

Dr. John W. Williams, president, Sunday School Congress, National Baptist Convention of America, Kansas City, Mo.

Dr. Gardner Taylor, pastor, Concord Baptist Church, Brooklyn, N.Y.

Dr. C. Joseph Nuesse, president, Catholic Interracial Council of Washington, Washington, D.C.

Bishop Stephen Gill Spottswood, chairman of the board, NAACP, Washington, D.C.

DIGEST OF RELIGIOUS LEADERS' STATEMENT TO THE ATTORNEY GENERAL

At a meeting with the Attorney General, on September 18, 1963, representatives of the three major faiths voiced their intense concern with the present critical situation in Birmingham and urged the following:

1. That since the citizenry of Birmingham now seem to live in the grip of such paralyzing fear that even those who might wish to speak and act constructively are fearful of doing so, that the Attorney General use to the fullest extent the authority now available to the Federal Government to insure the physical safety and the protection of rights of the citizens of that city and to citizens of every other community where Federal constitutional law may be similarly employed.

2. That the Federal Government seek for even additional legislation by which to extend the guarantee of those rights.

3. That the administration support the strengthening of the proposed civil rights legislation, as in title III, which must include provisions that would more effectively eliminate the brutality of local civic and police officials now practiced against those who protest civil rights violations and practices of segregation and discrimination. Such legislation must provide the techniques whereby legal bottlenecks may be eradicated that permit the leveling of excessive bonds, delay in trial and the holding of leadership of the civil rights movement in jail without bail on capital charges (i.e., insurrection in Georgia, kidnaping in Louisiana, the John Brown statutes in Virginia). Attempts to achieve relief through the Federal courts have been continually thwarted because of the current requirement that State remedies must first be exhausted by the State courts. Moreover, the administration must support proposals in the current legislation that would extend the protection of voting rights to State as well as Federal elections. Under title III the administration is urged to support proposals that would provide for the Justice Department's entering into desegregation cases involving civil rights violations other than those dealing only with segregated education. The group urged the Attorney General to have the administration support a proposal that would make permanent the Civil Rights Commission and the additional strengthening of title VII by providing for a national fair employment practices law.

4. The maximum use of the FBI on a basis of the currently existing antibombing statute and other existing legislation in the anticipation of, protection against, and detection of those who would by such or similar practices not only commit mayhem but incite to violence in a given community.

5. The imposition of sanctions against the Governor of Alabama if it is determined that he by his recent actions stands in criminal contempt of the Federal courts.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The time of the Senator has expired.

Mr. HUMPHREY. I ask unanimous consent that I may have 3 additional minutes.

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

Mr. HUMPHREY. Mr. President, on Tuesday a group of Senators submitted Senate Resolution 200, which is currently lying on the table. The chief author of that resolution, the Senator from Michigan [Mr. HART] is here in the Chamber now. It is cosponsored by Senators KUCHEL, myself, JAVITS, CASE, WILLIAMS of New Jersey, and BREWSTER. This resolution expresses the same sense of grief, sorrow, and dedication contained in the statment released by the religious leaders as of yesterday. The resolution reads:

Whereas on Sunday, September 15, 1963, the conscience of this Nation was shocked by the killing and maiming of Negro children while attending religious service in a church; and

Whereas Sunday, September 22, 1963, is the one hundred and first anniversary of the signing of the Emancipation Proclamation by the President of the United States: Now, therefore, be it

Resolved, That the Senate of the United States extends its deep condolence to the families of these innocent children; and be it further

Resolved, That the President of the United States be informed that it is the sense of the Senate that he proclaim Sunday, September 22, 1963, a day of national observance in memory of these children and a day of rededication in this Nation to the principles of law, equality, and tolerance.

The resolution was followed by a letter to the President of the United States. I feel it is entirely fitting and proper that the Senate, or at least individual Members of the Senate, and of the House of Representatives, express themselves in the manner in which this resolution indicates. It is the least we can do. But we must also appreciate the urgent need for accelerated action on civil rights legislation. We are in a period of grave crisis. It is time we grasped that fact.

I hope every church and every synagogue in this Nation will follow the admonition and counsel of religious leaders of the Catholic, Protestant, and Jewish faiths that we saw yesterday in the Nation's Capital.

Let the people of deep religious convictions in this country and our spiritual leaders speak out. Let the Sabbath of this weekend be dedicated to a period of prayer in commemoration and dedication to human rights, with all of us expressing our heartfelt sorrow over the tragedy that befell these families in Birmingham and, indeed, the tragedy that befell this Nation, and at the shame and atrocity that was committed within our national boundaries during the past weekend.

Mr. HART. Mr. President, the distinguished senior Senator from Minnesota, as always, has spoken eloquently of the hopes and motivation of those of us who suggested, in the resolution to which he referred, that we record formally our sympathy and, additionally, suggest to the President the proclamation of next Sunday, the first Sunday following the horror of Birmingham, and the day which commemorates the 101st anniversary of the signing of the Emancipation Proclamation, as a day of prayer and memorial.

It is an inadequate response, indeed, to the incident that occasioned it. The basic response which I hope Congress will demonstrate is the adoption of a strong civil rights program. It is this response which, in the long run, will best serve all Americans. However, in this interim of attempted recovery from the horror of Birmingham it seems to those of us who submitted the resolution most appropriate that the people of America be urged that on Sunday next they think a little of the basic value that makes us individuals.

Most Senators, and perhaps all of us, believe that we have a common Creator, that each of us is given the same eternal destiny, and that the day will come, God willing, when we will be altogether. In preparation for that day, it behooves all of us on Sunday next to examine our consciences and to ask ourselves if in the role we have in life we are doing, day after day, in our practice and in our speech, that which will equip us for the eternal day when, in fact, we will sit together with a common Father.

It was that motivation which explains the resolution now on the calendar. I hope it heightens for all of us the awareness of next Sunday.

FREEDOM FROM WAR

Mr. SIMPSON. Mr. President, the preamble of the nuclear test ban agreement proclaims as a principal aim of the signatories the "speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations."

This administration hopes to be around long enough to have a voice in achieving this objective. Accordingly, I should like to have printed in the RECORD as an adjunct to the test ban debate the administration's programs and thoughts on general and complete disarmament.

This program is described in a shocking brochure entitled "Freedom From War." It is an outline explaining how the U.S. Government hopes to accomplish total disarmament to "put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons including nuclear weapons," as the treaty preamble puts it.

This highly controversial little booklet bears the number 7277. It was released September 1961, and I understand is now almost as difficult to acquire as "thanks for your dollar" stickers in Yugoslavia.

Allusions have been made to this booklet in the course of this debate, and I am sure all of my colleagues have at least a passing familiarity with its contents. Since it is no lengthier than a brief speech and because it is now rather scarce, I am sure its inclusion in the RECORD at this point will be a contribution to discourse on this treaty which many consider to be a long step toward the loss of our military superiority.

One revealing paragraph on page 3, under the heading "Summary Disarmament Goals and objectives," describes as the U.S. objective, "the disbanding of all National Armed Forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations peace force."

I find it rather alarming, especially in view of the ambivalent test ban treaty to contemplate the disbanding of all America's National Armed Forces.

To alleviate the sudden shortage of these books, I ask unanimous consent for the printing of document No. 7277 in the CONGRESSIONAL RECORD.

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

[Department of State Publication 7277, disarmament series 5, released September 1961, Office of Public Services, Bureau of Public Affairs]

FREEDOM FROM WAR—THE U.S. PROGRAM FOR GENERAL AND COMPLETE DISARMAMENT IN A PEACEFUL WORLD

INTRODUCTION

The revolutionary development of modern weapons within a world divided by serious ideological differences has produced a crisis in human history. In order to overcome the danger of nuclear war now confronting mankind, the United States has introduced at the 16th General Assembly of the United Nations a program for general and complete disarmament in a peaceful world.

This new program provides for the progressive reduction of the war-making capabilities of nations and the simultaneous strengthening of international institutions to settle disputes and maintain the peace. It sets forth a series of comprehensive measures which can and should be taken in order to bring about a world in which there will be freedom from war and security for all states. It is based on three principles deemed essential to the achievement of practical progress in the disarmament field:

First, there must be immediate disarmament action.

A strenuous and uninterrupted effort must be made toward the goal of general and complete disarmament; at the same time, it is important that specific measures be put into effect as soon as possible.

Second, all disarmament obligations must be subject to effective international controls.

The control organization must have the manpower, facilities, and effectiveness to assure that limitations or reductions take place as agreed. It must also be able to certify to all states that retained forces and armaments do not exceed those permitted at any stage of the disarmament process.

Third, adequate peace-keeping machinery must be established.

There is an inseparable relationship between the scaling down of national armaments on the one hand and the building up of international peace-keeping machinery and institutions on the other. Nations are unlikely to shed their means of self-protection in the absence of alternative ways to safeguard their legitimate interests. This can only be achieved through the progressive strengthening of international institutions under the United Nations and by creating a United Nations Peace Force to enforce the peace as the disarmament process proceeds.

There follows a summary of the principal provisions of the U.S. program for general and complete disarmament in a peaceful world. The full text of the program is contained in an appendix to this pamphlet.

FREEDOM FROM WAR—THE U.S. PROGRAM FOR GENERAL AND COMPLETE DISARMAMENT IN A PEACEFUL WORLD

SUMMARY

Disarmament goal and objectives

The overall goal of the United States is a free, secure, and peaceful world of independent states adhering to common standards of justice and international conduct and subjecting the use of force to the rule of law; a world which has achieved general and complete disarmament under effective international control; and a world in which adjustment to change takes place in accordance with the principles of the United Nations.

In order to make possible the achievement of that goal, the program sets forth the following specific objectives toward which nations should direct their efforts:

The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations Peace Force;

The elimination from national arsenals of all armaments, including all weapons of mass destruction and the means for their delivery, other than those required for a United Nations Peace Force and for maintaining internal order;

The institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations;

The establishment and effective operation of an international disarmament organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations.

Task of negotiating states

The negotiating states are called upon to develop the program into a detailed plan for

general and complete disarmament and to continue their efforts without interruption until the whole program has been achieved. To this end, they are to seek the widest possible area of agreement at the earliest possible date. At the same time, and without prejudice to progress on the disarmament program, they are to seek agreement on those immediate measures that would contribute to the common security of nations and that could facilitate and form part of the total program.

Governing principles

The program sets forth a series of general principles to guide the negotiating states in their work. These make clear that—

As states relinquish their arms, the United Nations must be progressively strengthened in order to improve its capacity to assure international security and the peaceful settlement of disputes;

Disarmament must proceed as rapidly as possible, until it is completed, in stages containing balanced, phased, and safeguarded measures;

Each measure and stage should be carried out in an agreed period of time, with transition from one stage to the next to take place as soon as all measures in the preceding stage have been carried out and verified and as soon as necessary arrangements for verification of the next stage have been made;

Inspection and verification must establish both that nations carry out scheduled limitations or reductions and that they do not retain armed forces and armaments in excess of those permitted at any stage of the disarmament process; and

Disarmament must take place in a manner that will not affect adversely the security of any state.

Disarmament stages

The program provides for progressive disarmament steps to take place in three stages and for the simultaneous strengthening of international institutions.

First Stage

The first stage contains measures which would significantly reduce the capabilities of nations to wage aggressive war. Implementation of this stage would mean that—

The nuclear threat would be reduced.

All states would have adhered to a treaty effectively prohibiting the testing of nuclear weapons.

The production of fissionable materials for use in weapons would be stopped and quantities of such materials from past production would be converted to nonweapons uses.

States owning nuclear weapons would not relinquish control of such weapons to any nation not owning them and would not transmit to any such nation information or material necessary for their manufacture.

States not owning nuclear weapons would not manufacture them or attempt to obtain control of such weapons belonging to other states.

A Commission of Experts would be established to report on the feasibility and means for the verified reduction and eventual elimination of nuclear weapons stockpiles.

Strategic delivery vehicles would be reduced.

Strategic nuclear weapons delivery vehicles of specified categories and weapons designed to counter such vehicles would be reduced to agreed levels by equitable and balanced steps; their production would be discontinued or limited; their testing would be limited or halted.

Arms and Armed Forces would be reduced.

The Armed Forces of the United States and the Soviet Union would be limited to 2.1 million men each (with appropriate levels not exceeding that amount for other militarily significant states); levels of armaments would be correspondingly reduced and their production would be limited.

An Experts Commission would be established to examine and report on the feasibility and means of accomplishing verifiable reduction and eventual elimination of all chemical, biological, and radiological weapons.

Peaceful use of outer space would be promoted.

The placing in orbit or stationing in outer space of weapons capable of producing mass destruction would be prohibited.

States would give advance notification of space vehicle and missile launchings.

U.N. peace-keeping powers would be strengthened.

Measures would be taken to develop and strengthen United Nations arrangements for arbitration, for the development of international law, and for the establishment in stage II of a permanent U.N. Peace Force.

An International Disarmament Organization would be established for effective verification of the disarmament program.

Its functions would be expanded progressively as disarmament proceeds.

It would certify to all states that agreed reductions have taken place and that retained forces and armaments do not exceed permitted levels.

It would determine the transition from one stage to the next.

States would be committed to other measures to reduce international tension and to protect against the chance of war by accident, miscalculation, or surprise attack.

States would be committed to refrain from the threat or use of any type of armed force contrary to the principles of U.N. Charter and to refrain from indirect aggression and subversion against any country.

A U.N. peace observation group would be available to investigate any situation which might constitute a threat to or breach of the peace.

States would be committed to give advance notice of major military movements which might cause alarm; observation posts would be established to report on concentrations and movements of military forces.

Second Stage

The second stage contains a series of measures which would bring within sight a world in which there would be freedom from war. Implementation of all measures in the second stage would mean:

Further substantial reductions in the armed forces, armaments, and military establishments of states, including strategic nuclear weapons delivery vehicles and countering weapons;

Further development of methods for the peaceful settlement of disputes under the United Nations.

Establishment of a permanent international peace force within the United Nations;

Depending on the findings of an Experts Commission, a halt in the production of chemical, bateriological, and radiological weapons and a reduction of existing stocks or their conversion to peaceful uses;

On the basis of the findings of an Experts Commission, a reduction of stocks of nuclear weapons;

The dismantling or the conversion to peaceful uses of certain military bases and facilities wherever located; and

The strengthening and enlargement of the International Disarmament Organization to enable it to verify the steps taken in stage II and to determine the transition to stage III.

Third Stage

During the third stage of the program, the states of the world, building on the experience and confidence gained in successfully implementing the measures of the first two stages, would take final steps toward the goal of a world in which:

States would retain only those forces, nonnuclear armaments, and establishments required for the purpose of maintaining internal order; they would also support and provide agreed manpower for a U.N. Peace Force.

The U.N. Peace Force, equipped with agreed types and quantities of armaments, would be fully functioning.

The manufacture of armaments would be prohibited except for those of agreed types and quantities to be used by the U.N. Peace Force and those required to maintain internal order. All other armaments would be destroyed or converted to peaceful purposes.

The peace-keeping capabilities of the United Nations would be sufficiently strong and the obligations of all states under such arrangements sufficiently far reaching as to assure peace and the just settlement of differences in a disarmed world.

APPENDIX

DECLARATION ON DISARMAMENT—THE U.S. PROGRAM FOR GENERAL AND COMPLETE DISARMAMENT IN A PEACEFUL WORLD

The nations of the world—

Conscious of the crisis in human history produced by the revolutionary development of modern weapons within a world divided by serious ideological differences;

Determined to save present and succeeding generations from the scourge of war and the dangers and burdens of the arms race and to create conditions in which all peoples can strive freely and peacefully to fulfill their basic aspirations;

Declare their goal to be: A free, secure, and peaceful world of independent states adhering to common standards of justice and international conduct and subjecting the use of force to the rule of law; a world where adjustment to change takes place in accordance with the principles of the United Nations; a world where there shall be a permanent state of general and complete disarmament under effective international control and where the resources of nations shall be devoted to man's material, cultural, and spiritual advance;

Set forth as the objectives of a program of general and complete disarmament in a peaceful world:

(a) The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations Peace Force;

(b) The elimination from national arsenals of all armaments, including all weapons of mass destruction and the means for their delivery, other than those required for a United Nations Peace Force and for maintaining internal order;

(c) The establishment and effective operation of an international disarmament organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations;

(d) The institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations.

Call on the negotiating states:

(a) To develop the outline program set forth below into an agreed plan for general and complete disarmament and to continue their efforts without interruption until the whole program has been achieved;

(b) To this end to seek to attain the widest possible area of agreement at the earliest possible date;

(c) Also to seek—without prejudice to progress on the disarmament program—agreement on those immediate measures that would contribute to the common security of nations and that could facilitate and form a part of that program.

Affirm that disarmament negotiations should be guided by the following principles:

(a) Disarmament shall take place as rapidly as possible until it is completed in stages containing balanced, phased, and safeguarded measures, with each measure and stage to be carried out in an agreed period of time.

(b) Compliance with all disarmament obligations shall be effectively verified from their entry into force. Verification arrangements shall be instituted progressively and in such a manner as to verify not only that agreed limitations or reductions take place but also that retained armed forces and armaments do not exceed agreed levels at any stage.

(c) Disarmament shall take place in a manner that will not affect adversely the security of any state, whether or not a party to an international agreement or treaty.

(d) As states relinquish their arms, the United Nations shall be progressively strengthened in order to improve its capacity to assure international security and the peaceful settlement of differences as well as to facilitate the development of international cooperation in common tasks for the benefit of mankind.

(e) Transition from one stage of disarmament to the next shall take place as soon as all the measures in the preceding stage have been carried out and effective verification is continuing and as soon as the arrangements that have been agreed to be necessary for the next stage have been instituted.

Agree upon the following outline program for achieving general and complete disarmament:

STAGE I

A. To establish an International Disarmament Organization:

(a) An International Disarmament Organization (IDO) shall be established within the framework of the United Nations upon entry into force of the agreement. Its functions shall be expanded progressively as required for the effective verification of the disarmament program.

(b) The IDO shall have: (1) a general conference of all the parties; (2) a commission consisting of representatives of all the major powers as permanent members and certain other states on a rotating basis; and (3) an Administrator who will administer the Organization subject to the direction of the Commission and who will have the authority, staff, and finances adequate to assure effective impartial implementation of the functions of the Organization.

(c) The IDO shall: (1) insure compliance with the obligations undertaken by verifying the execution of measures agreed upon; (2) assist the states in developing the details of agreed further verification and disarmament measures; (3) provide for the establishment of such bodies as may be necessary for working out the details of further measures provided for in the program and for such other expert study groups as may be required to give continuous study to the problems of disarmament; (4) receive reports on the progress of disarmament and verification arrangements and determine the transition from one stage to the next.

B. To reduce armed forces and armaments:

(a) Force levels shall be limited to 2.1 million each for the United States and U.S.S.R. and to appropriate levels not exceeding 2.1 million each for all other militarily significant states. Reductions to the agreed levels will proceed by equitable, proportionate, and verified steps.

(b) Levels of armaments of prescribed types shall be reduced by equitable and balanced steps. The reductions shall be accomplished by transfers of armaments to depots supervised by the IDO. When at specified periods during the Stage I reduction process, the states party to the agreement have agreed that the armaments and armed forces are at prescribed levels, the armaments in depots shall be destroyed or converted to peaceful uses.

(c) The production of agreed types of armaments shall be limited.

(d) A chemical, biological, radiological (CBR) Experts Commission shall be established within the IDO for the purpose of examining and reporting on the feasibility and means for accomplishing the verifiable reduction and eventual elimination of CBR weapons stockpiles and the halting of their production.

C. To contain and reduce the nuclear threat:

(a) States that have not acceded to a treaty effectively prohibiting the testing of nuclear weapons shall do so.

(b) The production of fissionable materials for use in weapons shall be stopped.

(c) Upon the cessation of production of fissionable materials for use in weapons, agreed initial quantities of fissionable materials from past production shall be transferred to nonweapons purposes.

(d) Any fissionable materials transferred between countries for peaceful uses of nuclear energy shall be subject to appropriate safeguards to be developed in agreement with the IAEA.

(e) States owning nuclear weapons shall not relinquish control of such weapons to any nation not owning them and shall not transmit to any such nation information or material necessary for their manufacture. States not owning nuclear weapons shall not manufacture such weapons, attempt to obtain control of such weapons belonging to other states, or seek or receive information or materials necessary for their manufacture.

(f) A Nuclear Experts Commission consisting of representatives of the nuclear states shall be established within the IDO for the purpose of examining and reporting on the feasibility and means for accomplishing the verified reduction and eventual elimination of nuclear weapons stockpiles.

D. To reduce strategic nuclear weapons delivery vehicles:

(a) Strategic nuclear weapons delivery vehicles in specified categories and agreed types of weapons designed to counter such vehicles shall be reduced to agreed levels by equitable and balanced steps. The reduction shall be accomplished in each step by transfers to depots supervised by the IDO of vehicles that are in excess of levels agreed upon for each step. At specified periods during the Stage I reduction process, the vehicles that have been placed under supervision of the IDO shall be destroyed or converted to peaceful uses.

(b) Production of agreed categories of strategic nuclear weapons delivery vehicles and agreed types of weapons designed to counter such vehicles shall be discontinued or limited.

(c) Testing of agreed categories of strategic nuclear weapons delivery vehicles and agreed types of weapons designed to counter such vehicles shall be limited or halted.

E. To promote the peaceful use of outer space:

(a) The placing into orbit or stationing in outer space of weapons capable of producing mass destruction shall be prohibited.

(b) States shall advance notification to the participating states and to the IDO of launchings of space vehicles and missiles, together with the track of the vehicle.

F. To reduce the risks of war by accident, miscalculation, and surprise attack:

(a) States shall give advance notification to the participating states and to the IDO of major military movements and maneuvers, on a scale as may be agreed, which might give rise to misinterpretation or cause alarm and induce countermeasures. The notification shall include the geograpic areas to be used and the nature, scale, and timespan of the event.

(b) There shall be established observation posts at such locations as major ports, railway centers, motor highways, and airbases to report on concentrations and movements of military forces.

(c) There shall also be established such additional inspection arrangements to reduce the danger of surprise attack as may be agreed.

(d) An international commission shall be established immediately within the IDO to examine and make recommendations on the possibility of further measures to reduce the risks of nuclear war by accident, miscalculation, or failure of communication.

G. To keep the peace:

(a) States shall reaffirm their obligations under the U.N. Charter to refrain from the threat or use of any type of armed force—including nuclear, conventional, or CBR—contrary to the principles of the U.N. Charter.

(b) States shall agree to refrain from indirect aggression and subversion against any country.

(c) States shall use all appropriate processes for the peaceful settlement of disputes and shall seek within the United Nations further arrangements for the peaceful settlement of international disputes and for the codification and progressive development of international law.

(d) States shall develop arrangements in stage I for the establishment in stage II of a U.N. Peace Force.

(e) A U.N. peace observation group shall be staffed with a standing cadre of observers who could be dispatched to investigate any situation which might constitute a threat to or breach of the peace.

STAGE II

A. International Disarmament Organization:

The powers and responsibilities of the IDO shall be progressively enlarged in order to give it the capabilities to verify the measures undertaken in stage II.

B. To further reduce armed forces and armaments:

(a) Levels of forces for the United States, U.S.S.R., and other militarily significant states shall be further reduced by substantial amounts to agreed levels in equitable and balanced steps.

(b) Levels of armaments of prescribed types shall be further reduced by equitable and balanced steps. The reduction shall be accomplished by transfers of armaments to depots supervised by the IDO. When, at specified periods during the stage II reduction process, the parties have agreed that the armaments and armed forces are at prescribed levels, the armaments in depots shall be destroyed or converted to peaceful uses.

(c) There shall be further agreed restrictions on the production of armaments.

(d) Agreed military bases and facilities wherever they are located shall be dismantled or converted to peaceful uses.

(e) Depending upon the findings of the Experts Commission on CBR weapons, the production of CBR weapons shall be halted, existing stocks progressively reduced, and the resulting excess quantities destroyed or converted to peaceful uses.

C. To further reduce the nuclear threat:

Stocks of nuclear weapons shall be progressively reduced to the minimum levels which can be agreed upon as a result of the findings of the Nuclear Experts Commission; the resulting excess of fissionable material shall be transferred to peaceful purposes.

D. To further reduce strategic nuclear weapons delivery vehicles:

Further reductions in the stocks of strategic nuclear weapons delivery vehicles and agreed types of weapons designed to counter

such vehicles shall be carried out in accordance with the procedure outlined in stage I.

E. To keep the peace:

During stage II, states shall develop further the peacekeeping processes of the United Nations, to the end that the United Nations can effectively in stage III deter or suppress any threat or use of force in violation of the purposes and principles of the United Nations:

(a) States shall agree upon strengthening the structure, authority, and operation of the United Nations so as to assure that the United Nations will be able effectively to protect states against threats to or breaches of the peace.

(b) The U.N. Peace Force shall be established and progressively strengthened.

(c) States shall also agree upon further improvements and developments in rules of international conduct and in processes for peaceful settlement of disputes and differences.

STAGE III

By the time stage II has been completed, the confidence produced through a verified disarmament program, the acceptance of rules of peaceful international behavior, and the development of strengthened international peacekeeping processes within the framework of the U.N. should have reached a point where the states of the world can move forward to stage III. In stage III progressive controlled disarmament and continuously developing principles and procedures of international law would proceed to a point where no state would have the military power to challenge the progressively strengthened U.N. Peace Force and all international disputes would be settled according to the agreed principles of international conduct.

The progressive steps to be taken during the final phase of the disarmament program would be directed toward the attainment of a world in which:

(a) States would retain only those forces, nonnuclear armaments, and establishments required for the purpose of maintaining internal order; they would also support and provide agreed manpower for a U.N. Peace Force.

(b) The U.N. Peace Force, equipped with agreed types and quantities of armaments, would be fully functioning.

(c) The manufacture of armaments would be prohibited except for those of agreed types and quantities to be used by the U.N. Peace Force and those required to maintain internal order. All other armaments would be destroyed or converted to peaceful purposes.

(d) The peacekeeping capabilities of the United Nations would be sufficiently strong and the obligations of all states under such arrangements sufficiently farreaching as to assure peace and the just settlement of differences in a disarmed world.

WYOMING AND THE TRAVEL SERVICE

Mr. SIMPSON. Mr. President, I would like to call my colleagues' attention to a story in the September 15 Washington Post in which there appeared in the travel section a story by William McPherson entitled "The USTS Is Breaking Into Song."

Complementing the story, and the most notable from this Wyoming Senator's viewpoint, is a picture of a travel poster bearing the rugged countenance of a Wyoming Indian from the Wind River Reservation near my hometown of Cody. This poster, an original of which hangs in my office and bears in Spanish the exhortation "Travel the New World" and "See the U.S.A.," was the winner of the "Best in Show" award in competition sponsored by the International Union of Official Travel Organizations in Rome earlier this month.

Posters from approximately 80 countries were entered in the show. The picture of my close personal friend, Herman St. Clair, of the Shoshone Tribe took top accolades for the United States.

A U.S. PROGRAM FOR THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, yesterday it was my privilege to offer what I believe to be a series of constructive suggestions and proposals which the United States might make during the 18th session of the U.N. General Assembly to solve or to ease certain cold war problems, problems which have been with us every day since the end of World War II.

I asked that the United States take the initiative on these subjects, just as we took the initiative on the test ban treaty. The proposals I make are not of a political nature but, rather, deal with areas of economics, education, participation in the United Nations, and trade.

I urged, first of all, as I do again today, that we do everything we possibly can to impress upon the Soviet Union the necessity of its active participation in the United Nations by fulfilling its commitments, both financial and political. This means paying up its dues as well as the assessments for peacekeeping operations.

I also suggested that we step up the exchanges between our respective countries in the field of education, the arts, culture, science, and economics. This means that more Americans will be going into the Soviet Union, carrying with them the spirit of this country and the technology and the know-how of the achievements of this country and, indeed, an opening of our gates for more citizens of the Soviet Union to come here, to see our democracy and free enterprise system at work.

I emphasized the importance of additional cooperation between our country and the Soviet Union in the field of outer space, particularly a joint operation in outer space. I believe our Government should ask for an international year for cooperation in outer space, to make the heavens a place of peace, rather than a battlefield for war. In a statement last week in the U.N. Committee on Outer Space, Dr. Nikolai Federenko indicated that progress could be made in drafting a declaration of legal principles to govern space activity, and acceded to the Western view that space exploration could be undertaken by private companies as well as by states. Given the previous Soviet insistence on applying Socialist principles to outer space law, this represents a significant modification. This would seem to indicate that the Soviet Union is willing to compromise on the most important disputed areas in the outer space field.

I urged, and I urge again, that there be a joint operation in terms of the lunar probe, or manned operation—the moon shot. A prominent member of the Soviet Academy of Science, Dr. Anatoly A. Blagonravov, has suggested that it might be advisable to discuss the possibility of cooperating between the United States and the U.S.S.R. in the assault on the moon. Despite the technical problems that might be involved in such a cooperative venture, it is my view that such proposals on the part of Soviet officials should not be hostilely rejected. Rather they should be given careful consideration.

I wish to take a moment to cite an editorial published in this morning's New York Times entitled "Let Us Explore the Stars."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. HUMPHREY. The editor reminds the readers of the New York Times that when President Kennedy was inaugurated as President he made the statement:

> Let both sides seek to invoke the wonders of science instead of its terrors. Together let us explore the skies.

One of the reasons why the editorial was written is that the Director of the Manned Spacecraft Center, Dr. Robert B. Gilruth, has dismissed the idea of Soviet-American cooperation in sending a manned expedition to the moon.

He said it should not be done and could not be done. It seems to me there is a conflict in this instance between the expressed attitude of the President and the statement of Dr. Gilruth.

I voted for the more than $5 billion authorization for the Space Agency. But at the time I did so, I recalled a discussion in the Senate that possibly there was an opportunity here for the two great countries that are so deeply involved in space research to cooperate in a way to minimize the costs and to maximize the scientific talent. If the Russians and the Americans cannot get along on the moon, surely they will not get along on earth. Because of the great cost involved, and because of the need to pool the scientific brainpower and know-how, I believe it would be wise policy to attempt to seek cooperative action not only on the part of our own country and the Soviet Union, but also of other countries, in the peaceful exploration of space. At least we can leave such possibilities open to further negotiation and exploration between the United States and U.S.S.R.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

LET US EXPLORE THE STARS

Two events of the past few days again raise serious question about certain political and ethical aspects of the space program. One is the offhand and astonishingly quick manner in which Dr. Robert R. Gilruth, Director of the Manned Spacecraft Center, has dismissed the idea of Soviet-American cooperation in sending a manned expedition to the moon. The other is the announcement that the 16 astronauts have been permitted to sell exclusive rights to their "personal stories" for

over $1 million, to be paid by a publishing house and a magazine.

Does Dr. Gilruth remember, does President Kennedy remember, the stirring plea the Chief Executive directed to Moscow in his inaugural address? "Let both sides seek to invoke the wonders of science instead of its terrors," the President said then. "Together let us explore the stars."

When the President spoke these words, there was far more reason to think his idea an impractical one than there is today. Of course there are difficult problems still in the way of serious Soviet-American cooperation on a manned space flight. But the financial, political, and scientific advantages to both sides of a joining of forces in this area would be so great that every opportunity should be seized to explore this possibility with the Soviet Government. Moscow's feelers in this direction should be followed up, not rebuffed out of hand.

The sale of the astronauts' "personal stories" represents a stain of commercialism on the record of the space program. The astronauts are not movie stars or baseball heroes whose achievements in some private field of endeavor have made them objects of public interest. The motive of private profit has an honorable and legitimate place in the world of commercial endeavor, but that world does not embrace the tasks the astronauts have voluntarily agreed to attempt. If they are underpaid for the kind of job they do (a condition that exists very widely in the Federal Government) they should be paid more; but they should be paid by their employers, the people of the United States. They should not be permitted to reap enormous private profits from outside sources on the basis of their participation in a great national effort.

PROGRAM OF EXCHANGE WITH SOVIET UNION

Mr. HUMPHREY. Mr. President, I wish to emphasize the importance of a program of exchange with the Soviet Union. Every American who returns today from the Soviet Union can tell us more about that country than we knew before he left.

When I returned from a visit to the Soviet Union, I said there were conditions of drought. I said we ought to reexamine the whole question of East-West trade. I said to the Senate that one of the new forces in the Soviet Union today, a force that had to be considered, was the consumer; that the Soviet consumer was rejecting shoddy goods and demanding better quality and more modern goods. He was demanding a larger quantity of consumer goods. Two or three weeks later, that kind of information coming from Moscow made headlines. The Government of the United States, business, and the news media of the country ought to take these factors into consideration.

For example, when will we revise our outdated policies on foreign trade, policies which have shackled this country until today our balance-of-payments situation is becoming deplorable and dangerous? It is a subject of deep concern to any sensible, reasonable person. I am happy to note that after jarring the thinking of a few people in and out of Washington, a process in which a number of Senators have joined, a reappraisal of curbs on Soviet trade is now planned. In an article entitled "Reappraisal of Soviet Trade Curbs Planned," published in this morning's Washington Post, we read:

> Secretary of Commerce Luther Hodges announced last night that the Government would take a new look at its curbs on trade with the Soviet world.

Good. I salute and cheer that announcement. We should not relax curbs on strategic military items; in fact, they should be tightened. But on soft goods, on consumer goods, on foodstuffs, I say the American businessman and the American producer had better ask his Government what is taking place. Shall we continue a policy that enables the Soviet bloc to buy its goods from the West Germans, the British, the French, the Italians, the Dutch, the Swedes, the Danes, the Belgians, and the Japanese? We have factories that are idle and workers who are unemployed.

We have a balance-of-payments problem. We have severe difficulties in our economy. Yet we refuse to do that which is simple and direct: We refuse to trade in goods that in no way would injure American national security.

Mr. President, I ask unanimous consent that the article to which I have just referred be printed at this point in the RECORD.

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

REAPPRAISAL OF SOVIET TRADE CURBS PLANNED

Secretary of Commerce Luther Hodges announced last night that the Government would take a new look at its curbs on trade with the Soviet world.

Hodges made this statement to reporters at the close of the White House Conference on Export Expansion. The reappraisal of trade barriers, he said, was urged by the business leaders at the Conference.

The Commerce chief said he was impressed by the fact that "hard-headed businessmen are now saying we ought to take a look at this situation."

"There has been some easing," Hodges added. "They wouldn't have said this 2 years ago."

The businessmen did not specifically call for expanded trade with the Communist bloc but this was the clear purport of their deliberations. One executive noted that the United States last year accounted for only $125 million of the $5 billion that the West sold to the East.

Hodges emphasized that any relaxation would involve only nonstrategic materials. However, this is a remarkably rubbery concept.

Existing legislation prohibits the sale of strategic goods to the Soviet bloc. But the Commerce Department has been accused of defining "strategic" to embrace an encyclopedic list of goods.

Officials elsewhere in Government also would like to relieve the restraints. However, fear of a hostile reaction in Congress has inhibited the administration.

Mr. HUMPHREY. Mr. President, the article reads, in part:

> The Secretary of Commerce says he was impressed by the fact that hardheaded businessmen are now saying we ought to take a look at this situation.
>
> "There has been some easing," Hodges added. "They wouldn't have said this 2 years ago."

I have enough sense to know that if one produces, he ought to sell. The choice for the American farmer today is either to pile up his goods in Government warehouses or else sell them in the world market. I suggest we sell.

PURCHASE OF GRAIN BY RUSSIA FROM AUSTRALIA

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Russia Buys Grain From Australia," published in the Washington Post of this morning.

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

RUSSIA BUYS GRAIN FROM AUSTRALIA

MELBOURNE, AUSTRALIA, September 18.—Russia today signed a contract to purchase at least 58.5 million bushels of Australian wheat worth about 40 million Australian pounds ($90 million).

It was the second such major food purchase Russia has made this week. A $500 million purchase was made from Canada Monday.

The Australian contract provides for an option on another 5 or 6 million bushels. All the wheat will be supplied in the form of flour, delivered to eastern European and Siberian ports, mainly in 1964. It will be paid for in cash, and will go to markets where Australian wheat is not normally sold.

The contract was announced by Chairman James V. Moroney, of the Australian Wheat Board. He said the sale, "coming on top of the huge sale of Canadian wheat to Russia announced in Ottawa," gives the international wheat trade its "biggest boost in years."

[In Washington, officials estimated that the total of about 7½ million tons of wheat purchased in Canada and Australia amounts to about a seventh of the current Soviet wheat crop.]

SOVIET TRADE TRAP SEEN

Canadian Social Credit Party Leader Robert N. Thompson, who is on a short tour of New Zealand, said in Auckland that only 6 months ago Russia sold 48 million bushels of wheat to Brazil and only 8 months ago the Communists negotiated a tremendous sale of wheat to Japan. He said that Canada has fallen into a Soviet trade trap.

"Why did not Canada get, for instance, the Brazil order?" he asked.

Soviet experts, however, generally agree that the Soviet grain purchases reflect a genuine grain shortage in Russia stemming from an unusually bad harvest. While the Soviet press and radio have not reported the grain purchases to the Soviet public, Khrushchev has been publicly berating farmers and farm bureaucrats recently for inefficiency.

In a speech published by Tass yesterday, Khrushchev dwelled on misuse of fertilizer production.

"We export mineral fertilizers because our economists haven't learned yet to calculate realistically what this costs," he told a farm meeting in Volgograd (Stalingrad).

"If they calculated, then they would see that it would be better to put a ton of these fertilizers in the earth * * * it would be more economical to export the grain received than mineral fertilizers. And only after we have fully satisfied our domestic needs for mineral fertilizers can we then export them."

CITES YUGOSLAV YIELD

Khrushchev said fields in Yugoslavia, where he recently visited, have higher grain yields than Soviet fields because of the use of fertilizer.

In the Soviet Union, Khrushchev said, some farm officials regard their fertilizer allotments as a burden.

"The matter has reached the point where directors of some collective and state farms must be persistently reminded to take fertilizer they have been allotted out of the storehouse and not let it lay for months," he said.

"We have spacious fields and we took the way of expanding cultivated areas," he said. "Now, evidently, we have to concentrate our efforts on the question of raising productivity—consequently, on the production of mineral fertilizers."

Mr. HUMPHREY. Mr. President, the article reads, in part:

Russia today signed a contract to purchase at least 58.5 million bushels of Australian wheat worth about 40 million Australian pounds—$90 million.

This item should be of interest to Senators from the Midwest. If you, Mr. President [Mr. HART in the chair], were a Senator from North Dakota or Minnesota or Montana, a State bordering directly on Canada, having the same watershed, the same kind of soil, and the same type of climatic conditions, currencies which are exchangeable, and had a brother living on one side of the border and another brother living on the other side of the border, what would be your reaction?

Yet Canada says to its farmers, "Increase wheat production 25 percent." In America we say, "Decrease wheat production 35 percent."

In Canada, they say, "We will sell, and we will sell for cash." In America, we say to the farmer, "We will give you a crop loan, and you can put the crop in a Government warehouse."

Surely this situation is ill advised. What is the rationale?

I will not stop talking on this subject until there is a change of policy. I do not ask that we sell guns, tanks, and planes; indeed not. I am not asking that we sell goods that can be converted into military power.

But let it be clear that the Soviet Union will not perish because it does not get wheat from the United States. It will get wheat somewhere; otherwise, its own people will have to starve. The Soviet regime will not fall because of a shortage of wheat. They will purchase the wheat from our allies.

Mr. President, our Government ought to make extensive efforts to regularize international trade regulations and normalize them to promote better trade. I ask that we reexamine our trade policy so that we can at least normalize this aspect of relationships among nations.

LARGE-SCALE REDUCTIONS IN DEFENSE EXPENDITURES

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excellent editorial entitled "Forward Planning," published in the Washington Post of this morning.

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

FORWARD PLANNING

Senator GEORGE MCGOVERN, of South Dakota, is to be commended for taking the initiative in proposing that plans be made now for cushioning the economic impacts of large-scale reductions in defense expenditures.

Federal outlays for defense are currently running at an annual rate of nearly $55 billion, and it would be both naive and irresponsible to assume that the economy will automatically adjust to cutbacks in expenditures which could ultimately amount to nearly 10 percent of the current gross national product. Rapid reductions that are not accompanied by offsetting tax cuts would surely depress the level of economic activity.

Senator MCGOVERN'S bill, which will be introduced after the confirmation of the test ban treaty, contains two important provisions. It would establish a National Economic Conversion Commission in the Commerce Department, charged with investigating the various economic impacts of disarmament. At the same time it would seek the cooperation of the business community by requiring that firms establish forward planning staffs at Government expense whenever they receive contracts which absorb more than 25 percent of their labor force.

Forward planning by Government and industry offers the best hope of avoiding the economic dislocations that would inevitably follow a detente between the Communist and non-Communist blocs. We hope that Senator MCGOVERN'S bill will be widely supported when it reaches the floor of the Senate.

Mr. HUMPHREY. Mr. President, the editorial commends the distinguished junior Senator from South Dakota [Mr. MCGOVERN] for taking the initiative in proposing that plans be made now to cushion the economic impact of any large-scale reductions in defense expenditures. This is looking ahead.

The Senator from South Dakota is continuing a study made several years ago by the Subcommittee on Disarmament, of which I am privileged to be the chairman. I have long been interested in this critical problem. I am grateful to the Senator from South Dakota for his cooperation and leadership. I hope every Member of the Senate will seek to help in this endeavor.

A REPORT ON SOVIET AGRICULTURE

Mr. HUMPHREY. Mr. President, we in this country sometimes make the mistake of assuming that the actions and policies of the Soviet Union are based only on political and ideological considerations.

Such an assumption is a mistake because we now know that international policies of the Soviet Union are affected by its own domestic problems. One of them is agriculture.

Food and fiber production has been one of the biggest problems in the Soviet Union. Chairman Khrushchev himself has admitted publicly that the Soviet Union has not been able to meet its agricultural goals. Recent purchases of wheat from Canada and Australia by the U.S.S.R. is further evidence of the Soviet agricultural crisis.

It is important for us to understand the Soviet agriculture problem—and the efforts being made to solve it. Mr. Charles W. Bailey III, Washington correspondent for the Minneapolis Tribune and one of the Nation's outstanding agriculture reporters, has written a seven-part series titled "A Look at Russian Agriculture." Mr. Bailey accompanied the Secretary of Agriculture, Mr. Orville Freeman, on his recent tour of the Soviet Union. The articles he wrote after that trip are fascinating and informative, and I urge my colleagues to read and study them.

Mr. President, I ask unanimous consent that Mr. Bailey's articles, as published in the Minneapolis Tribune, be printed in the RECORD at this point.

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

[From the Minneapolis Tribune]

A LOOK AT RUSSIAN AGRICULTURE: SOVIET FARM SITUATION COMBINES EXHILARATION AND EXASPERATION

(EDITOR'S NOTE.—Charles W. Bailey was the only Western reporter to accompany Agriculture Secretary Orville Freeman on his tour of the Soviet Union. This is the first of seven articles on what he observed.

(Russians joke about the listener who wrote a radio station to ask if "it is possible to solve impossible problems" and was told, "We do not answer agricultural questions.")

(By Charles W. Bailey)

Moscow, U.S.S.R.—On one side of the road stands a ramshackle, half-abandoned village, the old wooden houses frayed by time and neglect. On the other side of the highway, a score of new apartment buildings shoot skyward, their new walls shining in the summer sun.

This scene on the road leading into Moscow from the airport is the first contradiction that greets the visitor to the Soviet Union. If that visitor comes seeking a clear picture of Soviet agriculture, the first glimpse typifies the difficulties that lie ahead of him.

In more than 6,000 miles of travel across the U.S.S.R. last month, an observer accompanying Agriculture Secretary Orville Freeman found that initial roadside paradox repeated again and again.

There are areas in this vast country where almost anything can be grown, and where almost everything is grown—and in Moscow housewives stand in line to buy poor vegetables and scrawny chickens, while grocery shelves are all but bare of even canned foods.

There is power and excitement and an air of great challenge well met in the "virgin lands" beyond the Urals, where millions of acres have been broken to the plow in the last decade—and there are also duststorms and droughts, weed infestation and falling yields in these same wheatfields.

There is the outspoken and persuasive determination of Soviet Premier Nikita Khrushchev to master the problems of agriculture—and there is the current Russian joke about the listener who wrote the radio station to ask if "it is possible to solve impossible problems" and was told: "We do not answer agriculture questions."

In Minsk a bustling factory turns out a shiny blue tractor every 70 seconds—and in Orenburg the chief mechanic on a 250,000-acre state farm tells of spare parts shortages and pistons that fail in the fields.

The Minister of Agriculture for the U.S.S.R. writes of the need to let farm managers run their own operation, to free them from "the administrative itch"—and in the Ukraine, more than 3,000 government inspectors second-guess the decisions of these same managers.

There are big, modern, automated milking parlors at the Soviet agricultural exhibition in Moscow—and a startling number of cases of foot rot in the cows on a collective farm outside Tashkent.

These examples are symptomatic of a broader paradox in Soviet agriculture: Here

is a country which has learned to do the big things well—to make a quantum jump in wheat production, for example, by pouring men and machines into previously untilled lands—but which is still struggling, with only limited success, to do the smaller but more complex jobs—like producing good meat and milk and vegetables.

It would be easy and comforting to conclude that a Communist government simply cannot make agriculture, in its more sophisticated forms, work. There is, indeed, evidence that the system is responsible for many of the troubles that have beset Russian farming over the years.

But such a simple analysis will not stand by itself. The Russians have made great strides in some areas, and they are obviously determined to keep moving ahead.

They have succeeded in providing themselves with an ample supply of food grains, the basic ingredient of the Russian diet.

They are planning a massive investment in fertilizer production—an investment which, if actually made and soundly followed through, could sharply increase their yields of feed grains and thus facilitate the production of a more adequate meat supply.

They are beginning to show signs of getting away from the overemphasis on corn which resulted from Khrushchev's near obsession with that crop. Soviet researchers and some farm managers are beginning to look with keen interest on such substitute crops as sorghum, which American experts believe would be better suited to the dry, hot climate in many areas in the U.S.S.R.

Thus, despite the obvious shortcomings, Soviet agriculture is moving. True, the signs that dotted the Russian countryside a few years ago exhorting farmers to "Catch up with the U.S.A." are gone; and some of the problems which remain appear to be so interwoven with the Soviet system that they seem unlikely to be solved without a major political upheaval.

It is also difficult to gage the real state of Soviet agriculture from the farms seen by Freeman's touring party. Clearly, and quite naturally, the places displayed were "the best of the best"; the Americans had to keep constantly in mind that they were seeing no more than a dozen out of some 48,000 farms in the U.S.S.R.

But it would be a mistake as one of Freeman's top aids noted at the end of the trip, to continue to think of agriculture as communism's "Achilles heel." It remains a major weakness and a continuing problem in the Communist economy, but one that is recognized and is being attacked.

No single individual better typifies both the recognition of the problem and the determination to deal with it than Nikita Sergeyevich Khrushchev. His views and his plans will be discussed in the next article of this series.

[From the Minneapolis Tribune]

A LOOK AT RUSSIAN AGRICULTURE: "NOW WE ATTACK," KHRUSHCHEV SAYS OF SOVIET FARM PROGRAM

(By Charles W. Bailey)

(NOTE.—When Freeman suggested that more Soviet citizens should visit the United States, Khrushchev replied, "When we must decide on fertilizers or tourists, we decide for fertilizers.")

MOSCOW, U.S.S.R.—"We have had some success in agriculture. But we respect the success of other people, too."

Nikita Khrushchev looked across the table at Orville Freeman.

"The level of agricultural development in your country is higher than in ours," he went on. "This is not the result of your political system, but the result of your riches—the bigger capital investment in agriculture * * * now we attack."

Khrushchev went on, in a 2-hour discussion in the Kremlin, to explain what he meant by "attack." These were his main points:

He plans a "sizable increase" in fertilizer output. At present, he said, annual production in the U.S.S.R. is about 20 million tons; by 1970, he said, he hopes to boost this figure to 100 million tons per year. He estimated the investment required at close to $6 billion. "We have the money and during the next 5 years we shall invest it," he said. "If we need more, we will allocate more."

Other capital investment in agriculture will also be boosted, he said, citing plans to buy plants for making mixed feeds and production facilities for herbicides, as well as projected outlays for irrigation.

He recognizes the need for training Soviet farmers to utilize new production aids. "It is not enough to have some means—it is important to know how to use them," he said. "We will have to teach the people." Later, he said: "We have a few machines, but in some areas we are short of qualified workers."

He concedes that material incentives—that is, more cash in the farmers' pockets—are important even in the Communist system. "There is no use quarreling about it," he told Freeman. "This problem is a very important one."

Khrushchev readily admits that animal husbandry and the production of fruits and vegetables are a "weak point" in Russian agriculture. "We have much to learn from you in this, and we will use your fundamental experience in this field," he said. Later, he said he wanted to send an aid to the United States to find out how American farmers can produce beef animals with more than twice as much meat on the carcass as Soviet cattle.

Throughout the session, Khrushchev repeatedly stressed the need for investment. He thumped his fist to emphasize the point when he said: "Now we have money on the table." Again and again he returned to the need for investment in agriculture, and when Freeman suggested that more Soviet citizens should visit the United States, Khrushchev responded: "When we must decide on fertilizers or tourists, we decide for fertilizers."

The record of the conversation makes it clear that Khrushchev is as interested as ever in the problems of Soviet agriculture—a subject which has claimed his detailed attention repeatedly since he came to power in the midfifties.

First it was the "new lands" program to boost wheat production; then his love affair with hybrid corn; now the new preoccupation—and the new crash program—is fertilizer.

In the 5 years since he became top man in the Soviet Union, Khrushchev repeatedly has demonstrated his enormous concern with agriculture—and his thorough knowledge of the subject and the problems it creates in his country.

On occasion, he has used the public relations techniques of the Western politician: On a visit to the "new lands" he rode standing up all day in an open car to inspect the fields, and scoffed at suggestions that he sit down. "I would stand up all the way back to Moscow," he said, "if I could see wheat like this all the way."

He has devoted day after day, in party meetings, to his farm problem, to detailed discussion of individual farm operations and practices.

His earthy style is perfectly suited to the subject; discussing his current Minister of Agriculture, I. P. Volovchenko, he told visiting Americans, "He knows the practical well—he knows how to grab a man by the ear and say, 'You are not hoeing the right way'."

But such chummy remarks have not kept Khrushchev from shaking up his farm bureaucracy repeatedly in an effort to improve agricultural performance. Ministers of agriculture have come and gone, control structures have been reshaped, new laws have been put on the books in an effort to curb widespread false reporting, stealing, and poor performance on Soviet farms.

The difficulty of making a totally planned economy work properly was vividly demonstrated by the 1962 increases in prices for meat and milk—increases of up to 30 percent at the consumer level.

Freeman's group discovered in questioning farm managers that these products had been selling below the cost of production, in many cases, before the price increases. The increases were ordered primarily to get production increases—and to act as a brake on consumer demand while supplies were still short.

But even with juggling of prices and higher wages for farm workers, an American observer comes away from the expedition into the tangled thickets of Soviet farm bureaucracy with serious doubt about the possibilities of making it work. How it operates—and how it sometimes does not operate—will be discussed in the next article of this series.

[From the Minneapolis Tribune]

A LOOK AT RUSSIAN AGRICULTURE: BEHIND THE MAN BEHIND THE PLOW IS AN ARMY OF BUREAUCRATS

(By Charles W. Bailey)

(NOTE.—The complexities of Soviet agricultural bureaucracy make the U.S. Agriculture Department look as simple as a ladies' sewing circle by comparison.)

KIEV, U.S.S.R.—"Everybody was talking, but it was not clear who was responsible for what."

This statement—by a top farm official in the Ukraine—epitomizes the problem of the Soviet agricultural bureaucracy.

The complexities of this bureaucracy make the much-maligned U.S. Department of Agriculture look as simple as a ladies' sewing circle by comparison. And in a completely state-owned, totally planned economy, the effectiveness of the bureaucracy is far more important than in a free-enterprise system where farmers make their own decisions.

As Soviet leaders have struggled to increase production on the farms, they have made a series of changes in Government machinery for handling agriculture. At present, one agency decides on capital investment and sets the figures for deliveries of farm products to the state; another is in charge of research, extension, and other scientific services; a third is responsible for production, actual procurement and handling of farm commodities; a fourth, with the jawbreaking name of "Soyuzselkhozteknika," collects and files orders for machinery needed by the individual farms.

Woven all through these departments, and also superimposed on them at national, regional, and local levels, is the Communist Party.

The size of the Soviet farm bureaucracy is staggering. Take, for example, the "breadbasket" republic of the Ukraine. There are almost 10,000 collective farms and close to 1,000 state farms in the Ukraine. (A collective is theoretically owned and managed by its farmers; a state farm is run by the state and all profits go to the state.)

To direct these 11,000 farms and their approximately 100 million acres, the Ministry of Production and Procurement in the republic employs 14,400 people. The Ministry of Agriculture—now downgraded to a sort of research-and-extension service—employs upwards of 15,000 people.

There are 25 regional production and procurement offices in the Ukraine. They supervise the activities of 250 rayon, or local, production committees.

Working out of the local offices are about 3,100 inspectors, each of whom supervises five farms. These inspectors can call in accountants to check farm books, call meetings

of collectives and denounce wayward farm managers if necessary, and otherwise exert what Ukrainian officials blandly called "moral persuasion" to enforce their suggestions.

Although the Soviets insist that the collective or state farm manager is the final authority on his farm, it is perfectly clear that he is in fact under the thumb of the production and procurement offices and the inspectors.

When one visiting American asked what happened if the members of a farm backed up their manager in a dispute with an inspector, one high official replied: "Well, then it is usually a case of breaking the law, and the inspector can call in the courts."

And when a party official was asked whether any farm managers were conservatives who refused to take advice on new practices, he replied without expression: "There are such leaders that are conservatives, but the people just hint that he is not suited to the place."

Meanwhile, the agriculture ministry itself has been left to run experiment stations, develop and supply seed, provide livestock breeding services, handle insect and pest control work, and run the extension service.

At the top level, the Communist Party and the Government are almost completely interlocked. In the Ukraine, for example, the minister of agriculture is also a member of the U.S.S.R. central committee of the party; the minister of the production and procurement is also a member of the presidium of the Ukraine party organization.

This interlocking control extends to lower levels, too.

At one experiment station in Krasnodar, questioning by members of Secretary of Agriculture Orville Freeman's group disclosed that the director of extension was also the Communist Party secretary of the station. And in the Russian Republic, all of the local production committee directors are Communist Party members, and nearly half of these were formerly local party bosses.

(There is a curious reluctance on the part of Soviet officials to acknowledge this close connection between the party and the farm bureaucracy. In 1962, officials said, "many" of the 795 local directors in the Russian republic were not party members. One of the visiting Americans asked how many. The answer: "Six.")

To provide even tighter party control of agriculture, Khrushchev in November 1962 put through a basic reorganization of the party structure as well, to place "the production principle at the basis of the structure of party organs from top to bottom." Special party committees were set up to parallel the local production administrations and to supervise all aspects of rural life.

It seems clear that Khrushchev has succeeded in giving the Communist party much more direct control over agriculture. It is less clear that the reorganizatin has accomplished another of its stated goals—the centralization of responsibility for farm production and elimination of excess bureaucracy.

Thus there may have been more truth than was intended in the explanation of one official for the 1962 reorganization: "In the last few years, the government decided the problem was very important, and changed the name from the Ministry of Agriculture to the Ministry of Production and Procurement."

Americans who visited regional farm offices both before and after the shakeup found that despite its avowed aim to shrink the bureaucracy, the same old faces were still there—though under new titles.

And what about the man at the bottom of the pyramid—the Soviet farmer? How does he fare with so many "big brothers" looking over his shoulder? The next article in this series will take a look at his life.

[From the Minneapolis Tribune]

A LOOK AT RUSSIAN AGRICULTURE: SOVIET FARMS SEEK INCENTIVES, AND IVAN'S HALF ACRE HAS ROLE

(By Charles W. Bailey)

(NOTE.—The Russian peasant has seen four decades of land seizure, regimentation, moves to boost production, and bloodletting—and he is still low man on the totem pole.)

SAMARKAND, U.S.S.R.—A portrait of Lenin hangs on the wall. The father of the Russian revolution seems to peer over the farm manager's shoulder as he wrestles with the problems of the 5,000-acre collective.

This vignette, which is repeated in every farm and government office, could well typify the plight of the Soviet farmer, for the peasant—more than any other man in Russian society—has paid the price for Lenin's revolution.

It has not been painless, either. The Soviet farm problem is sometimes characterized as a case of "Marx versus the Peasant," and the description is apt. No sector of the population has been less amenable to the changes imposed by communism; no sector of the economy has given Soviet planners and managers more trouble.

After four decades of massive bloodletting, seizure of all farmland, years of regimentation and endless attempts to boost production, the peasant is still low man on the Communist totem pole—and agriculture is still the economic problem child of the U.S.S.R.

What is life like for Ivan Ivanovich, the "kolkhoznik" or collective farm member?

It is a mixture of the ages—old and the brand new. Ivan lives with his family in a little house—no more than three rooms at most—as did his forebears. His children spend most of their day at a collective nursery of kindergarten or school; his wife usually works on the farm, as a full-time milkmaid or herder or part-time harvest hand.

The farm on which Ivan works is either a kolkhoz—a collective farm theoretically owned by the farmers, who share in any profits—or a sovkhoz—a state farm owned and operated by the Government, with farmers merely employees.

In recent years, the Soviets have cut down the number of collectives by merging them or converting them into state farms. The advantage of the state farms to the Government is obvious—it gets all the profits and can more easily control the workers, since they can be fired. But on a state farm the Government must absorb any losses, whereas any net losses on a collective come out of the farmer-members' hides.

Thus, while the shift to state farms is a long-range goal, the Government is apparently moving slowly, converting those collectives which are likely to be profitable and leaving the others unchanged so that losses will not come out of the Government's budget.

Whether he works on a kolkhoz or a sovkhoz, Ivan has no land of his own, of course. But he has for his own use a tiny piece of ground—anywhere from a half acre to 2 acres—on which he can raise produce and a little livestock for his own use, either at home or for sale in the free market.

On most collectives, Ivan is allowed to have for his own one cow, a sheep or pig, some poultry, and perhaps a calf.

Ivan cares for his private plot and this livestock in the early morning or evening. During the day, he works for the collective, as a member of one of the brigades. He has one specific task—tractor driver or field hand, herdsman or mechanic or combine operator.

He gets his pay in a number of chunks, none of them large. On the average—according to figures obtained from farmworkers and managers by U.S. Agriculture Secretary Orville Freeman's group—the total value of Ivan's wages, in cash and in kind, will range from about $70 per month to $130, depending on his job.

This pay is made up of a bewildering array of different pieces. First there is a "norm," a sort of minimum wage, paid partly in cash and partly in kind. There is extra pay if Ivan or his brigade "overfulfills" the assigned work quota.

In some cases, there is a "quality" bonus. If the collective farm shows a profit at the end of the year, there may be another bonus based on distribution of farm income to the workers.

This system, officially acknowledged to be "very complex" and privately described by Soviet economists as a "nightmare," does make one thing clear: Communist leaders have been forced to recognize the profit motive.

Soviet Premier Nikita Khrushchev concedes that material incentives are "very important"—but only "in a certain stage of socialism." He told Freeman that the U.S.S.R. is "entering a new era when we will use moral incentives." An outside observer can only suspect that the new era will be a long time coming.

The "private plot" is perhaps the best evidence of the survival power of material incentive in a Communist society.

From these tiny pieces of land come the best meat, the best poultry, the best fruits and vegetables to be had in most Soviet markets—and the private sales make up an important part of total output of these products, despite official downgrading of this sector.

For the U.S.S.R. as a whole, more than half the total meat and potato production, almost half of all milk and green vegetables, and about four out of five eggs come from the private plots.

In the case of meat, the private sector is important even in state procurement, with about 10 percent of the meat bought by the state coming from private, rather than collective or state farm, production.

The importance of the private sector can be measured in terms of price, too. In the biggest farmers' market in Kiev, U.S.S.R., the market master estimated that individual farmers sell about four times as much meat as the collective farms for which they work; and housewives are willing to pay 30 to 40 cents per pound more for the privately-produced—and thus generally younger and more tender—meat.

(Meat is expensive, even in terms of U.S. purchasing power. State prices for beef at the Kiev market average 80 cents a pound or more for all cuts; for privately-produced beef, shoppers pay upwards of $1.10 per pound, while veal—the most-sought-after meat—brings $1.25 per pound. These prices must be measured against average city wages of $100 a month or less.)

Thus the reason why peasants work hard on their little "private plots" is clear. And Soviet farm bosses, in their efforts to boost production on the collective and state lands, have had to recognize the same material factors.

The collectives, for example, are beginning to establish guaranteed minimum cash payments to workers—a step ordered by Khrushchev to end the prevalent practice of siphoning off any net profits for reinvestment or construction of auditoriums, libraries, "rest pavilions," and other nonagricultural fringe projects.

Another recognition of the power of material incentives was the state-ordered rise in milk and meat prices last year. Figures given by farm managers to the visiting Americans made it clear that livestock products were being produced at a loss before the increases—and that production began to increase only after the prices were hiked to the point where it became profitable.

There is a good deal of theoretical talk about abolishing the private plots. "Eventually they will disappear," says Pavel Fedorouk, Communist Party secretary at a research station in Krasnodar, U.S.S.R. "We are trying to achieve results from the collectives and state farms so that the farmers could use the rest of the day for recreation and cultural achievements and would not have to work on their private plots."

Fedorouk insists there is no "goal" to eliminate the private plots. "We do not discuss this officially," he said. But the implication was crystal clear that the state would like to get rid of them.

This seems unlikely. Ivan Ivanovich likes his private plot, and what he produces on it is still an important factor in meeting consumer food demands. And Ivan is a stubborn fellow—as Josef Stalin learned when he had to slaughter Ivan's forebears to force them onto collective farms.

But Soviet agriculture has its successes as well as its problems. The next article in this series will take a look at one of the major successes—the "new lands" program.

[From the Minneapolis Tribune]

A LOOK AT RUSSIAN AGRICULTURE: HIGH MORALE OF NEW LANDS CAN'T ERASE MOUNTING PROBLEMS

(By Charles W. Bailey)

(NOTE.—Adamovski state farm's 275,000 acres make it as big as Minnesota's Steele or Pipestone County.)

ADAMOVKA, U.S.S.R.—A thousand miles east from Moscow, U.S.S.R., the plane crosses the Ural Mountains, and the steppe rolls out below, flat and treeless, hot and dry in the July sun.

Now the traveler can see the huge fields, green and yellow and black, and as the plane dips lower he notices the abandoned sites of the tent villages that housed the first settlers a decade ago.

These are the "new lands," the pride of Soviet agriculture: almost 100 million acres of Siberia and Kazakstan—an area as big as the State of California—broken to the plow in massive drive to make the U.S.S.R. self-sufficient in wheat and to free more humid areas for production of feed and livestock.

When you bump down onto the grass airstrip here, you are a long way from anywhere. The members of Agriculture Secretary Orville Freeman's party were the first Americans in this part of the world since the famine relief teams came after World War I.

This community is the headquarters of the Adamovski state farm, settled in 1954 as one of the first "new lands" stations and now, a decade later, one of its showpieces.

As with everything in this area, you have to start with sheer size. Adamovski wraps 275,000 acres into a single unit—making this one farm as big as Steele or Pipestone County in Minnesota, with an area equal to 700 good-sized midwestern farms rolled into one.

There are 120,000 acres planted to spring wheat. Another 30,000 acres are in other crops—corn for silage, field peas, barley, millet, and a small amount of sugarbeets. The rest of the farm is still in grass, though each year an additional 5,000 to 7,500 acres has been going under the plow.

The people and the work at Adamovski are organized on quasi-military lines. There are five divisions, each with its own leader; around each division headquarters are clustered the homes of farmers, little brick houses along a dusty street, their silhouettes providing the only break in the flatness that seems to run a hundred miles to the horizon.

There are 800 full-time workers on the farm, with another 600—farmers' wives and people from the cities to the west—called out in the harvest season. This is, perhaps more than any other part of the Soviet farm economy, a mechanized operation: 12 machinery brigades on the farm operate 260 tractors and 200 combines.

The visitor senses at once that morale is high among the men who came out here to spend that first Siberian winter in tents, and among the men and women who followed them in later years. There is an air of challenge—of great challenge—well met.

But in the headquarters offices at Adamovski and at the similar farms that stretch eastward across the steppe for another 1,000 miles, there are problems piling up that cannot be solved by morale.

An examination of these problems must be prefaced by saying that the new lands program has been a success in Soviet terms. It has been expensive, there has been waste, there have been bad years—but it has added 40 million acres of wheat land to the Soviet total, and the new lands now produce close to half of the Soviet Union's annual output of close to 2 billion bushels of wheat.

But the problems are piling up for these latter-day sodbusters.

Some of them are traditional and climatic—shortage of rainfall, the beginnings of a dust bowl, steadily declining per-acre yields, troubles with weeds, trouble with soil alkalinity. Others seem peculiar to the Soviet system—adherence to questionable cultivation practices, shortages of machines and spare parts, breakdowns, inability to get the harvest in.

The U.S. experts who visited Adamovski were skeptical of the Soviets' deep-plowing techniques and of what appeared to be needlessly dense seeding. One noted after a discussion session that the chief agronomist of the farm "never heard of a grain drill."

The failure to fallow the wheat land—it is left fallow no more than 1 year out of 7 under present programing—also raised American eyebrows. In a similar area in the United States, land would be fallowed every other year. Though the Soviets argue that differences in the seasonal pattern of precipitation make fallowing inefficient, their techniques are at least controversial.

In the machine shop at Adamovski, an American specialist asked Andrei Makarov, the tall, sunburned chief mechanic of the farm, what gave him the most trouble. The answer came quickly: "pistons."

The on-the-spot statement confirmed persistent reports that Soviet farms have continuing difficulties with tractor engines; other reports make it equally clear that a shortage of spare parts is a constant headache.

And there isn't enough machinery to start with. An economist at Adamovski, asked what he would buy if he had $10,000 to spend as he chose, answered at once: "harvesting machinery."

The biggest problems, however, are likely to be caused by weather, particularly if the Soviets continue their present no-fallow practices on the new lands.

Yields have fallen off steadily, especially in the main producing area of Kazakhstan. This year there have also been dust storms reported in the east; existence of this problem was confirmed when a special conference on soil erosion was called this summer.

Soil alkalinity is proving troublesome, too, and in the last few years the weed problem has become a major one. In some areas of Kazakhstan, the 1962 crop came out of the threshing machines with as much as 16 percent wild oats content.

In time, there may be more herbicides, so that Soviet farmers can spray the crop after emergence as is done in the United States when weeds become troublesome. In time, too, there may be enough machines, and enough spare parts, so that much of the present harvest-time trouble can be eliminated.

But one thing that will not change is the climate. The new lands, in a semiarid section of a nation where rainfall is more often than not deficient, will always be short of moisture, and this will always limit yields—especially when land is not regularly fallowed.

There was a hint, in Khrushchev's talk with Freeman, that he is thinking about returning some new lands acreage to grass. Clearly it could support a great deal more livestock than is being run there now—as much as five times as many cattle at Adamovski, in the view of the visiting Americans.

But for the time being, it appears that the Soviets will continue to push wheat production on the Siberian steppes. It has been, for their purposes, a successful program, and it has helped them dramatize their drive to boost farm output.

Whether this will remain a stable producing area depends greatly on the whims of weather, the vagaries of Russian farming doctrine and the improvement of farm machinery supply.

Meanwhile, Soviet farm planners are also struggling to improve livestock production—a sector in which they have had no success to match the new lands drive. The next article in this series will examine this problem.

[From the Minneapolis Tribune, Sept. 10, 1963]

A LOOK AT RUSSIAN AGRICULTURE: RED SYSTEM IS ITS OWN WORST ENEMY IN LIVESTOCK PRODUCTION

(By Charles W. Bailey)

(NOTE.—Four years ago, billboards exhorted Russian farmers to "overtake and surpass the United States" in production of livestock products. The signs are no longer there.)

KIEV, U.S.S.R.—In 1955, Premier Nikita Khrushchev ordered a massive corn growing program in the Soviet Union to produce more livestock feed. In 1963, Khrushchev is proclaiming a massive fertilizer program—to produce more livestock feed.

Four years ago, the Russian countryside was dotted with billboards exhorting farmers to "overtake and surpass the United States" in production of meat, milk, and other livestock products. This year, the signs are no longer there.

These two comparisons offer some insight into the livestock situation in the Soviet Union. And a look at livestock brings the differences between American and Soviet agriculture most clearly into focus, for it is in this sector that Russian farmers lag farthest behind the United States.

Indeed, a comparison of the livestock operations of the two countries suggests that in this sector the Communist system itself may be the major bar to Soviet hopes of equaling or even approaching American performance.

As far as the present status of Russian livestock is concerned, observers traveling with Agriculture Secretary Orville Freeman last month found ample evidence of the lag.

Everywhere the cattle were dual-purpose animals, used for both milk production and beef. Even at research stations there was little evidence of the specialized breeding that has long been commonplace in the United States.

The result is that neither beef nor dairy production fares well. At one leading collective farm here, average annual milk yield per cow was listed at 7,040 pounds—below the average for all U.S. cows of 7,300 pounds. And at the Teresino livestock research station, a first-line breeding farm, average production was 10,516 pounds—below the 11,000-pound average for U.S. dairy herd improvement association cows, and far below the levels attained on Government research farms in the United States.

Similarly, meat is of inferior quality by U.S. standards, and expensive to boot. Beef

and veal is priced at $1 per pound, including fat and bones, in Kiev markets.

Russian farms are still fighting serious disease problems. Hoof-and-mouth disease still exists; and at one collective farm near Tashkent, the dairy herd was badly afflicted with foot rot—a disabling hoof ailment that most of the visitors had not seen for many years in the United States.

Despite the size of Soviet dairy herds, mechanization is still in a relatively primitive stage. Officials in Moscow proudly showed the visitors two big motor-driven carousel milking parlors—but on working farms, machines elsewhere, they were portable units used in old style stanchion barns.

Labor expenditures in livestock production are still high. At the Sovky state farm outside Kiev, one of the new specialized farms set up outside big cities to provide milk, one worker was required for every five or six animals. In the United States, efficient dairy farms need only 1 worker for every 25 cows.

Freeman's party visited one big hog farm near Kiev where 30,000 hogs a year are produced in a modern, mechanized setup that seemed fully up to good U.S. standards.

In the Crimea, the Soviets are said to be establishing "broiler factories" along American lines. And artificial insemination, used in the United States primarily for dairy cows only, is being applied in the U.S.S.R. to sheep and hogs as well—a development that the visiting American scientists want to study further.

The Russians are making strong efforts to boost output of feed—the critical factor in expanding their livestock production in terms of volume.

Feed supply was at the root of Khrushchev's corn program; it was a big factor in the new lands wheat program, since this released acreage in the humid areas for feed production.

The marketing and distribution system for perishable livestock products is also a serious problem. There is little refrigeration, inadequate transport, a shortage of processing facilities. Canned goods are virtually unavailable in Moscow groceries, according to visitors who checked groceries there.

Such a catalog of problems should not be read as an indication that the basic reason for the new Soviet cry for increasing fertilizer production.

But after the pros and cons of the existing situation and the proposed plans are weighed, an American observer—even after allowing for inherent political bias—comes away with a conviction that the Communist system is peculiarly unsuited to the production of ample supplies of high quality, reasonably priced livestock products.

The production of livestock—the care and feeding of animals—requires a higher degree of skills, and a more diverse collection of them, than the production of field crops.

The Soviets, by massive applications of manpower and technology, have been able to expand their cropland and thus boost total grain output; but such techniques do not seem applicable to improvement of livestock.

There is confirmation for such a judgment in the fact that the livestock products of the "private plots"—those few head of livestock farmers are allowed to raise for themselves—are acknowledged by Soviet officials to be superior to the products of the state operations.

The fact that consumers are willing to pay substantially higher prices for privately produced meat, and the fact that privately produced meat is more readily available in markets, is even more convincing evidence.

The processing, distribution and marketing problems of livestock products point up another weakness of the Communist system.

This critical segment of the livestock industry had been starved by the Government, which has given priority to investment in other sections of the economy; as a result, there are not enough railroad cars or trucks, not enough well-located and modern slaughtering facilities, almost no bulk refrigerated space, a shortage of food processing machinery and facilities.

This shortfall is, in effect, a planned one—regardless of the reasons, which may have been compelling—and thus directly attributable to the system of total state management of the economy. In another system consumer demand would have forced the diversion of at least some resources into development of these services which are vital in getting meat and milk from farm to city dinner table.

Another evidence of the flaws of a completely planned system in dealing with livestock was the increase in meat and milk prices last year. Until the boost—which averaged 25 to 30 percent at the grocery counter—state and collective farms were losing money on livestock, but were forced to continue such uneconomic production under state-imposed directives.

Under a different economic system, this problem would have been self-correcting, through the working of the market; under the Soviet system, it persisted—and thus held down production—until the Government conceded the power of "material incentives" and boosted prices.

Before this was done, several years of potential progress were lost.

This kind of judgment takes the observer away from the wheat field and the barnyard and into the realm of theory. But such a progression is inevitable, for theory is as important as practice in both the successes and failures of Soviet agriculture.

The next article in this series will offer some overall conclusions about farming in the Soviet Union.

A LOOK AT RUSSIAN AGRICULTURE: FARM PROBLEMS AND POTENTIAL ARE AS BIG AS THE SPRAWLING NATION

(By Charles W. Bailey)

(NOTE.—Khrushchev tells Freeman, "We are fed up to here with rockets. We are going to divert this money to agriculture.")

Moscow, U.S.S.R.—Six thousand miles of travel in heat and baking sun. Visits to a dozen huge farms and an equal number of experiment stations. Countless meetings with officials over long tables in stuffy offices. Side trips to crowded markets and bustling tractor plants and shiny horticulture exhibitions.

These are physical elements of an inspection tour of Soviet agriculture in the summer of 1963.

But what sticks in the observer's mind, first of all, are people.

There is the aggressive official in Moscow, denying planning failures: "That cannot happen in our system. We have experience with a planned economy."

And there is another official at the same meeting, a tall, moody, handsome man who quietly deflates this statement with one short sentence: "Gosplan is not God, you know."

There are the new Soviets—men for whom the system has been good; the provincial production boss, twice decorated as a hero of Socialist labor; the bright young tractor driver, rewarded by having his picture in the national agriculture exhibit—and by appointment as a delegate to the 22d Congress of the Communist Party.

And there are, everywhere in the memory, what might be called the old Russians: men building homes of crude lumber or adobe, women standing in shadeless fields tending a few cows, children waiting at the roadside to watch the big black cars speed by.

There are the people of the "new lands," sunburned, hardhanded, proud as they show what they have done to transform the endless Siberian steppes into millions of acres of wheatland.

There is the agriculture minister in the Ukraine—Mark Spivak, old Bolshevik, member of the party central committee, veteran survivor of Soviet politics—flushing with emotion as he describes his boyhood as the child of a poor peasant and tells how the Communist Party helped him to rise and prosper, and why it is good for Russia.

And there is Spivak again, real astonishment in his eyes as Orville Freeman explains that he became Secretary of Agriculture in the United States after winning three elections—and losing three elections.

This traveler's montage of faces is paralleled by a similar collection of conclusions—seemingly random and subjective, but all supported by factual evidence.

The potential of Russian agriculture is rich—if it can effectively be tapped. In this country, encompassing one-sixth of the earth's land area, there are resources to produce all that is needed, and more.

The Soviets have come a long way in 45 years—through chaos and bloodbaths, through a devastating war that forced them in many places to start all over again—from the primitive agriculture of czarist Russia.

They are at least in grain and other field crops, a "going concern." Their techniques may seem clumsy to Western eyes, but the production is there, and it will increase. It is not inconceivable that in a decade they will be competing with us in world export markets.

Soviet agricultural research, badly crippled for years by insistence that scientists accept the Lysenko theory of inheritability of environmentally induced characteristics, is now following the same general lines as our own—though researchers still pay lipservice to Lysenkoism.

The willingness of Lenin and Stalin to make the peasant pay the price of national progress—by starving and coercing him while they built Soviet industry—is brutally clear.

The size of Soviet farms is staggering. So is the size of Soviet farm bureaucracy. The conclusion is inescapable that both are too large for efficient operations.

The Communist Party has not been able to apply its principles and its machinery to animal husbandry, or to such specialized crops as fruits and vegetables, with any degree of success. It is questionable whether the Communist system can be successfully applied to livestock production.

Even in the production of grain crops, where the system can be made to work if there are enough machines and enough capital investment, Communist ideology has proven a balky engine—unless it is lubricated with capitalist "material incentives."

No matter what is done to boost production, consumers will not receive full benefits from it until the Soviet Government greatly increases its investments and effort in the farm-to-table segment of agriculture—in transportation, refrigeration, processing, handling and marketing.

As of now, this sector is the stepchild of Soviet agriculture.

Further progress in Soviet agriculture depends on the willingness of Russian leaders to increase the amount and the proportion of capital investment going into agriculture.

While past gains have been made by increasing acreage, future progress will depend on increasing yields—and this will require heavy investment in fertilizer, insecticides and weed-control chemicals, as well as improved seeds.

Even if such increases in investment are made—and Premier Nikita Khrushchev gives every indication of a determination to make them—there is another unknown factor: the ability of Soviet farmers to absorb new technology effectively.

Soviet agriculture cannot make any really spectacular further progress unless the system is modified. This conclusion is not

based simply on any reflexive bias against communism, but rather on past performance—and on the admitted fact that Soviet leaders are still struggling to make their political and economic control systems for agriculture workable.

Finally, there is one conclusion that could be a heartening one for the whole world: There is enough work for the Soviets to do on their own farms to keep them, and their national resources, occupied for decades.

If they choose to look inward instead of outward for new frontiers to conquer, the Russian farmer and consumer, as well as the rest of us, will be the better for it.

Khrushchev held his hand up under his chin as he told Freeman, "We are fed up to here with rockets—we have enough rockets. * * * We are going to divert this money to agriculture." Khrushchev's people, no less than the rest of us, can only hope he means it.

ROSH HASHANAH GREETINGS

Mr. HUMPHREY. Mr. President, on the occasion of a new year in the Jewish calendar, I would like at this time to extend to the Jewish citizens of the world my sincere wishes for a prosperous year ahead. May it prove to be, for them and for all mankind, a year of genuine peace, security, and happiness. May it bring new hopes, new dreams, and new goals, while at the same time fulfilling the hopes, dreams, and goals of yesteryear.

Rosh Hashanah—the day of God's judgment of the world—is also a day on which the Jews pray not only for themselves, but for the people of the world at large.

In response, the American people as a whole join with them in the knowledge that peace, a traditional object of prayer on this occasion, is no longer a mere trinket to be talked about and played with, in the political sense. Indeed, it is fast winning recognition as an absolute necessity.

Let us then pray, and let us also remember that out of the strains of this era, if we but will it and have the faith to see it through, we can achieve even more than ever.

It is in the spirit of using this time of prayer as the springboard of the inspiration we need to go forward, that I extend to American Jewry my best wishes on Rosh Hashanah.

CIVIL RIGHTS BROADCASTS

Mr. WILLIAMS of New Jersey. Mr. President, in this time of discussion, debate, and concern over the civil rights crisis, it is a pleasure for me to commend the efforts of a group of television and radio stations, RKO General Broadcasting, to add to public enlightenment on the subject.

RKO General Broadcasting, a national group of five TV and seven radio stations in New York, Los Angeles, Boston, Detroit, San Francisco, Washington, D.C., and Memphis, has developed, and is currently broadcasting, a series of statements by prominent individuals who present their ideas on how the civil rights crisis can be resolved peacefully and justly. An attempt has been made to give widely varying viewpoints. It is a pleasure to report, too, that the Voice of America is broadcasting these messages around the world. The series is called "In Search of a Solution: Civil Rights."

The premise of the series—a continuing national symposium—was set forth in these words by Hathaway Watson, president of RKO General Broadcasting:

We consider the civil rights issue the most important on the domestic scene today. It is recognized that attitudes on this question differ, yet we believe that there is no disagreement on the desirability of resolving the crisis without violence and with a maximum of fairness to all. In the messages recorded to date we have found, as we expected, a diversity of opinions, which we welcome. For it is our hope that the expressions we broadcast will not only constitute a significant national and local consensus, but that they will offer original and constructive ideas for a solution of this problem.

It is noteworthy that RKO General Broadcasting, in developing the series, sent invitations to an extensive list of leaders in Government, including Senators and Governors of northern and southern States. In addition, invitations were sent to leaders in education, religion, business, labor, the arts and the law, and to the heads of the major Negro organizations. I was gratified to be included among those invited to participate.

The series was conceived by, and is under the supervision of, Martin Weldon, director of public affairs for RKO General Broadcasting; and Mr. Weldon has provided me with a set of the statements so far recorded and now in process of being broadcast, on varying schedules, on the RKO General Broadcasting stations: in New York, WOR AM/FM–TV; in Los Angeles, KHJ AM/FM–TV; in San Francisco, KFRC AM/FM; in Washington, D.C., WGMS AM/FM; in Boston, WNAC AM–TV, WRKO FM—the Yankee Network; in Detroit-Windsor, CKLW AM/FM–TV; and in Memphis, WHBQ AM–TV.

I am pleased to call to the attention of the Congress of the United States these statements, broadcast by RKO General Broadcasting, in regard to solution of this urgent national problem.

I ask unanimous consent that these statements be printed in the RECORD.

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

FRANCIS CARDINAL SPELLMAN, ARCHBISHOP OF NEW YORK

The inequities inflicted upon the Negroes in America have been a festering problem in our society for many decades. There is simply no reason why the color of a man's skin should limit his opportunities in a society that boasts of freedom.

Visiting our soldier-sons all over the world, I have seen white and Negro soldiers serving our country, suffering the same hardships and confronting the same hazards of war. Yet contrary to every Christian principle and in defiance of the glorious American ideal of equal justice for all, some of those same Americans who risked their lives for you and for me are denied the right to vote, the right to receive an adequate education, the right to live where they desire.

They are denied these rights for only one reason—the color of their skin. It is lamentable that some Americans who would die together, will not live together. This is an outrage which America cannot tolerate. Doors cannot continue to close in the faces of Negroes as they search for jobs, as they strive for membership in some unions, as they seek the chance for specialized job training. Surely the spirit of justice and equality which lives in the very heart of our great Nation will not permit these inequities to continue.

The tradition of America is to get things done promptly, but also to get them done peacefully. That is the American way. We must accomplish what has to be done working together, as one people with a common ideal, calmly but with determination to progress and to succeed in making our ideals a reality.

DR. DAN M. POTTER, EXECUTIVE DIRECTOR OF THE PROTESTANT COUNCIL OF NEW YORK CITY

The solution to the problems of integration seems to me to be in the realization that in this 20th-century America no human being can be a complete person, a truly fulfilled individual, unless his circle of friends and associates includes members of other races, religions, and cultures.

When the world is two-thirds nonwhite, how can anyone claim to be a complete person when he doesn't personally know some members of that majority? It's simply old-fashioned to be restricted to our "own kind."

We may have to walk a picket line at first to get acquainted, give our children the opportunity to go to school and church with members of other races, or get the chance ourselves, if white, to work with Negroes and Puerto Ricans at all levels in our company or union. You can come even closer home by becoming a foster parent for a Negro child, one of those hundred orphans just waiting for a little human love, a family for their own.

So if we want to be complete, fulfilled persons, we must wake up to the way the world is * * * the way it's always been, really, ever since God created of one blood all nations to live together on the face of the earth. I wonder how long we have left to wake up to reality? If we recognize this basic truth and act accordingly, our social tensions will soon pass, and we'll all be healthier, happier, and more mature people.

DR. JUDAH CAHN, RABBI, METROPOLITAN SYNAGOGUE OF NEW YORK

The long hard years since the founding of the National Association for the Advancement of Colored People culminated in the historic 1954 Supreme Court decision which removed the "separate but equal" blot from the pages of American history. But even more important it also vindicated the faith of the NAACP in the strength and the justice of American democracy. The NAACP won its victory not on the barricades, not in street brawls, but within the confines of the judicial process which is the greatest safeguard of personal freedom in American democracy.

Today our civilization and our personal fortunes of free men are more dependent on the strength of law and order than ever before in our history. The time has come for increased action on two fronts. First, we must continue, within the framework of our legal system, to give every citizen of the United States not only equality before the law but the right to utilize his talents and abilities in every area of life. Second, and of equal importance, Negro and white citizens alike must continue to be unswerving in their devotion to democracy.

We have reached a point in this great American revolution when the tactics used must be weighed in the light of the victory which is inevitable. We must be sure that the impatience and frustrations which still exist are not used to destroy the very things for which we fight: the responsibilities and privileges of democratic living.

ROY WILKINS, EXECUTIVE SECRETARY OF THE NAACP

The civil rights crisis can be and will be resolved peaceably and justly. The alternative is chaos, revolution, and a racist dictatorship. Fortunately, our governmental system provides the means by which this crisis can be resolved.

We are now engaged in a massive effort to secure enactment of the President's civil rights bill. Negroes have been deprived of rights by legislative action. Legislation is required to restore those rights and to open up new vistas to Negro citizenship.

The National Association for the Advancement of Colored People has given top priority to enactment of a pending bill providing, among other items, equal employment opportunity, protection of the right to vote, acceleration of school desegregation, and equal access to public accommodations. To fail to pass such a law is to invite intensified turbulence in Main Street, U.S.A.

Court action, like legislation, has proved helpful in leveling racial barriers. The U.S. Supreme Court decision of 1954 in the school cases demolished the constitutional basis of racial segregation. Political action has also been productive of certain gains in civil rights.

Revival of the American tradition of seeking redress of grievances through public demonstrations has focused international attention on the evils of segregation and has helped to break down some racial barriers.

The NAACP has utilized all of these means and will continue to do so in the firm conviction that through them civil rights will be peaceably attained.

SENATOR HARRISON A. WILLIAMS, JR., OF NEW JERSEY

Americans have talked for many, many years about full equality for all citizens. *This* year, a full century after the signing of the Emancipation Proclamation, we certainly should realize that good intentions are not enough. Now we must act.

Congress has before it a legislative package sent to it by the President. We should get to work on this bill at the earliest possible date. It not only would end obvious injustices, such as the denial of public accommodations on the basis of race. It would also get at the economic injustices facing Negroes.

Vocational training for job opportunities may sound like the long way around to racial equality. But I think that the President's call for great increases in this program is a very necessary part of our all-out attack on discrimination.

Even if we in Congress do our job promptly, much more must still be done in every community, by every citizen. In my home State of New Jersey, many individuals are now at work finding their own local answers to such questions as unequal opportunity for education. The going is not easy. Good will is not enough. Much patience and skill are going into the effort, too. But these Americans have discovered that true equality will require involvement by every thoughtful citizen. And I am sure that includes you.

SENATOR JACOB K. JAVITS, OF NEW YORK

That the civil rights struggle is the gravest emergency facing our country on an almost continuous basis right now everybody agrees.

I think everybody could agree, too, that the executive department—whatever may have been its failings—has done a great deal in the civil rights field. I've pointed out many of its insufficiencies but it's done a lot in suits and in the willingness to send troops, if need be, into areas like Mississippi and Federal marshals, etc.

Certainly our courts have done their full part in charting what ought to be justice to American Negroes—beginning, of course, with the famous 1954 school desegregation decision. Where we have had the lag has been in the Congress and that's where the battle is being fought now. I think the demonstrations which we have seen have on the whole been peaceful, though there have been incidents of violence—I think there's been more violence to prevent the demonstrations—by racists and by misguided police departments, working under statutes which have no business being on the statute books of any State or any municipality. The violence has been used more to repress the demonstrations than by the Negro demonstrators themselves. But nonetheless, there has been some violence. On the whole, however, the movement has been relatively peaceful and I think it has this great distinction, and I think it's been so effective for that reason.

Now no one wants to prevent our citizens from voicing their proper grievances and protests. What we want to do is to give those grievances and protests a sense of justice, a sense of being redressed, and that's where the Congress comes in. And that's why what happens in the Congress is the most important in getting civil rights legislation now; and the most important vote to be taken in the Congress on civil rights will be the vote in the Senate of the United States—which must be two-thirds, 67 out of 100 Senators—to close off debate and thereby end the southern filibuster against civil rights legislation which is inevitable and which has traditionally killed it off in the Senate when it became really meaningful. We have had civil rights laws in 1957 and 1960. They were all right, but they didn't fill the bill, as we can see from the present situation. When such legislation threatens to fill the bill, that's when the southerners feel a call to arms and when they really fight.

I believe that the President's civil rights package is an excellent beginning. The package, as you know, would give the Government the right to bring a civil suit to enforce a citizen's right to attend a nonsegregated public school. It would extend the life of the U.S. Civil Rights Commission for 4 years. Very importantly, it would help us with the voting right; and finally, it would include the much-controverted public accommodations section, which would give people—especially Negroes—the right to free access to hotels, motels, restaurants, and places of amusement which do a substantial business in interstate commerce.

I don't think that's enough. I think what has to be added is the general power of the Attorney General to seek injunctions in all cases involving the civil rights of Americans; and that, for example, involves cases in the administration of justice—the so-called police brutality cases and cases in which an effort has been made by police departments under illegal, unconstitutional statutes to suppress the rights of Negroes to peaceably assemble and seek the redress of their grievances. I think we need an FEPC (Fair Employment Practices Commission), as the denial of opportunity for a job is one of the most important rights which is often denied to Negroes in this country—including the right of serving as an apprentice.

I think we've got to make it mandatory that the President shall cut off any Federal funds to any State program in which racial discrimination occurs. And let us understand that this now occurs in hospitals, that it occurs in employment, that it occurs in housing, that it occurs in respect of the dearest equal opportunities to which a Negro is entitled.

I would also extend the Civil Rights Commission permanently.

This package of laws in my opinion is the minimum necessary. It would enable the Negro to move his protests against inequality from the streets into the court, and that is what we want. That is the function of law.

It is very, very important that all of us realize that this is going to be one of the toughest fights of the age—that every Senator and every Congressman needs the support of every articulate American who at last feel the stirrings of conscience that there must be justice to our Negro citizens, justice which can no longer be denied.

SENATOR THOMAS J. DODD, OF CONNECTICUT

We are in the midst of a great national crisis over the long-smoldering question of civil rights which has suddenly ignited and burst into flames in all sections of the country. How can we resolve this crisis peacefully and justly? I believe we can do this only by removing the injustices against which our Negro citizens so properly protest. And the way to remove these injustices, all else having failed for so long a period of time, is for Congress to enact legislation which will make the protections set forth in the Constitution a reality for every American.

We need not pioneer in the establishment of new rights or privileges. The Constitution has done that for us. We need only to pass legislation that will put the Constitution into effect for millions of our fellow citizens. And when we do this, the crisis will pass, the riots and demonstrations will cease, because justice will have been done.

Millions of Negroes are today being denied the right to vote, despite the express provision in the Constitution that no citizen be denied the right to vote because of his race. I and many others have introduced legislation to correct this dreadful situation by requiring that all local voting officials live up to the Constitution, and I believe we will succeed this year.

Millions of Negro children are presently denied the right to attend public schools on the basis of equality with white children. Almost ten years ago this business of segregated schools was stricken down by the Supreme Court as unconstitutional. Since then, progress in desegregation has been painfully slow and completely nonexistent in some areas. Again, the solution clearly lies in legislation which will bring the full power and prestige of the U.S. Government into the struggle to end this form of discrimination.

Another odious form of discrimination is the refusal to serve Negroes by restaurants, hotels, theaters, and other places of public business. I think you will all agree that to have Americans being refused service in places of public business solely because of their race is morally wrong and legally untenable. That is why those of us in Congress who oppose discrimination in all of its forms are moving to end this abuse.

It would have been better, of course, had the problem of racial discrimination been worked out in the hearts and minds of the American people, in their homes, their churches, their schools, and their communities.

But 100 years have passed since the Emancipation Proclamation and these problems have not been worked out. The precious rights of Americans can no longer be trampled upon without grave damage to our Nation and to the integrity of our national purpose. That is why the President's civil rights program must be enacted. The time has come for America to fulfill her promises.

SENATOR ALLAN J. ELLENDER, OF LOUISIANA

I have been asked to comment briefly on methods for resolving the so-called civil rights crisis. Let me say that the issue is impregnated and embalmed in politics; it always has been, and no doubt always will be. Following Reconstruction, it became good politics to persecute the South. As

Negroes migrated to the North, minorities soon learned the value of bloc voting, and politicians became dependent on their support. As a result, legislation which is neither needed, desired, nor constitutional is introduced and pushed in the Congress.

I refuse to admit that the Nation is facing a crisis today. Additional legislation will merely serve to generate more hate between the whites and blacks. Current events have been contrived by a few misguided leaders. The means of dealing with the situation can also be contrived by men of patience, understanding, and good will.

Toward this end, I would suggest that the administration refrain from giving its support to the demonstrations which have occurred all over the Nation, and speak out strongly in favor of maintaining law and order.

Second, instead of concentrating their efforts in breaking down local law and custom, the Negro leadership should be encouraged to prepare their followers to assume the responsibility which is borne by good citizens everywhere. We hear much about civil rights, but little about civil responsibility. Negroes will share in the fruits of our economy only to the extent that they are willing to prepare themselves to undertake the task ahead.

SENATOR CLIFFORD P. CASE, OF NEW JERSEY

Federal action on civil rights is imperative. For one thing we should pass a public accommodations law. Nothing so affronts and strikes at human dignity as the refusal of services extensively held out to the general public. The concept of a public accomodations law is not new. It's as old as the common law of England. It's as old as the Bible. It's already the law in more than half our States. And this is only one of several measures which Congress must enact. More effective authority for the Attorney General to protect all citizens in the exercise of their constitutional rights, the outlawing of discrimination in employment, the denial of Federal funds for programs such as worker training when they are operated on a segregated basis. These, to me, are essential parts of meaningful civil rights legislation, and much more is also needed. Legislation alone, of course, won't solve the problem; but it is the necessary underpinning for the really great effort that we must make in all parts of the country at all levels of society. In the last few years the gap between the living standards of whites and nonwhites has been growing. This is a reversal of the trend during the war and postwar period, and it's fraught with danger. Unemployment at a rate far higher than among whites. Less schooling, less income, shorter life expectancy. These are the unhappy facts of life for nonwhite citizens. We must act to close this gap or the standard for all is threatened. Our nonwhite citizens represent a source this country has hardly begun to tap. They can and they want to contribute to building a stronger economy, a better society for all. We must meet the challenge that now confronts the country, not grudgingly, but affirmatively and resolutely. It's an opportunity to free in the true sense not only our fellow citizens but ourselves from the burden of a conscience too long uneasy with the knowledge of injustice too long condoned and wrongs too long unchecked.

MR. HYMAN H. BOOKBINDER, DIRECTOR OF ELEANOR ROOSEVELT FOUNDATION

Eleanor Roosevelt once asked: "Where, after all, do universal human rights begin?" and answered it thus: "In small places, close to home—so close and so small that they cannot be seen on any map of the world." The present civil rights crisis can be resolved peacefully and justly only if each of us, as Mrs. Roosevelt asked, makes it a matter of our own personal and local concern.

It is a sad fact of life, however, that few of us know just how to cope with the human rights crisis through which we are now going. If all of the tensions and sacrifices of the present revolution are not to be wasted, we must quickly develop the know-how, the skills, the special understanding which will bring lasting and meaningful results. In every local chamber of commerce, there is urgent need now for qualified, sympathetic, knowledgeable people. How do we motivate and train Negro workers for skilled jobs? How do we prepare the community for open occupancy? How do we achieve integrated schooling in a de facto segregated community?

These are the kinds of questions which cannot be fully answered on the picket line or the protest march—important as this direct action may be to get basic concessions. But for real, lasting gains we must develop people with skills in a variety of fields—education, psychology, sociology, human relations.

The foundation, created to carry on in Eleanor Roosevelt's tradition, will do what it can to develop skilled, knowledgeable leadership to help us through this difficult crisis and to assure permanent victory.

SENATOR PHILIP A. HART, OF MICHIGAN

What should be done to resolve the civil rights crisis? The most effective answer, of course, would be to change the minds and the hearts of men so that the Negro is simply treated like everyone else. Because that, basically, is what this struggle for equal opportunity is all about.

When a Negro approaches a school superintendent, a voting registrar, an employer, a restaurant owner or an innkeeper, he doesn't want to be judged while he is still 50 feet away.

That's why the civil rights legislation now before Congress—legislation in the fields of public accommodations, fair employment practices, voting rights, and school desegregation—is so important.

Will it change the minds and the hearts of men? In itself, of course not. These laws have been on the books for years in Michigan and other Northern States where discrimination certainly has not totally disappeared.

But they do have these effects: they open the doors to swifter progress.

Men find they can work together on an equal basis without disrespect. They find that schools can be integrated without a breakdown of educational standards, they find they can share a pleasant restaurant dining room without discomfort, they find they can go to a polling place together and share a common political purpose. They can find, in short, that it is possible to be decent to each other.

I am convinced that once we have established equal opportunities in these fields—education, voting rights, public accommodations, housing, and employment—the fear and distrust that breeds discrimination will begin to drain away.

So certainly, these civil rights bills are not ends in themselves. They are simply an essential first step toward the final solution I mentioned earlier: changing the hearts and the minds of men.

SENATOR PATRICK V. MCNAMARA, OF MICHIGAN

Within a few weeks the Congress of the United States will come to grips with the overriding, political, and moral issue of our time: the drive of the Negro American, for the equal rights promised all Americans under our Constitution.

Many people are wondering whether this civil rights crisis, coming a hundred years after the Civil War, can be solved peacefully and with justice. Now in connection with the civil rights crisis we have heard a great deal about rules and regulations, Supreme Court rulings, Presidential orders, Attorneys General's rulings, and Agency regulations. But it seems to me that what we have overlooked is the most important rule of all, governing human conduct. That is the golden rule. When it gets down to the basic issues that's what the civil rights fight is all about. Are we going to do unto others as we would have them do unto us? I believe that we can and that we must apply this Golden Rule of conduct to those American citizens who are seeking the equality promised them under the Constitution but denied them in practice. The civil rights program of President Kennedy and other legislation before the Congress would be implemented by the Golden Rule. I am particularly impressed with the emphasis the President's program places on education, job opportunities, and voting rights, because I believe these issues are the keystones to our civil rights structure. And I believe further that they can be enacted into law and thus become a just solution to the civil rights crisis that now confronts us.

GOV. NELSON A. ROCKEFELLER, OF NEW YORK

I appreciate greatly the opportunity to discuss the civil rights crisis and the peaceful and just solutions that every American wants to find.

I think we ought to start out by making it clear that this isn't a crisis that relates to today or this year alone. This is a crisis that has been going on for a hundred years in our country. It relates basically to our spiritual heritage of the worth and dignity of every individual and his freedom of opportunity, his equality of opportunity, his rights as an American citizen. As long as those rights are not realized by all Americans, as long as there are hurdles and barriers which prevent individuals in this country, for no cause of their own, from having that opportunity of equality, then this crisis will continue.

Now we go to the question of the solutions. Having worked all my life to try to further the cause of equality, it seems to me that one can break his down very simply into various facets.

First there is the question of the law, the law of our land, whether it is a State law or national law. I think that we have to—and as Governor of one of the 50 States I have worked very hard to—bar, by legal means, in statutes of the law passed by the legislature, all forms of discrimination. I am proud to say that even before my time New York State has been a pioneer in writing civil rights legislation. And at this last session in January, February, and March of this year, we completed in New York State the final measures necessary to legally bar discrimination and the measures necessary to give the executive branch the power to enforce those measures.

It seems to me that both nationally and statewide this is something that has to be done if we are going to make a reality of this American dream for all people. However, that doesn't mean, in and of itself, that one has accomplished the end result by simply passing legislation. That simply sets the legal and moral climate, although the moral climate is set by our belief in our heritage and faith in the Judeo-Christian philosophy.

There are really two major areas that one can break this down in certain parts of the country where the law has not been written that bars discrimination. There we have the aspirations of minority groups who seek to achieve equality of access and rights, whether it is in employment, whether it is access to places of public accommodation or private accommodation, whatever it may be. So that in those areas where this has not been achieved, the goals are immediate for the minority groups. They want to get legal right to access.

This, in my opinion, we, as Americans, in consonance with our heritage, must do.

In areas like New York State, where this action has been taken legally, everybody, regardless of race, creed, color, or national origin, has access.

But the big problem in our area here is opportunity for employment. This has two facets—one, the need for a full employment economy. This is true for the entire Nation. As long as there are men and women who want to work who cannot find jobs, we will not have a full employment economy. And as long as there are prejudices, then those in minority groups will find it even more difficult.

In the United States today the unemployment rate among Negroes, for instance, is twice as high as it is among whites. Therefore we have to go right to the heart of this question on employment, both in increasing and accelerating employment opportunities through an expansion of our economy and the rate of growth, and to eliminate these prejudices which exist. To do that we've got to go right back to the basic area of training—education in our schools. Without education today, the opportunities of employment are automatically limited. Then there is the question of training—the question of apprenticeship, free access to apprenticeship and admission to unions to remove vestiges of discrimination there. Then there is the vestige of discrimination in employment. That must be eliminated.

This can be done in a positive way by employers who seek to find the individuals to whom they can give opportunities for employment.

Only if we are consciously aware, as a nation—as, in my opinion, we are today as never before—that our moral responsibility and our legal responsibility is to insure equal opportunity, can we realize this goal. And we have got to take positive steps, conscientiously, as Americans, in every phase of our life—and particularly in employment—to remove these barriers in every step of the way through apprenticeship, through education, through training, through union membership, through employment, and through advancement. Through this opportunity, given to all, we can see the American dream become a reality for all Americans.

GOV. GEORGE WALLACE, OF ALABAMA

The so-called civil rights matter that has been bandied around by politicians (and it has been a political issue) has of course, in my judgment not helped the Negro citizens in this country at all. In fact, it has worked against their interests, and this, of course, I regret.

I, as Governor, am very sad to know and see the demonstrations that we have in the streets, the danger that has been brought to the lives of the citizens of those respected cities where the demonstrations occur. In my judgment, this is not in the interest of anyone. Politicians have so long misused the Negro citizen of this country by inviting him, for instance, to come to the largest cities of the United States above the Mason and Dixon Line, telling him it was the land of milk and honey, and when he arrived there he found unemployment and he is living stacked upon one another and he doesn't like it. And I think the politicians in those various cities and States who have misled him ought to be defeated themselves for office. And they ought to approach this matter in a practical, sane, commonsense plan and leave the politics out of it. I've heard so many politicians say that I must speak in this way because I have so many people who believe in this who voted in my area, but I don't believe in it. There has been so much hypocrisy in it. We people here in Alabama have not been hypocritical in the matter, we have practiced one system and practice the same system. We preached and practiced the same system; that has not been the case in many parts of the United States. I feel that the solution to the problem is a matter of expanded economy, a matter of educational approach, and that we are doing in this State.

We're providing more trade-training facilities for Negro and white students and providing additional funds for education at all levels for all races. We feel that this in itself is the answer to these problems. I have traveled all over this country and I have been talking to industries who are going to expand in the Southland and we have announced around $225 million worth of new industries in Alabama in the last 6 months. Hundreds and thousands of Negro and white citizens of this State will find industrial job employment as a result of these efforts on the part of myself as Governor of Alabama and other officials in this State, both local and State. Not a single one of the agitators such as Martin Luther King have an industrial development committee. I've never heard of an industrial development committee, of the NAACP, or CORE, or any organization of that sort, and if they spend as much time talking to people who are going to expand industries to bring their industries to the South where so many of the Negro citizens live, in order that there might be more opportunities for jobs in the Southland, it would do a lot more good than encouraging people in insurrection and guerrilla warfare in the streets. I'd like to give you one instance here. I see where they are having trouble getting jobs in other parts of the country. But for instance, in Alabama we are building two State buildings, next to the State Capitol, and you can go look for yourself, we have more Negro workmen working under contract with the contractors building those buildings than there are white, this is significant. But you can go to other parts of the country and you do not find this. Any skilled workman in Alabama, white or Negro, has no trouble finding employment because of his color. And this, we of course, are proud of. We shall continue to work for more jobs in Alabama and for more educational opportunities for both groups, because we shall continue in State government to provide additional and better care for the tubercular patients of both races and the mentally ill of both races because that has been the practice of our people here and shall continue to be so.

We feel that this is one of the great issues involved in this matter of so-called civil rights (and you know we have 18 pages of civil rights bills legislation already enacted.) We have the Constitution of the United States which itself guarantees the civil rights of our citizens. We don't need any more legislation. The so-called civil rights legislation pending now would destroy property rights in this country. It would also tell people who can work and who cannot. It will take jobs away from one group and give them to another. In my judgment, as Governor of Alabama, I see this as a dangerous precedent. We believe that local people should handle local problems particular and peculiar to that particular section. We feel that the people of New York and Pennsylvania should work to solve these problems within their own States and that we should solve them within the State of Alabama. This has been the practice and the custom for the last 100-odd years, and we feel that the Supreme Court and the Federal Government attempting to do away with local government is not in the interest of white or Negro citizens either.

Our hope and prayer is that God blesses all the citizens of Alabama of this Nation both white and Negro.

REPRESENTATIVE JOHN V. LINDSAY, OF NEW YORK

Your question is, What should be done toward a peaceful and just settlement of the civil rights question in the United States? A tough question. First of all it must be made clear that the chief responsibility is local. No matter what the U.S. Congress does or doesn't do, the fact remains that it is on the shoulders of the citizens of each community to examine his conscience to see to it whether or not he or she has done all that they possibly can do to make the necessary adjustments in their own communities, to satisfy these very legitimate pressures that have been building up. The No. 1 area of relief is jobs. Jobs is the first and foremost subject that must be taken up in order to solve this question. And job legislation is the first kind of legislation that we should have in the U.S. Congress. There are a great many areas where legislation can help, but none so great as in the area of job opportunities. This pertains to both management and labor, because if the labor market can be opened up to minority groups and particularly to the Negro population of the United States then we'll begin the solution to this nagging problem of equal opportunity under the American system. I predict that there will be legislation affecting jobs. FEPC is important and we will push for it in the House of Representatives and in the Judiciary Committee of which I am a member. We will be pushing for some other legislation too, but let's not forget that the legislative approach is only part of the answer. The rest of it is on the shoulders of each of us back home.

MR. STANLEY H. LOWELL, CHAIRMAN, NEW YORK COMMISSION ON HUMAN RIGHTS

America is going through a social revolution today and the struggle to achieve its objectives—equality and equality of opportunity—is the responsibility of every American, no matter his color or race.

Every one of us should ask himself—100 years after the Emancipation Proclamation and 180 years after the adoption of our historic Bill of Rights—whether any American receives less than his fair share of job opportunities, schooling, and housing solely and only because of the color of that man's skin, or his race or religion. To the extent that this is true, we are not living up to our own image of ourselves as a land of freedom and equality. This is where the achievement of equality of opportunity is the responsibility of all. At the New York City Commission on Human Rights of New York we are committed to this fight for freedom. How about you?

VERY REV. STURGIS RIDDLE, DEAN OF PROTESTANT CATHEDRAL, PARIS, FRANCE

Science, religion, and a basic human instinct in everybody who has not been taught falsely, all agree with a Bible truth: "God has made of one blood all nations of men for to dwell on the face of the whole earth."

Our problem is to enlighten and win over a minority in our country who do not yet recognize or who are not yet ready to practice this truth of science, religion, humanity, and Americanism, to show them that our country cannot hold up its head or keep its respect and leadership in the free world if we do not recognize and practice this truth.

Who is going to change heart and attitudes, more important than laws, who is going to turn on the spotlight of this truth?

Why, every parent, every teacher, every minister, every editor, every judge, every lawmaker, every employer, every neighbor, every community leader, every molder of public opinion, every decent American, white or black, practicing in thought, word, and deed what we have preached so long.

I believe that if every one of us will get into this act to enlightenment—and more and more are getting into it, this crisis in civil rights, this black mark on the American conscience and our world leadership, so

long brewing and long overdue, will be resolved peacefully and justly.

I believe it will be, because most of us want it that way.

MR. BENJAMIN EPSTEIN, EXECUTIVE DIRECTOR OF THE ANTIDEFAMATION LEAGUE OF B'NAI B'RITH

Our Nation urgently requires a new birth of freedom.

The civil rights crisis in which we find ourselves today must be solved in justice and can be solved in peace.

This is not a Negro or white problem, but an American problem.

The President's civil rights program is essential and urgent. It deserves our full and active support. We must have laws which will eliminate barriers preventing minority groups from developing their talents, and enjoying full citizenship.

However, laws will not be enough. We need an aroused citizenry, determined to overcome, once and for all, the cultural heritage of prejudice and discrimination. It is up to business, political, religious and community leaders to take the initiative. When demonstrations take place, it is an indication that community leadership has failed. It should not be necessary for demonstrations to be held. Activated by peaceful intent, we must recognize that they are in the great American tradition for the redress of grievances.

As we have seen, demonstrations have served an important purpose. Demonstrations which are planned and carried out peacefully to correct these injustices, are legal and constructive. But the evils of discrimination in our society should be eradicated before the picketing starts. Reason and justice demand that the deprivations of rights be corrected around the conference table, by the action of community leadership, and by passage and enforcement of laws. It should not be necessary to demonstrate in the streets.

The time to act, the President has said, is now! Let us act so that the dream of freedom will be realized for every man.

MR. LEO PERILS, DIRECTOR, AFL–CIO COMMUNITY SERVICE ACTIVITIES

There has been some nonsense spoken and some mistakes made in the fight for civil rights. But this has always been the case. This has been the case in our early struggles for trade union organization. Still, unionism has prevailed and workers, as a result, have achieved a measure of dignity and security.

The same will happen with our Negro fellow citizens if they will continue to wage the good fight for dignity and security. Some nonsensical talk and a few errors in judgment are a small price to pay for first-class citizenship.

The heart of the matter is first-class citizenship. No democratic society can endure unless people of all races, colors, and creeds have equal opoprtunities to achieve first-class citizenship in employment, in housing, in education, in public accommodations, in social service, and right across the board in every phase of our national life.

But first-class citizenship can be achieved only by changes from within as well as by changes from without. By changes from without I mean legislative and social action to open the doors to first-class citizenship. And by changes from within I mean the burning desire to inform ourselves, educate ourselves, and to assume the responsibilities of first-class citizenship. This is not only the Negro's fight. It is our fight as well. It is a fight for a democratic America. Of course, we, in labor, will continue to wage this fight to help solve civil rights problems in our own house as well as in our national life.

MAX J. RUBIN, PRESIDENT OF THE NEW YORK CITY BOARD OF EDUCATION

In striving to achieve integration, the school system has an important responsibility.

The objective must be genuine and sincere.

The limitation upon its efforts is that of feasibility.

No school system can singlehandedly overcome the factors that surround it, including segregated housing areas. Schools should be located in fringe areas wherever possible. Zoning should be more flexible.

Such programs as open enrollment should be expanded and encouraged. Greater effort must be made to attract minority group candidates to teaching.

The human relations unit must be expanded to work with local councils to adapt patterns offering integration opportunities. The curriculum should recognize more effectively the contributions made to our society by minority groups.

While these efforts are in process we must seek substantially to strengthen the educational quality in the schools of the disadvantaged neighborhoods. New ideas will be developed and all should be given earnest and sympathetic consideration. The New York City school system has pledged and will continue to fulfill its commitment to these objectives.

MR. A. N. SONNABEND, PRESIDENT OF THE HOTEL CORP. OF AMERICA

The current crisis in race relations goes far beyond the crucial challenge of expanding opportunity for Negroes and other minority groups. At the present time there is no active organized force in the local communities concerned with the task of developing and enlarging job and housing opportunities.

Therefore, I now urgently propose that the Federal Government, in cooperation with local communities, set up throughout the country a system of local boards to expand opportunity for Negro and other minority groups. These boards, functioning like the local draft boards and war manpower commissions of World War II, should be made up of a cross section of community leaders and businessmen, Negro and white, who have the influence and resources to make possible the expansion of opportunity.

Such boards should have the full backing and support of Federal and State Governments in carrying out both short- and long-term programs. In each community these boards would seek to develop inventories of job opportunities. They would work to persuade employers to create new areas of job possibilities. They would take immediate practiqal steps to reduce the many barriers that stand in the way of Negroes and other minority groups and they would undertake arbitration of issues which create community tensions and conflicts.

I propose a number of other important steps to achieve full equality of opportunity.

1. A White House Conference on Race Relations, convened by President Kennedy, to bring together national Negro and white leaders who will develop means of coping with the race relations emergency.

2. The establishment of a Bureau of Intergroup Relations within the U.S. Department of Health, Education, and Welfare, to act as a national coordination service for intergroup relations agencies.

3. Initiation by the Federal Government of long-range psychological and social research into American race and group relations problems.

Americans hold dear the principle of equal rights for all. It is our task now to build a living reality out of the American promise of equal justice and opportunity for all men regardless of race or creed.

MR. GUS TYLER, ASSISTANT PRESIDENT OF INTERNATIONAL LADIES GARMENT WORKERS UNION

A first step in dealing with the present civil rights crisis is legislation guaranteeing equal access to voting, housing, jobs, education, and public accommodations. Reform through legal channels makes unnecessary revolt through extra-legal channels. The most crucial area is employment.

First, we need fair employment legislation and practice, judging a man by his brain or brawn and not by his skin or kin.

Second, we need full employment. An equal opportunity to be unemployed is no opportunity at all. If growing unemployment forces us to ask, "Who shall be thrown out of work, a white man or Negro?" we will sharpen rather than lessen racial tension.

Finally, as a greater job opportunity is created, Negroes must be prepared to qualify. Such preparation will require cooperation of three groups: Government, the white community, and the Negro community.

To the Government falls the responsibility of providing greater educational facilities to train and upgrade the less skilled. To the opinionmakers in the white community falls the responsibility of helping to correct the image of the Negro as an "inferior." A new image of the Negro as a worthy citizen will help stimulate the aspiration. That is a necessary prerequisite of self-development. Finally, the Negro himself must reach out to prepare himself for his new status—for opportunity and rights that will automatically carry with them challenges and responsibilities.

In all this, let's remember: The Negro has been patient for at least 100 years. The white community must also be patient.

MALCOLM X, EASTERN MINISTER OF THE BLACK MUSLIMS

The Honorable Elijah Mohammed has the only peaceful solution. He says that 20 million ex-slaves must be permanently separated from our former slave master, and placed in a land that we can call our own. Then we can create our own jobs, we can control our own economy, and solve our own problems, instead of waiting for the white man to solve these problems for us. In our own land, we can set up farms, factories, and businesses. We can establish our own industry, and our own government, and become an independent nation in our own right. And once we are separated from the jurisdiction of this white Nation we can then enter into trade and commerce for ourselves with other independent nations. This is the only permanent solution to this cancerous race problem. In our own land, we can establish our own agricultural system. We can grow food to feed our people, we can raise cattle and use the hide, and the leather, and the wool to clothe our people. We can dig clay from the earth and make our own bricks to build homes for our people. And we can turn the trees into lumber and furnish the homes for our people. Once 20 million ex-slaves are back in our own homeland, we can stop begging the white man, we can stand on our own feet, because we will then have something to stand on. Trying to force ourselves into this white American society will lead to nothing but increased violence, bloodshed between the 20 million ex-slaves and their former slave master, and may even provoke a bloody race war which today could develop into international repercussions and involvements. So Mr. Mohammed said that if our pepole are not allowed to go back to Africa, to our own people, since we cannot get along here in peace with whites, then some of this American Continent should be separated and let us go there, where we can then stand on our own feet, solve our problems in that manner, and have separate territory for ourselves.

MR. FRANK E. KARELSEN, VICE PRESIDENT, PUBLIC EDUCATION ASSOCIATION

To resolve the civil rights crisis the Congress must, of course, pass the civil rights legislation, inclusive of a Fair Employment Practices Act. This, however, will provide only a legal basis for meeting the problem. To effectively resolve the inequalities now existing it is above all things necessary to raise the economic level of the Negro American. His depressed economic status hinders every phase of integration and perpetuates slums. Jobs must be made available in all fields of gainful employment, including the professions. The Negro, however, must be equipped to take the employment when available. This requires education in primary and secondary public schools, including important technological training. Unfortunately, the facts are that in the slum areas of the cities, and in most rural areas as well, such education is not available. This condition exists because States and local governments are not supplying and in most instances cannot supply the necessary funds. To solve the problem, therefore, it is vital for the Federal Government to appropriate not less than $5 billion a year for Federal aid to education in order to correct this shocking deficiency in our democracy. These funds will not only help to solve the Negro American problem but will give to all of our citizens the educational opportunity necessary for the very survival of our Nation as a democracy in this era of ever-increasing automation and international competition.

MR. WILL MASLOW, EXECUTIVE DIRECTOR, AMERICAN JEWISH CONGRESS

A social revolution is now in progress in the United States. The spokesmen for 18 million Negroes, one-tenth of our population, are demanding that the pledge of full equality set forth in the 14th amendment at long last be redeemed. What this submerged 10th of our population demands is simply that discrimination against Negroes in employment, in housing, in education, in voting registration and in places of public accommodation end. The Negro demands equality now, not 20 years hence. He is fed up with the snail's pace at which his legitimate grievances are being redressed and his bitterness finds outlet in mass rallies, and sit-ins.

What is desperately needed at this moment is an immediate demonstration that America recognizes these legitimate grievances that demonstration can be best provided by the enactment of the Kennedy civil rights program without crippling amendments. While this legislation will not by itself undo decades of deprivation and will need to be supplemented by compensatory programs to enable Negroes and Puerto Ricans and Latin-Americans to take advantage of the new opportunities that may be created, it will be a signal that finally, 95 years after the 14th amendment was ratified, we are beginning to move in the direction of equality.

A stalemate in Congress of the enactment of token laws will result in further bitterness. It will undermine the position of those Negro leaders and Negro organizations who seek to focus Negro resentment upon constructive goals. It will shift the battles from the legislative halls to the streets and play into the hands of racist movements like the black muslims.

All Americans must therefore, in this moment of racial crisis, convince their Senators and Representatives in Congress that immediate enactment of the Kennedy program is our top domestic priority.

DR. JOHN SLAWSON, EXECUTIVE VICE PRESIDENT, AMERICAN JEWISH COMMITTEE

On many occasions in the history of our country we have declared disaster areas in entire geographic regions.

Today we have a similar situation, not in a geographic area, but in a very important population segment of our country—more than 18 million American Negroes. For over 300 years Negroes have been deprived of their elementary rights. As a result of this cumulative disregard for his person, we are now faced with a situation that need to be similar.

This concentration has to be achieved by means of a crash program in behalf of the Negro. This is of particular importance in vocational training and education. Unless there is a mobilization of vocational training and educational facilities in the interest of the Negro, it will not be possible to place Negroes in skilled jobs. And, since the unskilled job market is rapidly contracting, the compelling need for intensive training for Negroes becomes a necessity. The same may be said for education. We need competent teachers able and willing to put forth the effort that will be needed to make up for the tragic losses caused by neglect and obstruction over many generations.

Training and education should receive priority. Just as we have developed a Peace Corps for service abroad, should we not initiate an equality corps of skilled teachers and technicians, who would work to expand opportunities for Negroes throughout the Nation? It is really more than a question of disaster or emergency; it is, in fact, a matter of morality.

POSSIBLE SOVIET BID FOR AMERICAN WHEAT

Mr. McGOVERN. Mr. President, today's New York Times carries a report that representatives of the Soviet Union have approached American traders with offers to buy wheat.

The same issue of the Times reports that Secretary of Commerce Luther Hodges favors a reappraisal of the U.S. policy, which in the past has hindered the sale of U.S. agricultural commodities to the Soviet bloc.

I have believed for some time that we are working against our own self-interest in discouraging the sale of our agricultural produce to any country willing to buy it. It is easy to understand why we might want to restrict the sale of strategic war materials but it would seem to me both in our interest and in the interest of the Soviet bloc for us to meet their needs for food imports, while at the same time meeting our own needs for agricultural markets.

I am pleased to note that at the recent White House Conference of more than 200 American businessmen called to consider expansion of exports, there was a strong consensus that the Government should reexamine our trade policy with reference to the Soviet bloc. As reported in the New York Times, one of the businessmen's committees pointed out that Western nations are now selling $5 billion worth of goods annually to the Soviet bloc, but that the United States is getting less than $200 million of this business.

In other words, Mr. President, at a time when we are faced with a serious balance-of-payments problem and an even more serious problem of agricultural surpluses, we are permitting other traders to capture enormous agricultural markets without competition from the United States.

The recent Canadian wheat sales to the Soviet Union have not only greatly stimulated Canadian agricultural markets, but they have set off a boom in the Canadian railroad, milling, and shipping industries that is having a favorable impact on the entire Canadian economy.

Mr. President, I earnestly hope that the Administration will give immediate and sympathetic consideration to the desirability of relaxing our present restrictive policy on trade with the Communist world.

Aside from the very real economic advantages that such trade could bring to us, it might prove to be another step in relaxing the dangerous tensions that threaten to plunge the world into a nuclear war. I think from every standpoint enlarged trade is in the best interest of the United States, and in the interest of a more peaceful world.

Mr. President, I ask unanimous consent that the articles appearing in today's New York Times relative to this matter be printed at this point in the RECORD.

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

SOVIET BID TO BUY WHEAT FROM UNITED STATES IS REPORTED HERE—GRAIN DEALERS SEE WAY TO CUT SURPLUS—WHITE HOUSE PARLEY ASKS MORE TRADE

(By Philip Shabecoff)

Soviet representatives have approached American traders with offers to buy wheat.

A highly placed source said last night that although the Russians had not yet formally approached the U.S. Government, they were expected to do so soon. Reports of a possible transaction enhanced the prospect for reducing the wheat surplus here and generated excitement among wheat traders.

Meanwhile, 200 businessmen attending a White House Conference called on the Government to reexamine its restrictions on trade with Soviet-bloc nations. Secretary of Commerce Luther H. Hodges indicated that he supported such a reappraisal. U.S. policy now bans the export of any items that would contribute to the strength of Communist economies.

U.S. PERMISSION IN DOUBT

When the Canadian Government announced the sale of 228 million bushels of wheat and flour, valued at $500 million, to the Soviet Union Monday, wheat growers and exporters saw an opportunity to reduce the United States huge wheat surplus. One prediction was that sales to Western Europe and other nations might rise by 100 million bushels because of the Canadian transaction.

Wheat traders are now saying that exports could soar much higher if they were allowed to sell to the Soviet Union.

There is some question as to whether U.S. sales to the Russians would be permitted. Wheat sales to the Soviet Union are not precluded by Federal law, but they are discouraged by present Government policy, which frowns on sales of commodities such as wheat to unfriendly nations.

A decision to sell wheat to the Soviet Union is one that would have to be made at the Presidential level. It would mean a reversal of the present policy of prohibiting sales that might aid communism. This policy, however, does not extend to Poland or Yugoslavia. Both countries have been granted extensive foreign aid, including wheat.

A formal Soviet effort to make a wheat deal with the United States, it was said, probably will not come until after ratification by the Senate of the treaty for a limited

ban on nuclear tests. This is expected at the end of this week or early next week.

The Soviet Union, which has been a net exporter of wheat since the end of World War II, has been purchasing wheat from a variety of sources recently. It bought $11 million worth of grain from Canada shortly before last week's purchase. Earlier, it had bought more than 1 million tons from Canada.

In addition, it was learned Tuesday that Moscow had repurchased nearly 4 million bushels from European countries and that it was negotiating with Britain to buy back wheat sold to flour mills there.

SIGNIFICANT FOR UNITED STATES

The Soviet purchases are significant for U.S. wheat growers and exporters because they follow heavy crop losses in Western Europe. The Soviet losses were caused by drought, the European ones by excessive moisture.

The situation is that Western Europe, like the Soviet Union, requires large wheat imports this year.

The only nations with wheat surpluses large enough to fill the demands of both Western Europe and the Soviet Union are the United States and Canada. Canada retains extensive wheat stocks even after her sale to Russia and her previous agreement to ship 187 million bushels to Communist China.

However, it is widely assumed that Canada will not be able to cope with the mechanical problems of any further substantial increase in wheat exports. The sales to the Communist countries, as one observer noted, will put a heavy strain on Canada's elevator, rail, and port facilities.

Thus, the way seems to be clear for large U.S. wheat sales to Western Europe this year. There may also be new export opportunities in many of the developing countries.

Large and unexpected sales would be a great boon to the United States, which is burdened by a vast wheat surplus. In addition to this year's wheat crop, estimated at a total of 1.1 billion bushels, the United States has carryover wheat stores of 1.1 billion bushels.

Reducing this surplus is a formidable if not insurmountable problem. The internal consumption of wheat amounts only to 600 million bushels a year. Exports have been running at more than 600 million bushels a year.

When the magnitude of the Soviet wheat purchase from Canada became known, trade circles began speculating that the Russian crop failure was more drastic than had been realized. It was predicted that the Russians would have to turn to the United States for further grain supplies. These predictions seem to have been borne out by yesterday's reports of Soviet overtures to wheat traders here.

WIDER U.S. TRADE WITH REDS URGED—BUSINESSMEN AT WHITE HOUSE PARLEY ASKS REAPPRAISAL

WASHINGTON, September 18—The White House conference of more than 200 businessmen, called to consider expansion of exports, spontaneously recommended today that the Government reexamine its policy on trade with the Soviet bloc.

The issue was not on the conference agenda, but at least four of the special committees into which the conference was divided took up the question and urged a new look at the trade policy.

Secretary of Commerce Luther H. Hodges told a news conference afterward that the Government would now have to decide whether to reappraise its policy. He indicated he favored such a reappraisal.

One of the committees of the conference pointed out that other Western nations were now selling $5 billion worth of goods a year to the Communist bloc but that the United States was getting less than $200 million of this business.

Present U.S. policy bans the export not only of strategic goods but also of any items that would contribute to the strength of the Soviet economy. Under both law and regulations, sales on credit are virtually ruled out. A large portion of the sales of the European nations and Japan is made on credit.

Mr. Hodges indicated that a change in the law might be required before the United States could sell on credit to Communist nations. The United States has an elaborate system of granting credit on exports, but only to buyers in non-Communist countries.

Mr. Hodges said he "doubted" that Canada's mammoth sale of wheat to the Soviet Union this week had prompted today's recommendations.

"What these hardheaded businessmen are saying, they wouldn't have said 2 years ago," Mr. Hodges said.

WORLD CHANGES CITED

One of the committees specifically cited changed world conditions as one of its reasons for advocating a reappraisal of Government policy.

In another spontaneous action, the conference unanimously adopted a resolution declaring "its conviction that continuation of a well-executed foreign aid program is indispensable under present world conditions to U.S. foreign policy goals and to our national security and, further, will contribute to American export expansion."

The recommendation on Soviet bloc trade was a surprise, but the 11 committees of the conference produced several other proposals aimed at increasing exports.

The most controversial was one for a special tax credit based on export expansion. It called for a deduction from the tax bill of 10 to 15 percent of any increase in export sales achieved by a corporation above current levels.

The committee that recommended this change conceded that it might violate the nonsubsidy rules of the General Agreement on Tariffs and Trade.

But the group said that the tax credit should only stay in effect until the deficit in the U.S. balance of international payments was eliminated, and that the credit could also be dropped if the nations of Europe assumed more of the Western World's defense and foreign aid burden.

Several other tax changes were recommended, including some that would merely require a change in administrative regulations.

Another committee urged a more liberal interpretation of the antitrust laws in cases involving export trade.

The committee was given assurances by Assistant Attorney General William H. Orrick, Jr., that the Justice Department was now prepared to give "advance clearance" to various combinations for export business, in the same way that clearance is given in merger cases.

Such clearance gives the companies involved assurance that they will not be prosecuted later.

MOSCOW SILENT ON GRAIN BUYING—CITIZENS NOT TOLD OF NEED FOR PURCHASES ABROAD

(By Henry Tanner)

Moscow, September 18.—Soviet citizens have not been told about their Government's recent large grain purchases in Canada and Australia.

Pravda, the Communist Party newspaper, carried a one-paragraph announcement today that the Soviet Union had concluded a 3-year trade agreement, but it made no mention of grain. Other newspapers and the radio have also been silent.

The need to buy large quantities of grain abroad is attributed by foreign observers partly to unusually bad weather conditions, which have reduced this year's crops, but it is also viewed as evidence of basic inefficiency in agriculture.

Premier Khrushchev, in a major speech published yesterday, was critical of inefficiency and he indicated that crops in some areas were poor. He made the speech Monday during a visit to state farms in the Volgograd area.

PUBLIC IS WARNED

The threat of a wheat shortage has been impressed on the public for several weeks through a press campaign against the use of bread for feeding cattle and poultry.

In some cases citizens have been exhorted at meetings of local political organizations to practice greater economy in bread consumption.

While the shortage is thus no secret, observers feel that the Government may regard an announcement of big wheat purchases in capitalist countries as too humiliating an admission.

In recent days the Soviet Union has closed deals for the purchase of about 5 million tons of wheat from Canada and a million tons from Australia.

Western specialists here believe that the prime purpose of these imports is to enable the Soviet Union to maintain its obligations under trade agreements with Communist and other countries. Most of the Canadian and Australian wheat is expected to be reexported.

Last year the Soviet Union exported 4.8 million tons of wheat to Eastern Europe, Cuba, and some other areas. This year's export commitments are not known, but specialists assume that they are about the same as last year.

This belief here is that because of poor crops the Soviet Union was not able to honor these commitments out of its own production. It decided, therefore, to accept a large cash outlay in hard currency to buy foreign wheat.

SOME LEFT OVER

If Soviet export commitments for this year were about the same as last year's the recent purchases in Canada and Australia would leave about a million tons of imported wheat for internal consumption.

The purchases in Canada and Australia are termed "unprecedented" for the Soviet Union in normal times. The specialists say that only during World War II and the immediate postwar period was the Soviet Union compelled to rely on imported grain to a comparable extent.

Despite bad crops, most of the specialists do not seem to expect a major bread crisis in the Soviet Union. The current campaign indicates that the bread shortage is "more anticipated than real," one specialist said.

The Soviet agreement to buy grain from Canada, closed Monday, provides that Canada will deliver at her ports 198 million bushels of wheat and 29.5 million bushels of wheat flour by July 1964. From the ports, the Soviet Union has the responsibility of transporting the grain.

The agreement is worth $500 million—the largest single sale of grain for delivery in 1 year ever transacted. A large part of the grain will go to Cuba.

ADDRESS BY SENATOR MOSS AT UTAH HARVEST DAYS AND HOMECOMING PROGRAM

Mr. BURDICK. Mr. President, recently, the chairman of the Senate Interior and Insular Affairs Committee's Subcommittee on Irrigation and Reclamation, the junior Senator from Utah [Mr. Moss], addressed a homecoming celebration in his State of Utah.

A principal subject of his statement was the role of the Federal Government in the conservation and development of natural resources, including water.

The speech of Senator Moss contains material which I believe to be of significant interest to the Members of this body; and I ask unanimous consent for its insertion in the RECORD.

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

SPEECH OF SENATOR FRANK E. MOSS, DEMOCRAT, OF UTAH, HARVEST DAYS AND HOMECOMING PROGRAM, PAYSON, UTAH, SEPTEMBER 1, 1963

It is with great personal satisfaction that I speak here today. I want to thank all who invited me to participate. I offer congratulations on this annual harvest and homecoming program. For me, this is a particularly appealing festival because it is a spiritual homecoming. What is represented by this festival is part of my faith and heritage. It has helped to shape my life and outlook and has sustained me through many personal crises.

To paraphrase Sir Walter Scott, "This is my own, my native State." Its outlook on freedom, the individual, and upon life and labor has molded my life and dreams. I am proud and honored to represent the State of Utah in the U.S. Senate.

In a deep, historic sense, I am there because the people of Utah are indissolubly joined with all the people of this Nation. And while I represent Utah, I am called upon to deal with problems that affect the whole Nation because it is the Senate of the United States. In the world of today, there is no problem—no matter how seemingly remote—that does not affect Utah and the town of Payson.

It is customary for the Speaker to refer to a community like Payson as an average or typical American town. Well, I suppose the streets are laid out in a fashion similar to those of other communities. And I suppose there are many other physical similarities. But Payson—in common with most other American communities—is unique because it has its own history and traditions.

Like most of this Nation, Payson and Utah were settled by refugees. Like earlier settlers in the East, ours were religious refugees. There was one difference between us and the earlier religious refugees. Our pioneers fled intolerance within this Nation. Most of us know the meaning of persecution because we are descended from men and women who braved the wilds to live and work together according to deeply held beliefs.

Most of us are proudly Mormon, but we have full religious freedom here as well as everywhere else in this Nation. We live by and we respect the Constitution of these United States because it offers us the shield of freedom. Without that Constitution, without the Government that has developed because of it, without the great tradition of English common law, we would again be subject to oppression. We fight oppression because it is morally wrong. We fight it lest we, too, become oppressed by an unseeing majority.

Who among us has not said proudly to himself, "I am an American." Who among us would voluntarily relinquish his U.S. citizenship? This, indeed, is valued almost above all else. In this, we are typical. Americans—refugees from hunger or oppression or descendents of refugees—are the envy of the world. I know this because I have gone abroad on Senate study missions to Africa, South America, and Southern Asia to look into problems affecting the people of this Nation, of Utah, of Utah County and of Payson.

The harvest we celebrate here today was originally that of an isolated local community. It was a community in which all shared the work and in which none were permitted to go hungry. Today the community is national. What is sown in Utah effects Massachusetts and the reverse is equally true. As never before, this is "one Nation indivisible."

A few days ago, I had a visit from an easterner who arrived in my office rested and tanned from a 2-week holiday spent at America's second national seashore—on Cape Cod in far off New England. This is in an area also viewed as typical of America, on the cape there still exist the lovely old New England communities settled as far back as the early part of the 17th century.

Cape Cod is beautiful beyond description in a way far different from the grandeur of our West. It has a sweep of a different order, but like the West it offers to the soul escape and freedom. The great beach on the lower cape still stretches unsullied for miles along the roaring Atlantic and along Cape Cod Bay. It was here that the great American philospher Thoreau came 125 years ago to seek renewal. He then declared that from the great beach a man could look out into the infinity of the ocean and put all of America behind him.

Things are much changed from the days of Thoreau but the need of man to escape into the vastness of nature remains. On Cape Cod, we have had an example of the evil which man can do to nature. In that part of the cape near the summer White House at Hyannis Port, the commercial jumble has become almost a jungle of neon-lighted motels, amusements, restaurants and the like—with the beaches all but closed off to the thousands who come to seek the sun.

With commercial blight threatening the outer beach, it was necessary to act by law if this priceless national resource was to be saved for the whole Nation. As a member of the Senate Interior Committee, I became involved. I am happy to report to you in Utah that the great dream of a national shore in Massachusetts is becoming reality in the hands of the National Park Service.

We held hearings on Cape Cod a few years back before a bill was passed. Opinion was divided about the "big" Federal Government moving in to establish a park. But the massive Federal Government was a responsible Government which managed to reconcile property rights with national interest.

I learned from my visitor that already the National Park Service is planting beach grass to hold the dunes in place. I learned also that the new national park is attracting people from as far away as California. Those who felt that the park would hurt business have found otherwise. Those who feared a mass invasion have learned that property rights are being respected and that with the park there will be order and room instead of commercial jungle.

What's it to us here in Utah? In the first place, America grows ever smaller. Some of you, I hope, will visit Cape Cod National Seashore. But even if you do not, your children may well see this great national possession which now will remain intact for posterity. After all, this has become an America on wheels, and one where the supersonic plane of tomorrow promises a journey of an hour from Salt Lake to Boston.

But much more is involved. Here in Utah, we also have great resources for tomorrow's seeker of space and freedom and for those who will come to see our grandeur. There is sound economic reason to set aside a portion of this grandeur as a national park which, like a magnet, will draw tourists from all over to this State.

Utah will need the support of other States to make this dream come true.

I am pleased to be able to report to this harvest festival that the seed sown in Massachusetts will yet flower in Utah. This year again, the Senate has approved my Canyonlands National Park bill, and I am hopeful that we will get a bill in the House before we adjourn the present session. We are, indeed, "one Nation, indivisible."

One of our great songs is "America, the Beautiful." Here, the poet sings of our spacious skies, our purpled mountains, our alabaster cities, and our fruited plains. But there is a greater message within this beautiful ballad. I quote that message because I think it most fitting for this harvest and homecoming.

"And crown thy good with brotherhood
From sea to shining sea."

Here is the core of our American dream and our spiritual beliefs. Our greatest resource is our people. Without brotherhood and respect for each other, our harvests will turn bitter and sere. Without brotherhood, democratic nationhood cannot long endure. Without a strong and democratic America, our whole world will vanish, even unto Payson.

Without brotherhood, there would be no Utah and no Payson. The early pioneers who came here worked together for the common good. It was cooperative labor that built the first irrigation systems. Out of need, there grew common bonds. Out of these bonds, there grew our local communities and our State.

Perhaps, it is in time of great danger or need that people work most closely together. Payson is an excellent example. It was settled at the request of President Brigham Young in 1850 as a fort for the defense against the Indians. This was the kind of common action out of which modern democracy has grown.

Payson wasn't long isolated from the larger world outside. It had telegraph by 1866, the rails came in 1875, telephones were first installed in 1890 and in 1891 there came from the distant laboratories of Thomas Edison electric light and power. By 1900, Payson had schools, hospitals, banks and local industry. Golden Onion Days, the original name for this festival, celebrated the progress made each year.

Payson and Utah County have a great potential. As with so much of our West, the key is water. With adequate water, the independent and hard working people of this area can create here a new Zion—a land of bounteous agriculture and of industries based upon the products of the land. With water, recreation facilities can be built and tourism can be stimulated.

Completion of Strawberry and Deer Creek Reservoirs has given us a foretaste of what can be accomplished. But more water is needed to bring Utah County to full flower. That water is on its way, thanks to a practical but farsighted National Government dedicated to the belief that men are brothers who must work together for the common weal.

Those who fulminate against the Federal Government have forgotten the true meaning of nationhood. That meaning was expressed by Abraham Lincoln, the great and tragic father of the Republican Party. Government, Lincoln said, has the obligation to do for people what they cannot do for themselves.

Who among us has the resources to bring the waters of the upper Colorado to the rescue of our arid lands? What group among us here in Payson or in Utah County, or even in this Beehive State has the essential resources? What single State can take on the project which involves a river system that refuses to respect State lines?

Obviously, development involves the powers and the resources of us all—the power and resources of Federal Government. Here is need for an investment by all of the people to bring benefits to this area. Should the

people of New York complain? Should the New Jersey taxpayer deny the concept of the Nation-State? Or is it true that what benefits Utah County will add to the store of the Nation's wealth and well-being?

Through the democratic process—sometimes painfully slow and sometimes found wanting—the representatives of the people of the whole Nation have authorized the upper Colorado River project, of which the central Utah project is part.

The central Utah project will bring great improvement to this area without radical upheaval. The project now in the planning stage, will capture and utilize fully Utah's share of Colorado River waters. The Bonneville unit alone, the first of four, will provide waters to irrigate several hundred thousand acres of now arid land. It will create beautiful recreation areas, add to our electric power potential, provide greater fire protection, improve our timber stands, add to our grazing lands, and increase our share of wildlife. With water, there will come more roads and improved access to our national forests.

Two years ago at a seminar at Provo, the U.S. Commissioner of Reclamation outlined the meaning of the central Utah project. He summed up in a single sentence which speaks volumes: "The availability of water for beneficial uses—municipal, agricultural, industrial, recreational, hydroelectric power—is the only ceiling to future growth and development in this area."

The future now is bright for Payson and for Utah County. It is brighter for Utah, and because of our gain, the Nation's horizon has been lifted. We can look forward to more and greener fields, better homes and communities, and greater opportunity for ourselves and our children. We have joined the world at large in the great and ongoing revolution of rising expectations.

There are some among us who nonetheless decry the rise of our modern democratic Nation. To hear these Jeremiahs, such works as the central Utah project are turning free Americans into wards of an all-powerful and omnipotent state. To listen to those who weep at yesterday's wailing wall, we have all sold out for a mess of pottage.

I point the finger of scorn at small minds who so lack faith in our Government by the people. I call their rantings and their ravings a calumny upon the American people and on the independent citizens of this State. I brand these bitter men false prophets and doomsayers.

More water for Utah means greater individual opportunity. It means a chance for higher living standards. It requires none among us to sell his soul for the opportunities gained.

Utah fought for the upper Colorado project and for central Utah. We did so in the expectation that some of our citizens would not agree. And each may speak his mind. He may oppose the project, he may call this Senator names if he is so inclined. There's not much I can do even if he verges on libel. And if he doesn't like President Kennedy, he may say so and suffer no reprisal. The benefits of the new water will come alike to critic and supporter.

It seems to me that in this case we are using the agency of government to create greater individual opportunity for all of us. The greater economic benefits ensuing mean better educations for our children. They mean that we will have greater freedom because there will be less cause for fear. No citizen can ask for more.

Modern democratic government has the obligation to establish a setting in which the individual citizen may reach out for the stars. This is what Abraham Lincoln meant. He asked only that government shall act to help people help themselves. This is the essence of modern democracy. The political party that denies this philosophy is doomed to sterility.

In one thing all Americans are typical. We believe that there must be ever greater opportunity for ever greater numbers of our people. We believe that action by government to establish the greatest good for the greatest number is consistent with freedom. Any government which fails to act accordingly will, in the longer run, fail its citizens and must ultimately fail freedom itself.

There is a price for freedom and in this modern day of H-bombs and massive defense, that price is not insignificant. The price is our taxes. In the ultimate, it is taxes about which the complainers grumble most—not any real loss of freedom. I say that if existing taxes are the price of maintaining this free Nation, the value received is well worth the tax.

Perhaps we complain because we are a free people. Griping, after all, is a great and wonderful American custom. But a look at our America reveals that we are not being taxed into destitution. Quite the reverse; our people are more prosperous than ever. Federal taxes indeed, may be too high for the best interests of the economy, but they take no more proportionately from our pocketbooks than they did a decade ago.

The statistics show that half of American families now have income of more than $6,000 annually. They show that more of us are finishing high school and going on to college—more in Payson, more in Utah, and more in America. America, indeed, has its poor—far too many—but we have entered the age of the affluent society. Few of us are rich, but more of us than ever enjoy a reasonable standard of living.

We have many problems because we are a great Nation. Unemployment cannot be denied. The arms burden that we carry tends to weight us down. Taxes were shaped by a war economy and because of the cold war they have remained high. I am among those Senators who seek a tax cut that will benefit chiefly the average citizen. I believe that such a tax cut will generate more business, more income than before, and ultimately more tax revenue. I am for this kind of tax cut because I feel that it will be good for America.

But we would be fools to believe that in this modern world we can abolish taxes and go back to the "good old days." Now, I am not one who sneers at the old days and old ways. They had honest values valid for their times. But the old days were not always so good. And sometimes in times past, our citizens failed the Nation when we placed the interests of the few over benefits for the many.

Let's return to yesteryear for a few seconds. Think back along with me to a hundred years ago. This land was then in the throes of the bloodiest Civil War the Western World has ever known. The days were dark and the Nation bled. A few made fortunes but the many paid hard for the war in sweat and in blood.

Let's go back only 50 years to a day when child labor was still the rule, when men still worked 60 hours or more every week and when the great Triangle Shirtwaist fire rocked the Nation. A few here may remember that fire which symbolized all that was evil in the sweatshop. Sewing machine girls were locked in a plant, and forced to work. When fire broke out, many were burned to death. This was part of the "good old days."

Fifty years ago—not long in a nation's history—the poet sang in bitter complaint:

> "The golf course lies so near the mill
> That almost every day,
> The working children may look out
> And see the men at play."

Few of us want to go back to that. In the past 50 years, we have wiped out child labor. Today, we still have problems of school dropouts and of youth unemployment. But thank the good lord, we no longer have 8-year-olds working as breaker boys in coal mines. Few workers or intelligent employers want to go back to such a yesteryear.

Let's travel back to a closer yesterday, only three decades ago. You need be only as old as I to remember. The song was "Brother can you spare a dime" and on the street corners of our cities the apple vendors stood helpless beneath the summer sun or in the freezing cold of winter.

In the good old days, the role of Government was passive. Yes, we subsidized the railroads from the national purse. But rarely did Government intervene to help the people—not even in the panic of 1907.

Things have changed and, on the whole, for the better. We now have a national commitment to full employment. We regard Government as a positive force through which we take enlightened action against adversity.

Enlightened Government that acts to provide opportunity for people to be free and independent is the real issue of our day.

We are faced abroad by the Communists of both Soviet Russia and Red China. The latter are still relatively powerless and their bellicose talk can be discounted. But the Soviet has become a major world power intent upon beating us in a peace race, or otherwise.

Internally, we face grave problems induced by a changing technology. The big question is whether we can master the plenty we can produce. The question is whether an increasingly urban world can be made livable for a fast-growing population. The question is one of jobs for a record number of youth who will enter the labor market in the next few years.

I am startled when I hear a call for the dismantling of our Federal Government. I cannot understand the small men of little faith who would reduce this Nation to an impotent confederation. I am even more startled when I hear these same men call for meeting the Communist challenge by destroying our time-tested institutions. I wonder sometimes whether they, like Alice, haven't gone through the looking glass into a world of never-never.

The call of these men of small faith for yesteryears' solutions to today's massive problems is like the yearning we, who have grown up, sometimes have for our lost youth. Yet we know that you cannot grow backward and most of us accept our maturity. Those who fail to accept manhood become pathetic creatures more worthy of our pity than our censure. I truly pity those Americans unable to accept the reality of today's world. I understand their search for a yesterday that existed mostly in lost dreams. But I deny the validity of their preachment of hatred that views even Dwight D. Eisenhower as "soft" on communism.

Anarchy is the alternative to responsible and strong democratic government of, by, and for the people, offered to America by the radical right. Worse, it is a denial of brotherhood. It holds that we are not our brother's keepers. It separates Americans, one from another. It will lead only to class hatreds and misery if its proponents are successful.

For myself, I have faith in this great modern America that we have created. I do not believe that the American people will be seduced by the small minded who would turn backward. I believe firmly that as a united people bound together by the democratic process we can move forward to an even better and freer America.

I believe that in this better America, the local community and State government will play key roles. I believe that the tie that must bind us all, however, is the Federal Government. I believe that it is the role of

all government to increase opportunity so that freemen need not cower in fear. I hope, and I firmly believe, that the people of this Nation will be true to themselves and will not permit the ties that bind these United States of America to be cut asunder.

And so, in conclusion, let me emphasize again that we live in a day of rising expectations. The future is bright for Utah County, for the State of Utah, and for the Nation as a whole. A great Federal water project will soon bring more water for thirsty acres here in the heartland of Utah—here in Utah County. This means new farms and new farm income. We have the prospect of new recreation areas around the lakes to be formed back of the dams, and the prospect of a spectacular new national park in southeastern Utah—Canyonlands—which will bring many visitors and more tourist dollars into the State. Because of these gains in Utah, the whole Nation will benefit.

I am confident that in the years ahead the people of America will continue to act through enlightened government to provide greater opportunity for greater numbers of people—that we will continue to work together in brotherhood, and in nationhood, for the common good of us all.

EXECUTIVE COMMITTEE OF THE NATIONAL STUDENT FEDERAL AID TO EDUCATION CONFERENCE FAVORS PASSAGE OF THE COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, following a recent meeting of the executive committee of the National Student Federal Aid to Education Conference, Mr. Patrick C. Clary, a cochairman of the conference, addressed a letter to me on August 29, 1963, in which he expressed in the name of the National Student Federal Aid to Education Conference, support for the passage of the GI bill.

Mr. President, I ask unanimous consent that the letter from Patrick C. Clary, cochairman of the National Student Federal Aid to Education Conference, be printed in the RECORD.

The National Student Federal Aid to Education Conference was attended by delegates from 34 States, the Virgin Islands, and the District of Columbia, and was sponsored by 22 student organizations. The action of the executive committee of this conference in endorsing the cold war GI bill is yet another indication of the continuing and ever-increasing support for the cold war GI bill in colleges and universities across this country.

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

NATIONAL STUDENT FEDERAL AID TO EDUCATION CONFERENCE,
Washington, D.C., August 29, 1963.

Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Thank you for your letter of August 8, 1963, wherein you acknowledge receipt of a copy of the resolution on Federal aid to education adopted by the delegates to this conference from 34 States, the Virgin Islands, and the District of Columbia assembled here in Washington last April.

In order to make the policy position of the conference relevant to the current legislative situation in the Congress, our executive committee met this month for that purpose. We are certainly in favor of the cold war GI bill which you have cosponsored and which you were so kind to explain in your recent letter to us. In addition, however, the executive committee, on behalf of the conference, resolved to support the medical, vocational, and higher education bills, as passed by the House of Representatives.

Since the conference's participants—the members of our 22 sponsoring organizations—are college students, we are particularly concerned that H.R. 6143, providing aid for higher education facilities, be approved by the Senate. Therefore, we would be greatly appreciative if you, as a member of the education subcommittee, would take our views into account.

Thank you very much for your kind consideration.

Respectfully yours,
PATRICK C. CLARY,
Cochairman.

A SOVIET DIPLOMAT VISITS FAYETTEVILLE, ARK.

Mr. FULBRIGHT. Mr. President, in a recent visit to my hometown of Fayetteville, a young Soviet diplomat made speeches and met informally with citizens of the community. His purpose, I believe, was to inform the people of Fayetteville about many aspects of life in the Soviet Union. This is an altogether commendable purpose but, judging from press reports, the young Russian fell short of achieving it.

He failed of his objective because he taxed the credulity of his listeners. Instead of providing a factual description of Soviet life and foreign policy, he pictured the Soviet Union as an idyllic society of blissfully happy workers. According to this young diplomat, Russia is a country with no unemployment and no poverty, with freedom of religion and a free press, and with no strikes because—as the Communists have so often and so disingenuously explained—"all industry is owned by the working people and they would be striking against themselves." The Berlin wall was explained as nothing more than a border point and clearing station, like America's Ellis Island.

Direct contacts between Soviet and American citizens are a useful and desirable means of improving relations between our countries, but these contacts are of little value if they are used to promote stale propaganda which is easily discounted and tends to reinforce longstanding suspicions. Mutual understanding can only be brought about by free and candid discussion of both the success and shortcomings of the two societies. Certainly, neither country can claim to be completely free of shortcomings.

I hope that there will be many more visits to American communities by Soviet diplomats, and private citizens as well. I further hope that American representatives will be permitted to discuss life in the United States in communities throughout the Soviet Union. In both instances increased friendliness and understanding are far more likely to be achieved by candid explanations of conditions in the two countries as they really are than by vain boasts and transparent propaganda.

In no sense do I intend these remarks to reflect personally on the young Russian who visited Fayetteville. It is the whole dialog of the cold war that is at fault, the absurd language of deception, exaggeration, and half-truths that for 17 years has posed a formidable barrier to genuine communication between the Soviet and American people. Only when the two people are able to talk to each other with plain facts and commonsense will we have achieved a breakthrough toward genuine understanding.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point several articles regarding the Soviet diplomat's visit to Fayetteville which appeared on August 23 and 24 in the Northwest Arkansas Times. Fayetteville happens to be my hometown.

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

[From the Northwest Arkansas Times, Aug. 23, 1963]

WELCOME, MR. SHAPKIN, WELCOME

(By Allan Gilbert, Jr.)

Georgi Shapkin, smooth-cheeked, smooth-talking young Russian diplomat, settled himself down in a chair at the Fayetteville Elks Club in the heart of one of the major poultry-producing areas of the world this week and ordered shrimp.

"I had chicken on the plane," he said, not locating any shrimp growers at the table and detecting, I felt sure, a slight stiffening of international relations on the part of his hosts.

"Oh, yes, we have chickens in Russia," he said. "Everyone has chickens. We grow many chickens and everyone eats chicken. We don't eat as much beef, however, as you Americans do."

Sporting a dark, undistinguished suit, a white shirt whose long collar reminded one of the ski jump at Berne, and a noncommital tie, Georgi was of the opinion that American haberdashery leaves something to be desired. He said he had looked all over Washington for something he liked, but all he found was the same sorts of material, the same styles and essentially the same colors. "You have a primitive communism in your clothing," he said matter of factly.

In the fashion of the headman back at the Kremlin, Georgi said he didn't dig this American jazz stuff. He added, however, that he found American folk songs and folk music very enjoyable. "I don't like my music to be too loud or busy," he said. He told me that he has purchased a tape recorder and player and has rerecorded some American folk music which he plans to take back to the old country with him.

Georgi, just 32, is third secretary of the Russian Embassy at Washington, D.C. His primary sphere of interest, contrary to what I had suspected, is not espionage, he said. Rather, he is interested in foreign policy, and will be involved with that in the Soviet Foreign Office when he returns to Moscow following his tour of duty in this country.

Quizzed on the Berlin wall, German unification, the Red menace, and other topical matters too numerous to mention, Georgi had a ready response and an earnestness that reminded one of nothing quite so much as fixing a kebab of peeled grapes.

"What," I asked him, "do the Russians think about Senator FULBRIGHT" whose home is here in Fayetteville.

"Your Senator FULBRIGHT," he said, "is a man of great responsibility in the Congress. He is a man we regard as thinking about the most critical and important aspects of relations involving our countries."

What, he was asked, are the most important matters involving present East-West relations?

Now that a partial test ban treaty has been evolved, Comrade Shapkin said, "it is time to look to other matters of mutual interest, concern, and benefit." These, he indicated, include disarmament and a broad exchange of economic and cultural ideas.

It all seemed so simple listening to him explain to Al Dawson of the Times and Jay Fulbright, a member of the informal party, that the Berlin wall was just the equivalent of America's Ellis Island * * * a border point and clearing station for those traveling east or west; and that a unified Germany had caused two World Wars, so why encourage a third, that one could not help but wonder why Berlin was an issue.

Wonder, that is, until one recalled the picture of a man butchered on the wall's barbed wire trying to gain nothing but his own freedom.

Georgi, who is a guest in Fayetteville through Sunday noon, is quite obviously a fine example of the educated, gifted, optimistic, and patriotic (a term as applicable to the Russia of today as to America) young Communist.

Mr. Shapkin explains the abominations of communism with a cool dogmatism that is frightening. Georgi and his countrymen must never be underestimated. They will make a frightening opponent in peace or war.

Yet, Georgi says what Russia wants is peace. He says Russia needs peace so that it may channel its resources not to the materials of war, but to improving the lot of the Russian people.

This, I had to admit, was a disarming sort of argument. And as I talked to him about such things as the Benny Goodman concerts in Russia and the ballet and folk dance groups from Russia who have toured triumphantly in the United States I recalled something Norman Cousins wrote recently:

"The ultimate question * * * has to do with one's basic faith and confidence in the ability of the United States to hold its own in the nonmilitary showdown coming up in the world. Those who know most about this Nation's history, its philosophy, and its institutions will find abundant nourishment for their optimism. As usual, those who know the least will fear the most."

With that thought, I welcomed Georgi to Fayetteville, and asked him to drop back any time he found it convenient.

[From the Northwest Arkansas Times, Aug. 23, 1963]

NO JOBLESS IN RUSSIA, SHAPKIN SAYS

In the Soviet Union there are high pensions without special taxes, no unemployment, 6- to 7-hour working days and expectations of reducing the working hours and of furnishing free medical care, free rent, and free lunches for workers.

G. Shapkin, third secretary of the Soviet Embassy in the United States, made these claims in a talk before Rotarians and their guests at the Mountain Inn Thursday noon. He said that in order to reach the goals set it is necessary to preserve peace and that this is the No. 1 foreign policy of his country.

Speaking on the subject "History of Communism," he noted that one-third of the population of the world lives under socialism and that many of the attainments have been won in the last 25 years. He pointed out that parts of the country where he lives were destroyed in two wars and that only in more recent years have advancements become possible. Production in 1 week now equals what was produced under the czars in 1 year, he said. An even greater expansion in industry and agriculture is planned, but it cannot come about if there is war, the Embassy spokesman declared.

"The basic policy of the Soviet Union is fighting for peace in the world," Shapkin asserted. "Russia knows what war is. A world war now would mean the complete destruction of countries and the goal must be to do the best possible to support peace."

He spoke favorably of a future disarmament agreement "which could improve the lives of people in the world, including those in underdeveloped countries." He said more needs to be done for the peoples in the have-not nations.

The test ban treaty signed in Moscow should help toward a future disarmament agreement, in his opinion.

"We hope to agree on stopping underground tests and to reduce armament budgets," he stated.

He suggested a goal should be reduction of armies in West and East Germany, and said this might be achieved by an agreement to post watchers in the two countries to see that no sudden attacks are possible.

He was introduced by Don Trumbo, Jr.

[From the Northwest Arkansas Times, Aug. 24, 1963]

MANY U.S. CONCEPTIONS IN ERROR, HE SAYS—RUSSIAN PAINTS BRIGHT PICTURE OF SOVIET LIFE

(By Al Dawson)

Soviet Embassy official Georgi Shapkin again extolled Premier Khrushchev's brand of communism last night in a public address on "coexistence" at the Methodist Student Center off the university campus.

The 32-year-old diplomat used most of his time to describe the U.S.S.R. as a rapidly developing country with no unemployment, a short working day, free schooling for everyone and closely-guarded civil liberties.

Crucial differences between Western thinking and what Shapkin called "socialism" were not emphasized until a question-and-answer period that followed.

Citing a statement that "reduction of the U.S.S.R.'s military budget would mean the Soviet Union could give more assistance to underdeveloped countries," one member of the audience asked about Moscow's "political influence" in such countries.

Shapkin told the questioner and about 100 other listeners that: "Our position in this question is that the political system is the business of the country * * *. We don't interfere."

Asked by another to defend his country's religious climate, the Washington-stationed third secretary said the belief that worship has been discouraged is untrue. "There is freedom of religion in our country * * *. We still have many people who belong to different religions."

Queried as to the economic status of the average Russian, Shapkin replied:

"Certainly the standard of living in the United States at the present time is higher than in the Soviet Union. Our goal at the present time is to have a standard of living like yours. And then, in a very short time, we will leave you behind."

Of freedom of the press in the U.S.S.R., he said "There is no country in the world who has more freedom." He explained that "a paper belongs to the organization of the working people," and is written by "specialists and political observers." He added, "These are working people."

Asked about the "suppression" of Boris Pasternak's Nobel prizewinning novel "Doctor Zhivago," Shapkin said the questioner's assumptions had led her to pose an "uncorrect question."

"It was published," he declared, but did not attain a wide audience among Russians because it "did not reflect the real situation in the Soviet Union."

Shapkin told another questioner that Russian workers have the freedom to organize and strike. But when asked if strikes actually occur in the U.S.S.R., he said, "No."

"You don't see the difference in systems," he protested to the audience. "There is no owner. In our country all industry is owned by the working people * * *. They would be striking against themselves."

The speaker was introduced by Jim Loudermilk and responded to many questions by referring to a copy of the Soviet Constitution.

Earlier in the day he was prepared to leave town in protest against "unfair" press notices, but was persuaded to stay and speak to the Chamber of Commerce. He later was taken on a tour of northwest Arkansas poultry plants.

Today's schedule, arranged by Don Trumbo, Jr., of the Fayetteville Jaycees, called for an appearance before the League of Women Voters and a dinner. The visit will end tomorrow.

[From the Northwest Arkansas Times, Aug. 24, 1963]

CONTRAST IN CONVICTIONS

At the same time a representative of the Soviet Embassy in Washington is in Fayetteville, where he is receiving a friendly welcome, listened to in speeches and entertained in homes, a labor union publication in Moscow has denounced American visitors who extol the U.S. way of life over the Russian.

Unlike the United States, Russia keeps a close check on what its newspapers say, and if they wander from the Communist line they are called to account. The story in Trud can be fairly said to represent the official viewpoint.

The newspaper said American tourists, artists, visiting businessmen and Congressmen were members of "an army of ideological saboteurs, working in the interests of American intelligence. * * * The organizers," said the article, "hope that they will be able to disarm the Soviet people ideologically."

Russia forbids tourists or resident foreigners from handing out publications—there have even been expulsions for this—and free-roaming conversations are discouraged.

The Embassy spokesman is here this week upon invitation, encouraged to present the Soviet way of life, the country's past, present and future plans.

If the Government of the United States feared its people might be sabotaged by the presentation of the Soviet cause to the extent that it denounced such appearances there would be cause for alarm. The fact that a comparison of the ways of life is possible speaks forcefully in favor of the "capitalistic" or democratic system.

Moscow fears "picturing the United States in the role of the leader of the free world and publicizing the U.S. way of life as an expression of a real democratic society." Denunciation of American visitors as working in the interests of American intelligence points up at least an inclination on the part of Russian officialdom to suspect the American way may look very good indeed to the people who hear about it. Their theme: It's better that the people don't know.

A ROSH HASHANAH MESSAGE

Mr. LAUSCHE. Mr. President, it is my pleasure to share with my colleagues the opportunity to read the beautiful Rosh Hashanah message from Rabbi David L. Genuth, of Temple Beth El, Shaker Heights, Ohio. It is most impressive and reveals genuine deep feeling and simplicity. I ask unanimous consent that it be printed in the body of the RECORD.

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

A ROSH HASHANAH MESSAGE

(By David L. Genuth, rabbi)

We worshippers of Beth El together with all our fellow-Jews are members of the religion which first dreamed of social justice, whose Prophets preached the sanctity and dignity of human life, whose God decreed a single law for all His children. As our Torah states, "One law shall be to him that is home born, and unto the stranger that sojourneth among you," and whose sacred writings professed the brotherhood of man, regardless of race, creed or color. We, together, with all our fellow-Jews are proud of our heritage of justice and decency. We therefore applaud every effort of our President John F. Kennedy and our Government to insure the basic God-given law rights to all fellow Americans. At this moment of moral crisis in the life of our Nation, we extend a hand of brotherhood to our fellow Americans and proclaim "We are and will always be our brother's keeper."

Rosh Hashanah does not commemorate any historic event. It has to do with men, God's children and therefore only one who renders man nearer to man, who is deeply concerned with the welfare of his neighbor is considered a true American.

On our High Holy Days our hearts go out to all our fellow Americans who are fighting for civil rights in order that justice and truth shall triumph and America remain the home of the free and the land of the brave.

We extend our sincerest wishes to our members and friends of Temple Beth El and to the entire Jewish community of Cleveland a very healthy, happy, and prosperous New Year.

TRIBUTE TO THE LATE DR. JOSEPH E. SMADEL

Mr. HILL. Mr. President, several weeks ago, on the occasion of the death of Dr. Joseph E. Smadel, of the National Institutes of Health, I paid my tribute to him as a good and helpful friend and a great physician and virologist. In the August 9 issue of Medical Tribune, Mr. Gershon Fishbein, the Washington correspondent of the Tribune, paid a beautiful and richly deserved tribute to Dr. Smadel and I ask unanimous consent that it be published at this point in the RECORD.

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

DR. J. E. SMADEL, NOTED VIROLOGIST, DIES OF CANCER

(The following appreciation of the late Dr. Joseph E. Smadel, of the National Institutes of Health, was written by Gershon Fishbein, Washington correspondent of Medical Tribune, who knew Dr. Smadel both as an unusually helpful professional source in checking scientific information and as a friend.)

BETHESDA, MD.—Dr. Joseph E. Smadel, 57, one of the world's leading virologists, has died of cancer. He will be mourned by the humblest of peasants in Pakistan, where he gave much of his recent life to cholera research, no less than by the greatest of physicians, with whom he ranked.

He epitomized much that is noble in medicine and scoffed at what he considered its trivia and distractions. Although he won numerous awards, he always considered the title of physician good enough.

He never allowed personal burdens to intrude on his career. So it was that in 1962, when many of us knew he had cancer, he stood in New York to receive the Lasker Award for Clinical Research and delivered a characteristically thorough scientific paper.

He considered it a privilege to "fiddle"—to use his own favorite word—with viruses and drugs, never knowing exactly what the outcome might be. With his colleagues, he demonstrated the efficacy of chloramphenicol as the first therapeutic agent used successfully in treatment of rickettsial diseases. By serendipity, during therapeutic trials on patients with scrub typhus, he found chloramphenicol to be specific for typhoid fever.

He made the world his laboratory, and no corner of it was too remote for trials of a hopeful drug or vaccine.

He investigated epidemic and murine typhus in Mexico, scrub typhus and typhoid in Malaya, leptaspirosis in Puerto Rico, pneumonic plague in Madagascar, epidemic hemorrhagic fever in Korea, cholera in Pakistan.

In him was blended, to a degree rarely found among today's scientists, the special virtues of researcher and clinician, and he drew on both to complement each other.

Although he served as Associate Director of the National Institutes in charge of intramural research between 1956 and 1960, he scorned administrative details, detested bureaucracy, and longed for a return to the laboratory, which came in 1960, when he was named Chief of the new Laboratory of Virology and Rickettsiology in the Division of Biologics Standards.

He drove himself and his associates to the limit. Time stood still when he worked. He set the highest of standards for himself and exacted no less from his colleagues.

Although he rarely allowed anyone to quote him in an interview, he was a source of much news at NIH. He believed the medical profession and the general public had a legitimate and vital stake in research developments and was often called by newsmen to check the accuracy of a story.

Not long ago he spent several hours at dinner with a group of Washington science writers, giving background off-the-record information on developments in virology so that they could write more comprehensive stories when news broke in that field.

To the world, he was a great physician and virologist. To this correspondent, he was that and more—a friend and mentor.

LOUIS KOSSUTH DAY

Mr. HART. Mr. President, every great people who have fought for freedom and independence as a nation have a national hero, one whom the people venerate as the embodiment of their spirit and determination in their fight for freedom, and whose memory is cherished and honored in annual observances.

To the Hungarian people, such is Louis Kossuth. September 19 marks the anniversary of his birth in 1802; and Hungarians throughout the world—in Hungary and in the free world—will honor his achievements in the fight for Hungarian independence in 1848.

The observances in Hungary will, we may be sure, be clandestine, for in that unhappy country freedom, as Louis Kossuth conceived it, does not exist. But we may be equally sure that in the hearts of the people of Hungary, silent homage will be paid this man and the ideals of freedom, national independence, and democracy which have been religiously pursued by the Hungarian people.

Happily, in the United States, Americans of Hungarian background can, and will, once again commemorate the birthday of this great warrior in the cause of freedom. We proudly join Hungarians throughout the world in an observance which reaffirms our desire and determination that the Hungarian nation shall again stand as a free and independent democratic state.

MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes, which were, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963".

TITLE I—CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

Short Title

SEC. 100. This title may be cited as the "Mental Retardation Facilities Construction Act".

Part A—Grants for construction of centers for research on mental retardation and related aspects of human development

SEC. 101. Title VII of the Public Health Service Act is amended by inserting immediately below the heading thereof "Part A—Grants for construction of health research facilities" and by changing the words "this title" to "this part" wherever they appear, and by adding at the end of such title the following new part:

"Part D—Centers for research on mental retardation and related aspects of human development

"Authorization of Appropriations

"SEC. 761. There are authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1964, $8,000,000 for the fiscal year ending June 30, 1965, and $6,000,000 for the fiscal year ending June 30, 1966, for project grants to assist in meeting the costs of construction of facilities for research, or research and related purposes, relating to human development, whether biological, medical, social, or behavioral, which may assist in finding the causes, and means of prevention, of mental retardation, or in finding means of ameliorating the effects of mental retardation. Sums so appropriated shall remain available until expended for payments with respect to projects for which applications have been filed under this part before July 1, 1966, and approved by the Surgeon General thereunder before July 1, 1967.

"Applications

"SEC. 762. (a) Applications for grants under this part with respect to any facility may be approved by the Surgeon General only if—

"(1) the applicant is a public or nonprofit institution which the Surgeon General determines is competent to engage in the type of research for which the facility is to be constructed; and

"(2) the application contains or is supported by reasonable assurances that (A) for not less than 20 years after completion

of construction, the facility will be used for the research, or research and related purposes, for which it was constructed; (B) sufficient funds will be available for meeting the non-Federal share of the cost of constructing the facility; (C) sufficient funds will be available, when the construction is completed, for effective use of the facility for the research, or research and related purposes, for which it was constructed; and (D) all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the center will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87–581); and the Secretary of Labor shall have with respect to the labor standards specified in this clause (D) the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(b) In acting on applications for grants, the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in expanding the Nation's capacity for research and related purposes in the field of mental retardation and related aspects of human development, and such other factors as he, after consultation with the national advisory council or councils concerned with the field or fields of research involved, may by regulation prescribe in order to assure that the facilities constructed with such grants, severally and together, will best serve the purpose of advancing scientific knowledge pertaining to mental retardation and related aspects of human development.

"Amount of Grants; Payments

"SEC. 763. (a) The total of the grants with respect to any project for the construction of a facility under this part may not exceed 75 per centum of the necessary cost of construction of the center as determined by the Surgeon General.

"(b) Payments of grants under this part shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Surgeon General may determine.

"(c) No grant may be made under any provision of this Act other than this part, for any of the three fiscal years in the period beginning July 1, 1963, and ending June 30, 1966, for construction of any facility described in this part.

"Recapture of Payments

"SEC. 764. If, within twenty years after completion of any construction for which funds have been paid under this part—

"(1) the applicant or other owner of the facility shall cease to be a public or nonprofit institution, or

"(2) the facility shall cease to be used for the research purposes, or research and related purposes, for which it was constructed, unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"Noninterference With Administration of Institutions

"SEC. 765. Except as otherwise specifically provided in this part, nothing contained in this part shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirement or condition with respect to, the research or related purposes conducted by, and the personnel or administration of, any institution.

"Definitions

"SEC. 766. As used in this part—

"(1) the terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

"(2) the term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual."

Part B—Project grants for construction of university-affiliated facilities for the mentally retarded

Authorization of Appropriations

SEC. 121. For the purpose of assisting in the construction of clinical facilities providing, as nearly as practicable, a full range of inpatient and outpatient services for the mentally retarded and facilities which will aid in demonstrating provision of specialized services for the diagnosis and treatment, education, training, or care of the mentally retarded or in the clinical training of physicians and other specialized personnel needed for research, diagnosis, and treatment, education, training or care of the mentally retarded, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1964, $7,500,000 for the fiscal year ending June 30, 1965, and $10,000,000 for the fiscal year ending June 30, 1966. The sums so appropriated shall be used for project grants for construction of public and other nonprofit facilities for the mentally retarded which are associated with a college or university.

Applications

SEC. 122. Applications for grants under this part with respect to any facility may be approved by the Secretary only if the application contains or is supported by reasonable assurances that—

(1) the facility will be associated, to the extent prescribed in regulations of the Secretary, with a college or university hospital (including affiliated hospitals), or with such other part of a college or university as the Secretary may find appropriate in the light of the purposes of this part;

(2) the plans and specifications are in accord with regulations prescribed by the Secretary under section 133(3);

(3) title to the site for the project is or will be vested in one or more of the agencies or institutions filing the application or in a public or other nonprofit agency or institution which is to operate the facility;

(4) adequate financial support will be available for construction of the project and for its maintenance and operation when completed; and

(5) all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87–581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Amount of Grants; Payments

SEC. 123. (a) The total of the grants with respect to any project for the construction of a facility under this part may not exceed 75 per centum of the necessary cost of construction thereof as determined by the Secretary.

(b) Payments of grants under this part shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Secretary may determine.

Recovery

SEC. 124. If any facility with respect to which funds have been paid under this part shall, at any time within twenty years after the completion of construction—

(1) be sold or transferred to any person, agency, or organization which is not qualified to file an application under this part, or

(2) cease to be a public or other nonprofit facility for the mentally retarded, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to continue as such a facility,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility which has ceased to be a public or other nonprofit facility for the mentally retarded, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the facility is situated) of so much of the facility as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects.

Nonduplication of Grants

SEC. 125. No grant may be made under any provision of the Public Health Service Act, for any of the three fiscal years in the period beginning July 1, 1963, and ending June 30, 1966, for construction of any facility for the mentally retarded described in this part.

Part C—Grants for construction of facilities for the mentally retarded

Authorization of Appropriations

SEC. 131. There are authorized to be appropriated, for grants for construction of public and other nonprofit facilities for the mentally retarded, $12,500,000 for the fiscal year ending June 30, 1965, and $15,000,000 for the fiscal year ending June 30, 1966.

Allotments to States

SEC. 132. (a) For each fiscal year, the Secretary shall, in accordance with regulations, make allotments from the sums appropriated under section 131 to the several States on the basis of (1) the population, (2) the extent of the need for facilities for the mentally retarded, and (3) the financial need of the respective States; except that no such allotment to any State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year may be less than $100,000. Sums so allotted to a State for a fiscal year for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such next fiscal year.

(b) In accordance with regulations of the Secretary, any State may file with him a request that a specified portion of its allotment

under this part be added to the allotment of another State under this part for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a facility for the mentally retarded in such other State. If it is found by the Secretary that construction of the facility with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this part, such portion of such State's allotment shall be added to the allotment of the other State under this part, to be used for the purpose referred to above.

(c) Upon the request of any State that a specified portion of its allotment under this part be added to the allotment of such State under title II, and upon (1) the simultaneous certification to the Secretary by the State agency designated as provided in the State plan approved under this part to the effect that it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion, or (2) a showing satisfactory to the Secretary that the need for the community mental health centers in such State is substantially greater than for the facilities for the mentally retarded, the Secretary shall, subject to such limitations as he may by regulation prescribe, promptly adjust the allotments of such State in accordance with such request and shall notify such State agency and the State agency designated under the State plan approved under title II, and thereafter the allotments as so adjusted shall be deemed the State's allotments for purposes of this part and title II.

Regulations

SEC. 133. Within six months after enactment of this Act the Secretary shall, with the approval of the Federal Hospital Council (established by section 633 of the Public Health Service Act and hereinafter in this part referred to as the "Council"), by general regulations applicable uniformly to all the States prescribe—

(1) the kinds of services needed to provide adequate services for mentally retarded persons residing in a State;

(2) the general manner in which the State agency (designated as provided in the State plan approved under this part) shall determine the priority of projects based on the relative need of different areas, giving special consideration to facilities which will provide comprehensive services for a particular community or communities;

(3) general standards of construction and equipment for facilities of different classes and in different types of location; and

(4) that the State plan shall provide for adequate facilities for the mentally retarded for persons residing in the State, and shall provide for adequate facilities for the mentally retarded to furnish needed services for persons unable to pay therefor. Such regulations may require that before approval of an application for a facility or addition to a facility is recommended by a State agency, assurance shall be received by the State from the applicant that there will be made available in such facility or addition a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

State Plans

SEC. 134. (a) After such regulations have been issued, any State desiring to take advantage of this part shall submit a State plan for carrying out its purposes. Such State plan must—

(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this part;

(3) provide for the designation of a State advisory council which shall include representatives of State agencies concerned with planning, operation, or utilization of facilities for the mentally retarded and of nongovernment organizations or groups concerned with education, employment, rehabilitation, welfare, and health, and including representatives of consumers of the services by such facilities;

(4) set forth a program for construction of facilities for the mentally retarded (A) which is based on a statewide inventory of existing facilities and survey of need; (B) which conforms with the regulations prescribed under section 133(1); and (C) which meets the requirements for furnishing needed services to persons unable to pay therefor, included in regulations prescribed under section 133(4);

(5) set forth the relative need, determined in accordance with the regulations prescribed under section 133(2), for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of facilities which receive Federal aid under this part;

(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

(9) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(10) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

Approval of Projects

SEC. 135. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Secretary through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications therefor in accordance with the regulations prescribed by the Secretary under section 133(3);

(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility;

(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87–581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

(6) a certification by the State agency of the Federal share for the project.

The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 133; (C) that the application is in conformity with the State plan approved under section 134 and contains an assurance that in the operation of the facility there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 133(4) for furnishing needed facilities for persons unable to pay therefor, and with State standards for operation and maintenance; and (D) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 133(2). No application shall be disapproved by the Secretary until he has afforded the State agency an opportunity for a hearing.

(b) Amendment of any approved application shall be subject to approval in the same manner as an original application.

Withholding of Payments

SEC. 136. Whenever the Secretary after reasonable notice and opportunity for hearing to the State agency designated as provided in section 134(a)(1), finds—

(1) that the State agency is not complying substantially with the provisions required by section 134 to be included in its State plan or with regulations under this part;

(2) that any assurance required to be given in an application filed under section 135 is not being or cannot be carried out;

(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 135; or

(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

(5) no further payments will be made to the State from allotments under this part; or

(6) no further payments will be made from allotments under this part for any project or projects designated by the Sec-

retary as being affected by the action or inaction referred to in paragraph (1), (2), (3), or (4) of this section,

as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments from such allotments may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

Nonduplication of Grants

SEC. 137. No grant may be made under any provision of the Public Health Service Act, for any of the two fiscal years in the period beginning July 1, 1964, and ending June 30, 1966, for construction of any facility for the mentally retarded described in this part.

TITLE II—CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

Short Title

SEC. 200. This title may be cited as the "Community Mental Health Centers Act".

Authorization of Appropriations

SEC. 201. There are authorized to be appropriated, for grants for construction of public and other nonprofit community mental health centers, $50,000,000 for the fiscal year ending June 30, 1965, and $65,000,000 for the fiscal year ending June 30, 1966.

Allotments to States

SEC. 202. (a) For each fiscal year, the Secretary shall, in accordance with regulations, make allotments from the sums appropriated under section 201 to the several States on the basis of (1) the population, (2) the extent of the need for community mental health centers, and (3) the financial need of the respective States; except that no such allotment to any State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year may be less than $100,000. Sums so allotted to a State for a fiscal year and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year.

(b) In accordance with regulations of the Secretary, any State may file with him a request that a specified portion of its allotment under this title be added to the allotment of another State under this title for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a community mental health center in such other State. If it is found by the Secretary that construction of the center with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the allotment of the other State under this title, to be used for the purpose referred to above.

(c) Upon the request of any State that a specified portion of its allotment under this title be added to the allotment of such State under part C of title I and upon (1) the simultaneous certification to the Secretary by the State agency designated as provided in the State plan approved under this title to the effect that it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion or (2) a showing satisfactory to the Secretary that the need for facilities for the mentally retarded in such State is substantially greater than for community mental health centers, the Secretary shall, subject to such limitations as he may by regulation prescribe, promptly adjust the allotments of such State in accordance with such request and shall notify such State agency and the State agency designated under the State plan approved under part C of title I, and thereafter the allotments as so adjusted shall be deemed the State's allotments for purposes of this title and part C of title I.

Regulations

SEC. 203. Within six months after enactment of this Act, the Secretary shall, with the approval of the Federal Hospital Council (established by section 633 of the Public Health Service Act), by general regulation applicable uniformly to all the States prescribe—

(1) the kinds of community mental health services needed to provide adequate mental health services for persons residing in a State;

(2) the general manner in which the State agency (designated as provided in the State plan approved under this title) shall determine the priority of projects based on the relative need of different areas, giving special consideration to projects on the basis of the extent to which the centers to be constructed thereby will, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, provide comprehensive mental health services (as determined by the Secretary in accordance with regulations) for mentally ill persons in a particular community or communities or which will be part of or closely associated with a general hospital;

(3) general standards of construction and equipment for centers of different classes and in different types of location; and

(4) that the State plan shall provide for adequate community mental health centers for people residing in the State, and shall provide for adequate community mental health centers to furnish needed services for persons unable to pay therefor. Such regulations may require that before approval of an application for a center or addition to a center is recommended by a State agency, assurance shall be received by the State from the applicant that there will be made available in such center or addition a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

State Plans

SEC. 204 (a) After such regulations have been issued, any State desiring to take advantage of this title shall submit a State plan for carrying out its purposes. Such State plan must—

(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this title;

(3) provide for the designation of a State advisory council which shall include representatives of nongovernmental organizations or groups, and of State agencies, concerned with planning, operation, or utilization of community mental health centers or other mental health facilities, including representatives of consumers of the services provided by such centers and facilities who are familiar with the need for such services, to consult with the State agency in carrying out such plan;

(4) set forth a program for construction of community mental health centers (A) which is based on a statewide inventory of existing facilities and survey of need; (B) which conforms with the regulations prescribed by the Secretary under section 203 (1); and (C) which meets the requirements for furnishing needed services to persons unable to pay therefor, included in regulations prescribed under section 203(4);

(5) set forth the relative need, determined in accordance with the regulations prescribed under section 203(2), for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of centers which receive Federal aid under this title;

(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

(9) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(10) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

Approval of Projects

SEC. 205. (a) For each project for construction pursuant to a State plan approved under this title, there shall be submitted to the Secretary through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications therefor in accordance with the regulations prescribed by the Secretary under section 203(3);

(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the community mental health center;

(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed, including staffing;

(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as

determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87–581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

(6) a certification by the State agency of the Federal share for the project.

The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages and overtime pay; (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 203; (C) that the application is in conformity with the State plan approved under section 204 and contains an assurance that in the operation of the center there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 203(4) for furnishing needed services for persons unable to pay therefor, and with State standards for operation and maintenance; (D) that the services to be provided by the center, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, will be part of a program providing, principally for persons residing in a particular community or communities in or near which such center is to be situated, at least those essential elements of comprehensive mental health services for mentally ill persons which are prescribed by the Secretary in accordance with regulations; and (E) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 203(2). No application shall be disapproved by the Secretary until he has afforded the State agency an opportunity for a hearing.

(b) Amendment of any approved application shall be subject to approval in the same manner as an original application.

Withholding of Payments

SEC. 206. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency designated as provided in section 204(a)(1), finds—

(1) that the State agency is not complying substantially with the provisions required by section 204 to be included in its State plan, or with regulations under this title;

(2) that any assurance required to be given in an application filed under section 205 is not being or cannot be carried out;

(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 205; or

(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

(5) no further payments will be made to the State from allotments under this title; or

(6) no further payments will be made from allotments under this title for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (1), (2), (3), or (4) of this section,

as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments from such allotments may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

Nonduplication of Grants

SEC. 207. No grant may be made under any provision of the Public Health Service Act, for any of the two fiscal years in the period beginning July 1, 1964, and ending June 30, 1966, for construction of any facility described in this title.

TITLE III—TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Training of Teachers of Handicapped Children

SEC. 301. (a)(1) The second sentence of the first section of the Act of September 6, 1958 (Public Law 85–926), is amended by striking out "Such grants" and inserting in lieu thereof "Grants under this section" and by striking out "fellowships" and inserting in lieu thereof "fellowships or traineeships".

(2) Such section is further amended by inserting before the second sentence thereof the following new sentence: "He is also authorized to make grants to public or other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as teachers of handicapped children, as supervisors of such teachers, or as speech correctionists or other specialists providing special services for education of such children, or engaged or preparing to engage in research in fields related to education of such children."

(3) The first sentence of such section is amended by striking out "mentally retarded children" and inserting in lieu thereof "mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this Act referred to as 'handicapped children')". Section 2 of such Act is amended by striking out "mentally retarded children" and inserting in lieu thereof "handicapped children".

(4) The second sentence of section 3 of such Act is repealed. Section 7 of such Act is amended to read as follows:

"SEC. 7. There are authorized to be appropriated for carrying out this Act $11,500,000 for the fiscal year ending June 30, 1964; $14,500,000 for the fiscal year ending June 30, 1965; and $19,500,000 for the fiscal year ending June 30, 1966."

(5) The amendments made by this subsection shall apply in the case of fiscal years beginning after June 30, 1963, except that deaf children shall not be included as "handicapped children" for purposes of such amendments for the fiscal year ending June 30, 1964.

(b)(1) The first sentence of subsection (a) of section 6 of the Act of September 22, 1961 (Public Law 87–276, 20 U.S.C. 676) is amended by inserting immediately before the period at the end thereof the following: ", and $1,500,000 for the fiscal year ending June 30, 1964".

(2) Subsection (b) of such section 6 is amended by striking out "1963" and inserting in lieu thereof "1964".

Research and Demonstration Projects in Education of Handicapped Children

SEC. 302. (a) There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years, the sum of $2,000,000 to enable the Commissioner of Education to make grants to State educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private research agencies and organizations for research or demonstration projects relating to education for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this subsection referred to as "handicapped children"). Such grants shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Commissioner of Education may determine.

(b) The Commissioner of Education is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy relating to particular fields of education of handicapped children or relating to special services necessary thereto or special problems involved therein.

(c) The Commissioner of Education shall also from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of such a panel before making any such grant in the field in which such experts are competent.

(d) Members of any committee or panel appointed under this section who are not regular full-time employees of the United States shall, while serving on the business of such committee or panel, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Commissioner of Education is authorized to delegate any of his functions under this section, except the promulgation of regulations, to any officer or employee of the Office of Education.

TITLE IV—GENERAL

Definitions

SEC. 401. For purposes of this Act—

(a) The term "State" includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia.

(b) The term "facility for the mentally retarded" means a facility specially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialists and sheltered workshops for the mentally retarded, but only if such workshops are part of facilities which provide or will provide comprehensive services for the mentally retarded.

(c) The term "community mental health center" means a facility providing services for the prevention or diagnosis of mental illness, or care and treatment of mentally ill patients, or rehabilitation of such persons, which services are provided principally for persons residing in a particular community or communities in or near which the facility is situated.

(d) The terms "nonprofit facility for the mentally retarded", "nonprofit community mental health center", and "nonprofit private institution of higher learning" mean,

respectively, a facility for the mentally retarded, a community mental health center, and an institution of higher learning which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and the term "nonprofit private agency or organization" means an agency or organization which is such a corporation or association or which is owned and operated by one or more of such corporations or associations.

(e) The term "construction" includes construction of new buildings, expansion, remodeling, and alteration of existing buildings and initial equipment of any such buildings (including medical transportation facilities); including architect's fees, but excluding the cost of off-site improvements and the cost of the acquisition of land.

(f) The term "cost of construction" means the amount found by the Secretary to be necessary for the construction of a project.

(g) The term "title", when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Secretary finds sufficient to assure for a period of not less than fifty years undisturbed use and possession for the purposes of construction and operation of the project.

(h) The term "Federal share" with respect to any project means—

(1) if the State plan under which application for such project is filed contains, as of the date of approval of the project application, standards approved by the Secretary pursuant to section 402 the amount determined in accordance with such standards by the State agency designated under such plan; or

(2) if the State plan does not contain such standards, the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's Federal percentage, whichever is the lower) established by such State agency for all projects in the State: *Provided*, That prior to the approval of the first such project in the State during any fiscal year such State agency shall give to the Secretary written notification of the Federal share established under this paragraph for such projects in such State to be approved by the Secretary during such fiscal year, and the Federal share for such projects in such State approved during such fiscal year shall not be changed after such approval.

(i) The Federal percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that the Federal percentage for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66⅔ per centum.

(j) (1) The Federal percentages shall be promulgated by the Secretary as soon as possible after the enactment of this Act on the basis of the average of the per capita incomes of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1, 1964, and ending June 30, 1966.

(2) The term "United States" means (but only for purposes of this subsection and subsection (i)) the fifty States and the District of Columbia.

(k) The term "Secretary" means the Secretary of Health, Education, and Welfare.

State Standards for Variable Federal Share

SEC. 402. The State plan approved under part C of title I or title II may include standards for determination of the Federal share of the cost of projects approved in the State under such part or title, as the case may be. Such standards shall provide equitably (and, to the extent practicable, on the basis of objective criteria, for variations between projects or classes of projects on the basis of the economic status of areas and other relevant factors. No such standards shall provide for a Federal share of more than 66⅔ per centum or less than 33⅓ per centum of the cost of construction of any project. The Secretary shall approve any such standards and any modifications thereof which comply with the provisions of this section.

Payments for Construction

SEC. 403. (a) Upon certification to the Secretary by the State agency, designated as provided in section 134 in the case of a facility for the mentally retarded, or section 204 in the case of a community mental health center, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, such installment shall be paid to the State, from the applicable allotment of such State, except that (1) if the State is not authorized by law to make payments to the applicant, the payment shall be made directly to the applicant, (2) if the Secretary, after investigation or otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 136 or section 206, as the case may be, payment may, after he has given the State agency so designated notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (3) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

(b) In case an amendment to an approved application is approved as provided in section 135 or 205 or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such amendment or revision is approved.

Judicial Review

SEC. 404. If the Secretary refuses to approve any application for a project submitted under section 135 or 205, the State agency through which such application was submitted, or if any State is dissatisfied with his action under section 134(b) or 204(b) or section 136 or 206, such State, may appeal to the United States court of appeals for the circuit in which such State is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

Recovery

SEC. 405. If any facility or center with respect to which funds have been paid under section 403 shall, at any time within twenty years after the completion of construction—

(1) be sold or transferred to any person, agency, or organization (A) which is not qualified to file an application under section 135 or 205 or (B) which is not approved as a transferee by the State agency designated pursuant to section 134 (in the case of a facility for the mentally retarded) or section 204 (in the case of a community mental health center), or its successor; or

(2) cease to be a public or other nonprofit facility for the mentally retarded or community mental health center, as the case may be, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to continue as such a facility or center,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility or center which has ceased to be public or other nonprofit facility for the mentally retarded or community mental health center, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the center is situated) of so much of such facility or center as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects. Such right of recovery shall not constitute a lien upon such facility or center prior to judgment.

State Control of Operations

SEC. 406. Except as otherwise specifically provided, nothing in this Act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any facility for the mentally retarded or community mental health center with respect to which any funds have been or may be expended under this Act.

Conforming Amendment

SEC. 407. (a) The first sentence of section 633(b) of the Public Service Act is amended by striking out "eight" and inserting in lieu thereof "twelve". The second sentence thereof is amended to read: "Six of the twelve appointed members shall be persons who are outstanding in fields pertaining to medical facility and health activities, and three of these six shall be authorities in matters relating to the operation of hospitals or other medical facilities, one of them shall be an authority in matters relating to the mentally retarded and one of them shall be an authority in matters relating to mental health, and the other six members shall be appointed to represent the consumers of services provided by such facilities and shall be

persons familiar with the need for such services in urban or rural areas."

(b) The terms of office of the additional members of the Federal Hospital Council authorized by the amendment made by subsection (a) who first take office after enactment of this Act shall expire, as designated by the Secretary at the time of appointment, one at the end of the first year, one at the end of the second year, one at the end of the third year, and one at the end of the fourth year after the date of appointment.

And to amend the title so as to read: "An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes."

Mr. HILL. Mr. President, I move that the Senate disagree to the amendments of the House, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. PELL, Mr. JAVITS, and Mr. TOWER conferees on the part of the Senate.

RESOLUTION OF FLINT HILLS RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC., COUNCIL GROVE, KANS.

Mr. CARLSON. Mr. President, the Rural Electrification Administration is entitled to much credit for the splendid REA programs that are in effect in our Nation and the great benefits that have been given to rural people through the ever increasing use of electricity.

The Flint Hill Rural Electric Cooperative Association, Inc., of Council Grove, Kans., at a regular meeting of the board of trustees on September 11, 1963, unanimously adopted a resolution expressing its concern over language that places some restrictive conditions on future loans for development programs in this field.

I ask unanimous consent that the resolution be made a part of these remarks.

RESOLUTION BY FLINT HILLS RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC.

Whereas the rural electrification program is a vital segment of the American economy, particularly in the rural and agricultural areas of the country; and

Whereas the stability and feasibility of such program suffers a constant threat because of either inadequate or uneconomical power supply or revocation or restrictions on capital for development; and

Whereas there is a constant and steady increase in the power demands of consumers in such areas, necessitating assurance of adequate and economical power supply for long range planning, making the necessity of generation and transmission facilities by the respective borrowers increasingly apparent; and

Whereas capital required for such facilities is not obtainable from operations nor accumulated reserves, making a source of such capital, in the form of loans, at rates and on terms which are reasonable taking into consideration all factors relative to the economic value of the program as a whole; and

Whereas it has been a historic precedent since the establishment of the rural electrification program that the Congress adopts the enabling legislation under which the program is to be administered and appropriates estimated funds required for the program on an annual basis; and

Whereas funds so appropriated are administered by the Rural Electrification Administration under the terms of the Rural Electrification Act; said act being sufficient in scope and concept without additional riders or amendments appended to congressional appropriations; and

Whereas further restrictions upon the functions and duties of the Administrator, Rural Electrification Administration, would hamper or be a deterrent factor to the entire program in general, jeopardizing its effectiveness in assuring the respective rural electrification borrowers of adequate capital for expansion of facilities to properly serve the growing demands for electric service in quantity and as a means of assuring adequate power supply to meet long-range needs at prices which are fair and reasonable: Now, therefore, be it

Resolved, That the board of trustees, Flint Hills Rural Electric Cooperative Association, Inc., Council Grove, Kans., feels that restrictive conditions placed upon it by the Senate Appropriations Subcommittee are detrimental to the rural electrification program, and endanger the future growth and development of the program in serving the long-range power requirements of rural America, and, that such restrictions materially affect or otherwise jeopardize the long-range feasibility and security of the rural electrification borrowers; and be it further

Resolved, That the congressional delegation, both Senators and Congressmen, by letter and a copy of this resolution, are urged and requested to oppose the inclusion of any unnecessary or unessential restrictions upon the loaning or the Administrator, Rural Electrification Administration, other than those presently included in the Rural Electrification Act.

ST. LOUIS POST-DISPATCH CALLS FOR INVESTIGATION OF POWER POOLING

Mr. METCALF. Mr. President, on August 20, 1963, I discussed on the floor of the Senate the plans of the Midcontinent Area Power Planners—MAPP—concerning transmission and pooling of power in the Midwest. I questioned exclusion of the Bureau of Reclamation from these plans. I noted the parties and press releases which attended MAPP's announcement, and discussed certain other matters. The distinguished junior Senator from Alaska [Mr. GRUENING] and the junior Senator from Utah [Mr. Moss] also participated in this discussion.

On September 3, the St. Louis Post-Dispatch addressed itself to this same subject. The Post-Dispatch believes that Congress should go beyond my suggestion that the Committee on Interior and Insular Affairs take a look at the effect MAPP's plans would have on Bureau of Reclamation power marketing.

Said the Post-Dispatch:

In our opinion the committee should go even further. There is too much of the Nation's future at stake in power pooling for it to be carried out to anything less than maximum effectiveness, undominated by private monopoly and therefore available to all who can make productive use of it.

As the president of the Puget Sound Power & Light Co., Ralph M. Davis, says, "Whoever controls transmission lines these days, controls the works."

The question for answer by Congressional investigation, by FPC and the Interior Department is: Is MAPP the opening gun in an attempt to control the works?

On September 8 the Post-Dispatch followed with another editorial, "Pattern for Power." In this editorial, the Post-Dispatch suggests that the Federal Power Commission be vested with and exercise authority to bring about power pooling that will be comprehensive in scope, integrated in design, and consumer-oriented in purpose.

On September 17 the Post-Dispatch returned to the subject in an editorial entitled "Missing from MAPP." The missing item, says the Post-Dispatch, is "a clear and simple statement that the members of MAPP propose to join in pooling with all Federal, municipal, and cooperative agencies on equal terms." Lack of such clarification suggests "that the old technique of spite lines to forestall public power is being magnified manifold into a multistate system of spite pooling to forestall a national grid."

Mr. President, I commend the Post-Dispatch for its surveillance of a tremendously important public policy now in process of formulation.

Mr. President, I ask unanimous consent to insert in the body of the RECORD the three Post-Dispatch editorials to which I have referred.

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

[From the St. Louis Post-Dispatch, Sept. 3, 1963]

MAPP TO WHERE AND FOR WHOM?

A $2¼ billion electric power pool for a 10-State area of the Midwest has been announced as in preparation by a group of 14 privately owned power companies, including Union Electric, together with 7 rural electric cooperatives, and the Omaha Public Power District. It is described as a combination of private and public power to utilize the revolutionary new technologies in long-distance transmission of electricity as part of the nationwide power pool being promoted by the Department of Interior and the Federal Power Commission.

As such, the pool would signalize peace between public and private power for the first time throughout a large area, the first major cooperative venture between them, and momentous new opportunities for midwestern development through lowering the cost of electric power. It could be the dawn of a new era to be brought about by maximizing the usefulness of all sources of power, as Secretary Udall has eloquently called for.

But is this what the plans of Midcontinent Area Power Planners (MAPP) portend? The first and so far the only attempt from outside MAPP to answer that question has been made by Senator LEE METCALF, of Montana, on the floor of the U.S. Senate.

Senator METCALF says that when the FPC started work on its national power survey, still in progress, which is to be used as the basis for planning a nationwide, integrated system of power pooling, certain organizations in the various areas were asked to serve as advisory committees and prepare reports which would provide the raw materials for the Commission's study.

Some of the organizations which prepared the report for the midwestern (or north central) area have subsequently become members of MAPP, formed early this year, and the raw materials report has become MAPP's plan for a pool of its own, Senator METCALF says. MAPP represents its plan as consistent

with the objectives outlined by the Federal Power Commission and directed toward the development of integrated regional planning. Senator METCALF says "the materials in the regional study * * * do not approach a final, formal plan for the midcontinent," have not yet been analyzed or evaluated by the FPC, and "do not have a hint of approval" by the Commission.

Senator METCALF is concerned that MAPP, though proposing to plan for the whole area, does not include any municipal system besides Omaha, or a single rural electric cooperative in Montana, South Dakota, Nebraska or Illinois, or the area's largest transmission system, that of the Bureau of Reclamation. MAPP says it is considering taking in Kansas City, Milwaukee and other cities as "associate members," expresses a hedged intent to "coordinate * * * with Federal agencies," and says any supplier which agrees with its principles may join.

One of its principles is "strong opposition to * * * Federal domination of power supply or transmission." Senator METCALF says "the Reclamation Bureau proposed a power pool to these people before the national power survey was started" but "has yet to get a reply to that offer." A person who attended a MAPP meeting told him it was "a revelation" to see "the apparent unanimity of purpose in opposition to Federal activity."

The Montana Senator supported his analysis with a dissent which a member of the North Central advisory group submitted to the FPC. V. T. Hanlon, manager of the East River Electric Power Cooperative of Madison, S. Dak., wrote that "the planning is unscientific and is not based on sound engineering and has had no real economic analysis." He expressed worry that the MAPP plan was designed only for "interconnection of the larger utilities," would be used "primarily to strenthen their control of the Nation's power supply system," and would "preempt the progress of the * * * municipals and cooperatives."

"We must know," he wrote, "if the large utilities intend to use it with common-carrier principles. Regardless of the ownership, the transmission systems should be available to all electric systems or the competitive influence of the public and cooperative systems will soon be destroyed."

Senator METCALF concludes from all this that the proposed MAPP pool is "the beginning of an insidious program by the private power companies to take over, and leave out the very vital public transmission systems, so that the ratepayers of America will not enjoy the economies of new technology in the electrical field." He says he will propose that the Interior and Insular Affairs Committee, of which he is a member, "take a look at the effect these developments will have on Bureau of Reclamation power marketing."

In our opinion the committee should go even further. There is too much of the Nation's future at stake in power pooling for it to be carried out to anything less than maximum effectiveness, undominated by private monopoly and therefore available to all who can make productive use of it.

As the president of the Puget Sound Power and Light Co., Ralph M. Davis, says, "Whoever controls transmission lines these days, controls the works."

The question for answer by congressional investigation, by FPC and the Interior Department is: Is MAPP the opening gun in an attempt to control the works?

[From the St. Louis Post-Dispatch, Sept. 8, 1963]

PATTERN FOR POWER

With multi-State electric power pools in the making across the Nation, and many private companies already engaged in the effort to monopolize them, the time has plainly come for the Federal Power Commission to be given authority over the construction and operation of the transmission lines that will create them.

The issue is whether pooling shall realize the maximum effectiveness for the greatest good of the most people, or whether its effectiveness shall be sharply curtailed so that private companies can control it for the primary objectives of corporate profit.

Within the next few years a revolutionary new pattern of power supply and distribution will be taking shape, based on the new technologies which permit radical advances in the voltages that can be transmitted, the distances to which they can reach, the costs of transmission, and economies of production in larger and larger generating plants.

Whether this development is a promise or a threat will depend on what is done now to direct it—or what is not done. Under regulation it could lower prices to consumers, increase national purchasing power and open up new opportunities for regional progress. Unregulated, it could produce private interstate monopolies which state regulatory commissions would be inadequate to deal with, and which could rival if not exceed abuses of the old holding-company empires broken up by the Holding Company Act of 1935.

Private grabs for the new wealth which pooling will create, estimated at $300 million a year at the outset and increasing with the rapid rise in consumption of electricity, are already painfully evident on the Pacific coast and most recently in the 10-State Midwestern area including Missouri and Illinois, where Mid-Continent Area Power Planners (MAPP) is the syndicate seeking to preempt the new opportunities.

National direction is necessary to insure that these and other pools shall be open to all producers and distributors of power, for that is what is required to bring about maximum results. Pools of private companies exclusively or principally do not meet this essential standard; in the instance of MAPP, the largest transmission system in the 10-State area, that of the U.S. Bureau of Reclamation, is not included.

Whether the FPC possesses authority to supply the national direction is a matter of opinion. The Commission recently decided, on a divided vote, that it lacks authority to require certificates of necessity and convenience as a condition to the construction and operation of extra-high-voltage transmission lines.

We believe it is of the very first order of importance for the Commission to be vested with that authority, and to exercise it toward the end of bringing about power pooling that will be comprehensive in scope, integrated in design and consumer-oriented in purpose.

Senator CLAIR ENGLE and Representative JOHN MOSS, both of California, have introduced legislation requiring FPC certification of extra-high voltage lines in interstate commerce. This is a moderate measure, leaving out lines which, being of lower voltage, would operate only for intrastate or local transmission, and affecting only those which, running to distances of some 1,000 miles or more, would make up the national grid.

In our opinion it is the minimum essential to turn the new technologies in the generation and transmission of power to the service of the American people.

[From the St. Louis Post-Dispatch, Sept. 17, 1963]

MISSING FROM MAPP

The 10-State power pool project of Mid-Continent Area Power Planners (MAPP) is described in Union Electric News, publication of one of its major participants, as "the very thing the Post-Dispatch advocated 2 years ago in urging investor-owned companies to join Government in an overall grid plan." The Post-Dispatch continues to advocate all-inclusive pooling of power, embracing not only agencies of the Federal Government but also municipal and rural electric cooperative and privately owned production and distribution systems, as first proposed on a nationwide basis by Secretary of the Interior Udall.

It is on this very account, that MAPP is not an overall grid plan, but to the contrary highly and one-sidedly exclusive, that we express serious misgivings. MAPP could indeed produce precisely the adverse effect, by setting up a rival pool, dominated by private companies, in advance, and preventing an overall grid from being accomplished, by keeping its members separate.

Union Electric's publication offers no facts to support its claim that MAPP is "an overall grid plan." Yet how can a pool be factually so described when it does not include the largest transmission system in the 10-State area, that of the U.S. Bureau of Reclamation; when it does not include more than a smattering of the rural electric cooperatives, and none at all in four of the States; when it does not include a single one of the many municipal systems or the numerous public utility districts in Nebraska or elsewhere with the lone exception of the Omaha Public Power District; and when it does not even include most of the private power companies, among them several of the largest?

MAPP's public announcements make much of its professed intentions to take in other members—but strictly on its own terms. These terms express "strong opposition to Federal domination of power supply or transmission," and a qualified desire to "coordinate with Federal agencies," leaving the uncritical reader to infer that in MAPP private companies are joining the Government in an overall grid plan.

But are they? MAPP's own statements do not say so. And Senator METCALF of Montana says the Bureau of Reclamation "proposed a power pool to these people" before MAPP was conceived but has never received a reply to its offer.

Does this, in the opinion of the Union Electric Co., substantiate the claim that it and its associates in MAPP are joining the Government in an overall pool? Or does it suggest that the old technique of spite lines to forestall public power is being magnified manyfold into a multistate system of spite pooling to forestall a national grid? Clarification of these questions would be ease itself. It would require only a clear and simple statement that the members of MAPP propose to join in pooling with all Federal, municipal, and cooperative agencies on equal terms. Do we hear such a statement?

TRIBUTE TO SENATOR ANDERSON

Mr. METCALF. Mr. President, last May I had the privilege to be one of some three dozen Members of the Senate to attend a testimonial dinner sponsored by a dozen national conservation organizations which honored our distinguished colleague, the senior Senator from New Mexico [Mr. ANDERSON], and also Mrs. Anderson.

On June 13 of this year I introduced into the RECORD, starting on page 10769 several excerpts from remarks made by speakers at this dinner, and several editorials and articles which followed the event and which appeared in several national magazines.

I now wish to add to the testimony of the greatness of this distinguished colleague, an editorial by Carl W. Buchheister, president of the National Audubon Society which appears in the September–October issue of the Audubon

magazine. I believe this editorial comes close to expressing in words what most of us feel in our hearts for this great leader, statesman, politician, and conservationist—this true American who is leading the fight to save our wilderness and natural resources from the encroachment of selfish man and his destructive machines.

Mr. President, I ask unanimous consent that this editorial entitled "The Pleasure and Honor Were Ours" be printed in the CONGRESSIONAL RECORD.

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

THE PLEASURE AND HONOR WERE OURS

All agreed it was one of the most noteworthy occasions for conservations in the history of the Nation's Capital when some 600 persons turned out for the testimonial dinner to Senator CLINTON P. ANDERSON, of New Mexico, last May 20.

Among the diners were about 50 Members of Congress, three members of the Cabinet, representatives of President Kennedy's White House staff, and a virtual outpouring of admiring citizens. The dinner was sponsored by 12 national conservation organizations, the National Audubon Society among them. The purpose was to pay deserved tribute to the great Senator who is one of the finest examples of the kind of statesmen we like to think of as making up the Congress of the United States, a man of exceptional ability and extraordinary devotion to the public welfare.

Our purpose was to accord recognition to Senator ANDERSON, particularly for his leadership in behalf of needed laws and sound programs for the conservation of America's natural resources. The overwhelming Senate passage of the wilderness bill, of which he is the leading sponsor, is one measure of his effectiveness.

In truth, it is we—all of us who call ourselves conservationists—who are honored by the dedication and the career of a man like CLINTON ANDERSON.

And, like Theodore Roosevelt, who first made conservation a national purpose and a public cause, and later great ones we could name, Senator ANDERSON illustrates the truth that for the purpose of winning the battles we engage in, there is no substitute for having able advocates in high places, as at the head of a key committee of Congress, at the helm of an executive department, or in the White House itself. The Yankees win the most pennants because they have the best pitchers and the hardest hitters.

TRIBUTE TO SENATOR PASTORE

Mr. WILLIAMS of New Jersey. Mr. President, it is my very great pleasure to bring to the attention of the Senate an article which recently appeared in the Newark, N.J., Sunday Star-Ledger about one of our most distinguished colleagues, Mr. PASTORE, of Rhode Island.

We here are well aware of the qualities of diligence and ability which Senator PASTORE has been bringing to his duties in the Senate for nearly 13 years. While he is not always in the limelight or in the headlines, he is always to be found in the thick of the fight for substantive, progressive legislation.

This excellent article, commenting on his role as a truly effective legislator, is richly deserved, and Mr. President, I request unanimous permission that the text of the article be inserted in the RECORD at this point.

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

[From the Newark (N.J.) Star-Ledger, Sept. 15, 1963]

A LITTLE MAN MAKES GOOD IN A BIG WAY

(Senator PASTORE is a living symbol of an immigrant father's dream. The son of a tailor, the Senator from Rhode Island is cutting a big path for himself on Capitol Hill these days, riding herd on President Kennedy's priority legislation: Ratification of the nuclear test ban bill, the private accommodations phase of the civil rights bill, and the vital rail strike legislation. Senator PASTORE is a little man who is not afraid to tangle with some of the big figures in the Senate. He came out of a tangle with the late Senator Bob Kerr of Oklahoma, a big, bluff man who made an imposing, formidable opponent in a debate. Senator RICHARD RUSSELL, an astute Member of the upper House, has openly admired the little Senator from the Nation's smallest State. He once said that he wanted PASTORE as his lawyer if he ever got into trouble. This is not faint praise.)

(By John A. Goldsmith)

JOHN ORLANDO PASTORE is the Senate's smallest Senator from the Nation's smallest State. His story reads like the American dream.

Modern mythology alleges the Senate is run by men of towering seniority, generally from the South. Twenty-seven Senators have more seniority than the immigrant tailor's son who is the senior Senator from Rhode Island.

In recent weeks, however, Democrat PASTORE has been riding herd on three of President Kennedy's priority bills. No one else has had quite the same role in handling rail strike legislation, the nuclear test ban treaty, and the public accommodations civil rights bill.

True, it was something of an accident—illness of Commerce Committee Chairman WARREN G. MAGNUSON, Democrat, of Washington—that gave PASTORE a central role in consideration of the measures. But such accidents have been the making of many a congressional leader.

In PASTORE's case, presiding at daytime civil rights hearings and night rail hearings was public notification of the fact that he had arrived as a Senate leader. Actually, as chairman of the Senate-House Atomic Energy Committee and a member of the Senate Democratic policy committee, he already had moved into a leadership position in Senate councils.

In a broader sense, of course, he also had attained a position of political leadership when he was elected to the Senate in 1950, having served as Lieutenant Governor and then as Governor of his State.

Born in Providence in 1907, PASTORE ran errands for his fathers' tailor shop until the father died. Young PASTORE was then 8 years old. His mother went back to work as a seamstress to support the boy and his three brothers and two sisters.

PASTORE worked after school at a jewelry factory and graduated in 1925 from Classical High School. College was out of the question, although Brown University was conveniently close. Instead, PASTORE clerked for an electric power company and enrolled in night classes at the local branch of Northeastern University. He won a bachelor of laws degree in 1931 and was admitted to law practice in 1932.

Starting in Providence's seventh ward, he moved into politics. In 1935 he was elected to the State's general assembly. In 1937 he became an assistant State attorney general. He became Lieutenant Governor in 1944, then was Governor from 1945 until 1950.

During his tenure as Governer, the State adopted a fair employment practices law, and PASTORE pushed through an aid program for teachers' salaries and a sales tax needed to finance it. The sales tax, often a Governor's return trip ticket to private life, did not curb PASTORE's increasing margins at the polls.

It was something of a triumph, too, albeit one of another kind, when shortly after his election to the Senate he was made a member of the corporation—a trustee of Brown University.

PASTORE's Senate voting record places him with Democratic liberals on such issues as social welfare and civil rights. He has, however, split with the liberal group on such issues as the communications satellite bill for which, as chairman of the Senate Communications Subcommittee, he was floor manager.

In one of the Senate's most bitter personality disputes of recent years, he voted for the nomination of his friend, Lewis L. Strauss, to be Secretary of Commerce and against his Atomic Energy Committee colleague, Senator CLINTON P. ANDERSON, Democrat, of New Mexico, who was leading the fight against Strauss. He did not believe, with ANDERSON, that Strauss had been evasive and misleading in his dealings with the committee.

PASTORE has a broad and ready smile, and his bearing shows a bit of cockiness. From his small frame, however, there emanates a strong piercing voice which is lifted not infrequently in Senate debate.

PASTORE was, in fact, one of the few Senators to tangle periodically in floor debate with the late Senator Robert S. Kerr, Democrat, of Oklahoma, and emerge with arguments unblunted and spirit unchastened. Senator RICHARD B. RUSSELL, Democrat, of Georgia, one of the Senate's top orators and legal experts, has on occasion said he would like to have PASTORE as his lawyer if he were in trouble.

In the best tradition, however, neither the talented tongue nor the cocky bearing have any dampening effect on PASTORE's sunny disposition in which PASTORE is not always a matter of great seriousness to PASTORE.

Recently he was discussing the effects of nuclear fallout with newsmen. He did not, he made it quite clear, go along with the idea that changes or mutations caused by fallout might prove beneficial rather than harmful.

"Mutations," he said explosively, "perhaps they'll make PASTORE 6 feet tall."

THE JEWISH HOLIDAYS

Mr. KEATING. Mr. President, it is with a warm sense of personal pleasure that I extend my heartfelt greetings and good wishes to our Jewish citizens on the occasion of the Jewish New Year.

The ancient holiday of Rosh Hashanah and the Ten Days of Repentance culminating in Yom Kippur, the Day of Atonement, embody the solemnity with which the Jewish people hold the coming of a new year of responsibility. The sound of the shofar echoes as an affirmation of the joy of life but at the same time its strangely sad call reminds man that the coming year requires a serious reexamination of purpose. As we examine our past, praying for the understanding that will enable us to profit from our errors, we open the way to a richer and fuller existence.

The message of the Jewish New Year is a universal one which all men should heed. These are historic times, rife with social and political unrest both at home and abroad. In a time of confusion, and at times seeming chaos, the melancholy wail of the shofar goes out to provide a

promise of order and hope to all citizens of the world.

It is my fervent hope that the coming year will mark the sunrise of a new and even richer era of spiritual vitality and growth in the age-old and distinguished history of a great people. America is a tapestry woven of many strands, and none is more golden than that represented by our fellow Americans of Jewish descent. From the earliest days of our history this Nation has counted among its richest nourishing forces the spiritual strength, the intellectual dynamism, and the dedicated energy of its Jewish sons and daughters.

As one who has been privileged to visit the fountainhead of Hebrew culture, as one who has witnessed with his own eyes the tremendous forward surge of history that Israel represents in the Middle East, I can understand whence came these high qualities of heart and mind and will that have been translated—here in America—into the national fiber and the material advancement of our beloved country.

Israel stands as a tribute to the indomitable spirit of the Jewish people just as the new year embraces an optimistic hope for the future side by side with a strong sense of the importance of looking back into history for future guidance. Particularly in the present moment of history, when new nations are emerging into the light of freedom, does the example of what Israel has accomplished stand as a living proof of the will and ability of a people to create its own destiny.

In keeping with the spirit of the occasion, then, I am privileged to echo the ancient words uttered in a solemn yet joyful affirmation of hope on this day. "May you be inscribed, once again, in the Book of Life for a good New Year."

The PRESIDING OFFICER (Mr. HART in the chair). Is there further morning business? If not, morning business is concluded.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M—88th Congress, 1st session—the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

The PRESIDING OFFICER. The Senate is now in executive session. The question is on agreeing to the resolution of ratification of the treaty.

Mr. BYRD of West Virginia obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield to the majority leader.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. Mr. President, the time is now at hand for a final decision on the treaty banning nuclear weapons tests in the atmosphere, under water, and in outer space. On August 8, 1963, President Kennedy transmitted this treaty to the Senate, with the recommendation that we advise and consent to its ratification. He gave as his principal reason that, in his opinion, the treaty would advance world peace and inhibit the nuclear arms race. Since that time, the Senate Armed Services Committee, of which I am a member, the Senate Foreign Relations Committee, and the Senate members of the Joint Committee on Atomic Energy—along with other Senators—have been engaged in an intensive study of the merits of the treaty.

Knowing that the final responsibility for approving or rejecting the treaty lies in our hands, I have literally searched my soul for the correct decision. When our decision has finally been reached, whatever that decision may be—and of course there is no question that it will be that of approval—no American can be sure that it is the right decision. None of us can be sure, beyond doubt, that either ratification or rejection will ultimately be in the best interests of our country. Some persons have stated that, while it would be a mistake to reject the treaty, it may prove to be an even greater mistake to ratify it. So only history will be able to record the correctness or the incorrectness, the wisdom or the lack of wisdom, the success or the failure, of the action we take.

There is no question as to the objective we seek. All of us share the desire to advance the cause of peace and to strengthen the progress of peace. All of us would like to reduce the threat of nuclear war. All of us would like to see a complete termination of all nuclear tests in all environments, if both the East and West could agree upon a system of adequate and effective inspection, and if at the beginning of such cessation of testing the United States were, indeed, superior in nuclear weapons technology in all of the yield-weight ranges. All of us would like to live in a world in which weapons of war and destruction could be converted into instruments of peace and human progress. All of us would like to move away from the costly expenditures for armaments, and move in the direction of applying our financial and human resources toward the building of a better world for mankind. All of us would like to eliminate the tensions that for many years have plagued the free world. The question is, however, whether the proposed partial test ban moves us closer toward these goals, or leads us in the opposite direction.

The proponents of the treaty admit that it carries inherent military risks; but, in their view, these risks are outweighed by political and other advantages which are expected to accrue from the treaty's ratification. Those of us who oppose the treaty recognize that certain benefits may result therefrom, but feel that the risks involved are too great to assume in a situation which, at best, offers no positive guarantee that the hoped-for benefit will really materialize.

"Hope springs eternal in the human breast," and the proponents of the treaty base their position largely upon a hope that it will lead to a lessening of tensions, to a slowing of the nuclear weapons race, and to eventual peace. We opponents of the treaty, feeling that past hopes having proved to be false, are unwilling, in what is our view, to risk the security of this Nation in pursuing what may be another false and even more dangerous hope.

When the treaty was first announced, I was inclined to support it. The longing for peace which I share with other Americans naturally led me to see, in this proposal, a faint glimmer of hope. I thought it best, however, to withhold my judgment until I could have the opportunity to listen to the testimony and to weigh the evidence presented both for and against the treaty. If it were not for my membership on the Senate Committee on Armed Services, in all likelihood I would have supported the treaty, because otherwise I would not normally be exposed to the subject matter of the treaty as thoroughly as I have been as a member of that committee. Although the treaty is within the jurisdiction of the Foreign Relations Committee, in view of the military aspects the Armed Services Committee has participated in joint hearings with the Foreign Relations Committee. Moreover, the Senate Preparedness Investigating Subcommittee of the Armed Services Committee has held executive hearings independent of those joint hearings in which the parent committee participated. Although I am not a member of the Senate Preparedness Investigating Subcommittee, I did attend and participate, as did other members of the full committee, in the hearings of that subcommittee at the invitation of its chairman, the Senator from Mississippi, Mr. STENNIS. In addition to participating in the public and closed hearings, I have read and reread most of the testimony submitted in those hearings. I, therefore, feel that I can say, without being immodest, that there are few Members of the Senate that have been exposed to more of the evidence presented at the hearings than have I.

After weighing the arguments for and against the treaty, I have reached the conclusion that a greater risk to our country lies in accepting this treaty than in rejecting it. I have no doubt, as I have already indicated, that it will be ratified by the Senate, and I realize that the position I am taking will not be shared by a great many of my colleagues in this body. But, while it would be easy and pleasant for me to say "yes" to this treaty, it is my conviction that the security of this Nation demands that I say "no." In so doing, I recognize that those Senators who will vote to ratify the treaty have the same sincerity of purpose and the same dedication to their country as I have.

ARGUMENTS IN FAVOR OF THE TREATY

The following arguments are the principal ones, in my opinion, that have been advanced in favor of ratification:

First. The test ban treaty is desirable because further nuclear testing in the

atmosphere is not necessary, the Soviet Union and the United States each having already acquired a capacity of overkill.

Second. The test ban will eliminate the danger of further fallout.

Third. The test ban will serve to deepen the rift between Russia and Red China.

Fourth. The test ban will contribute to a lessening of tensions and be a step toward other agreements and eventual peace.

Fifth. The test ban treaty will slow, or signal the end of, the arms race.

Sixth. The test ban will make it more difficult for Russia to catch up with the United States in the field of nuclear explosives.

Seventh. The test ban will slow down the proliferation of nuclear weapons.

Mr. President, I should like to analyze each of these arguments in brief detail.

1. THE TEST BAN TREATY IS DESIRABLE BECAUSE FURTHER NUCLEAR TESTING IN THE ATMOSPHERE IS NOT NECESSARY, THE SOVIET UNION AND THE UNITED STATES EACH HAVING ALREADY ACQUIRED A CAPACITY OF OVERKILL

As to the argument by some that the United States has acquired an overkill capacity, Secretary of Defense McNamara, who supports the treaty, made the following comment, which appears beginning on page 146 of the hearings before the Committee on Foreign Relations:

Secretary MCNAMARA. I don't believe that we have execessive armaments today. I don't believe we have excessive strategic forces, which I believe were those portions of our armaments that Senator MCGOVERN was speaking about. As I tried to outline in my statement this morning, there are a number of uncertainties which we must recognize in evaluating the relative positions of the U.S.S.R. and the United States.

It is not possible for us to eliminate those uncertainties from the equation. And because our knowledge is not complete and because it cannot be made complete in the near future, we must seek to offset those uncertainties with additional forces. This we have done. We have made every effort to hold the defense budget, which is presently being considered by Congress, at an absolute minimum. I think we have done so. I would not recommend that one dollar be taken out of it.

In responding to further questions regarding overkill, Secretary McNamara had this to say:

I think it is possible to say that we have more weapons than would be utilized in a particular war situation, without concluding that our inventories are excessive. For example, were there to be a war at sea, and the war were limited to sea, presumably the weapons that had been designed for land warfare would not be utilized. Conversely, if there were a general nuclear war, it is possible that certain weapons, conventional or otherwise, that had been designed for less than a general nuclear war would be in excess supply. But in neither instance would it mean that our inventories were necessarily excessive. I do not believe they are excessive today. I think it is necessary to continue to increase them as we are planning to do in fiscal 1964.

Secretary McNamara had this additionally to say:

One other major point raised was that we have more nuclear weapons than we could conceivably use in an allout war * * *. We must meet requirements for various kinds of limited and tactical nuclear contingencies; the great bulk of the nuclear weapons we "could not conceivably use" during an all-out war are low-yield weapons procured to meet requirements for tactical nuclear warfare.

* * * * *

And, therefore, I am convinced that the kind of large cut in the strategic budget proposed by Senator MCGOVERN'S speech could not be adopted without substantial risk to our national security.

Gen. Thomas S. Power, Commander in Chief, Strategic Air Command, in his appearance before the Senate Preparedness Investigating Subcommittee was asked about overkill and he answered in this way:

I do not agree with it. I think the overkill claim is often made by people who are not well informed and do not necessarily know what they are talking about.

Now, there is such a thing as a programed bomb or weapon as against the delivered weapon. If you look at the programed weapons, that is, if you look at the weapons I have in the present war plan, you would say we are overkilling. But if you look at the weapons that I think will survive and arrive, then you will change your opinion.

So a lot of these people look at our stockpile and they think that every bomb is going to be delivered. Now, do they think that every bullet that is bought for a rifle is going to kill an enemy soldier? No. We buy millions upon millions of bullets. I don't know the exact statistics, but maybe one in a hundred thousand bullets actually will kill an enemy. It is the same way with a shell or a cannon.

Not every bomb is going to arrive at the target. Many of them will be destroyed on the ground before they are launched. Many will be destroyed by enemy action. Some will be duds. But we have figured this all out mathematically for every sortie and every weapon, and we have arrived at a confidence factor.

You can have any confidence you want, but if you want to be, say, 90 percent sure that you will destroy a very sensitive target, and if you have a 50-percent confidence factor that a particular weapon will reach its target, then you will have to program somewhere in the neighborhood of six to seven weapons to hope to get one there, but there is still a 10-percent chance that none will get there. So it is a question of mathematics and how sure you want to be or how much you want to gamble.

We write a war plan so that, if we are told to go to war, these prime sensitive targets will be destroyed, and I have a high confidence factor. I have a 90-percent confidence factor because I have programed many weapons and I have crosstargeted them, using different types of weapons from different areas to get a reliability factor that is acceptable.

Now if they all got there, yes, we would be overbombing and overkilling. But again people forget that what we are really trying to do is to prevent war. We are trying to make this thing so sure that it will deter anyone. I think this is the real challenge, to try to prevent it. I think we can. We have done it and I think we can continue to do it if we make up our minds to do it.

Senator JACKSON then interposed that:

The critics make the fatal mistake of equating the number of weapons and their combined yield with delivery on the target.

General Power's final comment on this point was as follows:

I know many of these people, and it is really easy to become an expert in a field that you have had no experience in and no responsibility for. You have to have overwhelming superiority, if you are really trying to deter. That is the key to it.

(At this point Mr. NELSON took the chair as presiding officer.)

Mr. BYRD of West Virginia. Mr. President, it is evident from the statements of Secretary McNamara, a supporter of the treaty, and General Power, an opponent of the treaty, that the argument which is being made by well-meaning people throughout the country that we have two or three times as many weapons as we need, so why not put a stop to their production, is a fallacious argument. This philosophy, of course, discounts the fact that it would be foolish for us to attempt to disarm unilaterally or even to halt, unilaterally, the production of weapons. It also discounts the possibility of progressive development of techniques and weaponry. General Curtis LeMay, Chief of Staff, U.S. Air Force, commented on this point, on page 390, by saying:

True, we have got all of these weapons, and we think we can deliver them now. But the situation never stays static.

The side that has the best yield-to-weight ratio has an advantage in their capability to put their weapons on targets sometime in the future.

2. THE TEST BAN WILL ELIMINATE THE DANGER OF FURTHER FALLOUT

As to this argument by the proponents, the question of fallout has been of concern to me as it has to most Americans, I am sure. There was virtual unanimity among the witnesses that the health risks from worldwide fallout due to past testing are very small. According to the experts, we receive far less radiation from fallout than we receive from naturally occurring sources, and some authorities maintain that a considerably larger amount would be acceptable to gain the benefits of peaceful uses of nuclear energy. The report of the Federal Radiation Council of May 1963 states:

The revised estimates of the short-term per capita effective dose to the reproductive cells show that weapons tests conducted during 1962 will be about 47 millirems. All tests conducted through December 1962 will result in a per capita 30-year dose of about 110 millirems. This is about one-hundredth of the amount recommended by the National Academy of Sciences. These values are considerably less than the corresponding 30-year dose of 3,000 millirems from naturally occurring sources during the same period. Similarly, the variations in dose-rate from worldwide fallout in different parts of the country are less than the variations in dose-rate from naturally occurring sources in the inhabited parts of the world. Further, comparison with the 5,000 millirems per generation proposed previously by the Federal Radiation Council as a level of genetic risk that would be acceptable to gain the benefits of nuclear energy from normal peacetime operations and the 10,000 millirems per generation recommended by the NAS Subcommittee on Genetics as a "reasonable quota" for manmade radiation exposure of the general public indicates that present anticipated levels of fallout do not constitute an undue risk to the genetic future of the Nation.

Dr. Edward Teller, the noted nuclear physicist, had this to say about fallout,

and his statement appears on page 489 of the hearings:

The one point which is most often emphasized, worry about fallout, is one where we have clearcut evidence. We have increased the effects of natural radiation by 10 percent.

These effects of natural radiation have never been proved to be harmful. From the present level of worldwide fallout there is no danger. The real danger is that you will frighten mothers from giving milk to their babies. By that probably much more dammage has been done than by anything else concerning this matter.

Dr. John S. Foster, Jr., director, Lawrence Radiation Laboratory, Livermore, Calif., one of the most eminent and highly regarded young scientists in this country today, was asked the following questions by me during the hearings:

Just how great a factor is fallout from the standpoint of its danger to the health of the human race?

Dr. Foster's answer, which appears on page 622 of the hearings, was as follows:

One way to look at it would be to say that the fallout from all past tests affecting man for the next 50 to 100 years would be something like the same thing as deciding to live a few hundred feet higher above sea level.

I asked this question of Dr. Foster:

I am wondering if this is a factor which we, from a scientific standpoint, might be able to disregard in our attempt to reach a decision?

Dr. Foster answered by saying:

Yes, sir; from the technical point of view I believe it has no bearing on the major issue.

I then made this inquiry of Dr. Foster:

If I may pose a hypothetical question, are you saying, in essence, that if you were a Senator with the knowledge that you possess in the scientific field, you would disregard entirely this factor in your reaching a decision?

Dr. Foster answered thusly:

That is correct, sir; although it would be a very difficult position for me to put myself into. * * * For hundreds, millions of years, people have lived in this environment. We are talking about the fallout that is a few percent of that natural background, and we know that people have lived at a few thousand-foot altitude, under higher exposure levels over thousands and thousands of years, and we cannot decide whether this has hurt them or helped them or how it has affected them.

Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, and a supporter of the test ban treaty, made the following statement on the subject of fallout:

I should add, although I think it is probably well known, that the total amount of radiation from fallout is only a small fraction of the radiation that we receive from natural background, from the radiation that is present everywhere.

The Senator from Iowa [Mr. HICKENLOOPER] asked the following question of Dr. Seaborg:

Has science been able to pinpoint even one case where fallout can be scientifically attributed to radiation—that is, where one case of leukemia or bone cancer or things of that kind or mutation that can be scientifically attributed to fallout?

Dr. Seaborg answered the Senator from Iowa [Mr. HICKENLOOPER] like this:

Excepting these one or two freak cases of local fallout * * * I know of no case where a particular case could be attributed to fallout.

On page 214 of the hearings the following colloquy occurred between the Senator from Georgia [Mr. RUSSELL] and Dr. Seaborg:

Senator RUSSELL. Dr. Seaborg, I read in the paper, I believe the day before yesterday, that there is twice as much radiation in milk today as there was 3 years ago.

Is that approximately right?

Dr. SEABORG. That would depend on the section of the country that was being referred to. I would like to say that there are probably sections of the country where there is twice as much strontium 90 in the milk now as there was 3 years ago, yes, sir, Senator.

Senator RUSSELL. Has that yet reached a point where it is sufficient to endanger the human family?

Dr. SEABORG. No, sir.

Senator RUSSELL. It is a long way from it?

Dr. SEABORG. It is a considerable distance from it, yes, sir.

On page 219 of the hearings the Senator from Rhode Island [Mr. PASTORE] and Dr. Seaborg had the following colloquy:

Senator PASTORE. As a matter of fact, you could bring about almost the same result by testing as you could through a nuclear war if you kept doing this promiscuously without any limitation, isn't that a fact?

Dr. SEABORG. Well, I think the factor, the amount in a nuclear war, would be greater by something of the order of a hundred as compared to the high rate of testing in peacetime, even the rate of testing that you have indicated.

Although Dr. Seaborg's statements are not to be inferred as an endorsement of fallout, it is evident that he does not endorse the exaggerated fears that have been expressed by some people throughout the country.

On pages 222 and 223 of the hearings we find this testimony by Dr. Seaborg. The Senator from Alabama [Mr. SPARKMAN] asked the following question:

Senator SPARKMAN. With reference to the fallout, you stated that you thought there had been some effect already on health and genetics particularly. Are there specific examples?

Dr. SEABORG. Oh, no. There are no—I don't think that we could, I am sure that we can't identify any specific examples of effect of fallout on health or heredity up until the present time. We know, we have approximate information on the effects of radiation on health and heredity, approximate information. We can relate these effects to the amount of radiation.

Senator SPARKMAN. In other words, you know that the effect can be produced provided there is a sufficient amount of radiation to produce it?

Dr. SEABORG. And because of these approximate relationships that have been established, and I emphasize the word "approximate"—I can't emphasize that too much—relationships between radiation and certain effects on health, leukemia, bone cancer, heredity effects, and so forth, and because we know the amount of radiation present from fallout, we can make calculations that would indicate statistically how many people will in the course of time be affected by this small amount of radiation, and statistically these are very small figures, very small numbers of people.

But I do want to emphasize we should avoid exposure to radiation as much as possible at all times.

Senator SPARKMAN. We did have the examples of the contamination of fish and of the area in some parts of the Pacific where Japanese fishermen were affected, did we not?

Dr. SEABORG. Yes. In some tests in the Pacific——

Senator SPARKMAN. Of course, that was in a heavily infested or contaminated area.

Dr. SEABORG. Yes; that was near an actual large weapons test, where the people were downwind from the fallout, and were subjected to a substantial amount of actual fallout on a small area. This is something that I am sure will never be repeated. This is what we call local fallout, that is in the immediate area of the tests. The local fallout is so well understood today that this would never be repeated in a weapons test situation, and that, of course, is the only situation in which local fallout would be a problem in a testing, in a peacetime situation.

* * * * *

There would be some hot spots because it is carried down by rain and various weather conditions, so that there is some spottiness in the level of fallout.

Senator SPARKMAN. Some areas could become dangerous while others were safe?

Dr. SEABORG. Yes, although I would hesitate to use the word "dangerous." I don't believe any area has become dangerous.

Senator SPARKMAN. I am not talking about now but if testing should be carried on.

Dr. SEABORG. Yes, in the future.

On pages 224 and 225 of the hearings, the Senator from Iowa [Mr. HICKENLOOPER] asked this question:

Isn't it a fact that the most skilled scientific evidence of geneticists and others were brought out in those hearings and that their best estimate of the number of cases of, for instance, leukemia and bone cancer caused by natural radiation—not by the radiation of fallout or man-induced radiation, but by natural radiation—is in the case of leukemia zero to 84,000—that is between zero and 84,000 cases—and in the case of bone cancer between zero and 14,000 cases? The zero means they still can't necessarily trace even one case?

Dr. SEABORG. Yes.

Senator HICKENLOOPER. For sure?

Dr. SEABORG. They can't say with certainty.

Senator HICKENLOOPER. That is right.

* * * * *

Doctor, I am quoting from the Federal Radiation Council and they start with zero.

Dr. SEABORG. Yes.

Senator HICKENLOOPER. They don't start with a few numbers.

Dr. SEABORG. Yes, I know.

Senator HICKENLOOPER. They start with zero to a possible number. Doesn't zero mean that they don't have even one case that they can confirm?

Dr. SEABORG. They don't have absolute proof.

On page 226 of the hearings, the Senator from Iowa [Mr. HICKENLOOPER] asked these questions:

Isn't it a fact that throughout history we have had mutations, that we have had abnormalities in birth, even before anybody ever thought of letting off an atomic bomb. History is replete with countless instances of definite mutations.

Dr. SEABORG. Of course.

Senator HICKENLOOPER. Definite alterations.

Dr. SEABORG. Oh, of course.

Senator HICKENLOOPER. Definite deficiencies and so on.

Dr. SEABORG. Yes. I think that is a known thing.

Senator HICKENLOOPER. That has been going on as long as we have any history, hasn't it?

Dr. SEABORG. Yes. But the question that is—a question that is—being vigorously investigated now by the biologists and the geneticists is how much of that is due to the natural background, how much of it is due to the cosmic rays, to the radioactivity that is present in small amounts everywhere including a little bit in this table here, and other sources.

Senator HICKENLOOPER. Other unknown phenomena?

Dr. SEABORG. Yes and X-rays, medical X-rays, and so forth.

Senator HICKENLOOPER. These things occurred long before they ever heard of an X-ray.

Dr. SEABORG. Yes, that is true, that is more recent. But the cosmic ray background and the natural radioactivity present essentially, in small amounts, present essentially everywhere, has been with us ever since there have been people on earth so this may have played a role——

Senator HICKENLOOPER. Yes.

Dr. SEABORG (continuing). Yet to be determined with any exactitude.

On page 230 of the nuclear test ban treaty hearings, Dr. Seaborg says:

There is no doubt in my mind whatsoever that air pollution is a much greater hazard to the health of the people than is fallout.

Again, on page 243, Dr. Seaborg made reference to air pollution from exhaust contamination in this manner:

Pollution of atmosphere in our country in terms of the number of people, where it has adverse effects on their health, is clearly more dangerous than the situation from fallout with respect to adverse effects on the health, in my mind, in my opinion.

Mr. President, none of these eminent witnesses would have you believe that no risk whatsoever exists from fallout. However, the small risk which does exist must be measured against the risk of Communist aggression which the free world may face if and when there comes a time when it no longer has nuclear superiority. The small risk from test fallout must be measured against the fallout which would result from a third world war launched by the Communists in the hope that they could wipe out the United States. It must be measured against the millions of deaths which would certainly occur if our nuclear deterent force were allowed to grow so weak that it failed to prevent war.

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

Mr. BYRD of West Virginia. I yield.

Mr. RUSSELL. I dislike to interrupt the very excellent address that the Senator is making, but on the subject of fallout I wondered if he had studied the position of the President of the United States, President Kennedy, when he announced resumption of testing on March 2, 1962.

Mr. BYRD of West Virginia. I had read it but I had not included it in my prepared statement.

Mr. RUSSELL. This statement, of course, was a compendium of the opinion of all of the most eminent scientists in our Government. The President of the United States would not have made this statement unless it had been carefully checked with all of our most eminent scientists. If the Senator does not object, I should like to read it into the RECORD at this point. It is a very brief statement.

Mr. BYRD of West Virginia. I shall be delighted to have the distinguished Senator from Georgia read into the RECORD at this point the statement to which he has referred.

Mr. RUSSELL. This is the President's statement by television and radio on March 2, 1962:

Natural radioactivity, as everyone knows, has always been part of the air around us, with certain long-range biological effects. By conservative estimate, the total effects from this test series will be roughly equal to only 1 percent of those due to this natural background. It has been estimated, in fact, that the exposure due to radioactivity from these tests will be less than one-fiftieth of the difference which can be experienced, due to variations in natural radioactivity, simply by living in different locations in this country.

This will obviously be well within the guides for general population health and safety, as set by the Federal Radiation Council, and considerably less than one-tenth of 1 percent of the exposure guides set for adults who work with industrial radioactivity.

No one recommends radioactivity or fallout. We all wish to keep it limited to the lowest possibly degree, but the danger of fallout has certainly been overstressed, as stated by the President and by the report of the Federal Radiation Council as of May 4, 1963.

This is the official agency of the U.S. Government that surveys this matter to determine when there is a hazard to the health of our people. They conclude their report by saying:

The Council concludes that the health risks from radioactivity in foods, now and over the next several years, are too small to justify countermeasures to limit intake of radionuclides by diet modifications or altering the normal distribution and use of food, particularly milk and dairy products.

The presently estimated radiation dose to bone from all past (weapons) tests is about 465 millirem in 70 years, which is about one-twentieth (5 percent) the exposure from natural sources.

In other words, one gets more radioactivity by moving to Denver and living in that altitude than by conducting this comprehensive series of tests.

I thank the Senator and commend him for the great diligence he has manifested in preparing his excellent address.

Mr. BYRD of West Virginia. I thank the senior Senator from Georgia. I appreciate his having placed in the RECORD the statement of President Kennedy on natural radioactivity and test fallout.

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

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. On the same point, I believe it is interesting to note what Dr. Teller said on this subject. I do not believe the Senator has referred to this specific statement.

Mr. BYRD of West Virginia. I was coming to the point of quoting Dr. Teller, but I shall be glad to have the Senator give the quotation.

Mr. THURMOND. Dr. Teller made this statement:

This argument, while it sounds simple and plausible, is wrong. Fallout has so small an effect that nobody ever has observed it. And nobody knows either from direct observation, or from statistics, or from any valid theory whether the claimed damages in fact exist or do not exist. I want to talk about that a lot more, because talking about the effects of various doses of radiation leads us immediately into an interesting field of research which should be important for all of us. The plain fact is that we do not know what are the effects of small doses of radiation.

We have heard that fallout produces a terrific genetic burden. To begin with, radiation from fallout is only 1 percent of the radiation which we are getting anyway.

Fallout is not dangerous. But the fallout scare is. Many people know that a medical X-ray gives you 100 times as great a dose as fallout will give you in your whole lifetime. How many people have been scared away from X-rays? How many people have gone with their ailments unrecognized and untreated, only because there has been this needless and exaggerated fallout scare? I don't know. I don't know whether anybody has been killed by fallout, but I am sure that many have been killed by the fallout scare.

Further on that subject, it may be interesting to note what the former Secretary of Health, Education, and Welfare, who is now a distinguished Member of the Senate, had to say on September 9, 1963. The Senator from Connecticut [Mr. RIBICOFF] said:

We must face the fact that the land on which we live and work, the air we breathe, the water we drink and use in industry, agriculture and recreation have been altered over the past half century by a manmade fallout far more abundant and potentially more dangerous than the contamination of nuclear weapons testing.

I could quote many other authorities on the subject, but I thought it would be well for these two quotations to be brought in at this point.

I congratulate the distinguished Senator on the excellent address he is making. I shall have more to say as time goes on.

Mr. BYRD of West Virginia. I thank the distinguished Senator from South Carolina.

Dr. Teller had this to say, at page 428 of the test ban hearings:

There is radioactivity in the air. The total amount is less than 10 percent in its effects, 10 percent of the natural radiation to which all of us have been exposed for millenia.

Yet there is a point to not further increase this activity. Each year about 3 megatons worth of fission products decay. We could agree with the Russians not to release in any year more than 1 megaton fission products. Neither we release more than 1 megaton nor do they release more than 1 megaton.

On page 429 of the hearings, Dr. Teller said this:

Under a ban of the kind that I describe, we could easily observe whatever the Russians or anybody else are doing. Under such a ban we would have the opportunity to acquire the knowledge we need about missile defense.

Under that ban we would be permitted to do all the work that we need to do in the Plowshare program, in the peaceful uses; all of this becomes the more possible because we have developed clean explosives and we

can make our experimentation with the release of little radioactivity.

At page 455 of the hearings, Dr. Teller said:

Contamination in the atmosphere produces similar biological effects as a number of natural processes such as cosmic rays, radioactivity on the soil, radioactive potassium in the blood, in our blood. There are essentially no differences. The radioactivity in the atmosphere amounts in its worst biological effects over great numbers of people to 10 percent of the natural background.

We have increased an effect, of which it has not been proven that it is a dangerous effect. We have increased that effect by 10 percent. Anybody who lives in Denver is exposed to a greater increase due to the fact that there is more uranium in the soil there and that it is higher and the cosmic ray intensity is greater. People in Denver are in greater danger than the increases to which we have been exposed due to the radioactivity in the atmosphere.

Nevertheless, I have said and want to emphasize that it is reasonable to try to limit radioactivity in the air. We could do that by a special agreement drawn in a way proposed by Dr. Libby and myself 5 years ago, and we can make such an agreement without forgoing any of the tests or the developments which are needed for the military defense or which are needed for the peaceful applications.

I claim that these two questions, the test ban and the fallout, are linked only by propaganda.

Dr. Teller, at page 500, sums up this question rather aptly by saying:

Therefore, while fallout is no real problem from the point of view of health, it certainly is a great problem in connection with psychology and politics.

Dr. Austin M. Brues, Argonne National Laboratory, Lemont, Ill., had this to say during the 1957 hearings by the Joint Committee on Atomic Energy:

It would be rash to claim that small radiation doses have no effect on humans in increasing bone cancer and leukemia. But it would seem reasonable to conclude that if there is any increase in the incidence of these diseases because of fallout, it is so slight as to be unnoticeable when compared with other suspected causes of bone cancer and leukemia.

During the 1959 hearings by the Joint Committee on Atomic Energy, Dr. Brues made the following statement:

That we are on a reasonably secure basis can be illustrated if I rephrase the calculation I made at the earlier hearing, concerning the apparent hazard of cigarette smoking. In several countries of Europe it has been noted that the number of cigarettes consumed is in direct proportion to the incidence of lung cancer. If the radiation hazard at low levels is proportional to that at high levels, the same is possibly true of the cigarette. Taking into account the present fallout levels it would follow that they are about as likely to produce leukemia in an individual as two cigarettes a year to produce a lung cancer, using the worst guesses in each case.

At this point I should like to quote an interesting passage which appears on page 124 of "Our Nuclear Future," 1958, by Edward Teller and Albert L. Latter:

We may summarize in this way: The fallout effect is below the statistically observable limit. It is also considerably less than the effect produced by moving from sea level to an elevated location like Denver, where cosmic radiation has a greater intensity. It is also less than having a chest X-ray every year. In other words, we know enough to state positively that the danger from the worldwide fallout is less than many other radiation effects which have not worried people and do not worry them now.

Of course, many nuclear tests have been conducted since Drs. Brues, Teller, and Latter made these statements in 1957, 1958, and 1959.

But current statements regarding fallout hazards reflect the same basic opinion as that which was expressed by well-informed people in earlier years.

For example, Dr. Willard F. Libby, University of California, has this to say about the biological effects of radiation in "Nuclear Ambush," 1963:

Whatever the extent of our ignorance of the biological effects of radiation, we do know that these effects are not unexperienced by the human species, even from the genetic point of view, since it is clear now that persons living at high altitudes on granite rocks always have received extra radiation many times greater than is contained in radioactive fallout from the testing of nuclear weapons, and that even those living on certain sedimentary rocks at sea level always have received ten to twenty times the present fallout dose.

Earl H. Voss, author of "Nuclear Ambush"—the test ban trap—says some very interesting things about the dangers of radiation from fallout. On page 10 of the book, this statement will be found:

Fallout radioactivity would have to deliver doses hundreds of times greater than the present dose to produce detectable effects.

On page 21 of his book, Mr. Voss makes this statement:

Natural background gives the average individual a 7-roentgen radiation dose stretched over a period of 70 years. Fallout gives him 0.2 to 0.4 roentgen over the same 70-year period.

Mr. Voss continues on pages 22, 23, and 24 with these statements:

This excursion into the basic science of radiation has shown that the hazard of nuclear test fallout is trifling—3 to 5 percent—compared to background radiation hazards the world accepts without question. How distorted the thinking has become can be made clear by comparing fallout with other hazards, using some popular statistical techniques.

Over the past 20 years, in the United States, there have been six fatal accidents and a small number of injuries to atomic energy workers from ionizing radiation. For most of these 20 years automobile accidents have been causing more than 30,000 deaths per year. But each of the four radiation accidents that caused the six deaths among atomic energy workers has received worldwide publicity; the fact that over 100 nuclear-energy workers have been killed in automobile accidents alone during the same period has gone unnoticed.

Smokestacks belch millions of tons of acid, silicone, beryllium, lead, and arsenic—all widely suspected to be cancer agents—while scientists are sifting the air for faint traces of radioactive fallout.

Living in a brick house gives a person 20 times the radiation dose one gets from fallout. But world attention has been concentrated on limiting the strontium 90, not on finding a substitute for bricks. There is no known case of moving from a brick house to a frame house to avoid radioactivity.

Luminous-dial wrist watches give off as much as 10 times the radiation dose that fallout produces.

Science suspects automobile exhausts, as it suspects fallout, of producing cancer. But no one has suggested declaring a moratorium on automobile transportation, or even making a multimillion dollar investigation of auto exhausts.

Principally because of the fallout problem, science has been stimulated to learn much more about radiation as a cause of cancer and other health problems than it knows about almost any other occupational or environmental hazard. Benzpyrene, for instance, was discovered in the early 1930's to be a powerful cancer-producing agent in mice. Combustion of petroleum by autos yields more than enough benzpyrene to produce a cancer hazard. In large American cities, there is so much benzpyrene in the air that it settles on windowsills in measurable quantities. But there has been no scientific investigation of the hazard of benzpyrene at low doses.

On the east coast, the annual radiation from natural sources is about 0.1 roentgen per year, while Denver and other large Coloradan cities get about twice that amount from natural background sources. Denver is expanding despite this health hazard. And New York reports a higher rate of leukemia than Colorado, presumably from causes other than radiation.

Mr. Voss thus makes the point that it is misleading to urge that this recently discovered factor—fallout—is the sole cause, major cause, or minor cause of cancers, bone tumors, and leukemia when ranged against "a whole spectrum of causes and changes."

Mr. President, the Communists have shown by their detonation of huge bombs that they are not worried about fallout. However, they have been eager to build up our fear of fallout to establish momentum for a test ban treaty which would be to their advantage.

I do not advocate that additional fallout would be beneficial, but I regret that much of the support for this treaty has been generated by hysteria about distorted and exaggerated dangers of fallout radiation.

Referring to the explosion of nuclear bombs, Admiral Strauss said, at page 685 of the hearings before the Committee on Foreign Relations:

Most of those which have been exploded in the intervening years, the fusion type of weapon has been involved with relatively less radioactive debris. The decay rate is not the same for all types of debris. Some of the fission products have very brief half lives; seconds and minutes. Some of them have many, many years. So that it is impossible for me as a layman to give you a clear picture of the totality. But of this I am assured, also on competent authority, that the total amount of radioactivity in the biosphere, that is to say, the air and the waters and the lands, which has resulted from nuclear testing since the first bomb was tested at Alamagordo, is about 5 percent of the radioactivity experienced by people in the world who live in the civilized part of the world where we have medical and dental X-rays, and about 10 percent of the radioactivity experienced by the population of the world generally.

At page 686 of the hearing before the Committee on Foreign Relations, Admiral Strauss said:

As I understand it, there is a great divergence of opinion not only among the physicists, as was pointed out this morning, but among the geneticists. There are those who regard the most infinitesimal additions to

the radioactivity in the atmosphere as deleterious. There are others who take the view that nothing, definitely nothing, has been proved in either human or animal experimentation that would warrant such an assumption.

I read testimony, I read a newspaper account of testimony before this committee in which Dr. Seaborg, the Chairman of the Atomic Energy Commission, stated, if I recall correctly, that industrial pollution of the atmosphere was a far more serious threat than radioactive pollution. We accept that as a necessary component of modern life. I accept the radioactive contamination of the atmosphere to the extent that it exists as a necessary component of being prepared to defend ourselves.

Admiral Strauss was referring to industrial pollution of the atmosphere, a far more serious threat than radioactive pollution.

One final interesting reference to fallout is to be noted in a colloquy between General Power and Senator JACKSON appearing on page 38 of the released declassified testimony of General Power:

General POWER. I am thoroughly familiar with the radiation problem as someone who writes a war plan and has to take this fallout into consideration. I believe I have available to me the opinions of all the experts. There is by no means agreement among all the experts, but I do feel that, as a general statement, in some areas the danger of fallout has been greatly overexaggerated. I think the type of testing that we have done or that we had contemplated doing is well within the acceptable risk limits.

It would be negligible, in relation to the natural fallout you are subjected to at all times, and that is what they are referring to in the difference between Denver and sea level.

Senator JACKSON. On this question of fallout it is well to mention too, General, that as a result of nuclear tests the country became conscious of practices that had been indulged in by the medical and dental professions, shoe salesmen, and so on. The knowledge of these practices resulted in corrections that have helped to safeguard people which would not have been made otherwise.

I think that this is a very interesting point because, to my knowledge, more harm and more damage was being done by the careless practices, X-raying everybody for everything, shoe salesmen with the X-ray business for the feet, and dentists with the harm that many received as a result of poor practices in the handling of dental X-rays.

If nothing else, we have made the country alert to some of these practices that have been definitely harmful.

Mr. THURMOND. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from West Virgina yield to the Senator from South Carolina?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. THURMOND. The Senator from West Virginia is making an excellent case in refuting the statements of those who claim it is dangerous to continue to produce fallout; and I commend him.

If the Senator from West Virginia will permit me to do so, I should like to place in the RECORD the testimony of Dr. Foster, which appears on pages 632 and 633 of the hearings before the Senate Committee on Foreign Relations.

Mr. BYRD of West Virginia. Certainly.

Mr. THURMOND. It reads as follows:

Senator THURMOND. Dr. Foster, on the question of the fallout to which Senator BYRD referred to a few moments ago, that seems to be the question that is disturbing a great many people today who tend to favor the treaty where otherwise they might be against it.

On this question, if I recall correctly, last week or the week before some scientists made the statement that one would get more radiaiton from living in the mountains of Colorado than from fallout.

Dr. FOSTER. That is correct, sir.

Senator THURMOND. That is correct.

I believe it is also true that one living in a brick house would get 20 times more radiation than he would get from fallout.

Dr. FOSTER. Well, sir, there you are ahead of me. I do not know that because——

Senator THURMOND. Mr. Earl Voss, I believe, brought that out in his book "Nuclear Ambush."

Dr. FOSTER. Yes.

Senator THURMOND. And one wearing a wristwatch with a luminous dial, as I have on here, would get 10 times as much radiation as he would get from fallout.

Dr. FOSTER. I am familiar with the arguments, sir. I do not know that a wristwatch——

Senator THURMOND. Does that sound reasonable? In other words, do those statements sound reasonable to you?

Dr. FOSTER. It is true that natural background is large compared with the additional activity, radioactivity, associated with fallout from all past tests.

Senator THURMOND. Isn't it a matter of fact that the fallout mentioned by some of those who favor this treaty, the propaganda that is being disseminated and the bugaboo that is being raised, that the fallout is imperceptible, and is of little consequence?

Dr. FOSTER. I think, sir, that the problem or the question of fallout is of insignificance, of little significance, compared to the major issue with which the development of warheads is attempting to deal.

Senator THURMOND. What people want to know is this: We have been reading about fallout, fallout in milk, and fallout in food and resulting injury to the future generation. Is it possible for this fallout to bring about sterility and various other reactions?

I just want to ask you whether you feel that there is danger to people's health from the little fallout radiation resulting from the tests we have conducted?

Dr. FOSTER. No, sir.

Senator THURMOND. Your answer is "No"?

Dr. FOSTER. My answer is no.

Senator THURMOND. Thank you.

I thought it might be pertinent to add that to the citations the distinguished Senator from West Virginia has presented in the course of his excellent address.

Mr. BYRD of West Virginia. It is very pertinent; and I thank the Senator from South Carolina.

Mr. STENNIS. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. STENNIS. I thank the Senator for yielding to me. In view of the fact that I am compelled to attend a meeting, I must interrupt him now.

During the hearings of the Preparedness Investigating Subcommittee, I noticed that the Senator from West Virginia attended most of the hearings, even at the expense of his work schedule, which already was very heavy, indeed. I observed there his intense interest in the subject; and now I marvel at the thoroughness and the completeness of the fine speech he has prepared and is delivering today.

I have had an opportunity to glance through the printed copy of his entire speech; and I find it both learned, interesting, and sound. I predict that it will not be, and cannot be, effectively answered during this debate.

I believe his speech is in keeping with the very best stature and tradition of the Senate in sitting as a special constitutional body to consider treaties. His speech is also in keeping with the very fine stature of the Senator from West Virginia, who is not given to idle talk; instead, when he brings a matter to the attention of the Senate, his statement is one of substance.

I wish especially to commend him, too, for the very effective way in which he has dealt with the fallout question. He has thoroughly demonstrated that even when considered at its worst, the question of fallout really has no bearing on the question of the Senate's approval of the treaty.

I believe the Senator from West Virginia has made that point more clearly and more conclusively than anyone else has; and I look forward with pleasure to hearing the remainder of his excellent speech. I thank the Senator from West Virginia for it.

Mr. BYRD of West Virginia. Mr. President, I am very grateful to the Senator from Mississippi.

THE TEST BAN WILL SERVE TO DEEPEN THE RIFT BETWEEN RUSSIA AND RED CHINA

Mr. President, most of the differences between the Soviet Union and Red China can be boiled down to one basic question: How should the further prosecution of the Communist revolution proceed? The basic threat is too often overlooked; the Soviets and the Chinese have one sacred and irrevocable goal: the destruction of capitalism, the destruction of any religion which acknowledges the existence of a Supreme Being, and the destruction of all systems of free government. The Chinese advocate brute violence as the means for advancing the revolution, while the Soviets are, at the moment, advocating more subtle approaches, through "peaceful coexistence," with emphasis on subversion, political machinations, and economic warfare.

The policy of peaceful coexistence does not simply mean "you live there; we live here." It is, in reality, a sophisticated doctrine of aggression, relaxation of tensions, retreat, and advance. By no means does it approach the state of genuine peace. Khrushchev, on January 6, 1961, described peaceful coexistence as follows:

Peaceful coexistence is the high road of international relations between socialist and capitalist countries. The policy of peaceful coexistence * * * is a form of intense economic, political, and ideological struggle against the aggressive forces of imperialism in the international arena.

Thus, peaceful coexistence is to be construed as a continuation of the bat-

tle against our system of government and our way of life; and it does not mean that war has been discarded as an instrument of achieving victory.

The crux of the issue between the Soviets and the Chinese concerns the utility of war. Western observations may have magnified this dispute out of proportion, and may have reached hasty judgments concerning the Sino-Soviet split. Some commentators have gone so far as to predict that the Soviet desire for a détente with the West stems from the realization that the United States and the Soviet Union will have to join forces to contain Red China. However, we should remember that a few years ago Khrushchev and Tito were at each other's throats, whereas we have just witnessed 15 days of back-patting, folk dancing, and general joviality between Tito, the man who earlier was being denounced, and Khrushchev, the denouncer. This turnabout within the Communist world may occur again in the case of Red China. We cannot be certain that the quarrels will not be patched up and that Sino-Soviet cooperation will not begin again. As a matter of fact, in the absence of any inspection right to accompany this treaty, we will never be able to ascertain whether a nuclear test by China—which would not be a violation of the treaty, inasmuch as China has not signed it—was assisted by the Soviet Union.

The rapprochement we have just witnessed between Mr. Khrushchev and Mr. Tito may, indeed, signal a new and gigantic offensive to bring about more trade with the West. It was reported that one of the major interests of Khrushchev in his tour of Yugoslavia was the tangible benefits of Yugoslav cooperation with Western countries. It was reported that the Soviet leader toured factories operated under British and Italian licenses as well as a plastics and chemical factory built with funds from the U.S. development loan fund where he observed firsthand the fruits of cooperation with the West. Perhaps we will now find Khrushchev seeking goods from us that are in short supply in the Soviet Union, such as computers, data-processing machines, and other complex products. It would not surprise me to find the Communists seeking a loan to help the Soviet bloc's Council for Mutual Economic Assistance. Perhaps we will even find the Communists seeking to discuss a lend-lease settlement as a starting-point for obtaining aid from us. This is not improbable because the Soviet Union is one of the very few countries with whom a settlement on lend-lease accounts has not been reached. Or we may find that the Soviets will launch a different type of economic warfare, undermining Western export trade by flooding choice markets with low-priced goods, possibly even using Yugoslavia as a transshipment post.

Mr. President, I wish that the present rift between Russia and Red China could be considered deep, lasting, and irreparable. I doubt that the pages of history will reveal such to be the case. It may be quite possible, however, that, as a result of the treaty, Red China may feel the need to undertake hostile acts against the Indian subcontinent or other areas as a manifestation of her Marxist orthodoxy, and such hostile acts could, of course, involve Great Britain and the United States in the defense of these areas.

Admiral Strauss as shown on page 691 of the hearings, had the following to say about China and Russia:

Admiral STRAUSS. Well, I have the feeling that the temporary breaches between dictators are like those between monarchs in the Middle Ages. They develop quickly and they heal quickly, and inexplicably. I pointed out—I don't know whether you were here, Senator—that I had seen photographs this morning in some of the daily press showing Mr. Khrushchev and Mr. Tito embracing. Not so very long ago they were with daggers drawn. Who would know on what day Mr. Khrushchev and Mr. Mao Tse-tung would compose their differences?

It seems to me so flimsy a road upon which to base our foreign policy that I considered dropping it from my statement this morning.

Certainly, Mr. President, all that glitters is not gold, and the lessons of the past should long ago have taught us that the words of Lenin, the founder of the Soviet system, have never been deviated from by the Communists in their drive for world conquest:

We have to use any ruse, dodges, tricks, cunning, unlawful method, concealment, and veiling of the truth.

General LeMay voiced the same opinion that was voiced by Admiral Strauss. The testimony appears on page 362 of the hearings. General LeMay said:

General LEMAY. I think they probably have some differences of opinion. But I believe that they are mostly on how to advance world communism, and it is my opinion if there was any real trouble in the world we would find that very quickly Russia and China would get back together again. They do have a mutual defense pact, and I certainly think it would be invoked and operating efficiently if it was necessary.

Senator AIKEN. If the United States had trouble with either one of them, you think they would get together again? If China becomes very aggressive toward India or other countries in southeastern Asia, do you think Russia and China would get together then?

General LEMAY. I think they would; yes. As a matter of fact, China has a very vigorous program in southeast Asia now. Russia knows about it, and probably agrees with it.

THE TEST BAN WILL CONTRIBUTE TO A LESSENING OF TENSIONS AND BE A STEP TOWARD OTHER AGREEMENTS AND EVENTUAL PEACE

Those who advocate the treaty as a way of lessening tensions forget that the very nature of communism suggests that an atmosphere of tension is the desired political atmosphere in which to press Communist goals. Nathan Leites, in "A Study of Bolshevism," 1953, alerts us to the attitudes and methods of our adversaries as follows:

To Bolsheviks, the high tension is the normal state of politics. They do not experience it as something that just cannot go on, but rather as something that necessarily persists. What Westerners call a real agreement seems to Bolsheviks inconceivable. It is often predicted in the West that if particular issues * * * could be settled with the Politburo, an easing of the overall tension might ensue. For Bolsheviks, this does not follow. There might be less noise, but the basic situation—the presence of two blocs attempting to annihilate each other—would be unchanged.

If the Soviets genuinely desired to relieve world tensions they could easily do so by tearing down the wall separating East Berlin from West Berlin. They could ease international tensions by permitting the reunification of Germany through free elections. They could relieve tensions by withdrawing their armies from the captive countries of Eastern Europe. They could even go so far as to withdraw their men and armaments from Cuba. These are but a few of the genuine causes of world tensions and the Soviets could easily show their good faith by promptly acting to remove these causes. And speaking of Cuba, may I, parenthetically, recall to mind that Andrei Gromyko, the Soviet Foreign Minister who signed the nuclear test ban treaty for the Soviet Union, falsely told President Kennedy on October 18, 1962, that the missiles which had been sent to Cuba were purely defensive. I quote from President Kennedy's broadcast of October 22:

Only last Thursday, as evidence of this rapid offensive buildup was already in my hand, Soviet Foreign Minister Gromyko told me in my office that he was instructed to make it clear once again, as he said his Government had already done, that Soviet assistance to Cuba, and I quote him, "training by Soviet specialists of Cuban nationals in handling defensive armaments was by no means offensive," and that, "if it were otherwise," Mr. Gromyko went on, "the Soviet Government would never become involved in rendering such assistance."

That statement was false. In other words, the President meant that Mr. Gromyko was a liar.

It is less than a year since attention was publicly called to this falsehood, less than a year since the Soviet Union took the world to the very brink of nuclear war—less than a year since Senators were notified to attend briefings in various parts of the United States in connection with the Cuban crisis. Yet, we are called upon to consent to a treaty with the nation, which so recently demonstrated it still harbors the aim of world conquest, signed by the very man who lied to our President.

The free world has all too often been willing to accept at face value every apparent shifting of Soviet lines in the ideological arena. Yet, shifting Soviet positions have just as often simply confused the issue, compounded the complexities, and created a climate of crisis rather than a lasting lessening of tensions. Leites refers to the alacrity and purpose with which the Soviets are able to change position. He says:

Westerners have often commented that there is, in negotiating with the Soviet Union, no common search for a solution to common problems, no discussion in the western sense of the term; the Soviet delegates elaborate or change their position in strict isolation and then present it in dogmatic fashion. They fairly take account of the views and objections of the other side.

We must ever be wary concerning what may appear to be a concession or

a modification of position or retreat. In this connection, Lenin wrote:

Revoluntionary parties must go on learning. They have learned how to attack. Now it is time for them to realize that this knowledge must be supplemented by acquiring a knowledge of how best to retreat. We have got to understand (and a revolutionary class learns this by bitter experience) that victory can only be won by those who have learned the proper method both of advance and retreat. (Works, Russian edition, vol. XVII, p. 121.)

Stalin, in one of his lectures in 1924, explained the purpose of such retreat in this way:

The object of such strategy is to gain time, to scatter the forces of the enemy while consolidating our own for a future advance.

Mr. THURMOND. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. Since the Soviets conducted tests in 1961 and 1962 and got ahead of the United States in high-yield weapons, I wonder whether they might not wish to gain time—to buy time—in order to develop the weapons in accordance with the knowledge they have gained. Therefore, they may be tendering the treaty for that purpose.

Mr. BYRD of West Virginia. I have no doubt that this is one purpose, if they are indeed ahead; and I do not doubt that they are.

Mr. THURMOND. From 1958 until September 1961, there was a moratorium on testing. During that time the Soviets prepared carefully and assiduously, then suddenly broke the moratorium and immediately went back to testing. They gained time to prepare for testing. They now have tested. It is highly possible that they wish to gain time to manufacture the weapons with which to try to destroy us during the pendency of the treaty.

Is there any doubt in the Senator's mind that as soon as the Soviets feel they are ready with their weapons they will take the next step? It is a Communist trick to take two steps forward and one back—two forward and one back—for so long as they are moving two forward and one back they are gaining. Does the Senator have any question at all that when the Communists are ready to proceed with their next step they will not hesitate to violate the treaty, abrogate the treaty, or pursue some course which would force the United States to abrogate the treaty?

Mr. BYRD of West Virginia. I have no doubt that the development which is predicted by the Senator from South Carolina will ensue, as I shall show later in my statement.

The Soviets have frequently sought release from international tensions in order to be able to solidify and increment their warmaking or defense capabilities. Many people view the present treaty as the first sign of dawn on the horizon of genuine peace. Peace, to be sure, is our strongest desire, and toward that goal we must continue to strive. But it may be timely to recall the Biblical admonition: "When a strong man, armed, keepeth his palace, his goods are in peace." It is equally necessary to remember that the Communists frequently do not interpret words as we interpret them, and this may be equally true of the word peace. As to the evolvement of peace from the signing of this treaty, I call the attention of the Senate to a reference, made by Admiral Arleigh Burke during his testimony on the treaty, to the statement of a Radio Moscow commentator on August 1, midway between the initialling and signing of the treaty. Admiral Burke quoted the Moscow commentator as follows:

The argument that some newspapers and politicians are harping on more and more persistently is that Soviet policy is undergoing some changes. And some people even go so far as to make the ridiculous assertion that the Soviet Union has openly renounced Lenin's doctrine, and has actually stated that war is impermissible as an instrument of policy. Facts do not back up this absurd contention.

The Moscow commentator went on to say:

The initialing of the treaty to ban nuclear tests in the three elements is therefore a direct result of the fight waged by the Soviet Union for many years, and it is certainly not a result of any change in Soviet policy, or departure from Lenin's principles.

Admiral Burke continued in his own words:

Hence, it would appear to even the casual observer of Soviet reaction to the current state of affairs that the Soviets themselves view the test ban treaty as a "victory for the policy of peaceful coexistence."

Admiral Burke proceeded then to indicate, as I have already indicated, that "the interpretation of peaceful coexistence is crucial."

Peace, in the eyes of the Communists, is but a masquerade under which war is waged by new techniques. Infiltration and subversion, espionage, propaganda, the fear complex, group pressure, nuclear blackmail, all these and more, signify a peace that is not peace, a war that is not war.

Referring to the argument being advanced with reference to reduced tensions, Admiral Strauss, as shown on page 691 of the hearings on the test ban treaty, commented thusly:

Reduction of tensions. I am not satisfied—I am not sure that the reduction of tensions is necessarily a good thing. Our tensions were very much reduced following the moratorium and I can give you at least one result of it. We abandoned our proving ground in the Pacific, that costly installation there which had involved an outlay of many millions of dollars, and a result was that when the President decided very properly to resume testing after the Russians had resumed, it was a matter of months, some 7 or more months, before we were able to pick up where we had left off.

And so, genuine peace, that bright crown for which mankind has so nobly aspired throughout the ages, is as elusive today as ever. Indeed, 2,000 years ago, a humble Nazarene warned us that the prize would continue to flee from our grasp when He said, as recorded in the 24th chapter of the gospel according to St. Matthew:

And ye shall hear of wars and rumours of wars; see that ye be not troubled; for all these things must come to pass, but the end is not yet.

For nation shall rise against nation, and kingdom against kingdom; and there shall be famines, and pestilences, and earthquakes, in divers places.

THE TEST BAN TREATY WILL SLOW, OR SIGNAL THE END OF, THE ARMS RACE

Mr. President, the treaty, in the words of Secretary of Defense McNamara, "will not end the threat of nuclear war. It will not reduce the existing stockpiles of nuclear weapons. It will not halt the production of nuclear weapons." Additionally, the treaty will not prohibit the use of nuclear weapons in war. It is unnecessary to state that it has equally no bearing whatsoever on the development, production, and use of conventional weapons.

The President of the United States in his message to the Senate said:

This treaty advances, though it does not assure, world peace; and it will inhibit, though it does not prohibit, the nuclear arms race.

While it does not prohibit the United States and the Soviet Union from engaging in all nuclear tests, it will radically limit the testing in which both nations would otherwise engage.

While it will not halt the production or reduce the existing stockpiles of nuclear weapons—

The President said—

it would be a first step toward limiting the nuclear arms race.

While it will not end the threat of nuclear war or outlaw the use of nuclear weapons—

He went on to say that—

it can reduce world tensions, open a way to further agreements, and thereby help to ease the threat of war.

Secretary Rusk, on page 13 of the hearings, stated:

This treaty does not affect the use of nuclear weapons in war. It has to do with nuclear weapon testing in time of peace.

On page 28 Secretary Rusk said:

There is nothing here that interferes with the production of nuclear weapons, for example, the deployment of nuclear weapons, the use of nuclear weapons in war.

Secretary Rusk said, as shown on page 29:

This treaty itself does not reduce weapons in being or prevent their further production.

Mr. Khrushchev in his speech on July 2, in Berlin, expressed a similar understanding. After stating the willingness of the Soviet Government to conclude a limited agreement banning nuclear tests, he said this:

Of course, an agreement on the ending of nuclear tests, notwithstanding all the importance of this major act, cannot stop the arms race, and cannot avert or even substantially weaken the danger of thermonuclear war.

Gen. Curtis LeMay, Chief of Staff of the U.S. Air Force, said this, as appears on page 371 of the test ban treaty hearings:

I would think—

Referring to the treaty—

it would have no effect on the production of weapons or the knowledge we now have. Certainly Russia is going to produce all the tactical weapons that it considers it must have, as we would, of the kind we now build. It may slow down the modernization of the stockpile, if we want to speak of it in that regard.

It quite possibly would slow down the research and the advance in weapons of some types.

General LeMay went on to say, as appears on page 401:

I don't think we are any farther or any closer to a nuclear war with or without the test ban treaty.

Senator AIKEN. I don't think anyone can answer that, anyway.

General WHEELER. I think you have to recognize this, Senator, that this test ban treaty doesn't lessen the number of weapons in stockpile, it doesn't change the production of weapons, and I think we would all agree that the threat is still the same. In other words, I believe the objectives of the Soviets are still world domination. So you have about six of one and a half dozen of the other, I would say.

I read from pages 404 and 405 of the hearings:

Senator CURTIS. Well, now, the next question has to do with money and may I preface it so that the record will be clear.

I think we have to have the top defense regardless of what it costs and I believe that the American people are of that opinion. Never in the history of the United States have they kept up the degree of preparedness we have and the people accept it gladly, whether it is an extension of the draft or heavy appropriations and the rank and file of people that I meet on Main Street of the towns of Nebraska, they want this country defended and they are not complaining about it.

But just as a matter of information, if the safeguards that you favor are adequately carried out, is this test ban, would this test ban, then be a moneysaver?

General WHEELER. On the contrary, I would say, Senator, if I may offer my opinion first. As I look at it, the military threat to our security from the Soviet Union specifically and from the Communist bloc in general, is not lessened in one degree by this particular treaty.

The safeguards also, in my opinion, are going to cost sums of money over and above the sizable military budget that the chairman pointed out this morning.

General LEMAY. I would agree that the military budget will probably go up as a result of the treaty, not down.

In view of what these witnesses have said, therefore, Mr. President, I cannot agree that this treaty will signal the end of the arms race.

Even if both sides were scrupulously to abide by the treaty, we are assured that the safeguards stipulated by the Joint Chiefs of Staff will, fortunately, be implemented. Consequently, we say, we will test underground aggressively; we will maintain our laboratories in a high state of readiness for the possible resumption of atmospheric testing; and we will improve our system of monitoring tests which may be conducted surreptitiously in violation of the treaty. I think we can be sure that the Soviets will attempt to exploit every advantage gained during the course of the post-moratorium atmospheric tests. They will exploit and press their lead in high-yield weapons. Both sides will do everything possible to develop and deploy an anti-missile-missile system. If, as it is said, we are ahead of the Soviets in tactical nuclear weapons, they will strive to overcome our lead while we strive to maintain it. As to the production of conventional weapons, this will continue unabated, and perhaps even be accelerated. The end of the arms race is nowhere in sight and, in all probability, will be as elusive as ever when the treaty becomes a fait accompli.

THE TEST BAN WILL MAKE IT MORE DIFFICULT FOR RUSSIA TO CATCH UP WITH THE UNITED STATES IN THE FIELD OF NUCLEAR EXPLOSIVES

Those who advance this argument say that underground testing is considerably more expensive than atmospheric testing and that, in view of the fact that this will be the only environment in which tests may be conducted under the treaty, the financial burden upon the Soviets will be such that they will be inhibited from progressing as rapidly as they would otherwise progress in catching up with the United States in the field of tactical nuclear weapons. It is also said that we are further along in the state of the art, insofar as underground testing is concerned, and that this will make it doubly difficult for the Russians to catch up. Of course, the very nature of the Soviet society makes it difficult for us to be absolutely positive that we are ahead of the Russians in the development of tactical nuclear weapons. It is possibly an assumption based on another assumption, to wit: That we have conducted more underground tests than have the Soviets and we have, consequently, made greater progress in this area of testing. Dr. Edward Teller, in his testimony before the Preparedness Investigating Subcommittee, said:

It is by no means certain that the United States is ahead of the Soviet Union in the knowledge of producing and using nuclear weapons. In the field of big weapons, Russian lead has been demonstrated before the eyes of the world. In this category Russian tests decisively outnumber United States tests.

In the category of smaller weapons, from a few kilotons to a megaton, the known Russian tests are somewhat fewer in number than the American tests. It is possible, however, that we may have missed quite a few Russian tests in this range. In the important subkiloton range (deleted). There is no objective justification to assume, as is usually done, that in this area we are ahead.

General LeMay had this comment, as appears at page 391 of the hearings, with reference to the oft-repeated statement that we are ahead in the field of low-yield nuclear weapons. His statement was prefaced by this question, which was put by the Senator from Rhode Island [Mr. PASTORE]:

But I had asked you a question previous to that, and I asked you whether or not the balance of power, nuclear power, was in our favor overall against the Russians, and you said it was in our favor.

Now, if that is true, if it is in our favor, and we stopped there, what have we got to lose?

General LEMAY. Well, if it would stay there, probably we wouldn't have much to lose.

But I wonder whether it is going to stay there or not, and, in addition to that, this is just our estimate of the situation. Our delivery capabilities, I think, at the present time are better than the Russians. That doesn't mean they are going to stay that way.

I think we have more weapons and a greater variety of weapons now than the Russians have. That doesn't mean it is going to stay that way.

The thing that worries me is that this preserves the uncertainties that we have in our mind now for as long as the treaty is going to be in effect [deleted].

We just don't all know the things we would like to know about the vulnerabilities of [deleted] systems [deleted].

Senator PASTORE. Can I interrupt you there, General? Do you think that the Russians know?

General LEMAY. They may know a great deal more about it than we do, as a result of the last two series of tests that they have run. [Deleted.]

This bothers me, and one of the things that I don't like is that if this is true and they do know more than we do, they may know something that is vital. They may have been able to pick up a weakness in our defense system that they can exploit.

There is some reason for them wanting this treaty when they didn't want it on two occasions before. What is it?

General LeMay went on to say:

These are the disadvantages that we see. They are possibilities and we certainly have tried to say that even with the safeguards that we have suggested that we have, that certainly ratifying the treaty is not without its risks.

Now, I pointed out these other uncertainties, that we don't know. For instance, [deleted] that the Russians are ahead of us in the high-yield spectrum, we are about equal in the [deleted] megaton range, and we are ahead in the lower [deleted] range.

Now, I can't prove otherwise, but I am very suspicious.

General LeMay here was expressing his suspicions as to the assumption that the United States is clearly in the lead in the field of low-yield nuclear weapons. He said:

Now, I can't prove otherwise, but I am very suspicious, because we know [deleted] that the Russians were planning a test program [deleted] before they broke the moratorium and started testing. [Deleted.]

Senator PASTORE. I agree.

General LEMAY. They may have been preparing for it longer.

Now, when they did break the moratorium and start their testing program, [deleted] the size of the program, and the comprehensiveness of it, this is an area where we could detect the explosions and learn something about it.

I can't quite swallow [deleted] that they didn't do equally well in the lower ranges where [deleted] what they were doing.

I am inclined to agree—

Again referring to the statement that we are ahead in the field of low-yield nuclear weapons—

I am inclined to agree with it because I can't prove it otherwise. But I am suspicious, and there may be a possibility here they are ahead throughout the spectrum.

Now I will admit [deleted] technicians say that the odds are against [deleted] but they also say there is a possibility.

Therefore, one of our key military men, Mr. President, as I have just read, questioned the statement, and indicated a strong suspicion that perhaps we are not really ahead in the low-yield nuclear weapons field.

At page 407 the Senator from Idaho [Mr. CHURCH] said:

The area within which tests will continue under the treaty, as I understand your testimony, is in that field where we feel we have the greatest experience and have made the most advances; is that correct?

Of course, that is the low-yield nuclear weapons field.

General LeMay answered:

We think; I am not sure of it. I am probably less sure than the other two Chiefs. But this is the general consensus of opinion, but one that I worry about particularly.

I, too, worry about it, Mr. President.

A point that should be emphasized is that the test ban will render it impossible for the United States to catch up with the Russians in the area of high-yield weapons because of the ban on atmospheric tests, while the Russians will be permitted, by the treaty's terms, to conduct underground tests and, thus, catch up with us in the tactical nuclear weapons field where we think we are ahead. In summation, we may be kidding ourselves when we depend upon our being ahead of the Russians in the field of small weapons, and I have no doubt that we are kidding ourselves when we argue that this treaty will make it difficult for the Russians to catch up in this field.

History will show that the Soviets have not been disconcerted when confronted with difficult problems. They produced the atomic bomb long before we thought they could produce it; they produced the hydrogen bomb long before we predicted; and they launched Sputnik I, to our consternation and amazement. Moreover, while our feats in putting astronauts in orbit have been remarkable, the Soviets have excelled us. Who will say that these achievements have not been difficult or expensive? It is obvious that they have required the marshalling of tremendous energy, brains, and money.

The Soviets have shown that they can make rapid advances in research and development when they contribute maximum effort and emphasis to the task.

Additionally, there is always the possibility that the Soviets will make a major breakthrough in nuclear technology which will permit them to achieve substantial reductions in cost.

Soviet national resources may be under heavy strain, but this does not mean that even greater stress cannot be put upon them. The Soviets repeatedly have put their national resources under great strain, but this has never interfered with their determination to secure supremacy, for example, in space research and exploration. Yet, the Soviet leadership evinced little apparent concern that the Soviet population was made to suffer through strictures on consumer goods. As a matter of fact, the people of the Soviet Union apparently have always been willing to make whatever sacrifices appeared to be necessary, and I am sure that they stand ready today to make whatever further sacrifices are required of them by their leaders.

There are those who said that Cuba would prove to be too expensive for the Soviet Union, but that theory has thus far proved to be false. As Adm. Arleigh Burke stated in his appearance before the Preparedness Investigating Subcommittee:

Cost alone should not be the standard measurement for our attempting to explain what is and what is not in the best interest of any enemy nation. The use of criteria which normally we would apply in attempting to clarify a given course of action for the United States will be of little value when applied to the motives or desires of a totalitarian adversary. Far too often the Communists have defied reason and logic to pursue seemingly impossible objectives; and far too often we have made false assessments of their ability or willingness to pursue those impossible objectives.

Mr. President, I do not think that any of us can be absolutely sure that we are actually ahead of the Russians in overall nuclear technology. Yet, with few exceptions, one after another of the witnesses who appeared to support the treaty stated it as his opinion that the United States now enjoys technological superiority over the Soviet Union and will, through its participation in the proposed test ban treaty, maintain that superiority. According to this argument, parity between the Soviet Union and the United States does not now exist nor will it ensue in the foreseeable future. Secretary McNamara pointed out in his statement that:

This prolongation of our technological superiority will be a principal direct military effect of the treaty on the future military balance.

He referred to our technological superiority and said it would be prolonged under the treaty. Yet at page 113 of the hearing Secretary McNamara had something interesting to note. The Senator from Rhode Island [Mr. PASTORE] had made this statement:

I would like to pursue that just a little bit. You do concede in your statement that insofar as the extremely large yield weapons are concerned the Soviets do have superiority over us.

Secretary MCNAMARA. Yes, sir; I do.

Senator PASTORE. In the smaller tactical weapons, which can be tested underground, we have superiority over them?

Secretary MCNAMARA. I believe so, although I can't state that with absolute certainty.

Therefore, Secretary McNamara could not say with absolute certainty—nobody can say with absolute certainty—that even in the smaller tactical weapons field we have superiority over the Soviet Union.

We are to believe, nonetheless, that the treaty will insure our continued superiority and the Soviets' inferiority for the foreseeable future. The Soviets appear, by this argument, to be willing to freeze themselves in a position of inferiority vis-a-vis the United States. If, in fact, they have resigned themselves to such a position of strategic inferiority, it would follow that they must have renounced their goal of world conquest and the destruction of our way of life. But, as Secretary of State Dean Rusk pointed out in his statement during the hearings:

We have no basis yet for assuming a fundamental change in Soviet objectives.

Moreover, the statement of the Joint Chiefs of Staff emphatically points out that, "We must not for a moment forget that militant communism remains committed to the destruction of our society." It is hard to believe that the Soviet Union would agree to a treaty, which, if faithfully adhered to by all parties, would guarantee the long-range inferiority of Soviet strength and the concomitant failure to achieve Communist goals. It is interesting to note, in this connection, that on August 5, the day on which the treaty was signed in Moscow, the official Tass statement included this passage:

Does conclusion of a treaty banning the tests alter the present balance of power? No; it does not. The Soviet Government would never have agreed to the conclusion of such a treaty if it placed us in an unequal position, if it gave unilateral advantage to the other side. All this does not require special proof.

As one can see, while we have been assured that we possess technological superiority, the Soviet Union claims itself to be superior in nuclear technology. This creates doubt in my mind that we possess facts which really assure us as to who is ahead of whom at this stage of the game. As Adm. Arleigh Burke, U.S. Navy, retired, stated, in referring to our vaunted technological superiority over the Soviet Union:

This superiority has been claimed so often that I fear it has become automatically accepted as being fact. What is not generally realized is that this statement is not founded on hard evidence, but rather is the result of speculation. It is of interest to note that the Soviets claim to be ahead of us in nuclear weapons technology. Whereas this claim need not be accepted necessarily, neither is it possible to reject it unequivocally.

Our own military leaders and scientists state that the Soviet Union is, without doubt, ahead of the United States in the high yield range, and that the treaty will permit the Russians to retain the advantage in this field. At the same time it will permit the Soviet Union to make gains, through underground tests, in the development of tactical nuclear weapons, a field in which we are supposedly ahead. In other words, we will be prevented from catching up with the Russians where they are admittedly ahead, and they will be permitted to catch up with us where we are presumably ahead.

THE TEST BAN WILL SLOW DOWN THE PROLIFERATION OF NUCLEAR WEAPONS

Most persons will probably agree that the proliferation of nuclear weapons may be slowed as a consequence of the ban, particularly among law-abiding democracies which are friends and from which we have nothing to fear. Moreover, scores of the nations which have signed the treaty would probably never develop nuclear weapons or become nuclear powers in any event. The same cannot be said, however, for Communist countries and dictatorships which may have the potential and the motive and which can develop nuclear explosives secretly.

As Dr. Edward Teller stated before the Preparedness Investigating Subcommittee:

The only technical comment which is relevant is the observation that the development of nuclear weapons is easy once nu-

clear materials are readily available. Starting with the 1955 Atoms for Peace conference we have made it very sure that in the course of time nuclear materials will become available on every continent. Once a country is in the possession of a few kilograms of plutonium simple experiments that can be carried out in secrecy can produce a small nuclear explosion in less than 1 year. Such small nuclear explosions are sufficient to give the needed assurance and experience to a country which intends to use these explosives on a relatively small scale.

The treaty will indubitably not prevent the proliferation of nuclear weapons insofar as Red China and France are concerned. In fact, France is already a nuclear power. Red China is evincing the determination to become one. Neither of these nations has indicated a willingness to become a signatory.

What Russia will do when France progresses in the state of the art remains to be seen. One might venture to guess that this could furnish the pretext for Russia's abrogation of the treaty.

Furthermore, the treaty will not prevent nuclear weapons passing into the hands of additional nations by purchase, by loan, or by transfer. It will not prevent or prohibit one nation giving to another design or production knowledge. It will not prevent any nation from acquiring the means to produce plutonium—and possession of plutonium is the key to the atomic bomb.

In the final analysis, it will not prevent testing. In fact, the treaty tends to remove whatever moral restraints previously attached to weapons tests by essentially legalizing the testing of weapons underground. Let no one imagine that the treaty will frustrate the testing of weapons by any nation which has made a decision to become a nuclear power, and which has allocated the resources and expended them on the research, development, and production programs which must necessarily precede a weapon test.

ARGUMENTS AGAINST THE TREATY

Mr. President, I now proceed to the main arguments against the treaty, as I see them. I am opposed to the treaty mainly for the following reasons:

First. The treaty is difficult of exact interpretation.

Second. There is danger of clandestine testing by the Soviets.

Third. There is danger of surprise abrogation by the Soviets.

Fourth. The treaty will result in euphoria in the West.

Fifth. Military superiority will shift to the Soviets.

Now I shall attempt to elaborate upon each of these.

THE TREATY IS DIFFICULT OF EXACT INTERPRETATION

On July 26, 1963, a New York Times correspondent quoted a State Department source as having stated that the wording of the Nuclear Test Ban Treaty was "disturbingly imprecise." It is difficult to disagree. For example, under the terms of the treaty, what constitutes an "underground" test? Much depends on the interpretation of "underground." Must an "underground" test be one that is totally confined? Shallow tests conducted just beneath the surface may produce much more valuable information than tests at greater depths. Such shallow tests are also more economical. Yet, what is meant by "underground" tests may be open to question. In the report of the Senate Committee on Foreign Relations, September 3, 1963, page 22, Secretary of State Rusk is quoted as saying:

> Obviously this treaty permits a clear underground test where the explosion is underground, where the testing apparatus is based on that phenomenon, and I would think we would not think that it applied to a surface explosion which was christened by a few shovelfuls of dirt.

But even though venting accompanies a low-yield underground explosion it cannot necessarily be detected, identified, or verified. What then will be the Soviet definition of "underground" and will it be broader than the U.S. definition?

The question of what constitutes an "underground" test may, however, be purely academic. The pressure of world public opinion may be brought to bear as a reason for the cessation of underground testing even though permitted by the treaty. Already the Soviet Union has laid the groundwork for a psychological warfare campaign to keep the United States from carrying out what is provided for by the treaty. The official Soviet news agency Tass on August 30, 1963, stated that the recent underground test in Nevada violated the "spirit of the treaty." The Communists are quite aware of the esteem in which any treaty is held by the people of the United States. They understand that our respect for the law is such that we will live up not only to the words of a binding treaty, but will lean over backward in order to avoid violating even the spirit of a binding treaty. They understand the American penchant for thinking along legalistic lines and remember how much faith we placed in the Kellogg-Briand treaty for the renunciation of war. To the Soviets a disarmament treaty is a paper bullet, a technique of psychopolitical struggle. As President Kennedy has aptly said, the Soviet idea of diplomacy is:

> What's mine is mine, and what's yours is negotiable.

Several other ambiguities are sprinkled throughout passages of the treaty. Admiral Arleigh Burke, in his testimony, indicated that he is concerned lest the words "underwater, including territorial waters or high seas" might not be interpreted by the Soviets to include "internal waters." My own interpretation would be that "underwater" includes internal waters. But there is room for debate, argument, question, and misunderstanding.

According to Admiral Burke:

> Tests in internal waters, under the present wording of the treaty and under at least one interpretation of international law, would be regarded as underground tests and, therefore, permissible if radioactive debris is not deposited outside national boundaries. Otherwise, the treaty would need provisions for inspection to detect against inland underwater testing. And if testing underwater in an inland lake is permissible, in what other waters might it also be permissible?

Admiral Burke, on page 13 of his prepared statement, also raised a question concerning the interpretation of "territorial waters" as alluded to in the treaty:

> We have a meaning for "territorial waters," but it is doubtful that the Soviets would entertain the same meaning. In fact, a representative sampling of the writings of international lawyers would give evidence to the fact that they either refrain from using the term or disagree to its meaning when they do use it. We would probably agree with the definition that territorial waters are those included within a definite maritime zone or belt adjacent to a State's territory. The Soviets would also use this definition if it were clearly suitable to their purposes, regardless of their present intentions.
>
> But since the term is ambiguous, any party is free to adopt his own definition. There obviously cannot be, in the present case, a mutually agreed definition of the term "territorial waters," since we have been assured that this treaty constitutes the entire agreement.

Other important areas of misinterpretation are clearly in evidence as was manifested during the entire course of the hearings. Careful reading of the hearings will reveal that many Senators were not satisfied that the United States may be permitted to use nuclear weapons in war.

Even former President Eisenhower was not satisfied with the terminology of the treaty on this point.

Mr. President, my concern is that the United States will be overly cautious in its interpretation of the treaty. In actual practice, therefore, our progress under the treaty will be inhibited by the fear that we will be charged with a violation thereof, whereas the Soviets, on the other hand, will not suffer from such inhibitions. As a matter of fact, the very nature of a closed society, such as theirs, will encourage them to undertake violations of the treaty in the expectation that those violations cannot be detected, identified, and verified. Our past behavior reveals precedents of the exercise of excessive caution in interpreting agreements. As a matter of fact, we used excessive caution in observing the voluntary moratorium during the years 1958–61. That agreement was not even a treaty. In order to avoid alarming the Russians, however, we refrained from making adequate preparations for the resumption of nuclear testing. As a result, the Russian atmospheric explosions in the fall of 1961 caught us only weakly prepared.

2. THERE IS DANGER OF CLANDESTINE TESTING BY THE SOVIETS

Many who speak for the treaty do not deny that there are real risks of clandestine testing, but they find reasons to discount every risk, or to resolve every doubt in favor of the treaty. Secretary McNamara, for example, stated:

> While tests at extreme ranges are a technological possibility, they would involve years of preparation plus several months to a year of actual execution, and they could cost hundreds of millions of dollars per successful experiment.

Are we not forgetting the patience of the Communists, their skill in space, and their willingness to put as much of their

resources as necessary into their efforts to achieve military supremacy over the United States?

Secretary McNamara then pointed out two more possible loopholes for cheating. He said:

Over the U.S.S.R. or Communist China, only very low-yield tests, with quite limited objectives, could have a good chance of escaping discovery. These tests could not produce significant advantages.

In certain remote parts of the world such as the South Pacific the threshold of evasion of geophysical detectors in the upper atmosphere will be somewhat higher and the chance of recovering a debris sample might be rather small. However, it is most unlikely that the Soviets will try to take advantage of this situation. An upper atmosphere test would be difficult to perform from shipboard and might require several vessels properly deployed around the test point. Preparations for such a test would be relatively easy to discover.

In other words, this treaty has known loopholes; but explanations, some of which are admittedly plausible, as to why the Soviets will not employ them, may be advanced. I think we are underrating Soviet cunning and the Soviet determination to outwit us. On the other hand, I think we are overrating the Soviet fear of being caught in a violation and the Soviet respect for world opinion.

The fact that the Soviets have no concern about the wrath of public opinion is amply demonstrated by the way they ended the moratorium on tests in the fall of 1961. The Soviets knew in advance that there would be loud protests throughout the world when they resumed testing after the moratorium which had lasted 34 months. Nevertheless, they did not hesitate to resume tests, because they knew it would catapult them ahead in their nuclear knowledge.

Even though the United Nations General Assembly passed, on October 27, 1961, by a vote of 87 to 11, with 1 abstention, a resolution appealing to the Soviet Union not to carry out its stated intention of exploding a 50-megaton bomb, 3 days later the Soviet Union detonated a bomb of 57 megatons, which the United States has not yet matched. World opinion, ergo, means nothing to the Soviet Union, except insofar as it may constitute a very useful tool against the United States.

As to our detection system, there is ample evidence that it leaves much to be desired. Even if a very expensive detection system is employed, we can have no assurance that the Russians will not devise a way to successfully shield tests from currently known detection methods. The entire question of outer space testing and detection is in the stage of infancy, and it is impossible to predict how it will develop.

As shown on page 106 of the test ban treaty hearings, Secretary McNamara said:

Over the U.S.S.R. or Communist China, only very low-yield tests with quite limited objectives could have a good chance of escaping discovery. These tests, we believe, could not produce significant advantages.

And on page 109, we find that Secretary McNamara said:

I do not pretend that this or any other agreement between great, contending powers can be risk free. Surely this one is not. I cannot guarantee that we will detect any single clandestine test the Soviets might attempt; but Soviet technical and military advisers cannot guarantee that we will not. I am convinced that even undetected clandestine tests will not alter the basic military balance.

Supporting witnesses have indicated, therefore, that there is not 100 percent assurance that we will detect violations; but, they added, neither is there 100 percent assurance for the Russians that we will not detect violations. In other words, we are to accept the minimum standards of adequacy. In effect, we are told that, so long as there is not 100 percent assurance that an attempted test in space will go undetected, we are adequately safeguarded. I contend that when dealing with the Communists, we must apply the maximum standards, and must allow no loophole for evasion, for so long as there is a single loophole, the Communists will find it and will use it.

Secretary McNamara said—as shown on pages 140 and 141:

Secretary MCNAMARA. I would be quite happy to go into it in length, but perhaps I can simply say now we have a very substantial capability through geophysical and other means of detecting nuclear explosions in the forbidden environments.

I don't believe that we can say that the present capability will give assurance of detecting all such explosions or of identifying all such explosions.

We, therefore, are considering augmenting the present capability. Even after that augmentation is made, if it is made, I don't believe that we can guarantee that we will be able to identify all possible violations of the treaty, but I do strongly believe that the violations that may not be identified by the present or augmented system will not shift the military balance of power.

So, in essence, we are told not to worry about violations which may go undetected, because they will not significantly alter the balance of military power.

As shown on page 673 of the test ban treaty hearings, Admiral Strauss made this statement with reference to the significance of even one test:

A radical new weapon discovery or a breakthrough in countermeasure systems, suddenly tested and found workable, could put the possessor nation in command of world events.

We ourselves were twice in that position, first with our invention of the fission bomb and later of the fusion bomb. Of course, we never considered making such use of our advantage, but what if in the future the situation is reversed, as well it may be?

For instance, it has been said that the Soviets might elect cheating with a single test which might even escape detection; that we could surely detect a series of tests but that one test by itself alone would be of little significance. This unfortunately will not stand up in the light of history.

We cannot forget, we should not forget, that only one single test proved the atomic bomb, and one test proved the principle of the H-bomb. If such radical invention is made on our side of the Iron Curtain, one that is provable only by testing it above ground, the treaty will firmly bind our hands.

Thus paralyzed, we can only file the idea away in a safe and pray fervently that the same invention will not occur to scientists on the other side of the Iron Curtain. Unfortunately, there is a well-recognized and frequently experienced phenomenon known as simultaneous invention. It may operate against us.

If the discovery—the breakthrough—is made on the other side of the Iron Curtain, is there anything upon which to base an estimate of the situation? Would the Soviets, in that circumstance, or other circumstances favorable to them, clandestinely breach the treaty?

On page 186 of the hearings before the Committee on Foreign Relations, the Senator from Georgia [Mr. RUSSELL] made the following statement:

DETECTING TESTS AT DIFFERENT ALTITUDES

Senator RUSSELL. Mr. Chairman, I only have one or two questions that I did not get to this morning. I hope they were not covered in my absence. If they were, Mr. Secretary, I hope you will tell me if the answers are in the record.

On page 19 of your statement, in dealing with the subject of atmospheric tests, you said: "In the upper atmosphere—say above 6 miles [to 20 miles] high—the principal purpose of clandestine tests would be for determining weapons effects."

Is there any difference in the ability to test in that area, from 6 to 20 miles, than on the surface of the earth, and still higher in the atmosphere

Secretary MCNAMARA. Yes, sir; there is a difference—not in the ability to test—because none of the parties are allowed to test there, but there is a difference in the ability to detect and identify clandestine tests. It is more difficult to detect and identify tests in certain bands of the atmosphere, particularly in this band I am discussing—say roughly from 6 to 20 miles, than it is to detect tests in the low atmosphere.

Senator RUSSELL. Of course, tests below the 6 miles I suppose you can detect through debris rather easily. That is our principal method of detecting them.

Secretary MCNAMARA. There are a series of methods used for that purpose. Perhaps Dr. Brown could speak of them very briefly.

Senator RUSSELL. Very well.

Dr. BROWN. The techniques that I think are of most interest in this regard are the acoustical signal, the electromagnetic signal, which is like a lightning flash essentially, and the debris. All of them are applicable below 6 miles.

In the band from 6 to about 20 miles, the electromagnetic signal is suppressed somewhat, and therefore you do not have as many techniques, and therefore it is somewhat more difficult. Debris sampling is also harder to do, but it is not impossible. So that even for tests at, say, 10 or 15 miles, there is some chance of being able to detect debris. But it is a smaller chance. And that is why this region is of particular concern.

On page 274 of the hearings General Taylor referred to the risks and disadvantages in the treaty, and the fact that the disadvantages will be aggravated by illicit testing. He said:

Such disadvantage as might accrue to the United States under conditions of honest fulfillment of treaty conditions would be further aggravated if the Soviets successfully tested by illicit explosions in the atmosphere, underwater, or in outer space.

On page 282 of the hearings before the Committee on Foreign Relations, the Senator from Georgia [Mr. RUSSELL]

asked the following question of General Taylor:

PRESENT DETECTION SYSTEM NOT ADEQUATE

Senator RUSSELL. General, one of the very important elements involved is the art of detection by various methods of explosions. Are you satisfied with the devices that we have at the present time?

General TAYLOR. No, sir. As indicated among the four safeguards, one of the areas where the Joint Chiefs feel additional effort should be expended is in improving our detection devices, and a review of our program is being conducted at the present time.

On page 324 of the hearings before the Committee on Foreign Relations, the Senator from Ohio [Mr. LAUSCHE] and General Taylor engaged in this colloquy:

RISK OF CLANDESTINE TESTING

Senator LAUSCHE. You are also of the opinion that by clandestine tests, Russia could technologically aggravate these disadvantages under which we will be laboring in the event the treaty is adopted.

General TAYLOR. That is correct. We would say they can do a certain amount of clandestine testing if they want to and if they are prudent enough to hold down the level, thereby they can make some gain——

On page 330 of the hearings conducted by the Senate Committee on Foreign Relations Senator YOUNG asked a question of General Taylor regarding detection devices:

Senator YOUNG. And do you feel, General, that 2 years from now or a year from now, our detection devices probably will be more accurate?

General TAYLOR. I am not an expert in the field. I doubt that we could do it quite that fast. But certainly in a few years we can do distinctly better.

On page 331 the following appears:

General TAYLOR. Well, I don't dispute the logic of what you say, Senator. I don't think we military individuals can afford to assume anything other than the worst in this particular field, and we did take our position on the treaty with the assumption that the Soviets would attempt clandestine testing of some sort.

The CHAIRMAN. Do you mean very minor, small tests which would be difficult to detect?

General TAYLOR. Yes, sir. I would think the temptations would be in the atmospheric tests of small weapons, small tactical weapons, for example, or small tests which could be extrapolated to apply to the antimissile missiles. That would be the tempting area.

The CHAIRMAN. So small it would be very difficult to detect. Is that what you mean?

General TAYLOR. That is right.

The CHAIRMAN. But it is in this field that you feel we are very well prepared ourselves, is it not?

General TAYLOR. Well, it is in this field where I don't think the gains that might come from this kind of testing would have any great bearing upon our relative position.

On page 395 of the hearings before the Committee on Foreign Relations, the Senator from California [Mr. KUCHEL] asked the following question of General LeMay:

EFFECTIVENESS OF DETECTION METHODS

Senator KUCHEL. General, just in lay terms, is our detection system with respect to atmospheric nuclear explosions sufficiently efficient so that we would know if there were an attempted clandestine breach by the Soviet Union?

General LEMAY. The answer to that has to be "No," because I don't think we can detect every explosion that they may attempt in the atmosphere any place in the world.

Now, we have some figures; I am sure you are familiar with them as well as I am, but we cannot guarantee to detect every explosion; no, sir.

On pages 418 and 419, Dr. Teller said the following:

Most of us believed and the U.S. intelligence firmly and unequivocally predicted, that the Russians will not have a nuclear explosion for many years.

The first Russian test in 1949 was a complete surprise. Some of us got worried. I got very worried about the next surprise that might be in store for us, and we started out on the next step which the majority of the scientists said could not be done, the thermonuclear explosion.

You know that within a short time that succeeded, with an effect almost a thousand times as great as the first explosion, and that, in turn, was followed within a few months with the Russians producing something that looked very much like a thermonuclear explosion.

Again, in contradiction to all expectations, to all predictions, to the explicit statements of the intelligence community.

On page 448 Dr. Teller, with reference to illegal and clandestine testing in space as not being a reasonable proposition for the Soviet Union, and as being something that we can protect ourselves against, said as follows:

Dr. TELLER. I believe that this reflects the Secretary's great reliance on intelligence. I hope he is right. I fear he may not be.

Senator MUNDT, on page 241 of the hearings, asked questions of Dr. Seaborg concerning the detectability of an underwater test:

DETECTABILITY OF AN UNDERWATER TEST

Senator MUNDT. Let me ask you a specific question in this field of detection. Several people who have made a lifetime study of geopolitics are concerned about the fact that while underwater testing in the interior waters of Russia in a lake as vast as Lake Baikal—which is so deep that you could use it for submarines and so vast that it is virtually an interior ocean—is barred by the treaty. Do we presently have the means of detection so that we could find out if they violate the treaty in this area by underwater tests, 3,000 or 4,000 feet under the surface of the water, in Lake Baikal in the interior of Russia?

Dr. SEABORG. No. We don't have the means of detecting such a test by instrumentation, by the methods of detecting nuclear tests through physical means.

Senator MUNDT. Does this mean that we simply have to rely on the unsupported veracity and word of the Russians that they are fulfilling their treaty in this area. We are told by Secretary Rusk that it is intended that the treaty prohibit underwater tests of that nature in Lake Baikal.

Dr. SEABORG. Well, I think that more important than that is that we don't see any great gain that they could make by making such a test or tests and that the hazards to the Soviets themselves are considerable in contaminating the inland waters, and so forth.

I think that I would be motivated more by that consideration, that it would be the sort of test that wouldn't bother me very much, that there isn't a great deal that they could learn there that would be of concern to us so far as our national security is concerned.

Senator MUNDT. The fact that underwater tests are prohibited by the treaty would imply to me that they must have some value to somebody or they wouldn't be prohibited.

Dr. SEABORG. Yes, they do, but the value is an order of magnitude less than the value, much, much less than the value of atmospheric tests.

Senator MUNDT. They do have some value.

Dr. SEABORG. They have some value, yes, very specific value, though, namely, the effect of the nuclear explosion on a ship or a submarine.

I think it is apparent, Mr. President, that, although we hope for compliance, we cannot discount the probability that the Soviet Union will violate the treaty. The frustrating problem which will confront us, in this regard, will be that of detecting and verifying the violation.

3. THERE IS DANGER OF SURPRISE ABROGATION BY THE SOVIETS

The fact that the Soviets brazenly broke the moratorium in 1961 demonstrates more than the fact that they have no regard for public opinion. It also warns us of another method in addition to clandestine testing by which the Soviets can use this treaty to get ahead of us. I refer, as I have already indicated, to surprise abrogation. On August 30, 1961, while the United States was offering various concessions at the Geneva Conference to get the Soviet Union to agree to a ban on all nuclear tests, the Soviet Government simply issued a statement announcing that it was going to resume tests, and 2 days later, it conducted the first of a long, extremely well-planned, highly advantageous test series. This ended a 3-year uninspected moratorium which the United States had unwisely observed in the futile hope that it would encourage the Soviet Union to accept an adequate inspection system. Almost 8 months passed, following the Soviet abrogation, before the United States was able to resume atmospheric testing.

Just before the announcement that the United States would resume atmospheric tests, William C. Foster, Director of the U.S. Arms Control and Disarmament Agency, pointed out the tremendous advantages which were reaped by the Soviet Union in its surprise resumption of tests in 1961. He wrote in a letter to the editor of the Washington Post on February 9, 1962:

While the details would not be appropriate in this letter, it has become clear only in the last month that the Soviets achieved some substantial gains in their test series of last summer and fall. One more such advantage—that is, another long and intensive series, after a period of no testing on either side during which they extrapolated the results of these tests and, on that basis, secretly prepared for new tests—might actually give them a superiority in the antimissile or other strategic areas which their military interests would find hard not to exploit.

This treaty lays the groundwork for the exact same thing to happen again. After the Soviet Union has analyzed all its data from past tests and laid careful plans for a new series, after our guard has been let down and our efforts have relaxed, after the American scientists have performed all the work they can in

the laboratories and through underground tests and have been stymied by the inability to conduct further tests, the Soviets will simply one day resume testing, leaving the United States far behind. It would not be out of character for them to ignore the 3-month withdrawal clause, because observance of the clause would give us an opportunity to prepare for a test resumption too.

The administration has contended that it will protect the Nation against the danger of surprise abrogation by keeping its scientists active in the laboratories and active in an underground testing program, and by maintaining a high state of readiness to conduct tests in the atmosphere at any time. I question whether we will be able to maintain such preparations indefinitely, no matter how good our intentions, especially after the treaty has gone on a few months or years and the Communists have succeeded in getting us to lower our guard.

Only a year and a half ago, on March 2, 1962, when President Kennedy announced that the United States also would resume atmospheric testing, he pointed out the difficulties of keeping scientists in a free society working on a test series which might never be conducted. He told a radio and television audience:

We know enough now about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium. Some may urge us to try it again, keeping our preparations to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future. Nor can large technical laboratories be kept fully alert on a standby basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly and found it impossible of execution.

Although the President was speaking of an uninspected moratorium on all tests, the same argument applies today to the uninspected treaty which awaits our decision, unless the American people are determined, and remain determined, not to relax in the effort to be prepared for any eventuality.

We should also know by this time that an intelligence community which was unable to detect in time the conduct of preparations, by the Russians, during the moratorium, for a resumption of atmospheric testing, and which was unable to detect the shipment of offensive weapons to Cuba until virtually the last minute, cannot be depended upon to detect Soviet activities in anticipation of a planned abrogation of this treaty.

With reference to the possibility of planned abrogation, I refer to Dr. Seaborg's statement, as shown on page 208 of the test ban treaty hearings:

We must always remain alert to the fact that one side may try to acquire a superior advantage through violation or abrogation of the treaty. The effect of such an action on the other parties is decidedly less where underground testing is permitted and where an active program of worldwide nuclear test detection is continued.

It does not seem possible to be forewarned against a surprise abrogation. Even if the 3 months' notice period for any country planning to withdraw is given, it would possibly have been accompanied by an earlier period of preparation.

General Taylor, as shown on page 274 of the hearings, referred to the possibility of an abrupt abrogation:

The Joint Chiefs of Staff believe that the withdrawal provision requiring 90 days' notice following a unilateral U.S. decision provides a satisfactory means of escape in case we believe our national interest is being threatened. They are impressed, however, by the possibility of an abrupt abrogation by the Soviets, followed by a comprehensive series of atmospheric tests.

As appears on page 319, General Taylor further commented on the possibility of an abrupt abrogation by the Soviets:

I doubt we will ever be sure that we can detect the preparations and not be surprised. We can hedge our stake, so to speak, by improving our own reaction time. But beyond that I would say it is impossible in my judgment to upset the relative balance of power quickly, as a result of something of this sort.

General LeMay, on page 375, said this:

(The Russians) have already said they would abrogate the treaty if—at any time they thought it was necessary. And I firmly believe that they were conducting tests during the moratorium that we had. And I certainly have no faith that they will keep their word in this one if they feel it is to their advantage to do otherwise.

Secretary McNamara, on page 130, said this:

It has led to the conclusion I just gave that they will not adhere to any treaty when they think it is contrary to their interest to continue to adhere to it. It is for that reason, among others, that I believe we must be prepared for surprise abrogation of the treaty by the Soviets.

At page 140, Secretary McNamara referred again to the likelihood of a Soviet abrogation:

First, I think we must be prepared for surprise abrogation by the Soviets. As I testified, I don't believe they will adhere to this treaty one moment longer than they think it is in their interest to adhere to it, and I can't predict how long that will be. So, we must be prepared for surprise abrogation.

Admiral Strauss, as appears on page 674 of the hearings, had this to say about the planned abrogation of the voluntary moratorium:

A distinguished scientist, who was a principal adviser to our negotiating team in Geneva, published an essay in August 1960. This is a quotation from it: "I had the doubtful honor of presenting the theory of the big hole to the Russians in Geneva in November 1959."

May I interrupt there to say that the reference to the big hole is a method for reducing the seismic signal of an underground explosion by decoupling. I continue with the balance of the quotation:

"I felt deeply embarrassed in so doing, because it implied that we considered the Russians capable of cheating on a massive scale. I think that they would have been quite justified if they had considered this an insult and had walked out of the negotiations in disgust."

The Russian scientists for whose sensitivity our scientist had so admirable a regard were not so thin-skinned. At that very time they must have been engaged in the massive preparations for cheating on a massive scale. In barely 12 months after the article appeared, they staged a series of tests which, for length, and number, and size of weapons, astonished the neutral and free world, and I might interpolate here parenthetically that we might not forget that the Soviets got not so much as a slap on the wrist from the congress of neutral nations in whose very faces, as it were, this series had been exploded.

This "contemptuous breach of faith," to use the President's appropriate adjective, seems already forgotten by many Americans. It took place 2 years ago, but we can shorten the focus in point of time.

On page 420 of the hearings, Dr. Edward Teller alluded to the surprise abrogation of the moratorium and to the test results which followed:

RUSSIAN TESTS RESUMED—1961

In the summer of 1961 the Russians resumed testing, in the late summer.

We know now that this test series was by far the most powerful, we have reason to believe that it was the most powerful in the whole history of Russian preparations, and it was the most plentiful, the most repetitious, the most solid ever carried out by any nation.

I don't think that any expert will disagree with me when I say that this test series had to be prepared for many months in advance, and that the preparations had to be expensive, widespread, and should have been open to intelligence information. It is possible, I would even say that it is probable that the planning of this abrogation took a time longer than a year.

Yet on the day before Khrushchev made his announcement our Government still did not know that a test series was impending.

Here is another surprise, another failure of us to predict what the future will bring and what the Russians intend to do.

RUSSIAN ADVANCES—RESULT OF TESTING

As a result of this test series the Russians made a big explosion. For one I can tell you this was no surprise. I wish I could talk about it more. It is interesting, it is slightly relevant, it is classified, but the Russians did have a surprise in store for us, and that surprise was their announcement and evidence supporting that announcement that they did make great strides toward missile defense.

In 1961, and in the similarly impressive test series in 1962, the Russians had every chance in the world to make the observations in the atmosphere which are the firm basis of any plan for an effective or halfway effective missile defense, and I am saying halfway effective in the most serious way.

As to the amount of time that would be lost, in the event of a surprise abrogation by the Soviets, before we could proceed with atmospheric testing, Secretary McNamara elucidates, on page 157 of the test ban treaty hearings, as follows:

Secretary McNamara. I will give you some rough approximations. I think they are sufficiently accurate to answer your questions.

I think we could test within approximately, or could carry out within approximately 2 months, proof tests. By proof tests, I mean tests of previously developed weapons.

I think we could test within approximately 1 month thereafter—that is, a total of 30 days—technical developments. I think we could carry out within approximately 3 months thereafter—that is, a total of 6 months, could carry out within that, extensive effects tests.

Now, this latter answer applies from a period 12 months from now and thereafter—this because whether we have a test ban

treaty or don't have a test ban treaty, an extensive period of time is required to prepare for complex effects tests.

Mr. President, if past actions of the Russians have any meaning whatsoever, this treaty is made to be breached, and I believe that it will be breached. There should be no doubt that its abrogation, which even the proponents generally anticipate, will be to our disadvantage militarily and possibly, politically.

4. THE TREATY WILL RESULT IN EUPHORIA IN THE WEST

Mr. President, with reference to my fourth point, that the treaty will result in euphoria in the West, may I say that the danger of euphoria has been alluded to by both friend and foe of the treaty. Secretary of Defense McNamara stated this fear as follows:

Perhaps the most serious risk of this treaty is the risk of euphoria. We must guard against a condition of mind which allows us to become lax in our defenses.

The Joint Chiefs of Staff, in their position paper, presented during the hearings, echoed this fear:

The most serious reservations of the Joint Chiefs of Staff with regard to the treaty are more directly linked with the fear of a euphoria in the West which will eventually reduce our vigilance and the willingness of our country and of our allies to expand continued effort on our collective security. If we ratify this treaty, we must conduct a vigorous underground testing program and be ready on short notice to resume atmospheric testing. We should strengthen our detection capabilities and maintain modern nuclear laboratory facilities and programs. Finally, we must not for a moment forget that militant communism remains committed to the destruction of our society.

Adm. George W. Anderson, U.S. Navy, retired, referred to "a public opinion which must not for any reason be lulled into an attitude of false security or complacency."

All scientific and military personnel, whether proponents or opponents of the treaty, urged that every precaution be taken to carry out underground testing aggressively, maintain the necessary capability of our laboratories, and sustain a high state of readiness to resume atmospheric testing in the event of abrogation, all of which precautions may be victimized if our people become complacent and let down their guard.

Dr. John S. Foster, Jr., said:

People and skills cannot be stored for future use. In science just as in other specialties one must practice continually to be effective. Ultimately the present generation of weapons technologists must be replaced by younger scientists who, through experiments and theoretical studies, will also develop the required skills * * *. Without atmospheric tests, however, I doubt that we can develop and maintain the requisite skill in the important area of the effects of nuclear weapons. Even our theoretical effort in this area is likely to deterioriate without the incentive of meaningful experiments.

Secretary Rusk, as shown on page 30 of the test ban treaty hearings, referred to his fear of euphoria in this manner:

Quite frankly we here are concerned, we and the free world are concerned, that this treaty not itself lead to the kind of euphoria we cannot afford in the present situation.

Secretary McNamara, on page 109 of the hearings, displayed a similar concern regarding euphoria:

Perhaps the most serious risk of this treaty is the risk of euphoria. We must guard against a condition of mind which allows us to become lax in our defenses. This agreement is a product of Western strength—of the military buildup which I described to you earlier. Further progress in arms control arrangements with the Soviet Union—progress which we all want to make—depends critically on the maintenance of that strength.

Then, as appears on page 124, Secretary McNamara reiterated his concern:

I want to mention again, however, the point I raised in the latter part of my statement when I emphasized the danger of relaxation of our security measures, the danger of euphoria, the danger that could easily lead to a reduction in military budget, and a reduction in our military strength—actions which I think at this time are quite undesirable.

Dr. Seaborg added his comment, as appears on page 208 of the hearings:

Public recognition of the need for strong laboratories and of the contributions made by the scientists is necessary.

At page 273, General Taylor's warning regarding euphoria was voiced by him as follows:

Finally, they believed that account must be taken of the dangers of any relaxed military effort by the United States and our allies; hence, that ratification of the treaty should be accompanied by evidence of a clear intent to maintain and improve the military posture of the West.

At page 275, General Taylor elaborated further regarding euphoria:

The most serious reservations of the Joint Chiefs of Staff with regard to the treaty are more directly linked with the fear of a euphoria in the West which will eventually reduce our vigilance and the willingness of our country and of our allies to expand continued effort on our collective security.

General Taylor, at page 276 of the hearings, continued, with reference to euphoria:

I think it may be a serious problem, Mr. Chairman. Certainly I am encouraged by the statement of the leaders of our Government at this time as to their determination to effect the safeguards that have been mentioned in my statement. As the years go by, however, I think we may lose sight of the fact that the Communist bloc has not changed its overall objective.

General LeMay, at page 379, referring to euphoria said:

Well, we feel if we follow these courses that we recommend that we can reduce the risk to an acceptable proportion.

But I am frank to admit that I do worry, considering my experience in this field, that we may get complacent and drop our safeguards programs down to a level that I would consider insufficient.

At page 403, General LeMay said:

Well, certainly this isn't beyond the realm of possibility.

He was referring to euphoria.

I think it is probably well known by Khrushchev as well as all the rest of us that we have a tendency to become complacent from time to time. And let down our guard. We have done that many times in the past. Whereas they—

The Russians—

Whereas they can control things like that [deleted].

This could be a deliberately planned program in that regard, to get us to drop our guard down and this is one of the things that the Chiefs have worried about, that we will get such a treaty and then become complacent about it and not maintain the necessary safeguards.

Mr. President, the candidly expressed fears of the witnesses whose statements I have just quoted may materialize, to our country's disadvantage, in the course of future events.

Eternal vigilance on the part of the Congress, the executive branch, and the people will indeed be the price if we are to retain our cherished liberty. The same vigilance will be required by the other Western Powers, because, if we ratify this treaty, there is cause to fear that the underlying sense of urgency which led to the creation of NATO and which sustains NATO today may suffer a gradual erosion which will lead to the final collapse of Western unity and the Western will to resist.

Of course, the Soviets may, for reasons unknown to us at the moment, live up to the provisions of this treaty, at least for a while, just as they faithfully observed their nonaggression pacts with Latvia, Lithuania, and Estonia for a while before committing acts of aggression against those countries. But we shall have to be all the more on our guard, lest we be enticed, by virtue of their doing so, to begin the descent into the maelstrom of, in effect, unilateral disarmament.

5. MILITARY SUPERIORITY WILL SHIFT TO THE SOVIETS

It is not a groundless fear that the treaty constitutes a risk to the continued military superiority of the United States. The following reasons are stated to substantiate this apprehension:

First. The United States will be unable to overcome Russia's lead in high-yield weapons.

Second. The door would be closed to a further identification of problems of which we may be entirely unaware at this time.

Third. We would be unable to proof test our weapons systems.

Fourth. We would be prohibited from acquiring information concerning weapons effects upon weapons systems.

A. THE UNITED STATES WILL BE UNABLE TO OVERCOME RUSSIA'S LEAD IN HIGH-YIELD WEAPONS

We have been told by expert witnesses during the hearings that the U.S. weapons laboratories are capable of developing and stockpiling weapons with yields greater than 50 megatons without further atmospheric experimentation. It goes without saying, however, that we would not be able to test such weapons, and "their weight and size would be incompatible with any existing or programed missile delivery vehicle." I think that military opinion, generally, in this country has heretofore ruled out the necessity of a weapon of this size. It is worth noting, however, that unanimity does not exist on this matter, and that it is undergoing a reevaluation.

Gen. Curtis LeMay, on page 350 of the hearings, answered the question as to whether he sees any military need for a 50- or 75-megaton bomb:

Yes, sir; I do. The Joint Chiefs have already recommended we go ahead with the development work on a large-yield bomb.

General LeMay was then asked the question: Is this a new policy?

He answered by saying:

It is not new as far as I am concerned. I asked for, the Air Force asked for, a high-yield bomb as early as 1954.

General LeMay then went on to indicate that his reference to "a high-yield bomb" meant "over 50 megatons."

General Power, commander of the Strategic Air Command, expressed a similar need for a big bomb:

In the field of high yield weaponry, I feel that the Soviet Union now has a technical lead as a result of their tests in 1961 and 1962. They have a lead in their weight-to-yield ratio in the big bomb categories, and I feel that we should overcome that lead. You can only do this through testing in the atmosphere in my opinion.

* * * * *

However, again as we discussed earlier, if we are going to build such a weapon and put it in our arsenal, I would like to test it. I would like to know that I can depend on it from an actual test rather than on the basis of a theory or an extrapolation. I think the stakes are much too serious to deal with theoretical information. I think what we need are cold hard facts.

In answer to a question as to whether or not, as time goes on, the requirement for high-yield weapons goes up, General Power replied thusly:

It could. One of the things about strategic war planning is that you have to have flexibility. You cannot predict what something is going to be 4 or 5 years from now. You must be able to react to any situation. You must have the full spectrum of tactics covered and the full spectrum of weapons because ours is the role of retaliation, the most difficult role.

General Power, therefore, indicated the necessity of our having a flexibility of choice so that we might be prepared to deal with all foreseeable moves that an enemy nation might make.

B. THE DOOR WOULD BE CLOSED TO A FURTHER IDENTIFICATION OF PROBLEMS OF WHICH WE MAY BE ENTIRELY UNAWARE AT THIS TIME

Aside from the problems which we see inherent in this test ban, there are undoubtedly problems which will not come to our attention except through atmospheric testing. The Russians, in their very comprehensive atmospheric tests following the moratorium, may have identified such problems and may have acquired information, which we do not possess, leading to the solution of those problems, all of which could enable them to make a vital breakthrough in nuclear technology that would wrest superiority from us. Dr. John S. Foster, Jr., touched upon this during his testimony:

In being specific we can deal only with those problems which have already been identified. Of equal concern to me in the long run are those problems which have not yet been identified and that will surely arise in the future. The way in which the test ban would affect our relative ability to solve these future problems is impossible to anticipate. The best we can do is to extrapolate on the basis of our experience, to examine what we have felt was essential in the past. * * * Moreover, we have to reckon with the fact that in an expanding technology, vigorously pursued, there frequently result abrupt increases in scientific knowledge—rapidly reflected in military capability—which could upset the balance of power. * * * The proposed treaty would limit not only our knowledge of the actual state of Soviet military development, but would also restrict our knowledge of what may even be technically possible. Specifically, this requires that the United States explore vigorously all areas of technology critical to our security. Failure to do this would add to the uncertainties concerning our relative strength, and force us to choose between either an increase in risk to our security or a further increase in our level of armament.

General Power, in referring to Russia's comprehensive test program following the moratorium, had this to say:

And it was a very comprehensive test program. The magnitude of it showed their interest in these weapons.

To me that was very significant, not the fact they had tests but the magnitude of these tests. It didn't indicate that this was information in which they were only slightly interested.

They must have attached vital importance to it in order to have a test program of this magnitude.

In answer to a question as to whether the United States accomplished as much "in proportion" during our atmospheric tests as did the Russians in the course of their tests following the moratorium, General Power answered in this manner:

No, I don't agree with that statement. We discovered things, but one of the most important things I think we discovered is the great void in our knowledge.

Admiral Anderson expressed the same fear in this way:

I think that it is also prudent to caution that we do not know the precise extent to which the U.S.S.R. can advance in nuclear technology and in augmenting its overall nuclear capability as a result of the most recent series of tests conducted by them. * * * Further, with respect to the military aspects, I would caution against any suggestion that nuclear technology will remain static; that prevailing offensive or defensive balance of forces cannot change; or that nuclear parity with the U.S.S.R. could be acceptable in the security interests of the United States.

C. WE WOULD BE UNABLE TO PROOF TEST OUR WEAPONS SYSTEMS

Grave fears were expressed during the hearings with reference to our inability, under the treaty, to proof test our nuclear weapons. Dr. Foster's statement is an illustration:

Perhaps the starkest of these other worries is that we will not be able to proof test our weapons systems. Missile systems for offense or defense are extremely complex, yet must function not only under the ideal laboratory conditions in which they are usually tested, but also under the most adverse conditions—those of nuclear war. I know of simpler systems which have not performed as expected—or which have actually failed—when proof tested in environments which are far better understood than that of a hostile nuclear situation. Technical people have had this experience not once but many times. That the exact nuclear environment for missiles, missile sites, and reentry vehicles probably cannot be completely duplicated even without treaty restrictions is not an argument for no-atmospheric tests whatever. We can obtain a much better understanding of the situation with nuclear experiments in the atmosphere than without them.

Admiral Strauss, at page 672 of the test ban treaty hearings, expressed the need for testing in this way:

TESTING FOR COMPATIBILITY OF WARHEADS TO SYSTEMS

There are, as you know, other purposes in testing besides the specialization and the improvement of weapons. We test to be sure that the weapon and its carrier—originally only the manned bomber and now also the missile—will function together as a dependable system. Even if weapon development should be frozen in its present state, there is no warranty for assuming that the carrier of the weapon may not be, and most probably will be, as revolutionary in the future as the guided missile and the Polaris submarine are today by comparison with the state of military art only 10 short years ago when neither of these existed.

When these new devices are invented, they can only be dependably mated to the weapon by testing. Their theoretical compatibility with the weapon will be too uncertain to rely upon.

General Power alluded again and again to the necessity of proof testing our weapons:

I have some * * * different types of nuclear weapons in the Strategic Air Command arsenal. None of them have been tested operationally from stockpile to detonation. I think this is a mistake. I think they should be tested.

The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. * * * The point I am making is that, unless you test the very thing that is in your arsenal, you are never certain, and the stakes are so high I feel we must be certain.

* * * * *

We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs.

* * * * *

A certain amount of information can be arrived at in underground testing. * * * But you never know until you actually test in the environment full scale whether or not you have solved the problem. Maybe you have oversolved it and pay too heavy a penalty. The sensible way to do it is to test it in the nuclear environment.

* * * * *

But with the RV coming back into the atmosphere, it depends whether you attack it outside of the atmosphere, you have a different heating problem. As soon as the RV enters the atmosphere, it is being subjected to additional terrific heat. Now if you add pressure under those conditions, what happens? And the only way you can really test it is in the real environment.

General Power further referred to testing as necessary "in order to get a higher confidence factor that you have a valid war plan for one thing, and that you have a credible military capability, and that you can react under all of the various conditions that you are faced with in retaliation, and not only that, but also that you can convince any potential aggressors that you have all this.

So it must be a proven capability. You can see the danger when you are speculating on a quality. You might think you have it. He might think you don't have it."

Now we are talking about deterrence, and in deterrence it is not so much what we think of our capability. The important thing is what does the Soviet Union think of our capability, and that is an unknown.

D. WE WOULD BE PROHIBITED FROM ACQUIRING INFORMATION CONCERNING WEAPONS EFFECTS UPON WEAPONS SYSTEMS

Mr. President, the fact that this Nation has had military superiority has prevented the Soviet Union from overrunning the countries of Eastern Europe, the Middle East, and Africa, and has resulted in a world free from nuclear warfare. Our military superiority has underwritten and assured our own national security. I think the reason we have not had war with the Soviet Union is remarkably simple: we have had overwhelming superiority. And if any idea of attacking this Nation has been considered by anyone, the idea had to be rejected because of its ridiculousness. I believe that this is a sound position which we should continue to maintain, because I believe that our way of life is worth it and that our economy will sustain it.

Recently, we have been switching the emphasis, as far as our striking power is concerned, from the manned bomber to the ballistic missile. This means that our deterrent posture is going to rely more and more upon our missile system.

As stated by General Power, "In 1959 we had better than 2,000 bombers in the Strategic Air Command, and 10 years later, in 1968, we will have some 700," according to present programs. In the meantime, we will have added greatly to our ballistic missile complex. In other words, we are phasing out our manned bomber program and are replacing it with missile delivery systems. This means, then, that our missile system will become, more and more, the security lifeline of this Nation and the free world. It follows, therefore, that nothing must be allowed to eventuate which would neutralize the effectiveness of our missile delivery systems or permit the enemy to better penetrate our own defenses. Such an event would shift military superiority to the Soviet Union, and with it would go the deterrent which has heretofore guaranteed the security of America and the free world against attack.

It is my fear that the proposed treaty, if ratified—as I am sure it will be—will be the instrument through which and by virtue of which such an event will materialize. Why do I say this?

At the advent of the voluntary moratorium in 1958, this country had unquestioned superiority in nuclear weapons technology. Because the United States faithfully observed the moratorium, we conducted no atmospheric tests between October 30, 1958, and April 25, 1962—a period of 3½ years. The Soviet Union broke the moratorium by resuming nuclear tests in the atmosphere on September 1, 1961, having announced its intention to resume such tests only 2 days before, on August 30.

The caliber of tests conducted by the Russians following the moratorium was such as to necessitate elaborate preparations extending over a long period of time prior to the resumption of the tests. Well-informed witnesses have testified that at least 1½ years were required to propare for the high-altitude tests alone; and there are highly informed persons who estimate that the Soviets carried on their preparations, for the entire series of tests, from the very beginning of the 34-month moratorium. We, therefore, were not only unable to detect the activity, on the part of the Russians, in preparing for a resumption of the tests; but by our having observed the moratorium and, thereby, having failed to make preparations to resume nuclear tests, we were unable to conduct an atmospheric explosion of a nuclear device before April 25, 1962—almost 8 months after the Russians had resumed atmospheric testing. Our preparation for a resumption of atmospheric tests was therefore a hasty one; and our subsequent tests were not as comprehensive or successful as were those of the Russians. In other words, the Soviet Union, by deliberately planning to resume tests and by conducting preparations throughout the period of moratorium, as some think, was able not only to get the jump on us, by a period of 8 months, in the resumption of atmospheric tests, but also was able to conduct a much more elaborate, comprehensive, and productive series.

General LeMay, in referring to our possible loss of ground within the last 2 years, more specifically because of the preparations conducted by the Soviets during the voluntary moratorium and their planned and surprise abrogation of that moratorium, said—as shown on pages 363 and 364 of the hearings:

General LEMAY. We have already lost, I think, in some aspects, the lead that we had at the end of the war. We certainly had a tremendous lead then. We have lost that to some extent, because particularly in the last couple of years the Russians have conducted a very vigorous nuclear program. Ours has not been of that magnitude. So we, in effect, have allowed the Russians to catch up in some fields and perhaps even surpass us in some.

What we want to do is reverse this trend, at least to hold our own, and forge ahead if at all possible.

Senator JACKSON. Is it not true that they made this big gain because they were able to use the element of surprise in abrogating, without warning, the moratorium?

General LEMAY. I think this is a fair statement, yes, sir; that during the moratorium we were not preparing an enormous test program. The Russians, I think, were. And when they suddenly abrogated the moratorium and launched the test program they made very rapid progress.

On October 30, 1961, exactly 2 months after the Soviets had announced plans to resume nuclear testing, they detonated a 50-megaton to 60-megaton device. As late as August 5, 1962, the Soviet Union detonated in the atmosphere a nuclear device in the order of magnitude of 30 megatons. This was the first of some 40 tests continuing to December 25, 1962. The last atmospheric detonation by the United States was on November 4, 1962. Subsequent underground tests were, however, conducted by the United States. As recently as June 30 of this year, the Atomic Energy Commission reported evidence of events in the Soviet Union in recent weeks which may be nuclear tests of very low yields. Incidentally, our inability to know with certainty whether these detected events arose from nuclear explosions is an example of the kind of uncertainties which may well face the decisionmaking elements of our Government under the proposed treaty.

On July 2, Mr. Khrushchev, in a speech in East Berlin, agreed to negotiate on a nuclear test ban treaty limited to the atmosphere, outer space, and underwater. The commencement of negotiations on such a treaty began on July 15, 1963.

It is my fear, Mr. President, that the Soviet Union, during its elaborately planned, comprehensive postmoratorium tests, was able to acquire information concerning weapons effects which we have not been able to acquire because of our failure to explode a nuclear device in the order of magnitude of the Soviet nuclear explosions.

Mr. RUSSELL. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. SIMPSON in the chair). Does the Senator from West Virginia yield to the Senator from Georgia?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. RUSSELL. I do not like to interrupt the very able and well-documented discourse of the Senator from West Virginia. I regret that I have not been able to be in the Chamber during all the time he has been speaking; but I have heard as much of his speech as I possibly could.

Does not the Senator believe that our obsession with our world image has something to do with the fact that we have fallen behind in some kinds of tests? As soon as other nations protest, we cut back the size of our tests, or abandon them altogether. We seem to believe that we cannot exist unless we strive ceaselessly, day and night, to create the proper kind of world image.

Of course we want people to like us. I wish all would admire us; I should like to see all the nations of the world emulate us; but I believe there is danger in carrying this policy too far.

Their world image has never disturbed the Russians. They were preparing to test for the high-yield warhead. As it turned out, I believe our scientists estimated that it was one of 60 megatons; but after it was actually tested, it was found that if it had had a different kind of jacket it would have been a 100-megaton bomb.

Even the United Nations overwhelmingly passed, as I recall, a resolution—although I do not recall the exact vote.

Mr. BYRD of West Virginia. It was passed by a vote of 87 to 11.

Mr. RUSSELL. Yes, 87 to 11—or 8 to 1. The United Nations passed that resolution; but it had no more effect on Russia's conducting of that test than if

some person confined to a mental institution had written a letter to Mr. Khrushchev. He did not pay the slightest particle of attention to the resolution; instead, he proceeded with the tests.

How has that hurt the Russians? Instead, when they do such things, they seem only to increase our desire to appease them, to accord them every consideration in connection with treaties, and to abandon elementary safeguards for our Nation's security.

I have been disturbed about the overweening and compelling desire to yield almost everything to the world image. We hear about it here on the Senate floor. In the course of the speeches during this debate, very few Senators who have spoken in favor of approval of the treaty, have failed to state that a very poor impression of the United States would be created if we did not immediately advise and consent to ratification of the treaty. However, I believe that sometimes our willingness to lean over backward in our attempts to please everyone is mistaken for weakness.

If we would pursue a firmer policy, not only with respect to the Soviet Union and the Communist world in general, but also in protecting our interests throughout the entire world, I believe we would fare better than we do by sitting down, and holding our hands, or holding our heads, and being distressed almost to death about the kind of world image we are creating. It is a form of narcissism; we are so worried about looking "pretty" to the world that we abandon almost everything else, and give ourselves up to idolatry of the world image and to attempts to create the right kind of world image.

Of course, the world image has its place, and we must respect world opinion. So we try to make friends. Heaven knows that we have been generous enough in our efforts to make friends throughout the world. We have spent more than $100,000 million; we have given it away here, there, and everywhere. On the other hand, the Russians, who have made a few loans and some minor grants, apparently have fared about as well as we have. Certainly they have fared as well by looking after their own self-interest, when they thought it was involved, as we have by abandoning our own self-interest, at times, when we thought we would thus create the proper world image.

Mr. BYRD of West Virginia. Mr. President, I thank the senior Senator from Georgia for his very pertinent statement concerning the anticipated effects which our rejection of the treaty would have upon world opinion, and also concerning the fact that this is a factor which evidently has carried great weight with many Senators in reaching their decision to support the treaty.

The same factor of world opinion was reflected, I am sure, in the course of reaching decisions upon the treaty by members of the military.

Mr. RUSSELL. Our fear of world opinion has become almost a national disease.

Mr. BYRD of West Virginia. Yes. I shall refer to world opinion a little later in my statement. But I think it would be apropos of what the senior Senator from Georgia has said to refer, at this time, to a statement by General LeMay which appears on page 371 of the hearings of the Committee on Foreign Relations on the test ban treaty. General LeMay said:

General LEMAY. I think the fact that it had been signed had an effect on me, yes. In other words, both administrations in the years since the war have been trying to make some gains in the general disarmament field. This may be a gain.

Consideration of world opinion must have had an effect upon General LeMay, or at least the fear of an adverse effect which rejection of the treaty would have upon other nations of our world and our relationship with those nations must have been a factor. It could not help but be a factor in General LeMay's thinking, in the thinking of others or, for that matter, in my own thinking.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I should like to continue briefly, and then I shall be happy to yield to the Senator from Louisiana.

On page 372 of the hearings, the Senator from Arizona [Mr. GOLDWATER] asked the following question:

Senator GOLDWATER. My question was at this point that if it had not been signed, if it had not been initialed, if we were merely sitting here discussing the desirability or lack of desirability of a limited treaty like this, would you oppose it or support it?

General LEMAY. I had not given any thought to that patricular one. This is an important question. I would think that I would have been against it.

On page 373, the Senator from South Carolina and General LeMay engaged in the following colloquy:

POSITION IF TREATY WERE NOT YET SIGNED

Senator THURMOND. Senator GOLDWATER asked a question similar to one I propounded in the Preparedness Subcommittee. That is this: If the proposed treaty had not already been signed, but was being considered in a proposal stage, would you recommend that the United States sign the treaty?

General LEMAY. I haven't given any thought to the subject, Senator. I said I would—I thought I would not be in favor of it. But I wouldn't even want to give an unqualified "No" until I spent some time on it. Certainly this was a factor that influenced me in recommending that we ratify it. How much weight I would give to it—I would want to spend a considerable amount of time on this, and I have not done so.

Senator THURMOND. I believe your answer in the subcommittee, and I quote, was this: "I think that if we were in a proposal stage that I would not recommend—that I would recommend against it."

That is correct, is it not?

General LEMAY. I think I would. That is correct.

On page 399, General LeMay said:

Well, I gave some weight to this psychological atmosphere that you were talking about, Senator, myself, in arriving at my conclusions. At this morning's session the other Chiefs said no, they didn't think it was very important. I do attach some importance to it because for a number of years we have been trying to reduce tensions, reduce armaments in this country, both administrations have been trying to do that.

This is a step in that direction, I believe, and if we did not ratify it I don't know what our political loss would be, but I think there would be political loss.

So I gave it some weight in arriving at my answer.

On page 399 General Wheeler said:

I would agree that world opinion has built up to the point where there would be very sizable political implications if the United States were to dash these hopes. I am not prepared to say exactly what the effect of those political implications or the political effect would be, but I do not think it would be good.

Secretary of State Rusk, who supported the treaty, made a statement regarding world opinion which should guide us in our deliberations upon this treaty. I quote from page 55 of the hearings, where the following question by the Senator from Kansas [Mr. CARLSON], will be found:

There could be, I am sure, no question as to the legal right to withdraw from a treaty, but I wonder if there is not another side to this. Once our signature is on this treaty, would it not be most difficult to withdraw from the treaty from the point of view of world opinion, even though there is positive evidence that the Soviet Union had violated it?

What will our position be with other nations in that event?

Secretary RUSK. So I think there would be very great regret if this treaty were to collapse.

But, on the other hand, where we are dealing with a security matter that goes to the life of our own country I do not believe that world opinion can play a decisive role. We must do what has to be done, and I believe that the rest of the world will understand.

I think that there would be general understanding, even if with great regret, there would be general understanding if we came to the conclusion that this treaty was not working and that our security required us to resume testing.

Of course, Secretary Rusk was talking about the possibility of our having to withdraw at some future time. It is easy to say now that in such a situation we could disregard world opinion. But we have not reached that bridge yet.

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

Mr. BYRD of West Virginia. I yield.

Mr. RUSSELL. The Senator has certainly shown that he has done his homework. He has available a quotation of evidence for any question which might arise.

At that period, when we first started the hearings, nearly all of our attention was centered on the effects the treaty would have on the United States of America and Soviet Russia. We did not go very far beyond that point. Some questions were asked as to Chinese testing and French testing. But we did not realize that we would wind up with more than 100 countries signatory to the treaty. That was one of the things that finally persuaded me that the treaty was not in the best interests of our Nation.

Amendments will be proposed to the treaty by countries which have nothing to lose. If they receive one-third of the votes, a conference will be called, and if there were a large majority of votes in favor of an amendment, it would be difficult for us to say that we would not support the particular amendment.

That is as grave a danger to me as the implications of the treaty itself. Men of great ability, courage, and intelligence have risen on the floor of the Senate and said—

> We would shock the world if we did not sign the treaty. I myself have grave doubts and besetting fears about it. I fear it will endanger our country. But I shall support it because I do not wish to offend world opinion.

I must say that that argument almost persuaded me at the outset. I finally decided that nothing in human history would lead me to believe that any other country would sacrifice any of its vital interests on our behalf. So while I crave the good opinion of every people on earth, when it comes to a question of gaining world opinion at the expense of the vital interests of the United States, I must be counted out. I cannot go that far.

Much as I wish to be liked, and much as I wish to have my Nation admired, when it comes to a clash between world opinion and our vital interests, the world opinion will have to "go hang." I shall have to be counted out, for that will not enter into my calculations.

I do not believe any other country on earth has ever made the sacrifices which the United States has made since the end of World War II to build up a favorable world image. We have built up an image of people who will continue to tax themselves to take care of projects all over the earth. If the American people ever reach the point where they cannot maintain the tremendous foreign assistance program the image will be destroyed, and we shall have a bad world image, because next to a woman scorned "hell hath no fury" like that which results from taking away from a country some benefit which has been extended to it for a long period of years.

Mr. BYRD of West Virginia. Mr. President, I agree with the Senator from Georgia. It seems to me the sound position which has been expressed by the proponents of the treaty; namely, that if that moment ever comes when we must withdraw we should disregard world opinion in the interests of our own national security—should be applied here and now. I should like to apply that argument at this point.

The Senator from Georgia referred to world opinion. The Senator referred to the number of nations that have signed the nuclear test ban treaty. As of today, 97 nations have signed the nuclear test ban treaty. Since we are talking about world opinion, I should like to closely and meticulously scrutinize exactly what nations will constitute that world opinion insofar as signatures are concerned. I shall read the list of the nations:

The United States, the Union of Soviet Socialist Republics, the United Kingdom, Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Cameroon, Canada, Ceylon, Chad.

There are countries on this list I have never before heard of. There are countries listed which, I daresay, few Senators ever realized were in existence. Yet they are countries which are supposed to alter the course of world history.

Colombia, Chile, China—Taiwan—Congo, Léopoldville, Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, El Salvador, Ethiopia, Finland, Gabon.

I have no doubt that I shall mispronounce some of these names, because this is my first occasion ever to read them.

Mr. RUSSELL. Mr. President, if the Senator will permit me so to state, when I announced on the Senate floor my views with respect to this question, and incidentally stated that Gabon was the 91st state to sign the treaty, an eminent, able, well-educated, and intelligent Senator asked me how to spell "Gabon."

Of course, Gabon will have the same right to propose an amendment to this treaty that the representative of the U.S. Government will have.

Mr. BYRD of West Virginia. Certainly.

German Democratic Republic—East Germany—Federal Republic of Germany—West Germany—Ghana, Greece, Honduras.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. We are told in the committee report that the treaty will not forbid us from using atomic weapons to fulfill our treaty commitments in the event we must defend some nation.

Is it not true that any one of these little countries, some of which have hardly been heard of, would have the right to haul the United States before the World Court and have the World Court tell the United States that it is forbidden by the very clear language of the treaty to use its missiles or atomic weapons in the fulfillment of treaty commitments to defend some other country?

Mr. BYRD of West Virginia. I so interpret the treaty.

Mr. LONG of Louisiana. The treaty reads that among its purposes is a purpose to prohibit pollution in the atmosphere. That would give every country an interest. No matter where an atomic explosion occurred, whether over our Nation's own territory, over the high seas, or in space, every country would have an interest and could haul the United States before the World Court. We are a member of the Court. We do have the Connally reservation.

A majority of Senators who expect to vote for the treaty have been trying to get rid of the Connally reservation.

In such an event we would have to stultify ourselves and say that the treaty was not an international question, which would provide for jurisdiction of the World Court.

It is clear to me that any one of the countries which accept the jurisdiction of the World Court would have the right to haul the United States before the World Court, which could tell the United States that the treaty means exactly what it says.

As the Senator well knows, General Eisenhower, a former President of the United States, said we would not wish to be held to a commitment that we could not use these weapons for our own defense purposes or to fulfill treaty commitments. The administration tells us the treaty does not mean that at all, and that they have no such thing in mind. There has been a legal opinion written by some legal officer who was willing to put his name on it, which says the treaty does not mean that. But the Senator knows that the rule of statutory interpretation is that when the language is clear one does not look to legislative intent. Many people, who did not realize that if the language is clear the legislative intent is meaningless, have been put in jail.

Mr. BYRD of West Virginia. I thank the Senator. I agree with him.

I continue to call the roll of the signatories: Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Korea, Kuwait.

Laos, Lebanon, Liberia, Libya, Luxembourg, Malaya, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway.

Pakistan, Paraguay, Peru, the Philippines, Poland, Romania, Rwanda, San Marino, Sierra Leone, Somali, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic.

Tanganyika, Thailand, Togo, Trinidad, and Tobago—there are two names, but only one country—Tunisia, Turkey, Uganda, United Arab Republic—Egypt—Upper Volta, Uruguay, Venezuela, Western Samoa, Yemen Arab Republic—Yemen—and Yugoslavia.

Mr. President, as has been stated, one of the arguments persistently suggested in favor of the Senate's consenting to the ratification of this treaty revolves around the consequences to U.S. prestige and its image as the leader of the free world, and the adverse reaction which could be expected from world opinion if our consent should be withheld.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. Is it not true that a great many of those nations—particularly the smaller and less well-known nations—signed the treaty because the United States sent its Ambassador to the country and asked that it be signed?

In nearly all those countries—all except the ones behind the Iron Curtain, with possibly one or two exceptions—there are U.S. aid programs in operation. My guess would be that the Ambassador merely walked in and asked them to sign. The people of those nations have no weapons; nevertheless, they would not be barred from testing atomic explosions underground.

I suppose the American Ambassador merely walked in and asked them to sign the treaty. They would sign, of course.

I have been informed that perhaps not more than seven countries have an atomic capacity, the ability to build an atomic weapon.

The American Ambassador would walk in. The nation would not have an ability to build a weapon, anyway. There would be a U.S. aid program in that nation. The Ambassador would say, "I would like to have you join in this

treaty." And they would say, "We think that would be fine."

While I respect our President and feel very kindly toward him, and propose to help him in some of his legislative proposals, certainly with regard to this type of thing if the administration or the Government is worried about the embarrassment that may be caused, before we go that far out on a limb, it should withhold action until it ascertains whether the Senate is going to ratify the treaty.

Mr. RUSSELL. Mr. President, if the Senator will yield, the treaty is also important to certain ambassadors of most of those countries. It is a stimulation to their ego to sign the treaty. It puts them on a level with the "big boys." They can say, "Here we are all together. We are just as big as the U.S.S.R. and the United States and Great Britain or any other great nation, and we have the same right to offer amendments as anyone else; and while we have no nuclear weapons, if we can do anything to hamstring those who do have them and limit their use, it is in our interest, because 100 years from now we hope to be a mighty country. We may be able to dominate the earth, if we can stop those who have such weapons."

I think we can judge states pretty well by reactions within the human family. Anyone who remembers when he was a little boy knows how little boys like to play with big boys. What a hard time the big boys have keeping the little boys from playing with them. This treaty gives the emerging nations great prestige. A foreign minister can say, "I was in the United States and sat down by the Secretary of the United States and, in behalf of our country"—perhaps with a few hundred thousand population—"I took the same position on the ban on nuclear weapons as did the United States and Soviet Russia. We are all equals in the community of nations sponsoring the treaty."

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

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. Does not the Senator from West Virginia think this was a move on the part of the administration, from the psychological standpoint, so it could be placed in the position of saying, "Look at all the nations which signed the treaty. If this country fails to ratify the treaty, that will give us a bad image around the world?" Does not the Senator think a psychological play was made on that point?

Mr. BYRD of West Virginia. I do not presume to read the minds of other people or to look into their hearts or to know whether or not this may have been the purpose and plan of the administration. I merely say that we are confronted with the situation, and I do not believe that we should be overly persuaded by it.

I join with the Senator from Georgia in saying it is important that we enjoy favorable world opinion, and it is important that we project a favorable image before the world for ourselves; but I feel in a situation such as confronts Senators, they are voting on a question that is vital to the security of the United States of America, and Senators should subordinate the factor of world opinion, or our world image, to a secondary role in reaching a decision as to how to vote.

Mr. THURMOND. Does not the Senator feel that we would enhance our image if some of the very nations that seem offended by our action would not ask for foreign aid? I believe the record shows that we have provided foreign aid to 104 nations of the world, and this year there is a request to provide foreign aid to 100 foreign nations. The record shows that since World War II this country has provided $121 billion, including interest, in foreign aid. Would it not seem more in order if there were not requests from these countries for large amounts of aid? Would it not be more in keeping if they would first provide for their own means, and not call upon this country for aid and then turn around and criticize this country for anything that happens here?

Mr. BYRD of West Virginia. Mr. President, I thank the Senator for his comments. I appreciate them. To some extent, I share those sentiments, but I do not believe that they are pertinent at this time, so I do not wish to proceed to discuss the matter of foreign aid. I do not mean to say that the subject of foreign aid is entirely dissociated from the subject which is now under discussion. I cannot see the close relevancy of it however.

Mr. THURMOND. Except in this respect: Nations over the world want foreign aid. The same nations have been asked to sign the treaty; and many of those nations are the very ones which have criticized the policy of this country.

Mr. BYRD of West Virginia. I do not think there is any question about it; and I deplore the situation.

Mr. President, if we accept the argument concerning world opinion and if we agree that world reaction would be intolerable, the implications for future U.S. implementation of the withdrawal provisions of the treaty are ominous, as I have indicated.

But if we cannot refuse our consent now, before we are committed, how much more difficult will it be for us to withdraw, even with cause, after a few months or years have passed?

I am convinced that we cannot have the best of both worlds. We cannot bow to world opinion now, and emphasize its significance, and still argue that our withdrawal from the treaty would be precise and simple and dictated solely by this Government's own judgment of its security requirements.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Is it not true that if this Nation is compelled to fight a war with the Soviet Union over the Cuban question, for example, it is entirely possible that we shall not have a single ally that will make a major contribution, one way or the other, to the outcome of the conflict? The Senator well realizes, I am sure, that if there is to be a nuclear war, most countries that do not have nuclear weapons will count themselves out in the beginning.

Mr. BYRD of West Virginia. I think they would like to count themselves out if they could by so doing extricate themselves from the situation.

Mr. LONG of Louisiana. Can the Senator suggest what possible difference it would make in a struggle of this nature whether the smaller nations joined or stayed out? Would not the outcome be determined one way or the other by the devastating power of the two great nuclear powers?

Mr. BYRD of West Virginia. I do not think there is any question about it. The United States possesses 90 percent of the striking power of the free world. That 90 percent of the striking power of the free world is built around the Polaris submarine and the Strategic Air Command. I think this fact supports what the Senator from Louisiana has just said.

Mr. LONG of Louisiana. The point that strikes the Senator from Louisiana is that if we should let the strength and defenses of this country decline, as compared with the Soviet Union's, to the point where we would not be able to save ourselves, we would be so foolish that we should not expect anybody to save us, because we have that power today, and we ought to see to it that it is maintained.

Mr. BYRD of West Virginia. I agree.

Mr. President, we cannot argue that this Government will be the unchallenged master of its fate in connection with the withdrawal provisions of this treaty, and the servant of world opinion in connection with the treaty's ratification.

Our national security policies either are dictated by world opinion or they are not. If they are not, we can dismiss world opinion as a factor which looms large in our consideration of the treaty and confine ourselves to its security implications. If they are, we should recognize, then, that withdrawal will be complicated and difficult, and not the simple, straightforward announcement of decision and intent that the treaty and its advocates suggest.

I now return to my fifth point, the argument that we would be prohibited from acquiring information of weapons effects of tests.

General Power articulately voiced my fears before the Preparedness Subcommittee, when he said:

> Now there are great voids in our knowledge on such things as (deleted) shock wave propagation, blackout, communications, and command and control that, in my opinion, can be obtained only through atmospheric testing.
>
> If this information which we don't have should turn out to be valid information (deleted) I would say it is vital.

So, Mr. President, is there a possibility of unknown vulnerabilities in our intercontinental ballistic missile launch sites? Are our missiles truly survivable in a nuclear environment? Are our missile sites vulnerable to overpressure, shock, and thermal effects which flow from the explosions of high-yield weapons?

I ask these further questions, Mr. President: Is it possible that the Soviets, in exploding multimegaton weapons, may be able to render our missiles useless through weapons effects upon the highly sophisticated electronic systems? Will our nuclear warheads and reentry vehicles have the ability to penetrate and survive in a nuclear environment created by Soviet defenses? Will our radars be ineffective in the presence of "blackout" from multimegaton bursts, thus making it impossible to locate the incoming warheads and perhaps more importantly to discern between the incoming warhead and the decoys?

While I do not doubt that our deterrent missile systems will be able to perform their mission today and tomorrow, because of their complexity there are unresolved uncertainties that we need to determine and to rectify so as to assure ourselves that our deterrent capability will be maintained in future years. These uncertainties can be more fully resolved only through a series of atmospheric nuclear tests. Could it be possible that the Russians, through their post-moratorium atmospheric tests, have acquired valid information which will guide them in determining and resolving such uncertainties as far as their own systems are concerned?

This is the question the answer to which we may learn when it is too late.

General Power referred to some voids in our knowledge:

> This missile has never been operationally tested all the way through from stockpile to detonation, and we have never tested such things as the vulnerability [deleted] due to shock wave propagation, due to blackout, there are many voids in our knowledge as to the operational capabilities and vulnerabilities of this weapon system.
>
> In particular the RV, [deleted] thermal effects, blast effects—cannot really be tested from my point of view as an operator until you test it in the nuclear environment, and as I am responsible for writing the war plans of the free world, I have to deal with facts.
>
> I have to deal with proven data, and if too much of the data is extrapolated or theoretical, I do not have a high confidence factor that I have a sound plan. We are dealing with the security of the United States, and if facts can be obtained, I want to have them.
>
> Now, in writing a war plan, I have to assign a survivability factor to every one of these silos. I have to assume that the Soviet Union has missiles with a certain accuracy and a certain yield and that they land in a certain place. Then I have to extrapolate whether that particular silo is going to survive and give it a value. I have to do that for each weapon system.

Dr. Edward Teller referred to the possible vulnerability of our weapons sites:

> It is a fact fraught with danger that the ability of these sites to withstand the overpressures for which they have been designed has never been tested. * * * It is probable that under the test ban as proposed and interpreted at the present time these badly needed tests will not be carried out.

Dr. Foster spoke of the problem in this way:

> Regarding defense, one of the critical questions concerns the effect of blackout from defending missiles on the defense system itself.

Dr. Foster then went on to explore the problems which might confront our effort to penetrate Soviet defenses:

> On the opposite side of the coin, suppose that the U.S.S.R. were to develop a defense such that our ability to penetrate might depend on a saturation attack. For this application, specially designed hardened warheads might be required. Considerable progress on such warheads can be made with underground tests, but under the treaty again the crucial atmospheric experiments to determine if the warhead actually has the necessary hardness against combined radiation and shock effects would be prohibited. We might thereby be denied assurance of such a penetration capability.
>
> The disadvantages resulting from the treaty in restricting our knowledge of site vulnerability, penetration and defense, I believe, are very serious. Our current judgments are based on relatively few atmospheric tests. Wide margins of error are possible in weapon effects which we do not fully understand. Other effects, heretofore neglected as unimportant, could become dominant. Ignorance, ineradicable under the treaty, can thereby increase the uncertainty in technical-military judgments.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I am sure the Senator is familiar with the fact that not only do we not know the information we should have if we are to be secure in our defense, and whether the hardened sites will withstand the shock and radiation of an enemy attack with atomic weapons; but, as the chairman of the Armed Services Committee pointed out in his speech, we do not know whether the overwhelming majority of the missiles we have in our inventory will actually work, because they have never been tested under the conditions under which they would be fired at a target.

I can illustrate that by the fact that in World War II the Japanese sank almost our entire Pacific Fleet, at least everything they could catch at Pearl Harbor, with torpedoes that we did not even know existed. They had tested their torpedoes against old ships, to make sure they would work.

On the other hand, during the first 18 months of World War II, time after time our submarine commanders would fire torpedoes at a Japanese ship, only to have the torpedoes bounce off the ship, or go under the ship in the case of magnetic torpedoes. The torpedoes would not explode, because we had never tested them under the actual circumstances in which they would be used. We had never determined whether they would work when they were fired. We had contented ourselves with putting them through a test course. We thought that if all the components checked out, they would work. That is what we assumed. Of course it was a false assumption, and it almost lost us the war.

Mr. BYRD of West Virginia. I thank the able Senator for his observation concerning the failure to test torpedoes during the early part of World War II. The Senator's comment is interesting and appropriate.

At page 182 of the hearings the Senator from Nevada [Mr. CANNON] asked a question with reference to weapons effects:

> Senator CANNON. Now, do you feel that we have sufficient evidence and information available to us in the areas of guidance, from the standpoint of weapons effects?
>
> Secretary MCNAMARA. I believe we have sufficient information available to us in relation to the effect on guidance of nuclear explosions properly to protect our force and insure that will be effective against the enemy. I want to emphasize that we don't know all there is to know about the effects of nuclear detonations on guidance. Much of what we don't know can be learned from underground tests.

There is considerable difference of opinion, of course, as to how much can be learned from underground tests, but there is unanimity of opinion that everything we need to know concerning weapons effects cannot be learned from underground tests.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. The Secretary's statement relies heavily upon the idea that we could test a warhead underground and find that it would explode; then test some other component and find that it would operate satisfactorily; which would lead to the conclusion that if the components were satisfactory when tested separately, and then were all assembled, desired results could be obtained.

What is wrong with that theory is that so often in actual operation the weapon will fail. That was what we learned about our torpedoes in World War II. Theoretically they worked; in practice, they were not worth the powder it took to blow them up.

When a weapon is as complicated as a missile, which is infinitely more difficult to explode than it is to fire a torpedo, the only way to learn whether it will work is actually to try it under the kind of conditions in which it is designed to function.

Another example is the orbiting of men in space. Every time a man was put in space—it has been done about 10 times—something has gone wrong. The first time the shield was not ejected as it was supposed to eject. There was fear that the man would burn up as he came out of space. I believe it was John Glenn whose shield burned. When another man was orbited, something else happened. Improvisations were made to overcome mechanical failures.

Intercontinental ballistic missiles—the ones we are building at this moment—can get through to an enemy. But only one has been tested successfully, so far as I know, under combat fire, a test in which a missile was actually fired to see if it would get near the target and explode.

I believe there was a successful test of a Polaris missile. That would give us reason to believe that that type of missile will work, because it was fired under actual test conditions.

Incidentally, that would be an instance in which everything was checked out

under conditions more favorable than war conditions. But at least it would be a test to determine whether a weapon would actually work.

The Senator from West Virginia knows that many missiles in inventory have never been tried under similar conditions. As to those, the hope is that they would work, although we do not know whether they would or not.

Mr. BYRD of West Virginia. Exactly. General Power said there were x numbers of weapons in his arsenal, not one of which had been tested through the point of detonation.

Mr. LONG of Louisiana. Since our lives depend on the functioning of missiles, would not the Senator say it is rather dangerous to say that weapons which we rely on will work, not knowing whether they will work or not?

Mr. BYRD of West Virginia. I certainly would say so.

At page 214 of the hearings before the Committee on Foreign Relations, Dr. Seaborg said, with respect to weapons effects:

This is a weapons effect question for which the Department of Defense has primary responsibility. I can say that we have obtained a good deal of information on blackout phenomena in connection with our already performed high-altitude tests.

However, it would not be possible to obtain any substantial further information on blackout phenomena under the terms of this test ban treaty.

At page 245 of the hearings, Dr. Seaborg said, again with respect to the subject of weapon effects on our weapons system sites:

Because this is the total effect in the atmosphere I am referring to here on the integrated system, the whole system. We can carry out component studies, that is, the effect of the radiation from an ABM on a warhead, and things of that sort, underground. We can do that underground. But in order to study the effect of an ABM and its kill radiation on an incoming warhead, under the conditions that you would encounter in actual use, you have to do it in the atmosphere where the use would—in the environment where it would take place, and that is what I mean by that statement.

At page 274 of the hearings, General Taylor said:

There are other disadvantages which apply in varying degrees to both sides. For example, knowledge of weapons effects is incomplete at best and although knowledge could be gained from underground testing, knowledge which only testing in the prohibited media could provide would be denied. Also, there would be no opportunity to conduct environmental tests of current weapons or of those which might be acquired in order to verify their performance.

General Taylor, referring to the subject of weapons effects, said, at page 286:

I am not a technical expert, Senator SPARKMAN, on this subject. Obviously, I have raised questions of a similar nature with the experts that we have. We know quite a bit about the general phenomenology of blackout effects from our own testing. I think that all of our experts would say, however, we certainly do not know everything, and we would like to know more.

General Taylor said further, at page 299:

General TAYLOR. As the Joint Chiefs have pointed out, there are limitations in the sense that we can never have complete weapons effects tests which would involve atmospheric testing. That is a disability, but not a critical one. We can indeed develop, fabricate, and deploy an antiballistic missile system if we so choose.

Senator HUMPHREY. In other words, the scientific work relating to the vehicle that would be needed to mount a nuclear warhead or to send it into outer space or into the high altitude or into any kind of defense position is not impaired by this treaty, is it?

General TAYLOR. No, sir. That can be done and tested. It is primarily the absence of a complete weapons test, including the nuclear warhead, which is being made impossible.

The point made by the Senator from Louisiana has been well substantiated by statements of our military experts. The fear that I have, and that certain other Senators have, is that while we do not possess more information—and it may be vital information—with respect to weapons effects on our weapons sites and systems, the Russians may already have acquired such information as a result of their extensive, elaborate, comprehensive, effective, and successful atmospheric tests that were conducted subsequent to their abrogation of the moratorium.

Mr. LONG of Louisiana. Is the Senator familiar with the statement of Dr. Brown to the effect that we could design around the areas of American ignorance? Can the Senator say what Dr. Brown meant by "designing around" our ignorance of the answers to these problems? How do we "design around"?

Mr. BYRD of West Virginia. I assume, with reference to a blackout of our radars, that he meant that we would provide more radars, and that they would be spaced in such a way that even though there might be a blackout here or a blackout there, the radars in some other area would function. That would be one way of "designing around."

Mr. LONG of Louisiana. If there were a large explosion in the vicinity of a city which was the target of one missile, I would then assume that "designing around" probably would mean that we would try to have a radar several hundred miles away, or might have some remote control procedure, in the hope of guiding a missile against a succeeding weapon aimed at the same city.

Not having had explained in detail what the problems are—and I am sure some of them are classified—it seems to me that the idea of "designing around" areas of American ignorance rather than finding answers to the problem would be in the same general category as trying to kill elephants with broomsticks, because one would be prohibited by a treaty from developing a good elephant gun.

Mr. BYRD of West Virginia. It would certainly be costly, time consuming, and uncertain. I assume that another way of "designing around" the weapons effects problem would be in connection with control systems related to missiles. Instead of ground control systems being used for our missiles, we could develop airborne control stations.

Another way of "designing around" some of the defects would be to attempt to harden missile sites to a greater degree than they have been hardened in the past.

I agree with the Senator from Louisiana that while we might be able to overdesign or overcompensate for some of the defects, we are not certain, in the first place, of precisely what the uncertainties are, and we will not be able to fully identify the uncertainties until we can test in the atmosphere.

Secondly, we cannot be sure that we have adequately compensated for the defects.

Finally, it is important to remember that we are dealing with the security of the United States. When we deal with the security of the United States, we would like to deal with as few uncertainties as possible.

Mr. LONG of Louisiana. To say the least, if we should try to "design around" areas of ignorance, the weapons system adopted might be far less efficient than the one we would have if we actually had the answer.

Mr. BYRD of West Virginia. Yes. I thank the Senator from Louisiana.

Continuing on the point of weapons effects tests, I should like to quote General LeMay, as his testimony appears on page 365 of the hearings:

General LEMAY. Well, from my personal standpoint, I haven't been too happy with our testing program in the past. I think we should have done more testing than we did, not only underground but in the atmosphere, too. I certainly haven't been happy with the situation which exists that we haven't been able to carry out full-scale tests on any of our missile systems.

Again I quote General LeMay, as his testimony appears on page 391 of the hearings:

General LEMAY. Well, if it would stay there, probably we wouldn't have much to lose.

He was referring to the nuclear superiority we are supposed to possess.

Then he said:

But I wonder whether it is going to stay there or not, and, in addition to that, this is just our estimate of the situation. Our delivery capabilities, I think at the present time are better than the Russians. That doesn't mean they are going to stay that way.

I think we have more weapons and a greater variety of weapons now than the Russians have. That doesn't mean it is going to stay that way.

The thing that worries me is that this preserves the uncertainties that we have in our mind now for as long as the treaty is going to be in effect [deleted].

We just don't all know the things we would like to know about the vulnerabilities of [deleted] systems [deleted].

Senator PASTORE. Can I interrupt you there, General? Do you think that the Russians know?

General LEMAY. They may know a great deal more about it than we do, as a result of the last two series of tests that they have run. [Deleted.]

General LeMay and the Senator from Rhode Island were referring to the possible vulnerabilities of missile systems.

General LeMay, continuing, said:

This bothers me, and one of the things that I don't like that if this is true and they do know more than we do, they may know something that is vital. They may have been able to pick up a weakness in our defense system that they can exploit.

There is some reason for them wanting this treaty when they didn't want it on two occasions before. What is it?

* * * * *

General LEMAY. These are the disadvantages that we see. They are possibilities and we certainly have tried to say that even with the safeguards that we have suggested that we have, that certainly ratifying the treaty is not without its risks.

Now, I pointed out these other uncertainties, that we don't know. For instance, [deleted] that the Russians are ahead of us in the high yield spectrum, we are about equal in the [deleted] megaton range, and we are ahead in the lower [deleted] range.

Now, I can't prove otherwise, but I am very suspicious, because we know [deleted] that the Russians were planning a test program [deleted] before they broke the moratorium and started testing. [Deleted.]

In addition to the uncertainties affecting our strategic missile system, expert testimony has indicated that atmospheric testing is mandatory for the development of an optimum antiballistic missile and for establishing with certainty its ability to perform its mission under the extreme conditions to which it will be exposed if the occasion to employ it should ever arise. There has been much confusion about the relationship between atmospheric testing and the perfection of ABM systems. This is not a matter involving the development and testing of the warhead. It does involve the question of whether we have adequate information on what we require in the way of a warhead and what we require in the way of radar performance to give this Nation an ABM system with sufficient reliability to make its production and development and deployment worth the billions of dollars involved. The technical testimony leaves no doubt that we can design and produce an ABM system of unknown performance and reliability under the conditions in which it must perform its mission. However, the degree of confidence we can place in such a system and the extent to which we can provide a system which will give this Nation the greatest protection at the lowest cost are directly dependent upon our ability to conduct the necessary tests in the atmosphere.

Mr. President, regarding the need for atmospheric tests in the development and deployment of an antiballistic missile system, I read a statement by Admiral Strauss, which appears on page 692 of the test ban treaty hearings:

With this reservation, I would like to comment, in order to protect myself from attack. I am no technician but I have been present at the birth of many new weapons systems over a long period of years. No matter how well in theory the components of a weapon will behave on paper, there is no assurance that they will work dependably together until they are put together and tried, and an antiballistic missile system cannot be tested underground and, therefore, no nation, our Nation could not put one safely into production and stockpile it which had never been tested. This is a layman's opinion based on experience.

On page 103 of the hearings, the following statement by Secretary McNamara appears:

In designing an antiballistic missile system, the major factors are reaction speed, missile performance, traffic handling capacity, capacity for decoy discrimination, resistance to blackout effects, and warhead technology.

The last two of these items, resistance to blackout effect and warhead technology depends on nuclear testing.

At page 438 of the hearings, Dr. Edward Teller is recorded as saying:

I am in agreement with Secretary McNamara that under the present ban we can proceed with our antiballistic-missile defense. I do not agree that we can complete this development. Actually, Secretary McNamara did not say anywhere that he intends to deploy a system. Perhaps his lack of determination to deploy is due to some lack of knowledge. These are not black-and-white questions. I feel we need observation, traffic handling, the perfection of warheads, radar, all the points that the Secretary has made very effectively; I agree with all of them.

At page 452, Dr. Teller said, with reference to the necessity for atmospheric tests in connection with the development of an antiballistic missile:

On that point I will say that indeed we can do a lot in this development without atmospheric tests, we cannot bring the development to a reliable conclusion without atmospheric tests.

More than that, as we proceed in developing our defenses, we have to make choices. We have to decide at what altitude we want to shoot down the aggressor.

Senator LAUSCHE. I think you have covered that.

Dr. TELLER. What kind of rocket we need. A number of choices of that kind. This must be done often rather early in the game and to make choices without the knowledge that atmospheric testing could give us is a very distinct handicap.

SIGNIFICANCE OF POST-SEPTEMBER 1961 TESTS

Senator LAUSCHE. When you state that in your opinion Russia occupies a superior position to ours in connection with the antiballistic missile, what significance do you attach to the extensive and large tests which were made after September of 1961?

Dr. TELLER. I would guess that the Russians may have acquired the bulk of their knowledge in this field in 1961 and 1962, although it is quite possible that they may have acquired quite a bit of their knowledge even earlier. They have been pushing missiles, rockets, much earlier than we have, and every indication shows that their interest and confidence in ballistic missile defense is older and stronger than ours.

ATMOSPHERIC TESTING AND SOUND MISSILE DEFENSE

Senator LAUSCHE. The statement is made by the Joint Chiefs further. I quote:

Both sides could achieve an antiballistic missile, but one with less desirable characteristics than would be the case if additional atmospheric tests were conducted.

May I have your comment on that statement, first as to its soundness and second as to whether Russia is ahead of us, because it has conducted these large-scale tests.

Dr. TELLER. In general I agree with the statement. I consider it something of an understatement.

Senator LAUSCHE. Will you give it in your light?

Dr. TELLER. I would say that with atmospheric testing, there is a real chance to develop a sound antiballistic missile, a sound missile defense. Without such testing, it is my opinion that whatever we develop will be uncertain, imperfect, and that may not even be developed, because our doubts, together with the expenses, may persuade us from such a development.

The Senator from Louisiana [Mr. LONG] then asked questions—which appear on page 467 of the hearings—as follows:

Senator LONG. Doctor, you suspect, as I understand your earlier testimony, you suspect that in the last series of tests the Russians probably obtained the information that they would need to develop an antimissile missile, or to develop a ballistic-missile defense, to put it another way.

Dr. TELLER. I do not know how perfect their information is, but I feel the probability is very common that they have developed very relevant knowledge which will be useful for them in installing their antiballistic-missile systems.

Senator LONG. In the event they were able to develop a missile defense against our ballistic missiles, and then proceed to breach the treaty just long enough to prove it out, would there be time for us to do the same thing after we found out that they had violated the treaty?

Dr. TELLER. I am virtually certain there would not be time enough. We would be lucky to get off to meaningful testing in 3 months, whereas they, if they have indeed perfected, installed, but not completely proven out their anti-ballistic-missile equipment, they could abrogate the treaty in a day, use the next week for 100 or 500 detonations, and if they then find the results unsatisfactory, they will have lost a treaty.

If they find it satisfactory, they will have won the world.

In addition to the need for weapons effects tests in our quest for an effective ABM system, I think it significant that we have conflicting testimony regarding our Nation's requirements for very high yield weapons on the order of 50 to 100 megatons. The problem has been under study for years, and clear and unequivocal decisions relating to our needs for such weapons and the techniques we would use in employing them still are not forthcoming. I can only conclude that our inability to make a firm military decision on this matter, perhaps, is the result of our lack of knowledge concerning the military effects of these weapons. It is unlikely that clear decisions will ever be forthcoming unless we are able to produce the device, to test it, and to measure and analyze its effects, as the Russians did nearly 2 years ago.

Mr. President, it seems to me that the crucial problem of weapons effects was epitomized by Dr. Foster in the course of a colloquy which is to be found beginning on page 628 of the hearings. I shall provide the following excerpts:

Senator BYRD of West Virginia. Dr. Foster, I have heard that we have as large a weapon as we could conceivably need. We can produce a 50-megaton weapon, and this would be as large as any country would ever have to have. It seems to me that this is really beside the point.

Am I correct, Dr. Foster, in saying that what should really concern us are the effects of the explosion of such a weapon upon our missile sites and upon our missile systems?

Dr. FOSTER. That is correct, Senator BYRD.

Senator BYRD of West Virginia. Dr. Foster, if we confirm the treaty we will have to confine our tests to underground tests.

Now, with the information we already have as a result of previous testing in the atmosphere, and through the medium of underground testing, can we acquire satisfactory and dependable and conclusive information with respect to weapons effects upon sites and systems?

Dr. FOSTER. No.

Senator BYRD of West Virginia. Dr. Foster, this is the dilemma in which I find myself. I, too, would like to hope that confirmation of the treaty would be a step toward peace and a step toward eventual disarmament. But I recall that the Russians were able to prepare for tests without our detecting such preparation, when they abrogated the moratorium.

I recall that they assured the President, to our great satisfaction and happiness, that weapons which were being moved into Cuba were defensive weapons and not offensive weapons, at the very time when he had in his own hands evidence to the contrary.

Now, it seems to me, in the light of the atmospheric tests which have been conducted and for which elaborate preparations were made, the equal of which we have not been able to conduct, that the Russians suddenly have come to a conclusion which they opposed heretofore, to wit, that they should enter into this kind of a test ban treaty.

Now, with the history of deceit that we have before us, I am afraid that they already have information which is vital to our security, and they may know what our own weapons systems and sites can stand by virtue of the tests which they have carried out, and if they presently intend or at some later date should decide to abrogate the treaty, then the additional disadvantage to which we would be put, I fear, might be very dangerous to our security.

So with these fears in mind, unless some scientist can tell me that we can indeed extrapolate information through underground testing which will satisfy our fears with regard to weapons effects upon sites and systems, I am not satisfied with the argument that we should take into consideration the political judgments, because I do not believe that the military leaders are prepared to weigh those political judgments, and I do not believe that the scientists are. But I do believe that the scientists can tell us whether or not we can extrapolate information from underground tests that will satisfy our fears in the other regard.

Dr. FOSTER. Sir, there is no existing experimental data or theory, or to our knowledge, future underground tests that can provide you with the complete assurance you want.

Senator BYRD of West Virginia. I would just like to carry Senator JACKSON'S questions one step further, if I might, and tie them in with such a question I asked earlier.

Dr. Foster, I asked you earlier, if by using the information that we already have, and by conducting aggressively underground tests under the conditions of the treaty, we could acquire information which would satisfy our fears with regard to weapons effects upon sites and systems, and you indicated, I believe, that we could not.

Would your answer still be the same if I had framed my question differently to the extent that I had included the safeguards the Joint Chiefs of Staff have recommended?

Dr. FOSTER. Yes, it would have been the same. It is simply that the question of how hard anything is to electromagnetic phenomena, be it anti-ballistic-missile defense or hardness of silos, has to do with matters that, in my opinion, are not sufficiently well understood to be able to say with full confidence that they will function as designed in a nuclear environment and this nuclear environment cannot be created by underground experiments.

Senator BYRD of West Virginia. We are taking a great chance with the security of this country if we approve a treaty which prohibits our further testing in the atmosphere, and, consequently, learning by such testing important facts dealing with effects upon sites and systems?

Dr. FOSTER. You are taking a risk, and you cannot calculate it.

Senator BYRD of West Virginia. Regardless of these safeguards?

Dr. FOSTER. Regardless of these safeguards.

Senator BYRD of West Virginia. Even though they are implemented to the fullest?

Dr. FOSTER. That is correct.

(At this point Mr. METCALF took the chair as Presiding Officer.)

Mr. BYRD of West Virginia. Mr. President, with further reference to the vital issue of weapons effects on our sites and systems, and to the fact that we can acquire full information only through the medium of atmospheric tests, I should like to quote General LeMay, reading from page 370 of the test ban treaty hearing. General LeMay was asked the following question:

SURVIVABILITY OF MISSILE SITES

General LeMay, without tests on the hardness of our missile sites, can you be assured of the survivability of our second strike force?

General LEMAY. Well, we have overdesigned to a great extent on our missile sites, so that we are reasonably sure that they will stand an attack all right.

But you never can be positively sure until we test them under actual conditions, and this has not been done, of course.

On page 390 General LeMay said:

General LEMAY. Let us put it another way: There are things you can find out about atmospheric effects in underground tests, but I would say these are in the minority about what we would like to know about weapons effects.

Pursuing that same issue of weapons effect, I read from page 443, in the testimony of Dr. Teller:

But this test ban has nothing at all to do with how many missiles either side builds. This test ban has something to do with knowledge, and it does not have to do so much with knowledge concerning aggressive potentials. It has something vitally important to do with knowledge concerning missile defense, concerning the vulnerability of our retaliatory forces. I believe that the Russians have acquired this knowledge. I believe that, because they have acquired this knowledge, they don't need any more atmospheric tests, and I believe that is why Khrushchev is willing to sign the treaty at present.

In 1960, he wasn't willing to sign, but now he had these magnificent test series of 1961 and 1962. He now knows how to defend himself. He now knows, probably, where the weaknesses lie in our defense. He has the knowledge, and he is now willing to stop and prevent us from obtaining similar knowledge.

If the Russians want to build a big missile force with which to attack us, they can do so legally under the present testing. What they need is knowledge, and that is what they have. What we need is knowledge and that is what we don't have.

As shown on page 464 of the hearings, I asked Dr. Teller the following:

Is there information regarding overpressure effects upon our weapons systems resulting from the explosion of high-yield nuclear devices in the multimegaton range that can only be acquired through atmospheric testing?

Dr. TELLER. If you tried to make a nuclear explosion underground, then everything connected with overpressure is very strongly influenced by the surroundings and the effects of such testing cannot by any trick that I have seen so far constitute a sufficient substitute for simple and straightforward testing in the atmosphere.

Senator BYRD. Then is the absence of adequate and complete information regarding weapons effects upon our weapons sites and systems vital to the security of this Nation?

Dr. TELLER. I believe that it is vital.

Senator BYRD. If the safeguards recommended by the Joint Chiefs of Staff—and I am confident that you are familiar with the safeguards that were suggested in their position paper—are observed and carried out, will we be able to acquire the information we need to satisfactorily overcome what has been termed by you to be a weakness vital to our security?

Dr. TELLER. I believe that if these safeguards are observed, then the dangers which I have mentioned will disappear in part only. A lot of these dangers, a lot of these difficulties will remain.

Senator BYRD. Then your answer would be that we would not be able to acquire to our complete satisfaction the information that we need to overcome these vital weaknesses in our system?

Dr. TELLER. This would be my conclusion, uncertain as all such conclusions, but this would be it.

As shown on page 466, Dr. Teller had this to say with regard to weapons effects:

The main difficulty is just what you mention. We are probably, or quite possibly, at least, going to be faced with several missiles, and we should be able to shoot at all of them, and we should not be blinded by our first shot.

This means we must not make our first shot unnecessarily big. This means that we should know what is the probable right kill radius. This means that we should so design our missiles as to give it a maximum destructive effect at a minimum binding effect.

All these questions need testing and more testing, and after you have done it, you still need to test to see whether the whole thing works, whether there is no flaw in the actual operation.

On page 424 of the hearings it is shown that Dr. Teller said:

Secretary McNamara has told you, and he is right, that we can do a lot about missile defense. We can study the incoming missiles, we can study the decoys, and we can try to see the difference between them. We can perfect our radars, make them harder, more versatile, faster.

By underground testing we can develop the best kind of nuclear explosives by which to kill an incoming missile, because when you are shooting at such a fast and uncertain target as an incoming missile, you cannot hit it with a bull's-eye. You need a powerful counterforce, a small nuclear explosion.

Secretary McNamara has said rightly that we can do all that.

But there is one thing, one circumstance he did not explain. He did not explain to you that we must expect not 1 missile to come against us, but 5, and not to come alone but to come accompanied by 25 decoys. We have to discriminate between these, find out which are the dangerous objects and shoot them down, not some of them, but all of them. The first shot that we fire will blind us, and will make us less prepared to shoot against the second missile that comes hard on the heels of the first.

I quote Secretary McNamara on weapons effects tests, reading from page 104:

The problems of nuclear technology here relate to the vulnerability of the ballistic-missile warhead to kill by blast or by radiation. The latter vulnerability, as to radiation, can be tested underground, but the former cannot be fully tested underground.

We have not, and we believe that the Soviet Union has not, explored by full-scale high altitude tests the vulnerability of reentry vehicles to blast.

Atmospheric testing would enable us to confirm the enhanced resistance of new, hard-warhead designs to blast. Without the confirmation which dynamic tests of reentry vehicles would provide, we will have to rely on extensive extrapolations, and, therefore, there will be greater uncertainties than would otherwise exist.

I have attempted to indicate, by quoting from distinguished and eminent scientists and military experts who gave testimony during the course of the hearings conducted by the Committee on Foreign Relations and by the Preparedness Investigating Subcommittee of the Committee on Armed Services, that the matter of weapons effects can be vital to the security of our Nation.

Some of the witnesses expressed the fear that the Soviet Union may have acquired such vital information concerning weapons effects upon sites and systems during the comprehensive and effective postmoratorium atmospheric tests. If the Soviets have not so developed such information, the danger in our ratifying the treaty, and by so doing precluding ourselves from engaging in atmospheric testing, would not be so great. We cannot be sure, however, that the Soviet Union has not developed such information.

Certainly we must be suspicious of Mr. Khrushchev in regard to all things, and particularly in this situation, since he has upon at least two occasions rejected a somewhat similar treaty and then suddenly, in this year of 1963, has reversed his position and indicated a willingness to enter into this treaty.

I am no expert, but I have listened to the experts, as have other Senators. The Soviet Union carefully planned elaborate tests—such plans perhaps extended through the entire 34 months of the voluntary moratorium—and surprised us with their statement that they were going to abrogate the moratorium. Then, subsequent to the abrogation of the moratorium, they carried out a successful series of tests. Furthermore, they have had the opportunity and time, at least, to evaluate the information which could be extrapolated from such tests, and may have found that important discoveries are in their possession with reference to weapons effects upon sites and systems.

The possibility is very alarming to me, as it has been to Dr. Foster, Dr. Teller, General Power, Admiral Burke, General LeMay, and others. Since we cannot be sure, I fear the results of ratification of the pending treaty, because under the treaty we can never fully develop such information through underground tests alone. The case, therefore, in respect of weapons effects is simply this. The Soviets effected a planned abrogation of the voluntary moratorium. Through subsequent atmospheric tests, they may have acquired vital information which can only be developed by testing in the atmosphere. Having such information in their possession, and realizing that our failure to conduct atmospheric tests to the same degree following the moratorium leaves us in an inferior position, the Soviets may have every reason to be willing to sign a treaty which will freeze us in that inferior position.

THE NATURE OF THE SOVIET COMMUNIST THREAT

Support of the test ban springs largely, I believe, from an intense wish that the world were different than it actually is. It springs from viewing the world as we would like it to be, rather than as it is. It springs from a genuine desire for peace and is so sincere and so overwhelming that the nature of communism is forgotten. Let us remember that the Communists have only one purpose to which all their actions are geared. This purpose is world conquest.

The aims which the Communists seek and the methods they are willing to use have been vividly spelled out many times by the Communists themselves. On December 26, 1922, in his report to the 10th All-Russian Congress of Soviets, Stalin declared that the decision to form a union of Soviet republics was "another decisive step toward the amalgamation of the toilers of the whole world into a single world Socialist Republic." The handbook of Marxism states further the Communist objective in the section on the program of the Communist International. It says:

Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transformation of the world capitalist economy into Socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved.

And Stalin supported this objection, for he said this:

For the victory of the revolution in one country, in the present case Russia * * * is the beginning of and the groundwork for the social revolution.

And with the death of Stalin, Malenkov—notwithstanding his professions for a new order of coexistence—revealed his faith in Soviet destiny when he said:

We know firmly that the victory of democracy and socialism throughout the world is inevitable.

Dimitri Manuilsky, active in the revolution, one-time chairman of the Council of People's Commissars of the Ukraine S.S.R., and a Communist representative at the United Nations, described, in a lecture at the Lenin School of Political Warfare, the tactics that the Communists would someday employ. He said:

War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

Lenin outlined the modus operandi for Communist domination of the world. He said:

First we will take Eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

Khrushchev, true to form, told Western diplomats at a reception in Moscow on November 18, 1956:

Whether you like it or not, history is on our side. We will bury you yet.

Lest any person feel that Khrushchev's words were spoken in a moment of jocundity, they would do well to reflect upon what he said when, on June 2, 1957, he appeared before an American television audience:

I can prophesy that your grandchildren in America will live under socialism.

Communist policies are firmed to unremitting war on non-Communist nations—war in the military sense at times; at other times, a war of doctrinal tactics, of infiltration and subversion, of economic piracy and the stimulation of moral chaos.

I do not wish to labor the point, but it is clear; and, irrespective of changes in leadership, the key objective of world domination has remained constant.

THE SOVIET RECORD ON TREATIES

We learned long ago that the Soviet leaders cannot be trusted and that their agreements are usually worthless. As a matter of fact, we have no less authority for our guidance than Stalin, Lenin's successor. Stalin was frank to say:

Words must have no relation to action—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood.

The unfolding tragic history of the times in which we men have lived provides the stark and irrefutable evidence that the Communists keep only those agreements which are in their interests to keep, and that they will break those agreements which no longer serve their interests. And the fact should not escape us that "their interests," as used here, are not the interests of a free people whose rulers govern by the consent, freely expressed, of the governed; but, rather, they are the "interests" of the international conspiracy which has its roots in the Kremlin and which seeks to impose its ideological will upon other governments throughout the world so as to assure the final outcome about which Lenin, the high priest of Communist strategy, spoke in 1923, "the final victory of socialism (communism)."

The long list of pledges broken by the Soviet Union leads almost inevitably to the conclusion that many of the agreements were entered into without good faith and in accordance with the familiar Communist dictum:

Promises are like pie crusts—made to be broken.

As long as we have an agreement which does not provide for inspection of Soviet territory, so that we can see for ourselves what the Soviet Union is doing, we are in effect relying upon trust that the Soviets will abide by the treaty. Yet, many are the instances in the past when the Soviet Union has demonstrated its disrespect for agreements solemnly

entered into. At least a few of these are worth remembering at this time.

On September 28, 1926, Lithuania and the Soviet Union concluded a nonaggression pact. On June 15, 1940, Lithuania was invaded by Soviet forces.

On May 4, 1932, Estonia and the U.S.S.R. signed a nonaggression pact. Eight years later, on June 16, 1940, Soviet military forces invaded Estonia.

On February 5, 1932, Latvia and the Soviet Union signed a nonaggression pact. Eight years later, on June 16, 1940, Soviet military forces invaded Latvia.

At the Yalta Conference in February 1945, the United States, Great Britain, and the Soviet Union agreed to help the peoples liberated from Nazi control to solve their political and economic problems by democratic means. The U.S.S.R. flagrantly violated the letter and spirit of this pledge by installing Communist regimes in Bulgaria, Hungary, Poland, Czechoslovakia, and Rumania. Also at Yalta, the Soviet Union agreed that the Republic of China should retain full sovereignty in Manchuria. The Russians flouted this agreement by tactics of obstruction designed to deliver Manchuria to the Chinese Reds.

At Potsdam, in July 1945, the United States, the U.S.S.R., and the United Kingdom agreed that, subject to the requirements of military security, freedom of speech, freedom of the press, and freedom of religion would be respected in the occupation of Germany. As everyone knows, Soviet authorities in East Germany have curtailed genuine freedom of speech and press by imposing the totalitarian instruments of suppression, censorship, and secret police. Basic legal and political rights have been the victim of authoritarian edict and one-party control, with the inevitable result that a puppet regime has been installed.

Most fresh in our minds, of course, is the summit conference of the Big Four in Geneva in July 1955. This high-level parley in the diplomatic Alps engendered great expectations among the peoples of the free world.

The single most specific agreement made at Geneva was on the German question. The four powers declared it was their purpose to settle the German question and the reunification of Germany by means of free elections which shall be carried out in conformity with the national interests of the German people and the interests of European security.

As Mr. John Foster Dulles later said, the Soviet Union failed to keep this solemn pledge, and on November 16, 1955, the Foreign Ministers of France, the United Kingdom, and the United States stated that negotiations on the German question had reached a deadlock, because the Soviet Foreign Minister insisted on a German policy which would have involved the continued division of Germany as well as the eventual dissolution of the Western security system. In a letter dated February 28, 1958, Soviet Foreign Minister Gromyko tore up the final scrap of the Geneva agreement when he said the German question is a question of relations between the two existing German states.

To those who may suffer the illusion that the real nature of international communism can be changed by any new show of amiability and affability put on by the Russians in connection with the signing of this treaty, one might only point to the announcement, which came on the heels of the 1955 Geneva adjournment, that the Soviets were increasing their military forces in East Germany. Then, too, the Israeli plane disaster, in which more than 50 persons were shot down by the Bulgarian Communists, only conformed to the Russian pattern of committing overt, violent acts in order to demean the United States before the eyes of the world. "So sorry," said the Bulgarian Communists, and they felt that they had atoned for their trigger-happy brutality. One must not forget, too, that it was virtually on the eve of the Geneva Conference that the Russians shot down one of our American planes over international waters, inflicting severe burns upon American boys, scars which some of the victims will carry to their graves. In that instance, the Soviets quickly assumed the partial responsibility, a development, based upon past experience, that warranted the sound conclusion that they knew it was their full responsibility. Our State Department made a hasty agreement, accepting the Soviet offer to pay for the damages.

I mention these incidents at this juncture merely to point up the sorry standards of measurements we have too often used in our official dealings with the Russians and to stress the fact that our sincere desire for peaceful relations with the Communists will carry us into serious danger unless we base our reckonings and policies on realism.

SOME ADDITIONAL CONSIDERATIONS ON QUESTIONS RAISED BY THE NUCLEAR TEST BAN TREATY

First. A detente.
Second. The leopard's spots.
Third. Time and circumstance.
Fourth. Peace with justice.
Fifth. World opinion.
Sixth. The basic issue.

1. A DETENTE

Mr. President, as one explanation for Mr. Khrushchev's willingness to be a party to this treaty, the thought is advanced that he wishes to attain a detente with the West. I consider it to be merely another one of those cycles in which the Communists follow periods of tension with periods of seeming relaxations. The Soviets may desire, at this point, a period in which to consolidate gains and repair weaknesses.

It is impossible, of course, for us to know with certainty what the reasons are for the sudden change of Soviet position and the turn of events. But there is no evidence that Khrushchev has finally decided to work for a stable and lasting peace.

Many of us have asked, "Why did Khrushchev agree at this time to an agreement he had refused even to discuss in September 1961 and August 1962?" In answer, we have been told that in October 1962, during the Cuban crisis, the Russian leader "peered into the pit of the inferno," realized for the first time the horrors that a nuclear exchange could unleash upon the world, and became convinced that the real interest of the Soviet Union would best be served by a relaxation of world tensions as a prelude to control over world armaments.

Those who hold this view seem to forget that the immediate result of the Cuban crisis was a "hardening" of the Soviet position on onsite inspection at the 18-nation Disarmament Conference in Geneva, that the Soviet decision to participate in the pact did not come until the Soviet Union had completed its atmospheric test series, and that all the comments relating to the inferno into which world leaders peered during the Cuban crisis have come from officials of the free world. One is almost tempted to ask, "Who frightened whom?"

There is little evidence of any sincere effort on the part of the Soviet Union to correct or modify the real causes of world tensions. Soviet forces still occupy Cuban soil. The Berlin wall still stands. East Germany still cannot participate in free elections or in a referendum on reunification. The Soviet leadership continues to threaten the free world with bombs in orbit and 100-megaton nuclear weapons. Subversion and warfare continue under Soviet sponsorship around the periphery of the free world while the Soviet and Chinese heartlands remain relatively immune.

The Soviet leadership may have peered into the inferno last October, but I am not convinced that they were reformed by what they saw.

I feel that, as has been the case before, the Soviets desire a breathing spell for the purpose of regrouping forces and for reexamining strategy and tactics. As Adm. Arleigh Burke testified during the hearings:

> Based on the past actions of the Communists when they make a sudden about-face, as they have done in the case of this treaty the provisions of which they have rejected on several previous occasions, it would seem that they wish to seek some advantage over the United States.
>
> They never have been generous. They always have acted solely in their own interests to reach their own goal of domination.

James David Atkinson, Ph. D., associate professor of government at Georgetown University, in his book, "The Edge of War," 1960, includes an interesting chapter entitled "The Fusion of War and Peace." Dr. Atkinson, a West Virginian, discusses the Soviet purpose of seeking a "breathing space," from time to time, in the course of the Communist offensive:

> Furthermore, any disarmament concessions will be, on the part of the Soviet bloc, in the nature of a detente. But the democracies, by contrast, have in the past tended to consider such arrangements on a permanent or semipermanent basis.
>
> The new phase of Soviet strategy does not imply an abandonment of the ultimate goal of a Communist world. This is clearly spelled out by Khrushchev's statement immediately preceding his American visit: "We Communists believe that the idea of communism will ultimately be victorious throughout the world, just as it has been victorious in our country, in China, and many other states."

The idea of a breathing space during which Soviet strategy will call for the struggle against the non-Communist countries to be conducted in a more sophisticated form was also pointed out in a Pravda editorial that laid down the line in these words: "Today we are living at a time when the historic transition from socialism to communism is taking place. * * * At the United Nations, Comrade Khrushchev put forward the principles of U.S.S.R. foreign policy and on behalf of the Soviet Government submitted proposals for universal and complete disarmament of all states, which opens up a new era in the struggle for world peace."

A breathing space in the cold war between the Soviet Union and the NATO allies will also permit the Chinese Communist junior partner to step up cold war activity in the Far East while the U.S.S.R. regroups its forces in the other half of the globe.

The apparent new phase in Soviet policy can be expected to last only as long as it offers advantages to the Kremlin leadership. Undoubtedly there will be those in the Soviet high command who will urge a harder policy against the West, for they will see signs that will confirm their belief that the capitalists are sufficiently decadent and weakened to be eliminated sooner rather than later. From time to time the non-Communist world will be threatened, and incidents will be manufactured to test its strength. The United States will remain the principal barrier to Soviet bloc aspirations. Nineteen hundred and fifty-eight saw the beginnings of a subtler policy by the Soviet Union to dissipate American determination to maintain this barrier. The decade to 1968, and especially the years from 1961, will be the crucial period in the development of Soviet strength and the attempted softening of the American will to resist and of the ingredient that chiefly supports that will, our military strength. Signs of weakness on the part of the United States will no doubt increase the momentum of the Soviet advance and lead the Kremlin to believe that it need not delay the last stage of the Communist offensive.

I believe Dr. Atkinson's words are prophetic.

2. THE LEOPARD'S SPOTS

Many of the attitudes and stratagems which mark the Communists' approach to negotiations are baffling in the extreme so long as we believe that they are seeking peace, or even a significant lowering of tensions. But they become understandable as soon as we realize that they are seeking only, in Lenin's phrase, "an agreement concerning war." Marxist-Lenin thinking in this regard has not changed from the idea of one-time Politburo member Grigori E. Zinoviev, who said on February 2, 1919:

We are willing to sign an unfavorable peace with the Allies. * * * It would only mean that we should put no trust whatever in the bit of paper we should sign. We should use the breathing space so obtained to gather our strength.

Stated another way, if the other party to such a treaty believes that it is being signed in good faith, he is to be rated as a victim of his own naivete: what Lenin called petty bourgeois trustfulness.

History repeats itself. This is a common saying which we have all heard from our youth up. If, then, we refuse to understand the lesson of history, we are condemned to repeat the errors of the past. We shall suffer all the more if we insist upon closing our eyes to that inevitable history which Communist leaders, as did Hitler in Mein Kampf, write in advance.

If, indeed, "coming events cast their shadows before," we should long ago have taken warning from a commitment, grievously broken, of 30 years ago. Litvinoff's pledge to President Roosevelt is referred to on page 287 of "What We Must Know About Communism," by Harry and Bonaro Overstreet, 1958:

Even the ideological outposts of empire rest on broken promises. Thus, on November 12, 1933, Litvinoff gave a four-point pledge to President Roosevelt—as a condition of the U.S.S.R.'s being officially recognized—guaranteeing that the Soviet Union would refrain from all propaganda and organized activity that had as its aim the overthrow of the U.S. Government or the undermining of our institutions. Five days later, however—with recognition accomplished—he released a statement which said, "The Third International is not mentioned in this document. You must not read into it more than was intended." A month later, the Comintern met in Moscow and adopted resolutions which instructed all parties—including the CPUSA—that there was no way out of the general crisis of capitalism other than the one demonstrated by the Bolshevik revolution.

In His Sermon on the Mount, Jesus uttered an oft-quoted truism: "Wherefore by their fruits ye shall know them." The Soviet record of deceit and duplicity, treachery and perfidy is clearly written. But that record is not complete, nor, in my judgment will it be complete as long as leaders in the Soviet Union subscribe to Communist ideology.

The words of the Prophet Jeremiah, heard above the din of the centuries, are as meaningful in our age as they were in his tempestuous day:

Can the Ethiopian change his skin, or the leopard his spots? Then may ye also do good, that are accustomed to do evil.

That the leopard has not changed his spots should be evident from the following statement by Mr. Khrushchev—a statement arrestingly free from dissimulation. Khrushchev, who some appear to believe is somewhat less dangerous than was Josef Stalin for the United States, said on September 17, 1955:

If anyone thinks that our smiles mean the abandonment of the teachings of Marx, Engels, and Lenin, he is deceiving himself cruelly. Those who expect this to happen might just as well wait for a shrimp to learn how to whistle.

3. TIME AND CIRCUMSTANCE

It has been suggested that we cannot now reject a nuclear test ban treaty since we advanced the same offer in 1959 and again in 1962.

The situation which now confronts the United States is quite different from the situation at the time of the previous offers. In 1961 and 1962, the Soviet Union carried out an extensive series of nuclear tests in violation of previous promises to refrain from testing. As is well known, much time is required in order to evaluate such a series of tests. The Soviet evaluation of the 1961–62 series was completed during 1963. The Soviets now have the opportunity to freeze us into an inferior technological position. Consequently, the situation as of today has clearly changed and, in prudence, we cannot be bound by offers made when quite different circumstances obtained. Proponents of the nuclear test ban treaty would quite clearly have a much stronger case had the Soviet Union refrained from conducting such an extensive series of nuclear tests in 1961–62.

4. PEACE WITH JUSTICE

It has been argued that if we reject the present treaty we will never be able to get the Soviet Union to sign another test ban treaty.

This argument ignores 46 years of Soviet diplomacy. From the Bolshevik seizure of power in Russia down to the present day, if there has been one constant in Soviet diplomacy it has been, above all, the constant of flexibility. As shown over the course of thousands of negotiations, the Soviets are quite willing to bargain endlessly at the diplomatic table. It is not they, but we who become restless and believe that some action must be taken now, some diplomatic agreement reached at once. And this flexibility on the part of the Soviets has consistently been tied to a keen appreciation of the balance of military power in the world. When the military power of the United States has been in the ascendancy the Soviets—being always flexible, as they are—have been inclined to be more reasonable. When the military power of the United States has begun even a slightly apparent decline, the Soviets have tended to become belligerent, bellicose, and intransigent.

Paradoxically, rejection of the treaty may eventually bring about a treaty embracing solid inspection safeguards—and which the Soviet Union would accept. How, one may well ask, could such a desirable end be achieved? If the United States tests—as we have not done—and realizes the full potential of of which we are capable, we can prove conclusively to the Soviet Union that they cannot compete with us in nuclear weapons. The Soviet record is clear. They are the hardest of hard negotiators. But they do respect power. Here again the record is clear. If faced with a continuing position of inferiority in nuclear technology, they would have every reason to accept a valid treaty providing sound rules of inspection. Unfortunately, it would appear that they accept our present desire for a treaty as a sign of weakness. By rejecting the treaty we can disabuse them of this notion. Then, patiently but purposefully, we can go forward to build an enduring peace. Not a tenuous peace which may expire as quickly as did Neville Chamberlain's "peace in our time." But an enduring peace based on power with purpose. Let us not timidly shrink from the atom, but, knowing that God is good, have faith that this "Nation under God" was given great power—from the atom—to be used in the pursuit not of peace alone, but of peace with justice.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. In line with what the Senator is saying, if we agree to the test ban treaty minus inspection, and the Soviets are able to victimize us in one way or another, as by testing on

Chinese soil and pushing ahead to the development of new plans based upon knowledge already obtained, would it not be likely that the Communists would have even stronger reason to believe that they might eventually be able to lure us into a disarmament treaty, under which we would forgo essential inspection or agree to the kind of inspection the Soviets might offer?

For example, they are proposing to have inspections at certain places which they would designate—a particular crossroads or railroad crossing that they would agree to. But if we agreed to such a plan, they would "route the train" the other way, so that it not pass the locations of the sites to be inspected, in an attempt to mislead or deceive us. Thus the seeds of our own undoing would be contained in such an agreement.

On the other hand, if we insisted that we would make no agreement until we were satisfied that such a treaty served our purpose equally with theirs, we would have executed an agreement under which we could automatically detect a violation.

If we obtained that kind of agreement, would it not be the basis for making the Soviets realize that eventually, at such time as disarmament came, it would have to be on a foolproof inspection basis?

Mr. BYRD of West Virginia. The suggestion is an interesting one.

Mr. LONG of Louisiana. If we entered into this treaty minus inspection, the Communists would be given every incentive to feel that if they held out long enough, they could get a disarmament agreement minus inspection.

Mr. BYRD of West Virginia. Earlier this week the distinguished chairman of the Committee on Armed Services [Mr. RUSSELL] lucidly and cogently presented a logical step-by-step hypothetical case precisely in point with what the Senator from Louisiana has just said. I thank the Senator.

5. WORLD OPINION

It is urged that so many nations of the world have already signed the nuclear test ban treaty that the United States risks the censure of world opinion if we refuse to approve the treaty. This is really one of the strongest arguments sustaining the decision, right or wrong—and only the future will reveal this—of those who will support the treaty. At least, it appears to be one of the major factors in their decision.

There seems to be a great fear of flying in the face of world opinion if we reject the treaty. Voss, in Nuclear Ambush, aptly puts this question into focus:

> Before the world is overcome with guilt for having produced the atomic age's brilliant mushroom cloud, it would do well to reflect how much more of this globe would be under the communistic cloud today were it not for the U.S. nuclear capacity.

I think we should pause and reflect about the matter of world opinion, as it has been injected into the issue before us. I, too, will agree that rejection of the treaty by the Senate would have an adverse psychological effect upon the countries that have signed the treaty. But is this to deter us from acting, even at this late hour, in our own best interests and in the best interests of those who might momentarily condemn us? It should give us pause to remember that the overwhelming majority of the signatories will never become nuclear powers. Many of these signatories could ill afford a modern battleship.

To allow world opinion to dissuade us from taking a course away from danger is to allow "the tail to wag the dog," if I may refer to a common expression. Let us not forget that when we talk about the striking power that is built around the Strategic Air Command and the Polaris submarine, we are talking, in General Power's words, "about better than 90 percent of the striking power of the free world." This being the case, why should the United States—a country which, in the event of all-out war, would be expected to deliver 90 percent of the striking power for the protection of the free world—hesitate to act in accordance with its own safety, and that of its allies, even if it means that we temporarily disappoint the portion of the free world complex which can supply only 10 percent of the striking power?

A large percentage of those who would condemn us for rejection of the treaty would be neutral states. Some of these have been more or less chronic critics, not only of our foreign policy, but of our domestic policies, as well.

In this trying hour we should heed the words of the Psalmist: "Be still, and know that I am God." Perhaps if we would but take a moment in this mad rush of life and "be still" to ponder and meditate upon the troublesome aspect of world opinion as it is involved in the momentous question before us, we would find an inner counsel and an inner strength that would enable us, not "to see through a glass darkly," but to come face to face with our destiny.

American is a great nation. It has long been a good neighbor to the countries that join its unwalled and unguarded borders. Its sons and daughters have shed their blood more than once in the cause of liberty. It has freely poured out its largess to other nations, small and large, throughout the earth. Many of the signatories of the treaty—in fact, virtually all of them—have, at one time or another, been the recipients, in one way or another, of our beneficence. America's good will again and again has been liberally demonstrated by the outpouring of her billions and by her other deeds of kindness. What more is needed to convince the world of the peaceful motives of the greatest nation in all the ages?

There are but few nations that have power to alter the course of world history. America is one of the few. The overwhelming majority of nations will be able in the future, as they have been able in the past, to contribute but little to the determination of human events and to the course of the stream of history.

Those who would condemn us lack the power to take "at the flood" that "tide in the affairs of men which leads on to fortune." But not so with America. She has the power and the resources to direct the path of events.

Along with this power, America has a duty, in this situation, to act so as to insure that communism will not be "the wave of the future."

But we cannot temporize, and we must not shrink from our oft-unpleasant responsibility. What really counts so much is, not world opinion in this era of confusion but, rather, what will preserve this Republic in all the years to come.

I refer again to "An Appraisal," a chapter in Nuclear Ambush:

> For the United States, it matters only to a minor degree—it is not even morally defensible—if neutrals complain about our sprinkling them with radioactive fallout that may possibly harm a very few of their people. Dysentery and influenza, which the complainers export to us, more than balance the grievance lists. If the safety of all America is at stake, however, one takes the risk of harming a few people, foreigners or fellow citizens. We can regret the injury—perhaps try to compensate in some way for it. But we cannot sacrifice our whole Nation's safety or our own very lives, out of deference to a vague fear that is more mystic than scientific——

Or real.

Voss clearly reflects the Soviet Union's disregard for world opinion on page 532 of his book:

> Test ban advocates said Russia could not afford to cheat, because she would be grievously embarrassed if she were caught. But the Communists dared to cheat on the Korean and Indochinese armistice agreements and seemed to bear up extremely well, if they suffered any embarrassment at all. The Russians later forced abandonment of the whole premise when they resumed testing in September 1961, boasted of it, and tried to intimidate the world.

The fact that "world opinion" has its curse as well as its blessing is articulately portrayed in this final excerpt from Voss' work:

> There are some lessons to be drawn from the history of the nuclear test ban issue. One of the first is that it is extremely dangerous to put off a showdown with "world opinion" over issues vital to the national security. The United States got involved in a nuclear test ban negotiation more because it "wanted to be nice" to the rest of the world than because it believed its own security interests would be served. It may or may not have been true that wiping out the danger of nuclear war would have been in the national interest, if it were even possible. But it was clearly perceived in the days before 1958 that a nuclear test ban alone could not possibly accomplish this. Later, the United States stumbled rather than walked into the test ban ambush, humoring the worriers of the world, who depended on the United States for protection, rather than leading them. Humoring the fainthearted, when confronted with a ruthless adversary like Soviet communism, has proved to be a dangerous game.

Indeed, if the question before us were not so sobering, one might, in being confronted with the argument that we should not fly in the face of world opinion—that of 97 nations—brush aside the thought, by simply referring to Thomas Carlyle, On Boswell's Life of Johnson.

> Aesop's Fly, sitting on the axle of the chariot, has been much laughed at for exclaiming: "What a dust I do raise."

In answer to those who urge that rejection of the treaty risks the censure of world opinion, it is a temptation to point out that the general peace—the freedom from a total war—enjoyed by the world since the end of World War II has not been brought about by world opinion. It results, as Sir Winston Churchill has reminded us, from the blunt fact that the United States has possessed such overwhelming power in nuclear weapons and their delivery capability as to insure a general peace.

Such an answer, I say, is indeed tempting, for it is true. But there is an even more compelling answer. The nuclear test ban treaty is before the Senate of the United States for serious and prayerful deliberation. It is to be hoped that the United States is not engaged in an international popularity contest. The compelling answer is, not how many Nations have ratified this treaty, but that the United States adopt the course of action that is right. British Prime Minister Neville Chamberlain returned from Munich with the plaudits of most of the nations of the world that he had brought peace in our time. The British press recorded that massive crowds hailed him in London on the night of his return from Munich, and that the cheering masses joined in singing "For He's a Jolly Good Fellow." But did he do what was right?

Mr. President, we come to a discussion of the basic issue of the nuclear test ban treaty.

THE BASIC ISSUE

The basic, the overriding, issue is whether the treaty constitutes a risk to the continued military superiority of the United States and, if so, whether the risk to that superiority is a risk to peace.

That the treaty constitutes a serious risk to the continued military superiority of this Nation is clear, as I think I have already shown. This is my judgment of the matter, but it is based upon a careful weighing of the evidence. And while I do not stand with the majority in this judgment, I do not stand alone.

The ultimate question, therefore, is this: Is the treaty a risk to peace?

Since the end of the Second World War the world has witnessed an uneasy peace which some have called the cold war. But there has been a general peace, an absence of general war. What has maintained this general peace? Not an American, as I have already indicated, but an Englishman has given the most cogent answer. Sir Winston Churchill has said that the overwhelming nuclear superiority possessed by the United States has kept the peace. Clearly, anything which diminishes this nuclear superiority is a step which diminishes the power to maintain this general peace. It is a step which may encourage any aggressor-minded nation to take a risk which it would otherwise be inhibited from taking, the risk of war.

Speaking in Yugoslavia on August 21, 1963, Soviet Premier Khrushchev said:

> You and we have mutual aims, the struggle to construct socialism and communism. You and we have a mutual enemy: imperialism.

Will the effects of the nuclear test ban treaty increase the risk of war by encouraging Khrushchev—or his successor—to take risks against the "enemy" which would otherwise not be taken? To answer this hard question easily in the name of the relaxation of tensions is tempting. It may even be momentarily popular. But a harder course of action is that enjoined by the admonition of the Bible to act with prudence. Using words so applicable to the question of trust today, to the spirit of the nuclear test ban treaty, the psalmist said:

> The words in his mouth were as smooth as butter, but war was in his heart.

CONCLUSION

Mr. President, I have reached my conclusion to vote against this treaty. I shall do this sorrowfully. Sorrowfully because it places me in opposition to the position of our President, a leader who has earnestly sought to find a path of hope in his pursuit of peace. I respect and honor our Commander in Chief. Yet, all men are fallible, and all may, therefore, err. As a Member of the Senate, upon whose shoulders rests an equal portion of the awesome responsibility of choosing the right course as we stand at what may be the last great crossroads, I feel it imperative that duty should rise above all things and that in the course of fulfilling my duty, I am bound to be true to my convictions. My convictions have led me to speak the words I have spoken today and they will lead me, if I live, to carry out my announced intention to cast my vote against confirmation of the treaty. For, as Robert E. Lee said:

> If we, only to please the people, stand for that which we disapprove, how, then, can we later defend our actions?

I hope that I am wrong in my apprehensions, because as the distinguished chairman of the Senate Armed Services Committee said earlier this week, if those of us who are against this treaty are wrong in our decision, then, we will all be the happier for it.

Paul the Apostle said: "Where the spirit of the Lord is, there is liberty." America's greatness has been, from the beginning, of the spirit. There have been times recently when I have thought that America's greatness had slipped from her grasp, but this cannot be right. Human destiny will still be influenced by an America that calls back again her greatness, because there is yet an America that, in this conflict of wills and ideologies and ways of life, can draw once more on her spiritual heritage with the call to action of the Prophet Isaiah:

> Strengthen ye the feeble hands, and confirm the weak knees. Say to the faint-hearted: Take courage, and fear not.

A people that thus recalls its heritage of courage may yet ensure that "the edge of war, like an ill-sheathed knife, no more shall cut its master."

Mr. President, I apologize to the other Members of the Senate who have been discommoded by my long and tedious statement. I recognize that those of us who take the position I have taken are assuming an unpopular position in this matter. I accord to those who support the treaty, however, as I stated in the beginning, the same sincerity of purpose and the same dedication to the security of our country as I claim to possess.

We have all examined the same testimony, the same evidence, on the question which we soon must decide. We have listened to the same witnesses. But, having weighed this evidence, having evaluated it, each of us has attempted to judge, in his own mind and in his own conscience, what his decision should be. And we shall not all agree.

Regardless of the decision of each of us, every Senator has conscientiously strived to wrest from this agonizing question the answer that will serve his country best. For, differ though we will, the consolation may be ours that we have labored in the spirit of the words engraved on a statue which stands in the State capitol at Atlanta, Ga.:

> He who saves his country saves all things,
> And all things saved will bless him.
> He who lets his country die lets all things die,
> And all things dying curse him.

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

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. I congratulate the able Senator from West Virginia for the magnificent address he has made today against the ratification of the nuclear test ban treaty. It is one of the most scholarly addresses I have heard during my service in the Senate. It has been clear, forceful, and logical.

In his address he has raised the different arguments seriatim in favor of the treaty, discussed them, and successfully refuted them.

In his address he has discussed arguments against the treaty that should appeal to Members of the Senate, and I believe will appeal to the American people. These arguments are sound and they are logical.

In his address he has discussed the nature of the Soviet Communist threat, which we know is a most dangerous and vicious threat. Lenin said, when he took over Russia in 1917, that the aim of the Soviets was to be the gravediggers, the heirs, and successors to the governments of the world. The Communists have never departed from their goal. Their goal today is world domination.

The able Senator from West Virginia has discussed this topic with ability, the same as he has discussed the Soviet record on treaties. It is clear that the Soviets will not keep a treaty except when it is in their favor. The American Bar Association had a study made, and it found that the Soviets had broken 50 out of 52 major agreements. They had broken hundreds of other agreements. The Senator from West Virginia has shown clearly their perfidy, treachery, and lack of good faith in keeping agreements.

In addition, the Senator from West Virginia has discussed other questions that have been raised by the nuclear test ban treaty.

All in all, he has delivered a very comprehensive address. The address should be read by every Member of this body. I do not see how any openminded, fair, objective person could read the address

and reach any conclusion other than that reached by the distinguished Senator from West Virginia—namely, that the treaty is unwise and that the Senate would walk the path of wisdom if it failed to ratify it.

Again I congratulate the able Senator for his fine address.

Mr. BYRD of West Virginia. I thank the Senator from South Carolina for his generous and kind remarks.

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

Mr. BYRD of West Virginia. I yield to the Senator from Georgia.

Mr. RUSSELL. I extend my hearty congratulations and strongest commendations to the Senator from West Virginia for this very remarkable presentation.

The Senator is a careful man. I have worked with him on committees. I know the care he exercises even in minor matters before reaching a conclusion. In this case, the remarkable statement he has made indicates a most thorough and exhaustive study of all the evidence that was available on the subject of the proposed treaty.

All of us have a pretty clear idea about the outcome of the voting on the proposal when the Senate takes it up next Tuesday morning under the unanimous-consent agreement.

However, I am willing to risk a prophecy—and that is always a dangerous thing to do—that the events of the next 12 months will completely justify the unstinted effort and the devoted patriotism which the Senator has put into his analysis of the treaty. He has documented it so thoroughly that if this country endures and some historians of the future decide to make a study of the subject, they will find most of the material they will need in the address of the Senator from West Virginia.

Let me say to the Senator that even if our numbers are small on Tuesday, his efforts have not been wasted. They will serve a very useful purpose in the days to come.

I am proud to be able to claim him as a friend, one who has shown such high motivation and such a distinguished effort in the preparation of the analysis.

Mr. BYRD of West Virginia. I shall always treasure the compliments of the distinguished senior Senator from Georgia. I consider him to be a great U.S. Senator, a great southerner, and a great American.

Mr. RUSSELL. I thank the Senator.

Mr. MONRONEY. Mr. President, I join my colleagues in the Senate, although I shall vote on the other side of the issue, in complimenting the distinguished Senator from West Virginia on his thorough and well documented and enlightened discussion of this very serious problem which all Members of the Senate face on next Tuesday in making their decision on how to vote on the test ban treaty.

Mr. BYRD of West Virginia. I thank the able senior Senator from Oklahoma.

Mr. GOLDWATER. Mr. President, I take this opportunity to thank and congratulate the distinguished Senator from West Virginia for what I believe to be one of the most forceful arguments against approval of the treaty that it has been my pleasure to hear on the floor of the Senate.

Mr. BYRD of West Virginia. I thank the Senator from Arizona.

Mr. President, I yield the floor.

Mr. President, I ask unanimous consent to have printed in the RECORD the first 14 pages of the interim report of the Preparedness Investigating Subcommittee of the Committee on Armed Services of the Senate.

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum on significant dates in atomic weapons development and subsequent negotiations.

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD "Alert No. 5, Soviet Treaty Violations," published by the Armed Forces Information and Education Institute, Department of Defense, November 5, 1962.

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 3.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Sunday Star of September 15, 1963, entitled "How the Soviets Are Observing Their Treaties."

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 4.)

EXHIBIT 1

INTERIM REPORT ON THE MILITARY IMPLICATIONS OF THE PROPOSED LIMITED NUCLEAR TEST BAN TREATY

I. INTRODUCTORY STATEMENT

Since September 1962, the Preparedness Investigating Subcommittee has engaged in a comprehensive and extensive inquiry into the military and technical implications and aspects of the various nuclear test ban proposals.

Although the inquiry was originally directed to the entire field of nuclear test ban proposals from the standpoint of their potential impact upon our military posture and preparedness, the negotiation and signing of the three-environmental nuclear test ban agreement in Moscow caused the subcommittee to focus attention on the potential impact of that treaty upon the future of our Military Establishment and strategic forces.

This interim report is directed specifically to the partial test ban agreement. It deals with the military advantages and disadvantages to the United States which flow or might flow from the agreement. Political considerations, and matters involving foreign and international affairs, as such are not within the scope of this report.

In considering the impact and effect of the proposed test ban it is important to remember that for nearly two decades this Nation has been confronted by an adversary who has openly and repeatedly proclaimed that this dominant goal is to destroy the nations of the non-Communist world. Only because we have maintained clear military superiority and the ability to inflict unacceptable damage upon him has the would-be aggressor been deterred. The basis of our deterrence is military superiority which, in turn, is based on our nuclear weapons programs and nuclear retaliatory forces.

It is vital to our survival that no step be taken which in any manner would impair the integrity and credibility of our deterrence or degrade the ability of our military forces to protect our security if we should be challenged militarily by a hostile nuclear power.

II. BACKGROUND AND SCOPE OF REPORT

The chairman of the subcommittee, in opening the hearings on September 17, 1962, stated:

"The Senate Committee on Armed Services has legislative responsibility for the common defense generally and for matters affecting the size, composition, and equipage of the Armed Forces. It has a direct and legitimate interest in any and all activities which affect or may affect the development and procurement of weapons and the size and quality of our fighting forces."

He also said:

"Since weapons development and testing go hand in hand, we will inquire into the status of our nuclear test activities with respect both to weapons developments and weapons effects. Technical data now available on this question will be considered as well as information relating to our position in this field as compared with the progress of the Soviets."

In the months that have followed the subcommittee has made an exhaustive effort, on a scope and scale which is believed to be unprecedented as far as the Congress is concerned, to obtain complete and full information about the relationship of nuclear testing—in all environments—to the integrity of our deterrent forces and the ability of our retaliatory or second-strike forces to survive and respond to a nuclear attack. During the hearings thus far 2,800 pages of testimony were received from the 24 witnesses who are listed in alphabetical order in appendix A. Most of this testimony involved highly technical discussions relating to the needs and capabilities of our present and future nuclear weapons systems.

The overall objective of the subcommittee in this inquiry has been to develop as impartially, as objectively, and as fully as possible all available military and technical information bearing upon the subject matter so as to insure that the Senate would have available to it essentially the same body of military and technical evidence as is available to the executive branch of the Government in its formulation of nuclear test ban policies and in its weighing of their security implications. This objective has, we believe, been attained. The military, technical, and security problems associated with suspensions of nuclear testing have been identified, explored, and assessed. These problems will be discussed in this report with particular emphasis upon their relation to the treaty banning nuclear tests in the atmosphere, outer space, and underwater.

III. SUMMARY OF MAJOR FINDINGS

1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.

2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvan-

tages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior.

3. Admittedly, however, other important factors—such as foreign policy, international affairs, and relations with other countries—are relevant in an overall assessment of the treaty. These are not within the scope of this report. When they are considered, as they must be, each individual must reach his own judgment about the wisdom and desirability of the treaty on the basis of personal philosophy, past experience, current knowledge, and relative weight which he assigns to the various factors involved.

IV. COMPARISON OF U.S.–U.S.S.R. NUCLEAR WEAPONS PROGRAMS

In this section we will endeavor from the testimony we have received to compare the nuclear warhead knowledge and state of the art of the United States with that of the Soviet Union. This includes, of course, the important field of nuclear weapons effects.

The criteria we will use are the number of tests conducted within important yield ranges and the yield-to-weight ratio (the explosive energy released per pound of bomb) achieved in the test programs. We will compare the situation prevailing in 1958 prior to the moratorium and that prevailing today.

A. Multimegaton weapons capabilities

In 1958, at the onset of the 34-month nuclear test moratorium, the United States had conducted slightly more tests above 1 megaton in yield than had the Soviet Union. Of these U.S. tests, one-fifth were in yield ranges above 10 megatons. No tests had been conducted by the Soviet Union in this high-yield category. As a result of this experimental program, the United States held a clear superiority over the Soviet Union in the yield it could achieve in a given thermonuclear weapon throughout the range of deliverable weights.

Following the abrogation of the moratorium by the Soviet Union, the test and performance records altered drastically. In 1961 and 1962 the Soviet Union conducted in yields above 10 megatons twice the number of tests which had been conducted by the United States in that yield range throughout the history of its nuclear test program. The total number of Soviet tests above 1 megaton was approximately four times that conducted by the United States in the same period (1961–62). In terms of yield-to-weight ratios, the Soviet Union, as a result of its aggressive test program and its concentration on very large yield weapons, has demonstrated clearly superior performance in all yield classes above approximately 15 megatons where the United States has had no testing experience since 1954. It is also worth noting that the scientific witnesses were unanimous in expressing uncertainty about the particular designs employed by the Soviets, to achieve the results observed in their very high-yield experiments.

B. Low-megaton and submegaton weapon capabilities

Below a few thousand pounds in weight and a few megatons in yield the evidence available to us indicates that the United States continues to hold a lead in weapon design and performance.

For a variety of reasons the United States has chosen to concentrate its development efforts on weapons yielding from a few megatons down to fractions of kilotons. Consequently, it probably continues to hold some advantage in design techniques over the Soviet Union in these areas and in the ability to maximize the yield which can be achieved at a given weight and size or, alternatively, to package a given yield in a device of minimum weight and size.

However, the rate of testing below 1 megaton indicates that the Soviet Union is attempting to challenge seriously the U.S. lead in the lower yield weapon categories. Prior to the 1958–61 moratorium the United States had conducted somewhat more than twice as many tests at yields below 1 megaton as had been detected in the Soviet Union. By the end of 1962 this ratio had dropped significantly. More important, the 1961–62 Soviet test series included more tests in this yield range than had been conducted in its entire program from 1949 through 1958. Even accounting for tests to assess the effects of explosions and tests to confirm the yield of stockpiled weapons, this constitutes impressive evidence that the Soviet Union has no intention of permitting U.S. superiority in weapon design and performance at yields below 1 megaton to go unchallenged. It is in this range of yields that the testing underground permitted by the treaty can be accomplished readily.

Furthermore, there is a serious question about the adequacy of our knowledge of the nuclear devices employed in the Soviet experiments in the lower yield range. Detection, identification, and analytical capabilities are degraded at the lower end of this yield spectrum, particularly in the low and subkiloton area. Consequently, our confidence in any conclusions concerning the Soviet state of the art in weapons yielding up to a few kilotons is correspondingly low. While we believe that U.S. superiority extends to these very low-yield ranges, hard evidence on this point does not exist and, accordingly, we accept the judgment of our Atomic Energy Commission witnesses that "while some intelligence exists on which to base an estimate of U.S.S.R. tactical nuclear capability, the dearth of information [does] not permit a comprehensive United States-U.S.S.R. comparison. [For] future developments a credible U.S.S.R. development capability can be made by assuming a capability similar to ours."

C. Weapons effects programs

Important as are programs associated with the acquisition of new or improved types of weapons, the advent of the missile age and the adoption of a second-strike or retaliatory strategic policy by the United States has elevated to a first priority tests to determine the effects of nuclear explosions on hardened missile sites and control centers, on reentry bodies in flight, and on radar, electronic, and communications systems. Of equal importance have become tests to determine what unique effects are produced by nuclear explosions in space, the atmosphere, and underwater so that the knowledge gained might be exploited for defensive purposes or our own weapon systems designed to resist them.

From the testimony before the subcommittee, it is clear that neither nation has conducted a weapons effects test program of sufficient size and complexity to resolve whatever doubts may exist about the adequacy of the design and the survivability of their nuclear weapon systems; nor has either tested sufficiently to fulfill the needs of their system designers and military planners.

However, the necessity and the motivation to conduct such experiments is clearly greater for the United States than for the Soviet Union. Since the early 1960's, the deterrent strategy of the United States has been based substantially on second-strike missile systems, that is, missile systems which can survive a massive first strike by a nuclear-armed enemy and still retain the ability to retaliate in such force as to destroy the attacker. By the mid-1970's this Nation's nuclear deterrent will probably reside primarily in land- and sea-based missile systems designed to achieve that degree of survivability. To date, only Polaris has been subjected to a full-scale system test, including the explosion of the nuclear warhead. Minuteman, Atlas, and Titan have never been so tested, nor have models of the base complexes of the hardened underground Minuteman and Titan systems been subjected to close-in high yield nuclear explosions to prove the adequacy of their design. While all of the military witnesses expressed reasonable confidence in the ability of these systems to fulfill their missions, it is clear that some unresolved questions exist and that the absence of adequate design and vulnerability data has necessitated radical overdesign, redundancy, and excessive development and construction costs. Only by atmospheric testing, can needed answers be obtained to the important unresolved questions.

However, there is one area of weapons effects knowledge in which the Soviet Union probably holds a distinct lead. By virtue of its large, multimegaton weapon tests, it is prudent to assume that the Soviet Union has acquired a unique and potentially valuable body of data on high-yield blast, shock, communications blackout, and radiation and electromagnetic phenomena which is not available to the United States. Furthermore, due to the absence of comparable experiments, the United States is not now in a position to evaluate realistically the military effectiveness of the Soviet 50-to-100-megaton terror weapons.

In the field of weapons effects experiments related to the design and development of an effective antiballistic missile (ABM) system the evidence, although less conclusive, indicates that the Soviet Union in 1961 and 1962 conducted a series of complex high altitude operations which, if properly instrumented, could have provided substantial and important data on various types of radar blackout and nuclear effects. These Soviet experiments were clearly dictated by an ABM development program.

The United States has conducted no experiments comparable in complexity to those Soviet operations and a disturbing number of the United States high-altitude-effects experiments which were conducted were compromised either by considerations unrelated to the technical objectives of the test program, by inadequate or faulty instrumentation, or by operational inadequacies. Based on the testimony we have received, there can be little doubt but that the quantity and quality of information available to the United States on high altitude nuclear effects is inadequate for the Nation's military needs.

V. UNITED STATES NEEDS FOR NUCLEAR TESTS

In assessing the merits of the treaty which is now before the Senate for ratification, it is important to understand the kinds and objectives of certain nuclear test programs which, in the opinion of the subcommittee and based on testimony received by it, would be desirable or necessary in any future U.S. nuclear test programs.

The following chart summarizes the subcommittee's conclusions and distinguishes between selected test objectives which can be realized through underground test programs and those which could only be achieved through atmospheric testing.

Test objectives—can or cannot be done under treaty:

Survivability and responsiveness of hardened site missile launch complexes to high-yield nuclear explosions. No.

Response of hardened underground structures to blast and cratering from high-yield surface burst nuclear weapons. No.

Response of hardened underground structures to ground motion. Yes.

Determination of missile warhead and nosecone vulnerability to nuclear explosions during atmospheric reentry. No.

Reduction of missile warhead and nosecone vulnerabilities to nuclear explosions. Yes.

Study of atmospheric and high altitude radar blackout phenomena. No.

Study of communications blackout phenomena from high-yield nuclear explosions. No.

Full-scale operational tests of ABM systems. No.

Development of ABM warhead with maximum lethality and minimum blackout properties. Partially.

Development of very high yield warheads, equal to or surpassing Soviet achievements. No.

Determination of very high yield nuclear weapons effects. No.

Determination of underwater nuclear weapon effects for improved antisubmarine warfare (ASW) systems. No.

Development of weapons requiring less fissionable material than present designs. Yes.

Development of pure fusion warheads. Yes.

Development of reduced fallout weapons. Yes.

Full-scale performance and reliability tests of Minuteman and Titan missile systems. No.

Yield verification tests of stockpiled weapons up to approximately 1 megaton. Yes.

Yield verification tests of stockpiled weapons above approximately 1 megaton. No.

Troop and crew training tactical exercises using nuclear weapons. No.

VI. MILITARY IMPLICATIONS OF TREATY

The primary objective of the hearings held by the subcommittee was to determine whether or not a suspension of, or limitation upon, nuclear testing would or could result in overall military and technical disadvantage for the United States. While the evidence leads us to the conclusion that the net result of the proposed treaty would be a military disadvantage, there was considerable divergence of opinion among the witnesses on the question of whether the disadvantage was acceptable from the standpoint of the Nation's security and whether the risks involved were acceptable on balance.

A. MILITARY DISADVANTAGES

The military disadvantages associated with the treaty which were discussed in testimony before the subcommittee were as follows:

1. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology: Though U.S. weapons laboratories are capable of developing and stockpiling designs yielding greater than 50 megatons without further experimentation, their weight and size would be incompatible with any existing or programed missile delivery vehicle. It is well within the capabilities of U.S. weapons laboratories to equal and to surpass the Soviet achievements, but to do so would require a number of atmospheric nuclear tests.

2. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions: Without such knowledge it is unlikely that a realistic assessment can be made of the military value of such weapons, or that plans can be formulated to protect military weapons systems against their use. The data possessed by the United States on high-yield weapons effects are inadequate to permit confident extrapolations to the higher yield categories.

3. The United States will be unable to acquire data on high altitude nuclear weapons effects: Such data are important to the design of antiballistic-missile-system warheads and radars. Again, this is an area in which Soviet experiments may have provided them with greater knowledge than that now available to the United States. Throughout our hearings there was considerable dispute on this point. The treaty proponents accurately observed that the ABM warheads could be developed through underground testing and that development of acquisition and tracking radars was an electronics problem not directly dependent upon nuclear tests. It is clear, however, that the characteristics or specifications upon which such warhead design and development should be based are not sufficiently known and cannot be determined with confidence without additional high altitude effects tests. As the Atomic Energy Commission observed:

"While our knowledge of * * * blackout phenomena provides some limited guidance in the determination of [ABM] warhead criteria * * * an optimized design could only be chosen after continued atmospheric testing. Whether or not significant gains will result, can be argued."

And again:

"The minimal [warhead] specifications * * * can be met within the framework of existing technology. [But, assuming that a minimal warhead will not be acceptable] testing both underground and in the atmosphere would be required to complete the development."

4. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests: An ABM system will be required to function in the nuclear environment created both by its own defensive warhead explosions and those of the attacking enemy. Under such circumstances it is important to be as certain as possible that no element of the system possesses unknown vulnerabilities to nuclear effects. All electronics components of the ground arrays and missiles must function; the missiles must be capable of operating in the presence of nuclear, thermal, and blast effects; the warheads must be resistant to nuclear radiations. It is apparent that unless a system of such complexity is tested in its operational environment, there will be a low level of confidence in its ability to perform the mission for which it was designed and produced. Many unknowns will arise in the course of the ABM development program which can only be explored and satisfied through the medium of atmospheric and high-altitude nuclear testing.

5. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in, high-yield nuclear explosions: (See the discussion under the heading of "Weapons Effects Program" on pp. 4 to 5 of this report.)

6. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

7. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology: There can be no doubt that a treaty limiting testing to an underground environment will tend to favor experimentation at the lower end of the yield spectrum. Economic factors will play a part since costs rise significantly with relatively modest increases in yield for underground tests. There are also testing limitations arising from the type of strata, geological uncertainties, and engineering factors. Whether or not either the United States or the Soviet Union will choose to test underground at yields much greater than approximately 1 megaton is not known, In any case, it appears that the race for nuclear technological superiority will be confined to that area where the United States is believed to now hold a margin of superiority. The result, with time, will probably be the achievement of parity by the Soviet Union in this area without any equivalent opportunity for the United States to attain equality in very high yield weapon technology.

8. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities: The results acquired from the analysis of radioactive debris generated by nuclear explosions has long been a basic source of intelligence on Soviet nuclear weapons programs. By driving Soviet testing underground, this intelligence will be denied the United States with the result that with the passage of time knowledge of the Soviet state of the art in weapons undergoing tests will be seriously degraded. The effect of the treaty will be to reinforce the difficulties already imposed on the United States by Soviet secrecy.

B. Counterarguments

A clear majority of the witnesses agreed that the treaty would result in military and technical disadvantages when compared with the increases in performance confidence and in the quality of weapon systems which would be derived from unlimited atmospheric testing.

It was stated, however, that it is characteristic of the experimental sciences that enough data is never available to satisfy the scientific search for knowledge. The testimony was unanimous that, except in the field of very high yield weapons, the United States today holds a clear and commanding lead in nuclear weapons systems over any one or any combination of potential enemies.

This superiority was said to result from a larger and more diversified stockpile of nuclear weapons, by more numerous, varied, and sophisticated delivery systems, and by a greater capacity to produce nuclear materials, weapons, and delivery systems.

It was also asserted that a cessation of atmospheric nuclear testing would in no case prevent qualitative improvements being made in our weapons systems which would flow from a vigorous nonnuclear technology. Some witnesses noted that potential improvements in missile accuracy and reliability would continue to be exploited. Some noted that uncertainties in ABM radar performance when confronted with the various forms of blackout induced by nuclear explosions could be compensated by the deployment of greater numbers and wider dispersal of the radars.

Uncertainties concerning reentry vehicle warhead vulnerabilities could be reduced by a factor of 2 or 3, based on present knowledge and without further testing, by straightforward engineering improvements, it was said.

Some witnesses noted that so far as any uncertainties which might arise about the survivability of second-strike missile forces were concerned, these could be compensated by additional redundancy in missile systems, by greater numbers of missiles, and by greater dispersal. It was also noted that U.S. war plans tend to be conservative concerning the percentage of the second-strike force surviving a nuclear attack and in estimating the number of warheads capable of reaching enemy targets and so provide adequate margin for error.

In summary, it was the contention of witnesses who supported the treaty that it will tend to stabilize the advantages which the United States now maintains in military nuclear superiority over the Soviet Union. While recognizing that doubts concerning the quality of some of our weapons systems do exist, they maintained that these doubts can be compensated by "brute force" techniques by which quantity is substituted for quality at considerably greater cost to achieve approximately the same results in military system effectiveness.

It is interesting and sobering to note that, as we proclaim our nuclear superiority and our determination to maintain it, the Soviets do likewise. A dispatch from Moscow, dated August 30, 1963, quotes Red Star, the Soviet armed forces newspaper, as saying that Russia today possesses superiority in nuclear power "and has no intention of relinquishing it." Red Star also said that, while the United States intends to continue under-

ground testing, the hopes of the Pentagon of attaining any "advantage in nuclear power by means of these explosions are illusory." And on September 3, 1963, Marshal Rodion Malinovsky, the Soviet Defense Minister, wrote in Komsomolskaya Pravda that the Soviet Union can "prove its complete military superiority over the United States."

VII. PROPOSED SAFEGUARDS

The Joint Chiefs of Staff in testimony before the subcommittee identified a number of military disadvantages which, in their collective judgment, would flow from the treaty. However, their assessment of the desirability of the treaty was not based on military considerations alone. Their conclusions on the matter also reflected their judgment of the political and foreign policy advantages and disadvantages which would result from it. Their joint conclusion was that, on balance, the political and foreign policy advantages to be derived from the treaty outweighed the limitations which the treaty would impose on the Nation's weapon systems programs.

However, the Joint Chiefs qualified their support of the treaty by making their approval conditional on the effective implementation of four "safeguards" designed to reduce to a minimum the adverse effect the treaty would have on our weapon programs. On the basis of these safeguards Senator JACKSON on August 14, 1963, offered a motion which was unanimously adopted by the subcommittee, and was subsequently approved by all members of the Senate Committee on Armed Services, requesting that the Joint Chiefs of Staff submit as soon as possible, and in any event prior to committee action on the treaty, a statement of the specific requirements to implement the safeguards proposed by the Joint Chiefs. Senator JACKSON'S motion, which sets forth the proposed safeguards in full, is attached as appendix B.

By a letter dated August 15, 1963, Senator RICHARD RUSSELL, chairman of the Committee on Armed Services, transmitted the Jackson motion to the Secretary of Defense, and requested a statement in response to the motion.

Responses to the motion were received from the Joint Chiefs and the Office of the Secretary of Defense on August 24, 1963. These responses are attached as appendix C.

The subcommittee considers it to be vital that, if the treaty is ratified, the recommended "safeguards" be implemented fully and that detailed and specific programs to so implement them be presented by the executive branch.

The administration has expressed publicly its intent regarding the safeguards both in the responses to the motion by Senator JACKSON and in other statements by the President, the Secretary of State, and the Secretary of Defense. Such statements are set forth in appendix D.

To permit the U.S. Senate to monitor the treaty safeguards it is necessary that the expressed good intentions be supplemented by definitive programs against which progress can be compared. At this time, we have not received details of testing, preparedness, and detection improvement programs which will permit the safeguards to be monitored in an effective manner. If the treaty is ratified it is the intention of the Preparedness Investigating Subcommittee to monitor the implementation of the safeguards and it would also be our hope that other committees of the Congress having jurisdiction in these areas would cooperate in this important program.

However, we wish to emphasize that even the most rigorous and conscientious implementation of the JCS safeguards will not alter, modify, or reduce the military and technical disadvantages listed herein which will result from this treaty. No safeguards can provide the benefits of testing where testing is not permitted, nor can they assure that this Nation will acquire the highest quality weapon systems of which it is capable when the means for achieving that objective are denied.

VIII. DETECTION AND IDENTIFICATION

A brief word should be said about the problem of detection and identification in connection with the proposed treaty. "Detection" means a determination that an event has occurred without implying that it has been identified as a nuclear explosion. "Identification" means that an event is not only detected but that it is identified as a nuclear detonation.

During the previous negotiations on test ban treaties, the major controversy in this field has centered around the ability to detect, identify, and fix the location of underground explosions. The proposed three-environment treaty, by permitting underground testing, considerably reduces the problems involved in detection and identification but does not eliminate them entirely.

The capabilities of our verification system cannot be discussed in detail in an unclassified document. However, notwithstanding anticipated and programed improvements in the system, it will still possess both detection and identification "thresholds" below which clandestine testing is possible with a low probability of detection.

The yields at which clandestine tests may be conducted and probably escape detection will vary with altitude and geographical location, and some uncertainty exists in this field. There is also some controversy as to whether significant military advantages can be obtained by clandestine testing in the prohibited environments.

It is not the purpose of this section to explore these problems in detail. It is our purpose here to point out that, under the limited treaty, problems of detection, identification, and verification still remain although they are of a lesser order of magnitude than would be true of a treaty banning underground testing.

IX. CONCLUDING STATEMENT

From the extensive evidence presented to us, we have come to the conclusion that the proposed treaty banning nuclear testing in the atmosphere, underwater, and in space will affect adversely the future quality of this Nation's arms, and that it will result in serious, and perhaps formidable, military and technical disadvantages. These disadvantages, in our judgment, are not outweighted or counterbalanced by the claimed military advantages. At the same time, we are not convinced that comparable military disadvantages will accrue to the nuclear weapon programs of the U.S.S.R.

Looking at the matter from the military aspect and from the effect of the treaty upon our military preparedness and posture, we cannot escape being impressed with the testimony of Gen. Thomas S. Power, commander in chief of the Strategic Air Command, and Gen. Bernard A. Schriever, commander of the Air Force Systems Command, who addressed themselves to the problem exclusively from the military point of view. General Power, after stating that he did not think the treaty "is in the best interests of the United States," said:

"I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban treaty."

General Schriever told the subcommittee that there "are definite military disadvantages" to the treaty and that, as a military man, he felt he could protect the country better without the treaty than with it.

Of course, the endorsement of the treaty by Gen. Curtis E. LeMay, Chief of Staff of the Air Force, was considerably less than enthusiastic, and he testified that he probably would have recommended against the treaty had it still been in the proposal stage.

From the evidence we have learned that the Soviets have overtaken and surpassed us in the design of very high yield nuclear weapons; that they may possess knowledge of weapons effects and anti-ballistic-missile programs superior to ours; and that under the terms of the treaty it is entirely possible that they will achieve parity with us in low-yield weapon technology. These things are not grounds for complacency. We believe very strongly that Soviet secrecy and duplicity requires that this Nation possess a substantial margin of superiority in both the quality and the quantity of its implements of defense.

Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty. Among these are matters related to international affairs, foreign policy, and relations with other countries. When these are taken into consideration the question becomes one of weighing relative risks, and our hearings provide ample evidence that the overall assessment of the relative merits and demerits of the treaty is a complex and difficult matter on which equally patriotic, informed, and dedicated persons may and do disagree. In the final analysis, then, each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved.

ADDITIONAL VIEWS OF SENATOR STUART SYMINGTON

Since 1955, when I was appointed a member of the Joint Subcommittee on Disarmament, I have followed closely the activity of our Government in arms control, disarmament, and nuclear test ban proposals; and specifically have studied carefully the three-environmental test ban treaty signed by our Government in Moscow on August 5, 1963.

To the best of my knowledge, the factual data contained in the report of the Preparedness Investigating Subcommittee is correct. But I believe the findings and conclusions are overly pessimistic as to the effect of the treaty on our national security.

As a member of both the Foreign Relations Committee and the Preparedness Investigating Subcommittee, I listened to and questioned many responsible witnesses—both in and out of Government. Most of these experts testified that our national security would be adequately protected under the terms of the treaty.

Much of this testimony was before the Foreign Relations Committee and, therefore, is not emphasized in this report.

Based on the record, I am worried about the treaty, but more worried about the possibility of an all-out nuclear exchange some day in the future, particularly if there is a proliferation of nuclear weapons among more countries. This treaty, a very small step, nevertheless could be the first step toward bringing nuclear weapons under some form of satisfactory control, which action should promote the possibilities of a just peace under law.

Therefore, I plan to vote for the treaty.

This does not deter me from signing the Preparedness Investigating Subcommittee report. The record made by the subcommittee is, to the best of my knowledge, the most complete record ever made on this vital subject by anybody on the military and technological implications of nuclear test ban treaties as they relate to our national security. It is a record which should be of inestimable future value to the Congress and the country.

DISSENTING VIEW OF SENATOR LEVERETT SALTONSTALL

As one Senator who attended the hearings conducted by both the Foreign Relations Committee and the Preparedness Investigating Subcommittee on the proposed nuclear test ban treaty, I find that I cannot, as a member of the Preparedness Subcommittee, concur with its report because I feel that its general tenor and its specific findings and conclusions are unduly pessimistic as to the effect of this treaty, if ratified, upon our national security. As a U.S. Senator, I intend to consent to the ratification of this nuclear test ban treaty.

I believe that the factual data contained in the report of the Preparedness Subcommittee is accurately stated. However, the nature of the conclusions drawn from this factual data are, in my opinion, overly adverse. It must be remembered that responsible Government officials such as the Secretary of Defense, the Joint Chiefs of Staff, leading scientists, and many others, some of whom appeared only before the Foreign Relations Committee, testified that our national security would be protected under the terms of the treaty even though some important atmospheric nuclear tests could no longer be conducted. This testimony is not sufficiently emphasized in the report, although I realize that some of it was not necessarily given in the hearings conducted by the Preparedness Subcommittee.

The Congress must insist upon an active, constructive, and energetic implementation of the four safeguards suggested by the Joint Chiefs of Staff so that our security will be maintained while the cause of peace and the lessening of tensions in the world are advanced.

EXHIBIT 2

SIGNIFICANT DATES IN ATOMIC WEAPONS DEVELOPMENT AND SUBSEQUENT NEGOTIATIONS

DATES OF CERTAIN NUCLEAR WEAPONS EXPLOSIONS

July 16, 1945: First U.S. nuclear device test, Alamogordo, N. Mex.

August 6, 1945: First atomic bomb dropped on Hiroshima.

August 9, 1945: Second atomic bomb dropped on Nagasaki.

September 23, 1949: President Truman announced the first atomic explosion in the U.S.S.R.

October 1952: First nuclear bomb test by the United Kingdom in Australia.

November 1, 1952: Exploded hydrogen device fired at Bikini by United States.

August 21, 1953: First hydrogen device tested by U.S.S.R. detected by United States (Not included.)

October 30, 1958: Last U.S. test before moratorium. (Not included hereafter.)

November 3, 1958: Last Soviet test before moratorium. (Not included hereafter.)

February 13, 1960: First French atomic test. (Not included hereafter.)

September 1, 1961: Soviets resume atmospheric nuclear weapons tests.

September 15, 1961: United States resumes underground nuclear weapons tests.

April 25, 1962: United States resumes atmospheric tests.

DATES OF NEGOTIATIONS ON DISCONTINUANCE OF NUCLEAR WEAPONS TESTS

June 14, 1946: U.S. proposal for international control of atomic energy (Baruch plan).

June 19, 1946: U.S.S.R. proposed alternate plan including insistence on retention of security council veto power over any control system.

March 24, 1957: Bermuda Declaration—Joint declaration by United States and United Kingdom to conduct nuclear tests in such manner as to keep world radiation from rising to more than a small fraction of the level that might be hazardous, to continue to announce test series, also expressed willingness to announce tests to the U.N. and permit international observation if the U.S.S.R. would do the same.

November 14, 1957: General Assembly Resolution 1148 (XII): Regulation, limitation, and balanced reduction of all armed forces and all armaments; conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen, and other weapons of mass destruction. Among its provisions, this resolution urged the immediate suspension of testing of nuclear weapons with prompt installation of effective international control, including inspection posts equipped with appropriate scientific instruments located in the United States, the Soviet Union, and the United Kingdom and at other points as required.

December 10, 1957: Soviet proposal that U.S.S.R., United States, and United Kingdom discontinue all tests as of January 1, 1958.

March 31, 1958: Decree of the Supreme Soviet concerning the discontinuance of Soviet atomic and hydrogen weapons tests.

April 28, 1958: President Eisenhower by letter to Khrushchev proposed that both nations have the technical experts start to work on the practical problems involved in disarmament, particularly working toward the suspension of nuclear testing. President Eisenhower stated "I reemphasize that these studies are without prejudice to our respective positions on the timing and interdependence of various aspects of disarmament."

May 9, 1958: Letter from Khrushchev accepting Eisenhower's proposal of April 28, 1958, to have experts study the problems involved in an agreement on the cessation of atomic and hydrogen weapons tests as far as inspection and control are concerned.

July 1, 1958: Conference of experts from the West (United States, United Kingdom, Canada, and France) and East (U.S.S.R., Czechoslovakia, Poland, and Rumania) met in Geneva.

August 21, 1958: Conference of experts adopted a final report for consideration by governments. Conference of experts recommended the so-called "Geneva system" of detecting nuclear explosions. This system recommended a network of 180 control points. It should be noted that the American representatives, during this conference, had taken the position that 650 control points would be necessary to have adequate protection down to 1 kiloton. Through compromise with the Soviets, they settled on the 180 stations, but then had to point out the weakness between the area of 1 kiloton and 5 kilotons.

August 22, 1958: President Eisenhower announced that based on the conference of experts' report, the United States was prepared to negotiate an agreement with other nations which have tested nuclear weapons for suspension of nuclear weapons tests and the establishment of an international control system. The President also indicated that the United States would withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations unless testing is resumed by the Soviet Union.

October 31, 1958: First meeting in Geneva of the Conference on the Discontinuance of Nuclear Weapon Tests.

November 4, 1958: General Assembly Resolution 1252 (XIII): The discontinuance of atomic and hydrogen weapons tests. Among its provisions, this resolution urged the parties involved in the test ban negotiations not to undertake further testing of nuclear weapons while these negotiations are in progress. It expressed the hope that the Geneva Test Ban Conference would be successful and lead to an agreement acceptable to all. It also requested the parties concerned to report to the General Assembly the agreement that might be the result of their negotiations; and requested the Secretary-General to render such assistance and provide such services as might be asked for by the Conference commencing at Geneva on October 31, 1958.

November 7, 1958: President Eisenhower announced that the United States had detected additional tests by the Soviets subsequent to October 31, 1958.

December 28, 1958: The President appointed a panel on seismic improvement to review technical problems and to recommend methods of improving seismic detection.

January 5, 1959: United States released data showing many underground tests could not be detected by Geneva experts system recommended in 1958. Indicated Geneva system applicable at 20 kiloton rather than 5 kiloton threshold.

February 22, 1959: Macmillan meeting with Khrushchev.

March 2, 1959: During this meeting Macmillan and Khrushchev discussed the establishment of quotas for number of onsite inspections in countries where suspicious events have taken place.

April 13, 1959: United States proposed phased testing ban limited in first phase to atmospheric tests below 50 kilometers, with simplified control system, if Soviet Union continued to insist on veto for onsite inspections.

April 23, 1959: Soviets reject U.S. proposal to stop only atmospheric tests and said numerous onsite inspections would not be necessary for complete ban.

June 22, 1959: Technical Working Group No. I met in Geneva to study high-altitude-detection problems.

July 10, 1959: On July 10 Geneva Technical Working Group I proposed establishment of system of earth satellites and installation of additional equipment at control posts to detect high-altitude explosions.

August 26, 1959: United States extended unilateral suspension to end of 1959.

August 27, 1959: United Kingdom said it would not resume tests as long as Geneva negotiations showed prospect of success.

August 28, 1959: U.S.S.R. pledged not to resume testing unless Western powers did so.

November 21, 1959: General Assembly Resolution 1402 (XIV): Suspension of nuclear and thermonuclear tests:

Among its provisions this resolution expressed the hope that the countries involved in the test ban negotiations at Geneva would intensify their efforts to reach an agreement at an early date; it further urged the countries concerned in these negotiations to continue their voluntary ban on testing nuclear weapons; it also requested the countries concerned to report to the General Assembly the results of their negotiations.

November 25, 1959: Technical Working Group II met in Geneva with the Soviets and the British. This group met to consider data from the Hardtack series of nuclear explosions and the findings of the Berkner Panel. On December 18, 1959, at the conclusion of the meetings held by Technical Working Group II, U.S. members of Geneva Technical Working Group II reported that a large number of seismic events could not be identified without onsite inspection, even with improved techniques. The Soviet members of Geneva Technical Working Group II disagreed with U.S. findings.

December 29, 1959: United States said it was free to resume testing after end of 1959 but would not do so without giving advance notice.

February 11, 1960: United States proposed phased agreement, first phase to provide for cessation of tests in atmosphere, oceans, and outer space, to greatest height that could be effectively controlled; underground tests above 4.75 seismic magnitude (estimated by United States to equal explosion of about 20

kilotons) would also be covered; the 4.75 threshold would be lowered as capabilities of detection system were improved, 20 or 30 percent of unidentified seismic events above threshold should be inspected; U.S. experts estimated that this would mean about 20 inspections per year in U.S.S.R.

March 19, 1960: Soviets offered to conclude treaty on cessation of tests, together with moratorium on underground tests below magnitude 4.75, and to agree to joint research program on understanding that weapons tests would be halted during program.

March 29, 1960: United States and United Kingdom said they would agree to voluntary moratorium on underground weapons tests below magnitude 4.75 after treaty was signed and arrangements were made for coordinated research program.

December 20, 1960: General Assembly Resolution 1577 (XV): Suspension of nuclear and thermonuclear tests.

This resolution urges the countries involved in the Geneva test ban negotiations to seek a solution for the few remaining questions so that a test ban agreement can be achieved at an early date; it further urges the countries concerned in these negotiations to continue their present voluntary suspension of the testing of nuclear weapons; it also requests the countries concerned to report the results of their negotiations to the Disarmament Commission and the General Assembly.

March 21, 1961: First meeting under the new administration of the Geneva Conference on Discontinuance of Nuclear Weapons Tests. U.S. proposal presented by Ambassador Arthur H. Dean. Soviet Union introduced its Troika proposal on this date.

April 18, 1961: United States and United Kingdom introduced draft treaty to the Geneva Conference.

May 5, 1961: Statement by President Kennedy on the Geneva test ban negotiations made at his news conference. Mention is made of the new United States and United Kingdom proposals and the introduction of the Troika proposal by Russia.

June 4, 1961: Khrushchev delivers Soviet aide-memoire concerning disarmament and nuclear weapons tests to President Kennedy at Vienna. Insists that the question of control hinges on Western Powers accepting proposals on general and complete disarmament.

June 6, 1961: Kennedy reports to American people on his Vienna talks with Khrushchev.

June 16, 1961: Khrushchev reports to Russian people on his talks with President Kennedy. (Tass report) Topics covered: General and complete disarmament, banning of nuclear weapons, cessation of tests, question of control, Hammarskjold, the German question (peace treaty).

June 17, 1961: U.S. aide memoire to Soviet Russia concerning Geneva test ban negotiations. Repeated new proposals offered by the United States and the United Kingdom on March 21, 1961.

June 28, 1961: President Kennedy announces appointment of Committee of Scientific Experts to advise him on test ban problem.

July 15, 1961: Soviet note replying to U.S. note of June 17, 1961, concerning suspension of nuclear weapons tests. Says Soviet proposals have been distorted. Brings up again supervision of inspection and control by equal representatives of three basic groups: Socialist states, capitalist states in Western military bloc, and neutral states (troika).

July 15, 1961: U.S. note to Soviet Union referring to the Soviet note of July 5, 1961, on the Geneva test ban negotiations. Says Soviet note contains a multitude of irrelevant and unwarranted comments. Confines its reply to the central issue: Is the Soviet Union prepared to reach an accord which would halt nuclear tests under effective international control.

July 15, 1961: United States and United Kingdom request to U.N. to place on the agenda of the 16th General Assembly an item entitled: "The Urgent Need for a Treaty to Ban Nuclear Weapons Tests Under Effective International Control."

July 20, 1961: President Kennedy announces membership of nuclear test study group.

August 10, 1961: President announces he has reviewed report of Scientific Committee and is sending Ambassador Dean back to Geneva.

August 30, 1961: Soviets announce plans to resume nuclear testing.

Among the reasons cited by the Soviets for taking this step were the turndown of the "Troika" proposal, the nuclear tests carried out by the French beginning February 13, 1960, and the Berlin situation.

August 30, 1961: White House statement on the Soviet's announcement that they planned to resume nuclear testing.

This statement expressed concern and resentment in regard to the Soviet decision to resume nuclear testing. It added that the Soviet decision presented a threat to the entire world. It denounced the Soviet pretext for resumption of weapons testing by mentioning that the Berlin crisis was created by the Soviets themselves. It also mentioned that the Soviet Union bears heavy responsibility before all humanity for this decision which was made in complete disregard of the United Nations. It concluded by announcing that Ambassador Arthur Dean was being recalled immediately from his post as chief negotiator at the nuclear test ban meetings.

September 1, 1961: The White House reported that the Soviet Union had conducted a nuclear test in the atmosphere above central Asia. Authorities estimated that the device had a yield of 100–500 kilotons.

September 3, 1961: President Kennedy, in a joint statement with British Prime Minister Macmillan, proposed that the Soviet Union agree immediately to discontinuing testing nuclear weapons in the atmosphere. The note suggested that the United States, United Kingdom, and U.S.S.R. representatives meet in Geneva not later than September 9 to record the agreement to cease nuclear testing in the atmosphere and report it to the United Nations.

September 4, 1961: Soviet Union conducted its second nuclear test in the atmosphere over central Asia. This explosion was reported to be in the "low kiloton range."

September 5, 1961: Soviet Union detonated a third nuclear device. The yield of this detonation was in the low to intermediate range.

September 5, 1961: President Kennedy announced that the United States would resume nuclear testing. He ordered the tests carried out in the laboratory and underground "with no fallout." This decision was made after the Soviets set off their third nuclear test in the atmosphere in 5 days. President Kennedy, in referring to the Kennedy-Macmillan statement of September 3 on banning nuclear testing in the atmosphere, said the offer remains open until September 9, 1961.

September 15, 1961: The United States detonates its first underground nuclear device at the Nevada test site.

October 27 1961: The United Nations General Assembly adopted a resolution which "solemnly appeals to the Government of the Soviet Union" to refrain from testing a 50-megaton bomb. Premier Khrushchev has said such a bomb will be exploded before the end of this month. The vote was 87 to 11, with 1 abstention.

October 30, 1961: The Soviet Union detonated a 55–60-megaton device (per AEC release dated Dec. 9, 1961).

November 2, 1961: The President announces that the policy of the United States will be to proceed in developing nuclear weapons to maintain a superior capability for the defense of the free world against any aggressor. This statement indicated that the United States would make necessary preparations for testing in case it becomes necessary to test in the atmosphere.

December 22, 1961: A joint communique was issued by President Kennedy and Prime Minister Macmillan following a 2-day meeting in Bermuda. They agreed that it was necessary "as a matter of prudent planning for the future, that pending the final decision [to resume atmospheric testing]." Preparations should be made for atmospheric testing to maintain the effectiveness of the deterrent.

January 29, 1962: Geneva Conference on the Discontinuance of Nuclear Weapons Tests breaks up at 353d meeting. The United States proposed an adjournment, and Soviet negotiator Tsarapkin said, "This is the end."

February 7, 1962: President Kennedy and British Prime Minister Macmillan said they have proposed to Soviet Premier Khrushchev that another "supreme effort" to halt the nuclear arms race be made by raising next month's 18-nation general disarmament conference to the Foreign Minister's level.

February 14, 1962: President Kennedy urged Premier Khrushchev not to press his proposal for an 18-nation summit meeting on disarmament. However, he assured the Soviet leader that he was ready to participate "at any stage of the conference when it appears that such participation could positively affect the chances of success."

February 21, 1962: Premier Khrushchev replied to President Kennedy's letter of February 14 still insisting on a summit conference on disarmament.

February 24, 1962: Letter from President Kennedy to Premier Khrushchev. President Kennedy replied to Premier Khrushchev's letter of February 21, 1962, stressing that heads of state participation at the Geneva Conference should be reserved until a later stage in the negotiations after preliminary agreements have been reached at the Foreign Minister's level.

March 2, 1962: President Kennedy announced that he had ordered a resumption of nuclear tests in the atmosphere in late April unless the Soviet Union agrees before then to an ironclad treaty banning all tests. The President held out to Khrushchev the promise of a summit conference at which such a treaty could be signed, and also said that a satisfactory treaty would be offered by the West at the disarmament conference opening in Geneva on March 14, 1962.

March 4, 1962: The Soviet Government sent the United States a message delivered to the State Department advising that Foreign Minister Gromyko would go to Geneva. The Kremlin message was reported to have said that Khrushchev had "reluctantly" accepted the foreign minister proposal.

March 14, 1962: Seventeen-Nation Disarmament Conference opened in Geneva. (Originally 18-nation conference, but France did not attend.)

March 16, 1962: Premier Khrushchev announced that Soviet scientists had developed a "global rocket," invulnerable to antimissile weapons and that it rendered obsolete the early warning system of the United States.

April 10, 1962: The White House released a joint United States-United Kingdom statement on nuclear testing appealing to the Soviet Union to agree to a nuclear test ban with adequate safeguards including the principle of international verification. This statement indicated that if such an agreement was not successful then the test series scheduled by the United States for the latter part of April would go forward.

April 10, 1962: Prime Minister Macmillan added a personal message to the joint Anglo-American note to Premier Khrushchev on a nuclear test ban asking him to accept an inspection procedure and "fill all the peoples of the world with a new sense of hope."

April 12, 1962: Premier Khrushchev rejects the Kennedy-Macmillan joint statement on nuclear testing.

April 16, 1962: Eight neutral nations appealed to the nuclear powers to persist in their efforts to reach agreement on prohibiting nuclear weapons testing for all time. They suggested establishing a system for continuous observation and control on a scientific and nonpolitical basis, built on existing national network of observation posts.

April 18, 1962: United States offered a three-stage plan for disarmament, having as its goals general and complete disarmament and gradual replacement of the armed power of single nations by a strengthened United Nations. The disarming process would be balanced to prevent any state from gaining a military advantage, and compliance with all obligations would be effectively verified.

April 22, 1962: Joint Committee on Atomic Energy in summary analysis of 1961 Vela hearing, reports that nearly 3 years of research had brought no material progress toward an effective method of detecting clandestine underground tests.

April 25, 1962: First 1962 U.S. nuclear test in the atmosphere. This test was of an intermediate yield from a plane near Christmas Island. The President approved the resumption of nuclear testing after repeated unsuccessful attempts by the United States to get the U.S.S.R. to agree to a nuclear test ban treaty with adequate safeguards.

April 26, 1962: Secretary of State Rusk justified the new series of tests on the basis of refusal of the Soviet Union to accept the kind of international verification necessary for a test ban agreement. The Secretary of State referred to President Kennedy's address of March 2 in which he set forth the reasons why a certain number of tests would be necessary in the absence of an international agreement banning nuclear tests with adequate assurances; and, secondly, that it is a major objective of American policy to bring an end to testing immediately and permanently when we were assured that testing had been abolished.

May 1, 1962: France conducts underground explosion of nuclear device in Algerian Sahara.

May 2, 1962: Disarmament talks were resumed at Geneva. British Minister of State Joseph Godber said U.S.S.R. must change its attitude toward verification measures if the world is to have general and complete disarmament.

May 16, 1962: Premier Khrushchev confirmed U.S.S.R. determination to test. He based his decision on the fact that the United States had resumed testing in the Pacific.

June 14, 1962: The 18-Nation Disarmament Conference [1] recesses.

July 12, 1962: Secretary of State Dean Rusk reports that the preliminary Vela results, released by the Defense Department on July 7, offer some promising signs for detecting and identifying nuclear tests but emphasized the new findings cannot be considered a substitute for control posts or onsite inspections.

July 13, 1962: Soviet Union served official notice that it claims the right to be the last nation to carry out nuclear weapon tests.

July 16, 1962: The 18-Nation Disarmament Conference reconvenes in Geneva. The United States proposes discussion of scientific findings, particularly from Project Vela.

July 21, 1962: The Soviet Government announces its decision to resume nuclear tests.

August 1, 1962: President Kennedy stated at his news conference that on the basis of recent technical assessments, the United States can work toward an internationally supervised system of detection and verification for underground testing which will be simpler and more economical than the system which was contained in the treaty which we tabled in Geneva in April 1961. He emphasized that these new assessments do not affect the requirement that any system must include provision for onsite inspection of unidentified underground events.

August 5, 1962: The Soviet Union detonates a nuclear explosion in the atmosphere in the order of magnitude of 30 megatons. This is the first of some 40 tests, continuing until December 25.

August 8, 1962: U.S. Delegate Dean proposed reducing the number of control posts to something like 80—a reduction of more than half. He offered this concession in view of his contention that detecting devices have gone ahead rapidly. Thus, our techniques for detecting sneak tests are much better.

August 9, 1962: Ambassador Dean formally introduces a new proposal for a comprehensive test ban treaty based on a worldwide network of internationally supervised, nationally manned control posts. Provided the Soviets agree to the principle of obligatory onsite inspection, the numbers of control posts and onsite inspections would be substantially reduced from previous U.S. proposals. Ambassador Zorin immediately rejects the new proposal.

August 20, 1962: The U.S.S.R. rejected proposals for a partial nuclear test ban treaty. The idea of a half-way treaty was advanced by Brazil, Sweden, and Italy. The proposed treaty would stop atmospheric tests immediately to ease fallout dangers.

August 27, 1962: The United States and Great Britain offered the Soviet Union the choice of an internationally inspected total ban on nuclear weapons tests or an uninspected limited ban. The limited ban would cover tests in the atmosphere, in space and underwater pending further negotiations for a treaty to include underground tests, the most difficult to identify.

August 29, 1962: The U.S.S.R. submitted to the disarmament conference a formula for halting nuclear weapons tests that the United States and Britain have repeatedly termed unacceptable because of inadequate guarantees and safeguards for inspection of suspicious events.

August 29, 1962: President Kennedy welcomed a Soviet proposal that all nuclear testing cease by January 1. But he reiterated the Western position that an enforcible treaty, complete with inspection provisions, be signed first.

September 7, 1962: The 18-Nation Disarmament Conference recesses, but the test ban subcommittee remains in session.

October 24, 1962: At the United Nations, Brazil proposes denuclearization of Latin America and Africa which would include a ban on nuclear weapon tests in these continents.

November 4, 1962: President Kennedy announces the end of the current series of atmospheric nuclear tests, but states that underground tests will be continued in Nevada. The last atmospheric detonation was November 4, 1962.

November 6, 1962: The General Assembly adopts a two-part resolution on nuclear tests. Part (A), sponsored by 37 powers and approved by a vote of 75 to 0 with 21 abstentions, calls for the cessation of testing by January 1, 1963, and an interim arrangement with certain assurances if no final agreement is achieved by that date. Part (B), sponsored by the United States and the United Kingdom and approved by a vote of 51 to 10 with 40 abstentions urges the early conclusion of a comprehensive test ban treaty with effective international verification. The United States and the U.S.S.R. abstain on part (A), and the U.S.S.R. opposes part (B).

November 13, 1962: At Geneva, Ambassador Tsarapkin suggests that unmanned seismic stations be employed as an addition to existing national detecting stations to monitor a test ban.

November 26, 1962: The 18-Nation Disarmament Conference reconvenes for the third session.

November 28, 1962: In an attempt to end the deadlock at Geneva, Swedish Delegate Rolf Edberg proposed a moratorium on all nuclear tests while an international group of scientists works out underground control methods satisfactory to both the West and the Soviet Union.

December 3, 1962: The U.S.S.R. rejected the proposal for setting up a nuclear test ban put forth by the Indian-Swedish delegations.

December 4, 1962: The Soviet Union told the United States and Great Britain that as long as they insisted on on-site inspection there would "never be any agreement" to end nuclear testing. Joseph B. Godber, of Britain, declared the dismissal of the neutralist efforts to break the test ban stalemate was "not the action of a responsible government."

December 4, 1962: Arthur H. Dean told the Soviet Union that unmanned seismic stations—the so-called "black boxes"—cannot serve as sole guardian of a nuclear test ban.

December 10, 1962: In the 18-Nation Disarmament Conference, Ambassador Tsarapkin formally proposes the establishment of two or three unmanned seismic stations on the territories of states possessing nuclear weapons. Locations by zones for those to be placed in the Soviet Union are named. This proposal is conditioned on the abandonment by the West of its insistence on international control and obligatory on-site inspection.

December 19, 1962: Premier Khrushchev, in a letter to President Kennedy, states that the Soviet Union is now prepared to accept two or three onsite inspections per year on Soviet territory. In addition, he says there could be three unmanned seismic stations on Soviet territory. The final location of the stations is left open.

December 20, 1962: The 18-Nation Disarmament Conference recesses.

December 28, 1962: President Kennedy, in reply to Premier Khrushchev, indicates encouragement that the Soviets have now accepted the principle of onsite inspection, but states that the figure of "two or three" onsite inspections is not sufficient, nor are three unmanned seismic stations. He denies that the United States offered to agree on three inspections. The United States has reduced number of onsite inspections to 8 to 10.

January 4, 1963: Arthur H. Dean announced that he had submitted his resignation on December 27, 1962, as Chief U.S. negotiator at the Disarmament Conference at Geneva.

January 7, 1963: In a letter to President Kennedy, in further exchange on the subject of onsite inspection, Premier Khrushchev holds to his contention that an annual quota of two or three inspections is sufficient. He emphasizes that he considers agreement in principle a great unilateral concession, and he agrees to further discussion on the questions between United States and U.S.S.R. representatives.

January 14, 1963: United States and Soviet representatives meet in New York. The United States is represented by William C. Foster, Director of the U.S. Arms Control and Disarmament Agency; and the U.S.S.R. is represented by N. T. Fedorenko, Soviet Ambassador to the U.N., and S. K. Tsarapkin, chairman of the Soviet delegation to the 18-Nation Disarmament Conference. Discus-

[1] 18-Nation Disarmament Conference now composed of 17 nations. France, an original member, withdrew at the beginning of the Conference.

sions continue in New York until January 22 when they are moved to Washington.

January 26, 1963: President Kennedy orders that preparations for underground testing in Nevada be suspended in the hope that the Western-Soviet discussions presently taking place in New York and Washington would materially enhance the prospects for an effective agreement on a test ban.

February 1, 1963: The New York and Washington, D.C., discussions on a test ban are slated to be taken up at the 18-Nation Disarmament Conference scheduled to be resumed on February 12. In a press conference, Secretary of State Rusk expressed the disappointment of the United States that the position of the Soviet Union appeared to have hardened into a take-it-or-leave-it attitude on their offer for two or three on-site inspections per year. The Secretary states, "* * * the idea of onsite inspection is not simply a political question involving the acceptance of onsite inspection in principle, but is the practical problem of establishing arrangements which in fact do provide assurance that agreements are being complied with."

February 1, 1963: President Kennedy orders resumption of the preparations for underground testing in Nevada.

February 8, 1963: The scheduled series of underground tests is begun in Nevada.

February 12, 1963: The 18-Nation Disarmament Conference reconvenes at Geneva.

February 22, 1963: The ACDA announces in Washington that the United States is willing to consider possible acceptance of seven on-site inspections, providing the modalities of inspection can be agreed upon.

February 28, 1963: In a Moscow election meeting speech, Premier Khrushchev reaffirms his refusal to consider anything but three on-site inspections per year.

April 1, 1963: The United States and United Kingdom delegations table a memorandum of position concerning the cessation of nuclear weapons tests. This memorandum sums up the Western position on general principles of agreement, on-site inspection and automatic seismic station arrangements, and includes specific proposals submitted to date.

May 13, 1963: AEC and DOD announce cancellation of the three small subkiloton detonations which had been announced on May 8 would be conducted at the Nevada Test Site on the surface and one just below the surface.

May 27, 1963: Senator Dodd joined by 33 other Senators introduced a resolution that U.S. offer to the Soviet Union to agree to a ban on all tests that contaminate the atmosphere or the oceans.

June 10, 1963: President Kennedy, in his speech at American University, announced that: (1) he, Prime Minister Macmillan and Chairman Khrushchev had agreed that high level discussions will shortly begin in Moscow on a comprehensive test ban treaty; (2) the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so.

June 20, 1963: Memorandum of Understanding (between U.S. and U.S.S.R.) signed at Geneva to establish a direct communications link between the United States and the Soviet Union. (This was negotiated in arms control forum).

June 30, 1963: The Atomic Energy Commission reported that in recent weeks there has been evidence of events in the Soviet Union which may be nuclear tests of very low yields. (Newspaper articles referred to an event occurring in the Soviet Union on June 12.)

July 2, 1963: Chairman Khrushchev, in a speech in East Berlin, agrees to negotiate on a nuclear test ban treaty limited to atmosphere, outer space, and underwater. He also requested negotiations on a nonaggression pact between NATO and the Warshaw Treaty nations.

July 15, 1963: Commencement of three power (United States, United Kingdom, and U.S.S.R.) talks in Moscow to negotiate a limited test ban.

July 25, 1963: Negotiators for the United States, United Kingdom, and U.S.S.R.—Ambassador Harriman, Lord Hailsham, and Foreign Minister Gromyko—initial a treaty to ban nuclear weapons tests in other nuclear explosions in the atmosphere, in outer space, and underwater.

EXHIBIT 3

[Alert No. 5—Soviet Treaty Violations, published by Armed Forces Information and Education, Department of Defense, Nov. 5, 1962]

SOVIET TREATY VIOLATIONS

Officials of the Soviet Union, from the 1917 Bolshevik revolution onward through 45 years of Communist rule, have established an undisputed reputation for breaking their most solemn pledges.

The Soviet regime's consistent viewpoint on the relative unimportance of promises is not restricted to its dealings with other countries, but extends with equal force to its relationships with the Russian people and the various minority groups which comprise the U.S.S.R.

Only 3 days after the November 7, 1917, revolution placed it in power, the Communist regime abolished freedom of the press as a privilege too dangerous to be entrusted to the people. The people were promised, however, that the decree would be rescinded just "as soon as the new regime took root." This 45-year-old promise notwithstanding, the order still applies today.

Other instances in which the Soviet Republic has broken faith with its own people are legion. The revolution of 1917 was carried out in the name of democracy, and ever since "democracy" has been one of the most frequently used words in the Communist lexicon. But while the Communists have capitalized on the word, they have radically altered its definition—from "government by the people" to "government for the good of the workers." Since the Communists keep for themselves the right to determine what is "good" for the workers, the Soviet definition of democracy in fact has become "government by Communists."

After 1917, the Russian people wanted not only democracy but its specific institutions: a constitution, a parliament, elections, a secret ballot, trade unions, etc. They were given all these things, but in name only.

The Soviet Constitution is an interesting document to read. However, it is violated or ignored by the regime as a matter of course. The Soviet parliament meets regularly, but it possesses neither power nor function. Elections are held every 4 years, but the single-slate ballot gives the voters no choice. A "secret ballot" is provided, but its purpose is to identify dissenters rather than protect them. Trade unions flourish, but only to make the worker more subservient to his employer, the state.

A RECORD OF BROKEN PROMISES

That promises mean next to nothing to the Communist official mind has been admitted by Soviet leaders:

V. I. Lenin: "Promises are like pie crust, made to be broken."

"It would be mad and criminal to tie one's hand by entering into an agreement of any permanence with anybody."

J. V. Stalin: "Words have no relation to actions—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or wooden iron."

G. E. Zinoviev (first head of the Communist International): "We are willing to sign an unfavorable peace—it would only mean that we should put no trust whatever in the piece of paper we should sign."

The Soviet Communist regime has entered into hundreds of international agreements. The following list shows how well the Soviet leaders keep their promises when it no longer appears to be in their interest to do so.

THE AGREEMENT	THE RESULT
May 7, 1920: Soviet regime signs treaty with independent Georgian Republic, pledging no interference in Georgia's internal affairs.	February 11 and 12, 1921: Soviet troops invade Georgia, in step leading to absorption of republic into U.S.S.R.
March 16, 1921: In trade agreement with Britain, Soviet Union pledges not to engage in propaganda in that country.	May 26, 1927: Britain ends agreement because of Soviet violations, including failure to stop propaganda as promised.
June 5, 1922: Soviet Union concludes friendship agreement with Czechoslovakia.	June 29, 1945: U.S.S.R. compelled Czechoslovakia to cede Carpatho-Ukraine to the Soviet Union.
December 12, 1943: U.S.S.R. and Czech Government-in-exile sign treaty of friendship and mutual assistance.	February 25, 1948: Czechoslovak Government forced to accept Communist ultimatum, as Soviet Union completes arrangements to force country into its satellite empire. Ultimatum compels appointment of a cabinet of Moscow followers and climaxes Soviet postwar drive to absorb once-independent Czechoslovakia.
December 17, 1925: U.S.S.R. signs nonaggression and neutrality pact with Turkey.	March 20, 1945: U.S.S.R. denounces this pact, begins campaign to secure control of Black Sea straits.
August 31, 1926: Soviet Union concludes nonaggression pact with Afghanistan.	June 14, 1946: U.S.S.R. forces Afghanistan to cede border territory of Kushka.
September 28, 1926: Soviet Union makes nonaggression pact with Lithuania, later extending this agreement through 1945.	June 15, 1940: Soviet troops invade Lithuania.
	August 3, 1940: Lithuania is annexed by Soviet Union.
September 27, 1928: Soviet Union adheres to Kellogg-Briand pact for renunciation of war.	Soviet Union violates this pledge by 1939–40 invasions of Poland, Lithuania, Latvia, Estonia, Rumania, and Finland.
January 21, 1932: U.S.S.R. agrees to nonaggression pact with Finland.	November 30, 1939: Soviet military forces invade Finland.
February 5, 1932: Soviet Union signs nonaggression pact with Latvia.	June 16, 1940: Soviet troops invade Latvia.
	August 5, 1940: Latvia is forcibly incorporated in the U.S.S.R.
May 4, 1932: Soviet Union pledges nonaggression in agreement with Estonia.	June 16, 1940: Soviet military forces invade and occupy Estonia.
	August 6, 1940: Estonia is annexed by U.S.S.R.

THE AGREEMENT

July 25, 1932: Soviet Union signs nonaggression pact with Poland.

May 5, 1934: U.S.S.R.-Poland extend nonaggression pact for 10 years.

June 9, 1934: U.S.S.R. recognizes Rumania, guarantees her sovereignty.

September 15, 1934: U.S.S.R. enters League of Nations, pledging thereby "the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another."

August 21, 1937: Soviet Union signs nonaggression pact with Republic of China.

July 30, 1941: U.S.S.R. concludes agreement with Polish government-in-exile, pledging mutual aid and cooperation.

September 24, 1941: Soviet Union pledges adherence to Atlantic Charter, which provides that agreeing countries seek no aggrandizement, that the countries desire no territorial changes not made in accord with freely expressed wishes of the people concerned, and that they respect the right of all peoples to choose their own form of government.

January 29, 1942: Soviet Union, with Iran and Britain signs treaty of alliance, providing for military use of Iranian territory only until end of military operations against Germany.

February 4–11, 1945: At Yalta Conference, U.S.S.R. agrees on various postwar measures, including adoption of a resolution that the liberated peoples of Europe should have the opportunity to solve their economic problems by democratic means.

February 11, 1945: U.S.S.R., at Yalta Conference, agrees to declaration that Polish provisional government "shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot."

April 11, 1945: U.S.S.R. signs 20-year treaty of friendship, mutual aid, and cooperation with Yugoslavia.

June 14–18, 1945: President Truman and Premier Stalin agree, in an exchange of letters, to "free access by air, road, and rail from Frankfort and Bremen for U.S. forces."

July 17 to August 2, 1945: At Potsdam Conference, U.S.S.R. agrees that there should be uniform treatment of the German people throughout Germany.

August 14, 1945: The Soviet Union enters into treaty with Republic of China, containing these pledges: "Each high contracting party undertakes not to conclude any alliance and not to take any part in any coalition directed against the other high contracting party * * *. The treaty comes into force immediately * * * and shall remain in force for a term of 30 years."

March 10, 1947: Council of Foreign Ministers, meeting in Moscow, agrees that all German prisoners of war should be repatriated by December 31, 1948.

May 4 and June 20, 1949: Four-power agreements of New York and Paris guarantee United States, British, French, and

THE RESULT

September 17, 1939: Soviet troops invade Poland.

September 29, 1939: U.S.S.R. signs agreement with Nazi Germany to partition Poland.

June 27, 1940: Soviet Army invades Rumanian Provinces of Bessarabia and Northern Bukovina. Soviet occupation of these areas completed in 4 days.

August 23, 1939: U.S.S.R. makes treaty with Nazi Germany, termed "a joint conspiracy" to deprive Poland, Estonia, Latvia, Lithuania, Finland, and Rumania of their independence and territorial integrity.

October 2, 1949: U.S.S.R. breaks relations with Republic of China, after recognizing Communist Chinese regime it helped to gain power.

April 25, 1943: U.S.S.R. breaks relations with Polish government-in-exile on pretext of Polish request for Red Cross investigation of Katyn Forest massacre.

Against these promises stands the Soviet Union's record of occupation and domination of Rumania, Estonia, Latvia, Lithuania, Czechoslovakia, Tannu Tuva, Afghanistan territory, Hungary, East Germany, Albania, Bulgaria, Poland, North Korea, Mongolia.

Soviet Union refused to withdraw its troops from Iran at the end of World War II.

In violation of this agreement stands the U.S.S.R.'s record of domination in Bulgaria, Rumania, Poland, East Germany, Hungary, and Czechoslovakia, and other countries which were forced into postwar roles as satellites of the Soviet Union.

January 5, 1947: Soviet Union refuses to participate in meeting with Britain and United States to secure compliance with the 1945 agreement pledging free elections in Poland.

January 19, 1947: Communist-controlled fraudulent election carried out under conditions of Soviet military occupation.

September 29, 1949: Soviet Union denounces this agreement.

April 1, 1948 to May 12, 1949: The Soviet Union imposes the Berlin blockade by severing all land and water routes between Berlin and West Germany. Western Allies supply Berlin by airlift. March 1962: Soviet Union harasses flights by Allied airplanes between Berlin and West Germany.

East Germany today continues to be a rigidly controlled Soviet satellite. Its people have been denied free elections, isolated from the people of West Germany, and victimized by the same kind of regimentation, police rule, and economic restrictions imposed on the peoples of all the Soviet bloc states in Europe.

February 14, 1950: These pledges were broken when the U.S.S.R. made a new agreement with the Communist Chinese regime it had helped create. The Soviets did not even bother to change the basic wording. The new treaty also pledges: "Both high contracting parties undertake not to conclude any alliance against the other high contracting party and not to take part in any coalition or actions or measures directed against the other high contracting party * * *. The present treaty will be valid for 30 years.

August 3, 1955: Soviet regime furnishes West German Red Cross with data on the health and whereabouts of only 20 of the approximately 14,000 Germans known to be still held in the U.S.S.R.

September 20, 1955: U.S.S.R. unilaterally transfers Soviet control over all access routes to and from Berlin to East German regime.

THE AGREEMENT

Soviet joint control of Berlin, all access routes to and from the city, and freedom of movement within the city.

July 27, 1953: Military armistice established between United Nations command and opposing Communist forces, assisted by U.S.S.R., of China and North Korea. Armistice agreement pledges signers to "cease introduction into Korea of reinforcing military personnel."

January 14, 1956: U.S.S.R. signs agreement with Yugoslavia, pledging $110 million in credits for industrial construction.

August 4, 1956: U.S.S.R. pledges an additional grant of $175 million, bringing total to $285 million.

October 19, 1956: U.S.S.R.-Japanese joint declaration pledges the Soviet Union to refrain from interference in Japan's internal affairs.

EXHIBIT 4

[From the Washington (D.C.) Star, Sept. 15, 1963]

HOW THE SOVIETS ARE OBSERVING THEIR TREATIES NOW

(By Dr. F. G. Lassner)

The following is a short study of selected Soviet treaty practices. It is not based on a comprehensive listing of all treaties; nor does this study contribute a complete analysis of how treaties fared at the hands of the Kremlin. However, a large enough sample of treaties was examined to permit a number of broad conclusions.

Economic treaties, in general, are being observed by the U.S.S.R. This is so because treaties of this sort operate to the advantage of the U.S.S.R. and because many of them are drawn with Communist bloc states; i.e., they are treaties within the same political entity. But where trade agreements conflict with the immediate political interests of the U.S.S.R., they are wholly or partially voided (viz, treaties with such dissident satellites as Albania, China, Yugoslavia, etc.).

Many treaties signed by the U.S.S.R., especially at the end of World War II, called for free elections or plebiscites. The U.S.S.R. presumably expected Communist and affiliated parties to win elections in Eastern Europe. When this hope was disappointed, despite systematic attempts to bring about electoral victories by skulduggery (e.g., outlawing of certain parties), political warfare and insurrectional methods were used to seize political power.

Treaties of strategic significance habitually have been violated by the U.S.S.R. whenever violation was in accord with the requirements of Soviet strategic operations. This will become apparent by reading, for example, the attached list of violated and observed nonaggression and friendship treaties.

A TREATY TECHNIQUE

The U.S.S.R., on occasion, attempts to play off one country against another through the negotiation or drawing of treaties, of which one set tends to be deceptive. In 1922, the U.S.S.R. negotiated with the Western Powers, only to sign the Treaty of Rapallo with Germany. In 1939, extensive discussions with France and England on mutual security were terminated through the signing of the Nazi-Soviet Pact. Agreements made in 1939 with Nazi Germany on the division of Poland were annulled 2 years later by treaty with the Polish Government-in-exile; in addition, the U.S.S.R. shortly thereafter drew agreements,

THE RESULT

August 13, 1961: Construction of Berlin wall completely prohibits free passage from the Soviet sector to the Western sectors.

July 11, 1955: U.N. command details long list of armistice agreement violations by Communist parties.

May 6, 1957: U.N. command, in another of series of official complaints, charges that Communists have sent troops in Korea's demilitarized zone six times in period of less than 4 months.

May 28, 1958: Yugoslav sources disclose that the Soviet Union has postponed for 5 years the grant to Yugoslavia amounting to $285 million. This represented an attempt to retaliate against Yugoslavia for its refusal to accept the Soviet Communist Party's ideological leadership.

1958: During the weeks preceding Japanese elections of May 22, Soviet radio beams propaganda at Japan violently opposing the reelection of Premier Kishus government.

1959–60: U.S.S.R. threatens Japan with the possibility of nuclear war if Japan ratifies United States-Japan security treaty, signed January 19, 1960.

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which were not mutually compatible with two different Polish exile governments.

The U.S.S.R. has signed agreements which have a purpose that differs from the objects stated in the treaty. The U.S.S.R., for example, joined the United Nations for many reasons connected with their strategy of revolution, but not for the humanitarian reasons stated in the U.N. Charter.

In summary, it may be concluded that in the Soviet scheme, treaties are a tool either to solve some practical problem (Danube River navigation or International Postal Union Treaties) or, more importantly, to further the offensive-defensive strategy of the U.S.S.R. More often than not, treaties are concluded with a particular country whose assent or benevolent neutrality is needed to carry out a particular strategic operation, or else the treaty partner is itself the intended victim, or target, of Soviet direct or indirect attack.

TREATIES VIOLATED

1. Treaties pertaining to repatriation and treatment of civilians and war prisoners. A whole series of such treaties was made after World War II. Examples are:

Joint declaration by the U.S.S.R. and Japan concerning political relations, October 19, 1956 (provisions on repatriation of Japanese nationals).

Agreement concerning repatriation of Japanese prisoners of war and civilians from the U.S.S.R. and from territories under Soviet control, as well as Korean nationals from Japan to Soviet-occupied North Korea, with two annexes. December 19, 1946.

2. Treaties between the RSFSR and certain bodies concerning establishment of autonomous republics within the RSFSR. Such autonomy on several occasions was unilaterally abrogated at a later date by the RSFSR.

3. Treaties of nonintervention: The U.S.S.R. frequently has violated such treaties outright, or has denied that activities in which it was engaged constituted an intervention within the meaning of the treaty. Intervention by the U.S.S.R. has constituted both of propaganda and political warfare, and of outright political or military activities. Examples are:

Exchange of notes between the U.S.S.R. and Rumania constituting an agreement concerning noninterference in each other's internal affairs, June 9, 1934.

Exchange of notes between the U.S.S.R. and France concerning Soviet adherence to the principle of nonintervention in the Spanish civil war.

Joint declaration by the U.S.S.R. and Japan concerning political relations October 19, 1956 (provisions on noninterference in internal affairs).

4. Treaties related to the International Labor Organization. U.S.S.R. has adhered to conventions on a variety of subjects: Child labor, right to unionize, annual holidays with pay, freedom of association, etc. Some of these agreements were first drawn in the early 1920's. Examples are:

CONVENTION ON SLAVERY

Convention concerning slavery of 1926–53, U.S.S.R. ratified August 1956. Several supplementary conventions of 1956 on abolition of slavery and slave trade "and institutions and practices similar to slavery" ratified by the U.S.S.R.

Convention concerning equal remuneration for men and women workers for work of equal value (ILO convention No. 100), ratified by the U.S.S.R. on April 4, 1956.

Convention concerning forced or compulsory labor (ILO convention No. 29) of 1930–46. U.S.S.R. ratified June 4, 1956.

5. Treaties pertaining to the control of narcotics. These are violated by the U.S.S.R. through proxies (China, Cuba). Examples are:

International Opium Convention, with annex and protocol, February 19, 1925. Soviet adherence, October 31, 1935.

Convention for limiting the manufacturing and regulating the distribution of narcotic drugs, with protocol of signature, July 31, 1931. Soviet adherence, October 31, 1935.

6. Treaties establishing certain rules or regulations, or prohibiting certain practices. These either have been or are being violated by the U.S.S.R.; they are antithetical to Soviet custom and observation of such agreements cannot be expected. The U.S.S.R. was not a signatory to some of these treaties before World War II, and went out of its way to act contrary to the spirit of many of the provisions. Examples are:

Geneva convention concerning the treatment of prisoners of war, with five annexes, 1949. Supersedes agreements of 1929.

Geneva convention concerning the protection of civilian persons in time of war, with three annexes, 1949.

Convention on the prevention and punishment of the crime of genocide, December 9, 1948.

Convention on the political rights of women, December 20, 1952, and March 31, 1953.

ARMISTICE AGREEMENTS

7. Armistice agreements and/or peace treaties after World War II contained many provisions violated by the U.S.S.R., especially in treaties with the present satellite countries. The U.S.S.R. also hampered Allied control commissions in carrying out their assignments. Examples of such provisions are: Free elections, noninterference in internal affairs, inspections, etc.

8. Some miscellaneous agreements wholly or partially violated by the U.S.S.R.:

Exchange of notes between the U.S.S.R. and the United States concerning establishment of diplomatic relations, with related documents, November 16, 1933. (Provisions of this agreement, especially those in which signatories promise to refrain from certain activities have been violated.)

Joint declaration by the U.S.S.R. and Japan pledging respect for the territorial integrity and inviolability of Manchukuo and the Mongolian Peoples Republic, April 13, 1941.

Agreement between the U.S.S.R. and the United Kingdom providing for limitation of naval armament and exchange of information concerning naval construction, with protocol of signature, July 17, 1937. Modification July 6, 1938. (U.S.S.R. never exchanged any information.)

November 16, 1937, (1) convention for creation of an International Criminal Court and (2) convention for prevention and punishment of terrorism.

Convention concerning privileges and immunities of the United Nations, February 13, 1946, U.S.S.R. accession September 22, 1953 (agreements on duties and privileges of diplomats frequently are violated by the U.S.S.R.).

Kellogg-Briand Pact, treaty of Paris, signed August 27, 1928, renunciation of war. Protocol concerning entry into force of the general treaty of August 27, 1928, for renunciation of war as an instrument of national policy (Litvinov protocol). February 9, 1929, U.S.S.R.-Estonia, Latvia, Poland, Rumania—later Lithuania, Danzig, Persia.

Commercial treaties with Albania and China have been abrogated by the U.S.S.R. to a greater or lesser degree as a result of the political disagreements with these countries.

Agreements between the U.S.S.R. and the United States regarding return of lend-lease naval vessels.

Agreements between the U.S.S.R. and other Allied Powers on establishment of provisional government, holding of elections, etc., in Korea.

Agreement by the Allied Control Council for Germany concerning establishment of three corridors for air travel between Berlin and West Germany, November 30, 1945.

Neutrality, friendship, mutual assistance, and nonaggression treaties between the U.S.S.R. and other countries

Where the U.S.S.R. had a strategic goal or some immediate or long-range political objective, these treaties have been violated. When this was not the case, if the other contracting party was geographically removed from the U.S.S.R., or where treaties were drawn with other Communist states, the treaties in general have been observed.

TREATIES NOT VIOLATED

Treaty of friendship and neutrality between the U.S.S.R. and Turkey, with three protocols, December 17, 1925.

Treaty of neutrality and nonaggression between the U.S.S.R., and Germany, with exchange of notes, April 24, 1926, extended 1931.

Treaty of neutrality and nonaggression between the U.S.S.R., and Afghanistan, with final protocol, August 31, 1926, extended 1931, 1936, and 1955.

Treaty of friendship, nonaggression, and neutrality between the U.S.S.R., and Italy, September 2, 1933.

Gentlemen's agreement between the U.S.S.R., and the Mongolian People's Republic, concerning mutual aid in case of attack by a third party, November 27, 1934.

MUTUAL ASSISTANCE

Protocol of mutual assistance between the U.S.S.R., and the Mongolian People's Republic, March 12, 1936. Converted into treaty of friendship and mutual assistance, February 27, 1946.

Treaty of nonaggression between the U.S.S.R., and Germany, August 23, 1939, and secret protocol concerning spheres of interest in eastern Europe.

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R., and Rumania, February 4, 1948.

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R., and Bulgaria, March 18, 1948.

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R., and Finland, April 6, 1948.

Treaty of friendship, alliance, and mutual assistance between the U.S.S.R., and the Chinese People's Republic, February 14, 1950.

Treaty of friendship, cooperation, and mutual assistance (Warsaw Pact), May 14, 1955, U.S.S.R., Albania, Bulgaria, Czechoslovakia,

German Democratic Republic, Hungary, Poland, Rumania.

State Treaty for Austria, May 15, 1955, U.S.S.R., United Kingdom, United States, France, Austria. (Not an outright nonaggression treaty, but Austria's status guaranteed by U.S.S.R.)

Violated:

(NOTE.—The nonaggression pacts with the three Baltic countries were violated by the U.S.S.R. when the latter, in June of 1940, sent each country an ultimatum demanding formation of a new government and the entrance of Soviet troops into major cities.)

Treaty of nonaggression between the U.S.S.R. and Lithuania, with two exchanges of notes, September 28, 1926. Extended 1931, 1934, reaffirmed by treaty of October 10, 1939.

Convention between the U.S.S.R. and Lithuania concerning the definition of aggression, with annex, July 5, 1933.

Treaty of nonaggression and neutrality between the U.S.S.R. and Latvia, March 9, 1927, extended 1932 and 1934.

Treaty between the U.S.S.R. and Latvia on conciliation procedure, June 18, 1932.

Pact of mutual assistance between the U.S.S.R. and Latvia, October 5, 1939.

PACT WITH FINLAND

Treaty between the U.S.S.R. and Finland concerning nonaggression and the peaceful settlement of disputes, with protocol of signature, January 21, 1932. (U.S.S.R. expelled from League of Nations for violating this treaty.) Extended 1934.

Convention between the U.S.S.R. and Finland concerning conciliation procedure, April 22, 1932.

Treaty between the U.S.S.R. and Estonia concerning nonaggression and the peaceful settlement of disputes, May 4, 1932, extended 1934.

Convention between the U.S.S.R. and Estonia concerning conciliation procedure, June 16, 1932.

Pact of mutual assistance between the U.S.S.R. and Estonia, September 28, 1939.

Treaty of nonaggression between the U.S.S.R. and Poland, with two protocols of signature, July 25, 1932, extended 1934.

Convention between the U.S.S.R. and Poland concerning conciliation procedure, November 23, 1932.

Joint communique by the U.S.S.R. and Poland concerning diplomatic and commercial relations, November 26, 1938. Confirms 1932 nonaggression treaty.

Note from U.S.S.R. to Poland abrogating existing treaties between the U.S.S.R. and Poland, September 17, 1939. Reason: Polish Government has ceased to exist. Followed by joint declaration of friendship and mutual aid by the U.S.S.R. and the Polish government in exile, December 4, 1941.

Treaty of nonaggression between U.S.S.R. and France, November 29, 1932.

Convention between the U.S.S.R. and France, concerning conciliation procedure, November 29, 1932.

Treaty of mutual assistance between the U.S.S.R. and France, with protocol of signature, May 2, 1935.

Treaty of mutual assistance between the U.S.S.R. and Czechoslovakia, with protocol of signature, May 16, 1935.

Treaty of friendship, mutual assistance, and postwar collaboration between the U.S.S.R. and the Czechoslovakian government in exile, with protocol, December 12, 1943.

WITH YUGOSLAVIA

Treaty of friendship, mutual assistance, and postwar collaboration between the U.S.S.R. and Yugoslavia, April 11, 1945. (Denounced by the U.S.S.R. September 28, 1949; in October, Yugoslavia accused the U.S.S.R. of having broken the treaty. Most commercial treaties between U.S.S.R. and Yugoslavia violated by the U.S.S.R. after the break in relations.)

Treaty between the U.S.S.R. and the United Kingdom concerning alliance in the war against Germany and collaboration and mutual assistance after the war, May 26, 1942. Annulled by U.S.S.R. on May 7, 1955.

Treaty of alliance and mutual assistance between the U.S.S.R. and the French provisional government, December 10, 1944 (annulled by U.S.S.R., May 7, 1955).

Pact of neutrality between the U.S.S.R. and Japan, April 13, 1941 (denounced by U.S.S.R. on April 5, 1945).

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R. and Hungary, February 18, 1948 (violated as a result of Soviet actions in Hungary in 1956).

Treaty of nonaggression between the U.S.S.R. and China, August 21, 1937.

Agreement concerning the evacuation of Soviet forces from Chinese territory after the capitulation of Japan, July 11, 1945.

Treaty of friendship and alliance between the U.S.S.R. and China, August 14, 1945 (annulled by exchange of notes of February 14, 1950, between the U.S.S.R. and the Chinese People's Republic. Declared null and void by Government of Republic of China on February 25, 1953, the General Assembly of the U.N. accused the U.S.S.R. of violating this treaty).

Exchange of notes between the U.S.S.R. and China concerning relations between the U.S.S.R. and China, August 14, 1945. Supplements the above treaty, some clauses violated by the U.S.S.R.

Exchange of notes between the U.S.S.R. and China concerning Outer Mongolia, August 14, 1945 (calls for a plebiscite).

Additional agreements made about the same time (about Darien, Port Arthur, etc.), violated by the U.S.S.R. in fact or in spirit.

Exchange of telegrams between the U.S.S.R. and the Chinese People's Republic concerning establishment of diplomatic relations, October 1, 1949. (On same day, the U.S.S.R. informed Nationalist diplomatic representatives in Moscow that U.S.S.R. considered him to represent only the Province of Canton, and would break off relations. This appears to be how the U.S.S.R. rid itself of treaty obligations with Nationalist China.)

Mr. ANDERSON. Mr. President, on September 17 reference was made to General Power's concern that ICBM nuclear weapons systems have not been fully tested.

At that time I believe I had fully covered this point. However, I see that my distinguished colleague from West Virginia [Mr. BYRD] in his discussion today again has referred to General Power's concern and cites General Power's statements as one of the bases for his concern over the treaty.

For many years now the Joint Committee on Atomic Energy has had detailed information concerning the testing program by the AEC and the high degree of reliability that the AEC and the weapons laboratories attribute to their nuclear weapons. The details of this on file with the Joint Committee are classified. In order, however, to bring this matter to the attention of the public in a true light, the Joint Committee staff on September 17 requested Gen. A. W. Betts, Director of the Division of Military Application, to make available in an unclassified manner the details of the testing programs and the assurances as to the reliability of the nuclear weapons. This afternoon a response from General Betts was received at the office of the Joint Committee on Atomic Energy.

I ask unanimous consent that the letter of September 17 from the Joint Committee on Atomic Energy to General Betts and the reply from General Betts of September 19 be inserted in the RECORD.

I believe the Commissioner's letter signed by General Betts will once and for all put to rest any doubts that exist.

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

SEPTEMBER 17, 1963.

Maj. Gen. A. W. BETTS,
Director, Division of Military Application, U.S. Atomic Energy Commission, Washington, D.C.

DEAR GENERAL BETTS: On August 19, 1963, General Power, in testimony before the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, testified:

"The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. * * *

"We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs."

The implications left by General Power's testimony is that the weapons systems and warheads developed are not assured of functioning properly when called upon to do so in an operational manner. From the knowledge available to the Joint Committee in following the weapons programs over the years, this appears to be contrary to the actual situation.

Most of the information on file with the Joint Committee on Atomic Energy regarding this matter is in classified form. It is very desirable, therefore, that an unclassified letter be furnished recounting the long history of looking at the need for operational systems tests, and the study efforts made on this problem together with the procedures now in practice which provide to scientists, engineers and to the military advisers in the Department of Defense the high degree of confidence they have in the assurance that complete weapons systems, when fired operationally, will result in nuclear warhead detonations as designed.

To the greatest extent possible in an unclassified communication, this letter should include information on tests of weapons systems that included warheads where the entire sequence of firing was actually tested except for the final nuclear detonation. Statistical tests and certification procedures involving more than just the original warhead designers should also be described.

Your cooperation in providing us this information is greatly appreciated.

Sincerely yours,

JOHN T. CONWAY,
Executive Director.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., September 19, 1963.

Mr. JOHN T. CONWAY,
Executive Director,
Joint Committee on Atomic Energy,
Congress of the United States

DEAR MR. CONWAY: I refer to your letter of September 17, 1963, regarding statements made by Gen. Thomas S. Power, commander in chief, Strategic Air Command, before the Preparedness Investigating Subcommittee of the Committee on Armed Services, U.S. Senate.

The matter of reliability of nuclear weapons has always been considered a matter of great importance by the Atomic Energy Commission and consequently a substantial technical effort has been devoted to insure that

the nuclear weapons provided to the Department of Defense will function properly if used operationally. The required reliability for any particular nuclear weapon is established initially by the DOD in the nuclear weapon military characteristics. This required reliability is quite high and is verified by the extensive testing program discussed in the following paragraphs.

The accumulation of the necessary data upon which the reliability is based begins early in the development program of a weapon. Initially the nonnuclear components are subjected to many rigorous tests, under various environmental conditions which include acceleration, vibration, high and low temperature cycling, etc. Next, the complete nonnuclear weapon (either bomb or warhead) with depleted uranium or other material substituted for the fissionable material is tested under a variety of circumstances that include functional tests under simulated operational conditions. In these tests, the weapon is highly instrumented in order to obtain information that is of primary interest to the weapon designer; e.g., arming, fusing, and firing circuit operation. If the weapon is a bomb, it is carried by the same type aircraft that will employ it operationally and it is released on an AEC test range at Tonopah, Nev., where extensive ground instrumentation records all the various bomb functions.

In the case of a ballistic missile, the same type of tests are run in conjunction with the DOD on test firings from the Atlantic or Pacific missile ranges. These tests confirm the compatibility between the DOD and AEC portions of the weapon system and establish that the nonnuclear portion of the weapon will perform according to specifications. A sufficient number of these tests is performed so that a statistically significant amount of data is obtained thus allowing the reliability of the system to be certified as meeting the DOD requirement.

The above tests are generally performed on development quality material. After the results of these tests are analyzed and the designs are firmly established several complete nuclear weapons are produced by the production complex using production tooling. These nuclear weapons are again subjected to essentially the same sorts of tests as the development hardware, although no actual missile firings or aircraft drops are performed. After successful completion of these tests quantity production of a weapon is begun and it is introduced into stockpile.

During the production phase the quality and reliability of the product continues to be of prime importance. For this reason, weapons are withdrawn very early in the production phase in order to perform functional tests thereby establishing the quality of the new production. Additionally, throughout the stockpile life of the weapon, nuclear weapons are periodically withdrawn on a statistical basis and functional tests performed. In this way, the reliability of the stockpile is continuously verified and any degradation resulting from the passage of time is detected and corrected.

In regard to the nuclear portion of the system, the designer performs development tests on high explosive detonators, high explosive charges, initiators, and other components to establish reliability data. By the use of various testing techniques the nuclear weapon designer is able to predict with a high degree of confidence that the weapon would have performed in a satisfactory manner had the nuclear materials been present.

To supplement the extensive development tests of primarily nonnuclear components mentioned above, full scale nuclear development and proof tests are performed. The development tests lead to an optimum design that may be tested further by a proof test. The decision as to whether a proof test will be performed depends primarily on the design approach, the success of the development tests, and sensitivity of the system to variations in weapon yield. The designs of most of the weapons in stockpile have been proof tested.

In addition to the AEC tests the DOD performs operational suitability tests of the complete weapon system using weapons provided by the AEC. The weapons provided to the DOD for this purpose are essentially identical to stockpiled weapons (less the nuclear material). The operational suitability test is designed to evaluate the system from stockpile to target and generally culminates in a nonnuclear detonation of the weapon. Usually there are several of these tests performed for each weapon system. In some instances a passive (nontelemetered and recoverable) instrumentation package is installed in these weapons to provide a record of proper functioning of various weapon circuits. In other tests the data are telemetered.

In regard to operational tests of complete systems, this has been a matter primarily of concern to DOD, although AEC advice and assistance have been provided. As you know, the decision has been made in some instances to perform operational systems tests such as the Polaris weapons system test during Operation Dominic.

In summary we are confident that the nuclear weapons the AEC develops, produces, and provides to the DOD are highly reliable and that they will function properly if used operationally.

Sincerely yours,

A. W. BETTS,
Major General, U.S. Army, Director of Military Application.

Mr. LAUSCHE. Mr. President, since the treaty in a limited way to ban nuclear testing was submitted to the Senate, I, as well as other Senators, have been giving grave consideration to the course that should be followed by the Senate with respect to the proposal.

I approach this problem with the view that the achievement of peace and the maintenance of the security of the United States are our primary considerations. That is the premise upon which I have acted in attempting to decide what should be done.

Worthy people throughout the world do not believe in war, or the taking of the lives of citizens because of political differences, or in the practice of entering into a solemn agreement without intending to fulfill it. I believe that is the spirit of the people of our country. At least it is mine.

How are we to attain the peace we all want? It certainly cannot be attained by yielding to the inordinate demands of Red Russia about the communization of the world, or by following a course in which the military might of Red Russia reaches a comparative level, so that Russia can dictate to the people of the free world what should or should not be done, or by wishful thinking that into the minds of Communist leaders has come a new light, and that now they yearn for peace and the legitimate coexistence of people of different political, economic, and social leanings.

In September 1938, Neville Chamberlain, Prime Minister of Britain, announced to the world the result of the agreement he had made with Hitler and Mussolini. With joy and pride he proclaimed, "peace in our time." Neville Chamberlain was a sincere, honest, and well-intentioned person. He believed that by the agreement he made with Hitler and Mussolini, he served not only the people of Great Britain but also the people of the world. But peace was not the lot of the world; instead, there came but genocide, tortures, and devastating war.

Today we are faced with a similar situation. In the maintenance of peace, can we take the word of Red Russia? Can we believe that it will discontinue creating tensions around the world and will remain contented with the present distribution of the atomic bomb? In my judgment, we cannot. To the extent that communism has been contained and peace maintained, it has not been the result of the will of Red Russia but of the strength that we have had in the military. If our military power were not greater than that of Red Russia, peace would not now prevail throughout the world, even to the limited degree that it has. The Chiefs of Staff have said that if the treaty were signed, two things would happen: First, it would stop the proliferation of the bomb. Presently, two principal powers are in the process of achieving a bomb strength—France and Red China. Neither of those countries will sign the treaty.

The people of Ohio do not want the Senate to approve a compact with Red Russia that would endanger the future security of the United States; they do not want the honor of our country to be tarnished by agreeing to unreasonable and unjustifiable exactions demanded by any other government. They want peace with honor.

The other reason urged for signing the treaty is that it will stop tensions throughout the world. If we ascertain facts upon which we could conclude that tensions would be reduced, we find that every day Red Russia is provoking difficulties and tensions. What tensions have been reduced in South Vietnam, South Korea, in British Guiana, and in South America? What is Red Russia doing in Cuba, in Colombia, in Brazil, in Venezuela, and in Guatemala? Tensions are being provoked everywhere. Red Russia will abide by its commitments only so long as it is suitable and advantageous for it to do so. The moment that suitability and convenience come to an end, it will do with the treaty what it has done with 53 out of the last 59 important agreements that it has made. Only a year ago Russia promised to the United States inspection in Cuba. That commitment still has not been kept.

We cannot take the word of Red Russia. The treaty is not conducive to the maintenance of peace. It is not in the interest of our country. It will rise to plague us. The time may come when we shall have to ask to be excused from it. When that time comes embarrassment and distress will be much greater than that which we now would face if we said to the 91 nations, including Ghana, Mali, Togo, the Cameroons, Dahomey and other nations that we have never heard of, "We cannot join you in signing the treaty because it would result in creating a condition that would bring Russia to supremacy in power." When Russia achieves supremacy in power, I have grave misgivings as to what will happen to our country.

Russia destroyed 20 million Russians. Tito put to death 1 million Yugoslavs. Everywhere communism, when it gains control, shows no mercy. It kills without limitation. That hour may come in our country if Red Russia ever attains supremacy. I shall vote against the treaty because I do not believe it is in the interest of peace and in the interest of preserving high and secure our Government.

When I took my oath of office as a U.S. Senator I swore to uphold and defend the Constitution of the United States and to perform my duties to the best of my ability—that I contemplate doing and thus passing upon this important treaty unmindful of my own political consequences but thoughtful solely of the future life of my country.

ARE THE TERMS OF THE TREATY, IN VIEW OF EXISTING CONDITIONS—POLITICAL AND MILITARY, CONDUCIVE TO PEACE AND ALSO THE SECURITY OF OUR COUNTRY?

If this question is answered in the affirmative, of course, the treaty ought to be supported—otherwise, not.

In analyzing the facts I will take up first the military phases of the problem. Generally it is admitted that Red Russia is in possession of a much greater rocket thrust than we are. In the last few years it has been putting into orbit payloads as high as five times greater than that which the United States was and is able to project. In addition the statement made by General Taylor is directly to the effect that technologically Red Russia is more advanced than we are in the high-yield range.

We try to find solace in the belief that the Soviets have no missile at this time which will deliver a hundred megaton warhead to a distant point within the United States. We have no proof that such a rocket booster is not possessed by Red Russia. If speculation is to be done in this field, it ought to be done resolving the doubt in the direction that will offer the greatest security for our country and, that is, to assume that it does have or will have such a delivery system.

It is also practically conceded that under the terms of the treaty we will be stopped from developing large megaton weapons even though future disclosures indicate an absolute need for them.

Does anyone believe that if Red Russia does have the means of using a hundred-megaton bomb upon us that it will not do so and thus in one single salvo of scores of thousands of megatons lay our cities to rubble, lives to death, and rendering our second strike capability purely academic.

The Communist regimes to achieve their end adopt whatever tactics are needed—fair or foul; human lives are not spared. We have witnessed that course in Yugoslavia, Hungary, Red Russia, Red China, Cuba—20 million of humble Russians were put to death by Stalin and Khrushchev to maintain their political supremacy.

If and when the Communist regime of Russia believes that it has superiority of power over us, it will not hesitate to inflict the cruelest, the most inconsiderate, and devastating assault upon our country that has ever been perpetrated against any nation in the world.

The item of developing an antiballistic missile has been much in discussion in connection with the treaty. The Joint Chiefs of Staff testifying through Gen. Maxwell D. Taylor on this subject stated:

In the antiballistic missile field development of the U.S. system does not depend on atmospheric testing, and, hence, this treaty will not significantly influence any imbalance that may exist.

Both sides could achieve an antiballistic missile but one with less desirable characteristics than would be the case if the additional atmospheric tests were conducted.

Under the treaty both sides could make about the same technical progress in the ABM field, although the Soviet may possess some information not available to the United States.

Dr. Edward Teller recently in a public appearance stated:

In 1958, in 1959 I was in favor of an atmospheric ban because at that time I did not believe in nuclear defense; I thought it was too difficult. But in 1961 and 1962, the Russians put up a terrific show of atmospheric explosions, and during 1961 they said they had the nuclear defense.

This together with many discussions on nuclear defense which followed have convinced me that I must change my mind; that nuclear defense, though extremely difficult, might be possible.

Dr. Edward Teller also has stated:

When the offensive power of two belligerents is equal, defense becomes decisive. * * * The scientists who maintain that this ABM is an impossible or Gargantuan task are misleading us and selling science down the river.

What the position of Red Russia is regarding an antiballistic missile neither the military agencies nor any other agency is able to tell.

One important witness in discussing the alleged antiballistic-missile systems encompassing Leningrad stated that in his opinion: "It is a bluff."

Another witness supporting the treaty said that in his opinion the deployment of the alleged antimissile system around Leningrad came about because:

Some of their scientists or engineers sold them a bill of goods. That happens here, too, I mean the situations are not all that asymmetrical.

The people of our country through the years have been told about the work that is being done in developing an antiballistic missile system in the United States. Our development of the system has not reached the point where it warrants deployment of the actual weapons. That has been specifically stated by officials of the Government.

Red Russia on the other hand claims that it has developed the system and is now deploying it.

Suddenly what was once considered to be the most important service to be rendered in the United States to our civilian population and our military personnel has become an insoluble objective. Manifestly, if Red Russia has an ABM system and we do not have it, a wide disparity in strength does exist to our disadvantage.

Red Russia believes in huge megaton weapons. Secretary McNamara and others believe that we can achieve great success by using two or three smaller weapons instead of one very large one. With regard to this issue it must be remembered that many factors enter into this equation—that is, the ability of our bases to withstand damage done by a hundred-megaton bomb and also the effects such a blast would have upon our weapons system and the blackout that it might impose upon our communications devices.

It is a fact that we have never tested the impact that a nuclear superweapon of the yield of a hundred megatons would have upon our operational sites.

If the large rocket boosters are not of special value, why are we striving so vigorously to develop them?

The question is also pertinent concerning the efforts that will be made by our Government to develop a 50- or 60-megaton warhead through the knowledge obtained in underground tests.

It is my hope that the course we are following is the right one. But, if we are wrong, I doubt very much whether we will be able to extricate ourselves as we did in the last war from mistakes that were made. It well may be that the possession of this super hundred megaton weapon with the necessary rocket boosters constitutes a commanding advantage for the Soviets.

For years our leaders discounted Russia's ability to cope with modern technology. They told us that:

It would take scores of years for Russia to develop the atomic bomb. Russia developed it in 4 years.

The Soviet technology was too backward to produce a hydrogen bomb. Russia dropped an operational nuclear bomb from an airplane 5 months ahead of us.

Russia would never be able to cope with the production of jet aircraft. She has hundreds of supersonic jet bombers.

Russia would never develop ICBM's. Russia designed and launched one a year ahead of us and put it promptly into production.

Russia would never be able to put a manmade satellite into space ahead of us. The Russian sputnik was the first to orbit the earth.

We would be the first to hit the moon. Russia hit the moon ahead of us, and has taken photographs of its unseen other side—an accomplishment we have yet to duplicate.

We would be ahead of the U.S.S.R. in putting man into space. They were the first to accomplish this feat.

It would take years for the U.S.S.R. to develop atomic submarines. These submersibles are rolling off Russian shipyards probably as fast as ours.

All of these claims were subsequently proved to be untrue.

WHAT WILL BE THE ULTIMATE COMPARABLE POSITION BETWEEN THE STRENGTH OF RED RUSSIA AND THE UNITED STATES HAVING IN MIND THAT IN THE FIELD OF LARGE NUCLEAR WEAPONS WHERE RUSSIA HAS THE UNDISPUTED LEAD, BOTH RED RUSSIA AND WE WILL BE PROHIBITED FROM TESTING?

In the low-yield weapons where we are in the lead and Russia is trailing,

testing underground will be permitted to both Red Russia and the United States.

Obviously, our ability to either catch or surpass Red Russia in the development of large nuclear weapons will come to an end; while the ability of Red Russia to catch and possibly surpass our country in the development of low-yield nuclear weapons will become a distinct possibility.

Is it possible that here lies the very reason why Khrushchev has agreed to this treaty?

Since 1958 while the conferences for the achievement of a nuclear test ban have been in progress, Red Russia has adamantly been opposed to on-the-site inspection and, finally, under complicated conditions agreed to only three on-the-site inspections of suspected nuclear test explosions at the most. It never would budge a single bit from this position of a limit of three inspections.

In 1961 and 1962, as we all know, in violation of the moratorium against tests, it launched experiments excelling ours practically beyond belief. In those tests it acquired information that will aid it in solving the problem of blackout of communication systems, the strength required to have an adequately hardened missile site, the means that should be taken to eliminate the damage done to weapons and weapons mechanisms.

Certain phases of this research, of course, can be done by underground tests. The testimony, however, is entirely too weighty that there are certain aspects of the problem that can only be done by atmospheric testing.

Gen. Maxwell D. Taylor further in his presentation of the position of the Joint Chiefs of Staff stated:

> It is important to emphasize that the superiority under discussion in the preceding paragraphs refers essentially to technological superiority. It does not take into account such superiority as derives from number of weapons, variety of delivery systems, and the magnitude of the nuclear plant and the stockpile. Hence, technological superiority is only one aspect of the net superiority which must take into account all of these factors. As to net superiority and ability to inflict damage on the enemy, the Joint Chiefs of Staff consider that the United States at present is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war and is probably ahead in the ability to wage tactical nuclear war; whereas the Soviets have developed a substantial mid-range ballistic missile capability.
>
> They (the Joint Chiefs of Staff) concluded that the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field; whereas, the Soviets by underground testing probably could retrieve in time any lead which we may presently have in the low-yield tactical field.

In the field where we are ahead, Russia will catch up; in the field where Russia is ahead, we will remain at our present fixed disadvantage.

It appears to me that from the standpoint of our ability to maintain the security of the country, the provisions of the treaty are distinctly to our disadvantage. Military gains are made available to the Soviets and denied to the United States.

If we are mistaken—and we well can be—about the advances that Russia has made in the development of an antiballistic missile system and the knowledge that it acquired in the tests made in 1961 and 1962, in breach of the 1958 moratorium, of the impact of a hundred-megaton nuclear explosion on missile sites, communications systems, and weaponry, the present signing of the treaty may place us in a most embarrassing position at a later date in the event we find it necessary to withdraw.

ARE THE POLITICAL ADVANTAGES THAT WILL BE GAINED OF A VALUE ADEQUATE TO REPAY THE UNITED STATES FOR THE MILITARY DISADVANTAGES THAT IT WILL SUFFER?

It is claimed by the proponents of the treaty that there are certain political advantages which flow from the treaty that warrant the Senate to approve the agreement. Contention is made that after the treaty is executed the proliferation of nuclear weapons will stop and that the causes of world tension will be reduced.

Let us take a look at these contentions. Red China and France are the only present potential developers of the nuclear bomb; they will not be signatories to this document. Thus at the very beginning the argument of the nonproliferation that will result from the execution of the treaty is negated.

If the United States attempts to induce France to abandon its objective of possessing a nuclear bomb, the result might very well be the disintegration of NATO—that we cannot suffer.

REDUCTION OF WORLD TENSIONS

The second argument given in support of the political advantages is that it will result in a "reduction of causes of world tension." With this argument I, likewise, cannot agree. Russia at this very time is provoking world tensions wherever the field is fertile and suitable.

Have world tensions been reduced in the following areas suffering from Communist infiltration, subversion, push-button precipitation of riots, sabotage, murder, and other Communist devices: Laos, South Vietnam, Korea, Cuba, Haiti, Nicaragua, Guatemala, Venezuela, Colombia, Brazil, British Guiana, and other places?

The Communist Party of Red Russia has not changed its long-range strategy. With its present problems with Red China—rooted merely in tactical operation with Red China and not in the long-range objectives of the Communists of Red Russia and Red China; in its need of providing consumers' goods for the people of Russia; and in its constantly disturbing problems among the exploited people of its satellite nations—a breathing spell is needed. But even with that need, no tangible action is taken by Communist Russia to relieve the tensions which the Communists are causing. The truth is that if we believe that the signing of this treaty will cause Red Russia to lessen the tensions of war that exist in the world, we are unpardonably mistaken. Red Russia contemplates no such result from the treaty. The efforts to destroy existing governments in the world will go on; communism will seek to be substituted everywhere for existing non-Communist governments.

CAN WE RELY ON RED RUSSIA TO KEEP ITS COMMITMENT IN THE EVENT WE SIGN THIS TREATY?

If we are to judge its conduct in the future by what its conduct was in the past, the answer is that the treaty will be breached if and when it suits the convenience of this Communist signatory.

During the hearings of the Foreign Relations Committee members on the treaty, I asked the Secretary of State certain questions about the breach of commitments made by Red Russia in the past. The questions which I put and the answers which I received were as follows:

> Senator LAUSCHE. Mr. Secretary, I will try to develop thoughts with respect to the life of the treaty. In the 10 minutes it may be a little bit difficult. I understood you to say this morning that in discussing article IV of the agreement concerning how it might be terminated that the Russian representatives took the position that renunciation is a matter of sovereign right, and therefore required no delineation in the treaty; is that correct?
>
> Secretary RUSK. Yes, sir; and that has been a rather general approach of theirs to this problem.
>
> Senator LAUSCHE. That is Red Russia takes the position that when it makes a treaty, in the absence of specifying a particular period of time that it is to endure, it has the inherent and sovereign right to terminate it whenever it pleases?
>
> Secretary RUSK. That is a general point of view, sir. I would not want to say that that is flat and comprehensive over every issue; I would have to be advised on that point.
>
> Senator LAUSCHE. If we approve this treaty I am quite certain that the Congress as well as the administration would contemplate executing it in the spirit and in the letter. May I have your opinion on that subject?
>
> Secretary RUSK. I think there is no question about that.
>
> Senator LAUSCHE. And if that is the fact, not only the Congress but the administration and the people of the country should weigh what the probability is of Russian attitude concerning the fulfillment of the promise.
>
> Secretary RUSK. All right sir.
>
> Senator LAUSCHE. With that premise laid, I want to recite here Russia's conduct of the past, and I begin on February 2, 1920, when it made separate peace treaties with Estonia, Latvia, and Lithuania, recognizing the independence and autonomy of these countries and renouncing voluntarily and forever all rights of Russia over these people.
>
> On June 16, 1940, in the face of that treaty, Soviet troops occupied Estonia, Latvia, and Lithuania.
>
> I go to Iran. There was a tripartite alliance on January 29, 1942, to which Red Russia was a signatory, and it promised to withdraw its forces from Iranian territory.
>
> In 1945 Red Russia equipped the rebels with Soviet arms and Red army uniforms. Iranian forces were neutralized by Red army troops.
>
> In January of 1946 Iran appealed to the United Nations charging the Soviet Union with violating the agreement and interfering with its internal affairs and nothing was done about it.
>
> I now go to Yalta. We heard so much about it. In the Yalta Agreement, Red Russia, the United States, and the United Kingdom agreed to assist liberated people to form interim government authorities broadly representative of all democratic elements in the population and pledged to the earliest establishment through free elections, and I want to repeat that, free elections, and

the right of self-determination of governments responsive to the will of the people.

Now, the violations: In Hungary, acting through the Hungarian Communist Party and its own agencies and armed forces in Hungary, Red Russia suppressed the will of the Hungarian people by installing the minority Communist dictatorship and denied Hungary fundamental freedoms. The same thing was done in Rumania and Bulgaria.

I now go to Poland. In 1932 on July 25 Red Russia signed an agreement that there would be no aggression of Red Russia on Poland and not by Poland on Red Russia. We all remember this stab in the back on September 17, 1939, when Poland was fighting Germany on the west and Red Russia attacked Poland on the east.

I now go to the United States. In 1933 when Red Russia was begging the United States to establish trade relations with Russia, just as Kadar is now doing, and Litvinov wrote a letter to our Government committing himself that on Russian soil no agency would be permitted to exist contemplating intruding communism upon other nations of the world.

In violation of that Litvinov letter undoubtedly about which you know, the Comintern was in existence and they were attempting to communize the world.

No. 10, Finland. There was an agreement that before Russia and Finland were engaged in war that the issue would be submitted to arbitration, and that in no event would resort be made to war until 3 months after the report of the arbitrators. On November 26, 1939, the Soviet Government attacked Finland.

I now come to Hungary of 1956. When those patriots took control of the government and Imre Nagy was in charge, Red Russia said, "We will remove the Red Russian troops. Pravda will tell the story."

The story was carried throughout the United States, but while we were relying upon that promise they were bringing in their tanks and their guns and their military men.

No. 12, German reunification. On July 23, 1955, the Foreign Ministers of the Governments of France, United Kingdom, the United States, and Red Russia stipulated, the heads of Government have agreed, that settlement of the German question shall be by means of a free election. That was repudiated and broken.

We now come to China, subject 13. The alliance between the Republic of China and the Union of Red Russia agreed to work together in close and friendly collaboration after the coming of peace following World War II, and to act according to the principles of mutual respect for their sovereignty. That treaty was broken.

Then we come to the very significant Potsdam agreement on Germany. It was promised that Germany would not be scalped and denuded of all its economy. The signatories to that promise kept it except Red Russia, and it carried out everything it possibly could causing us to pour huge sums of money into Germany to reestablish the economy. There were other commitments made in the Potsdam agreement that were broken.

I now come to the Kellogg-Briand Treaty, which is significant. The Kellogg-Briand Treaty outlawed war as an instrument of national policy. The Red army invaded Manchuria on October 12, 1929, 1 year after it promised to outlaw war. Here we are sort of outlawing the nuclear tests. I wonder how long we can rely on that.

Japanese war prisoners. It was agreed by Red Russia that it would return those prisoners. It still has not done it.

Korea, item No. 17. It was agreed on December 27, 1945, there shall be set up a provisional Korean Democratic Government. There shall be a joint commission to provide a four-power trusteeship of Korea for a period up to 5 years. From the very beginning, the Russian representative refused to collaborate and to act in pursuance to that agreement.

No. 18, the return of German prisoners of war from the concentration camps, it still has not been done. Then we have had the peace treaties with Hungary again and Rumania and Bulgaria also violated.

Now, may I ask, Mr. Secretary, which is the last agreement that Red Russia has violated? I have in mind the Cuban commitment that we would have the right to inspect and ascertain whether the missiles were removed. Am I correct in that or not?

Secretary RUSK. That was a basis for the exchange, basis of the exchange between the President and Khrushchev during the week beginning October 22.

Senator LAUSCHE. That promise was not kept.

Secretary RUSK. That is correct, sir. As you recall, Castro would not accede to that.

Senator LAUSCHE. Yes. That is, the commitment was made that neutral nations would be permitted to go in and see whether the missiles were removed. That commitment was not executed, is that correct?

Secretary RUSK. That is correct, sir; but there were certain alternative arrangements that were made, as you remember.

Senator LAUSCHE. I have a letter here from the State Department saying that we are not bound by the promise not to invade or any of the other promises that we made because the commitment of Khrushchev was not kept to allow us to inspect.

Now, I ask you, in the face of this fragmentary recitation of breeches of commitments, if we are to judge Red Russia in the future by what it has done in the past, what can we expect?

Secretary RUSK. Senator, I am quite familiar with this somber story. I think myself that we should consider whether or not it is the present intention and purpose of the Soviet Union to comply with this treaty without necessarily at this stage trying to guarantee to ourselves that this will be their attitude forever into the future.

I believe that there would be no particular reason for them to enter into this treaty unless they had a present intention of living up to it, for two reasons. One is that violations of this treaty are highly subject to detection, and the cost to the Soviet Union throughout the world in terms of quick signature, and a quick violation would be very high.

Second, they have paid a significant price in their terms for this treaty, because this has precipitated in the sharpest possible form the attack by Peiping on the Soviet Union based upon this treaty, and this has created even deeper divisions and more hostile divisions within the Communist world than had occurred before. But we can't ignore the record that you have exposed here this afternoon.

Therefore, we must ask ourselves whether the interests of the United States are adequately protected in the event of violation. I think that answer is "Yes," but I think this is an answer that the Senate has to find out for itself.

The CHAIRMAN. The Senator's time is up.

Senator LAUSCHE. Just one-half minute.

For 5 years in the Foreign Relations Committee, behind closed doors and to questions put to you since you have become Secretary, I argued that there never can be a consortium between the 700 million Chinese and the 240 million Russians. Red China is looking for lebensraum, and its eyes are directed into Russia. and that was inevitable in my judgment, as it will grow worse as time goes on.

Mr. President, I have tried to bring myself to the judgment of approving this test ban treaty. My reasoning, however, simply prevents me from doing so. I am convinced that the treaty is not in the interests of the security of our country. It imposes military disadvantages upon the United States while it grants to Russia positions of favor to which it is not entitled. The treaty will be adopted. It would have been more comfortable for me to have followed the crowd. To have done so, however, would have required an abandonment of an honest judgment and the adoption of a course which I deeply believe is neither in the interests of peace nor the security of the United States. Whatever deterrents have come to the efforts of Red Russia to expand its boundaries have been the consequence of Russia's understanding that while we wanted peace, we did have the might and the will to maintain the honor and the security of our Nation. Peace will prevail in the world so long as the United States retains that position of strength, but not any longer.

On the basis of the facts as I understand them as herein set forth, I will cast my vote against this treaty.

Mr. ROBERTSON. Mr. President, I am happy to hear the Senator from Ohio say that he will vote against the treaty. I hope that he does not have as much difficulty in being quoted on that statement as I have had in being quoted to the effect that I shall vote against the treaty.

I read an article in the newspaper today stating that all but five Senators will be for the treaty. I made a speech of over and hour in which I said that I would be against the treaty. First, I found a piece on the front page of a newspaper which stated that the distinguished Chairman of the Foreign Relations Committee had said that I had lied. Of course, he had not. But the article indicated we were about to fight a duel over the treaty.

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

Mr. ROBERTSON. Then the Associated Press sent out that story. I do not know why they did. As soon as I could get the floor, I denied the statement.

A District of Columbia newspaper published the story under the heading of "Loud Speakers in the Senate." At the conclusion of the article there appeared the statement that I had denied the charge, and then there was printed what actually occurred. All right. Then the Associated Press—and I know that it is a fine agency and did not mean to misrepresent me—transmitted a story to the effect that I had said that I was going to violate my conscience by voting for the treaty. I have received telegrams and letters which expressed the feeling that the writers were shocked that a man would violate his conscience by voting for the treaty.

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

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. I read the story in the Washington Post, to which the Senator referred, about microphones in the Senate. This morning I have noted no need for such microphones. The Sen-

ator from Minnesota has seldom been accused of needing a microphone. The Senator from Ohio speaks with such eloquence and clarity that he does not need a microphone.

Mr. LAUSCHE. And brilliance.

[Laughter.]

Mr. HUMPHREY. And brilliance, yes, and persuasive eloquence. The Senator from Virginia if the Associated Press will misquote him, will never need a microphone. Nevertheless, I wish to come out for microphones. Once again I shall support a resolution that would modernize the Senate Chamber. I do not believe we ought to go too far because we might upset some of the old traditions. But at least we can go so far as doing what our fellow Members of Congress do in the other body. We might install microphones so that the people in the galleries and the reporters in their gallery might be able to hear at least the official deliberations that go on in the Chamber.

Mr. ROBERTSON. We might at least go down to a well, as is provided in the House, and there have a microphone through which we could address our colleagues. Then those in the gallery could also hear.

Mr. HUMPHREY. Such an arrangement would eliminate any trouble about where a Senator should stand. The present rule requires that he stand at his desk.

Mr. ROBERTSON. The Senator from Virginia does not suffer from any throat trouble. He is sure that the representatives of the fine news agency called the Associated Press can hear him when he reads a copy of a telegram that he sent yesterday to the managing editor.

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

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. How will the Senator vote on the treaty?

Mr. ROBERTSON. The Senator from Virginia thought that he had made crystal clear that he would vote against the treaty. I shall read a telegram which I sent to the newspaper which published the statement that I would violate my conscience by voting for the treaty. I know that the publisher did not intend any double entendre or double meaning. I said that I would violate the dictates of my conscience if I did not vote against the treaty.

It is all in this telegram.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. I know the distinguished junior Senator from Virginia is not really worried about that misquotation, because there is not a living mortal in Virginia or outside Virginia who would ever believe that the Senator from Virginia would vote against his conscience and what his conscience directs him to do. There are times when I wish the Senator's conscience would lead to a little different point of view, but the Senator is always true to his conscience, and the Associated Press was only having a joke. There is no doubt about that. It really made a sort of humorous mistake.

Mr. ROBERTSON. I do not think the Associated Press would try to perpetuate a joke on a Member of the Senate. Somebody has engaged in some proliferation of words about the treaty. It is a bit difficult, in writing it all up, to see exactly how anyone could misconstrue it.

I will tell the Senator what happened. I will read the telegram.

MANAGING EDITOR,
Los Angeles Herald Examiner,
Los Angeles, Calif.:

On page A–2 of your issue of Monday, September 16, 1963, you carry an Associated Press story quoting me as saying that I would violate the dictates of my conscience to support the test ban treaty. I said in my speech that I will vote against the treaty because it would violate the dictates of my conscience to support it, in view of information I have received about the dangerous military consequences if it is ratified. I am receiving mail from your readers expressing outrage that I intend to violate my conscience in order to support the treaty, which is what the erroneous sentence says but is the exact opposite of my stand. Please publish a correction making it clear that I oppose the treaty, that I am going to vote against it, and that I said so in my floor speech Monday, September 16.

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

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. It is a strange coincidence that in my mail today I received a letter containing the following:

DEAR FRANK: The gist of the attached clipping is that somebody put one over on Congress, and as a result, millions of our tax dollars are being wasted by the Area Redevelopment Administration.

Senator ROBERTSON, Democrat, of Virginia, is mentioned as one who is getting wise.

That is in a letter from a constituent in Ohio.

For the grief which the Senator has suffered from the misquotation by the newspapers, I hope this will be some balm to him, that the sincerity of his work is spreading into our State.

Mr. ROBERTSON. That is encouraging. I admit that I have gotten more national publicity from a story that a man called me a liar than anything I have done in the Senate in 17 years. That is the ways these news items are built up.

Mr. THURMOND. Mr. President, Adm. Chester Ward, U.S. Navy, retired, former Judge Advocate General of the U.S. Navy, has prepared a very interesting article for next week's issue of the American Security Council's "Washington Report." It is entitled "Beyond the Ban: the 'Destruction Gap.'" So that the Members of the Senate might have an opportunity to read this material prior to the final vote next week, I ask unanimous consent that Admiral Ward's outstanding article be printed in the body of the RECORD at the conclusion of these remarks.

Mr. President, I also ask unanimous consent that at the conclusion of these remarks an article written by the distinguished military correspondent of the Baltimore Sun, Mr. Mark S. Watson, entitled "Side Effect of A-Blast Worries Foes of Ban," be placed in the body of the RECORD. This article appeared in the Sun on September 14, 1963.

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

[From Washington Report, American Security Council]

BEYOND THE BAN: THE "DESTRUCTION GAP"—JOINT CHIEFS OF STAFF WARN TREATY GUARANTEES SOVIET SUPERIORITY

In the new era opened by the Treaty of Moscow and envisioned by President Kennedy in his address to the U.N. General Assembly—the United Nations, regardless of how much it may be strengthened as an instrument for maintaining world peace, will not have the power to restrain the Soviet Communists from world conquest. Nor will the United States.

Momentous testimony by the Joint Chiefs of Staff reveals: (1) that the Soviets have a 3-way lead in the only type of weaponry sufficiently powerful to control the world; (2) that U.S. adherence to the Moscow Treaty will guarantee continuance of the Soviet lead; and (3) that Soviet superiority in strategic high-yield weaponry is of a type which renders irrelevant or impossible of execution, the so-called unqualified and unequivocal assurances against the treaty's operating to imperil American security.

It reveals also that Secretary of Defense McNamara's claims of vast U.S. "nuclear superiority" will soon depend upon our striking first (which we will never do), with manned bombers (which we will no longer have). His claims of "missile superiority" are based on numbers alone, and ignore the fact that Soviet weapons exceed ours in explosive power by from 30 to 100 times. His claims of "technological superiority" sound as if they covered the entire spectrum of weaponry, but actually refer primarily to what Joint Chiefs of Staff call very-low-yield tactical weapons, which run to less than one-thousandth of the power of the range in which the Soviets hold guaranteed supremacy.

Would you be willing to stake your life—and the lives of your children—on the accuracy of the administration's assurance that the Treaty of Moscow will not imperil the security of the Nation?

You would be dead now—if your life had been staked on the accuracy of the administration's assurance last September, that there was no substantial danger of Soviet offensive weapons in Cuba.

You would be dead now if your life had been staked on the accuracy of the administration's assurance, up until September 1961, that adhering to the first test ban did not imperil U.S. security.

The September 1961, strategic miscalculation of risk cost us—as has just been officially conceded for the first time—our superiority in the only nuclear weapons powerful enough to control the world—those with the explosive power of tens of millions of tons of TNT.

The September 1962, strategic miscalculation of risk needlessly and uselessly exposed scores of millions of Americans to nuclear incineration; and we were saved from the threat of a nuclear surprise attack only by the grace of God and an aerial photograph.

The September 1963, strategic calculation of risk has been made. President Kennedy has assured the Senate, by letter of September 11, 1963, that the Treaty of Moscow is "safe and necessary." It was only last September, however, that he assured the public that the "increasing numbers" of Soviet shipments of arms to Cuba were "under our most careful surveillance," and that "I will repeat * * * that these shipments do not constitute a serious threat to any other part of this hemisphere." Then, in less than a

month came the U–2 aerial photographs. Later, he was wrong also about the Soviets keeping their promise of on-site inspections.

This September, your life has been staked on the administration's assurance that the risks involved in this third deal with the Soviets are small, and that our national security can be fully maintained in the new era opened by the Treaty of Moscow. The survival of the United States is also at stake.

If the administration is wrong again in its calculation of risks, you may lose your life in a nuclear Pearl Harbor—or lose your way of life as a result of Soviet ultimatum demanding surrender.

There is hard evidence that the administration is wrong again. It can not be photographic evidence, of course—but like the U–2 photograph that saved us last time, it is evidence more factual than opinionative in nature. Also, like the aerial photograph, its warning can be understood only through subjecting the facts revealed, to an analysis to develop their strategic meaning.

The import of the warning is so momentous as to overshadow the conclusion of the Senate Preparedness Investigating Subcommittee Report, issued on September 10, that the Treaty of Moscow will result in "serious, perhaps even formidable, military and technical disadvantages to the United States."

The source of the warning is a comprehensive "JCS Position Paper." It was prepared with reference to "this particular treaty at this particular point in time." The Joint Chiefs of Staff adopted it only after extensive deliberations and consultations with the Department of State, the Atomic Energy Commission, the Central Intelligence Agency, the Office of the Secretary of Defense, and others "with particular competence and responsibilities in the field." It was submitted to the Senate committees by the Chairman of the Joint Chiefs of Staff, testifying under oath. None of its statements, therefore, can be discounted.

Here are the key assertions of the JCS position paper. They are phrased in the most unsensational of technical language. They offer, however, a still timely warning of the most horrendous danger ever to threaten the national existence of the United States.

1. The Soviet Communist objective: "Militant communism remains dedicated to the destruction of our society."

2. Soviet capability of carrying out our destruction: "The USSR is ahead of the United States in the high-yield—tens of megatons—technology, in weapons-effect knowledge derived from high-yield explosives, and in the yield/weight ratios of high-yield devices."

3. Treaty of Moscow guarantees permanence of Soviet superiority in weapons of tens of millions of tons explosive power: "If * * * both sides faithfully observe its provisions * * * the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field, whereas the Soviets, by underground testing, could probably retrieve in time any lead which we may presently have in the low-yield tactical field."

The military Chiefs were not, of course, free to explain the meaning of these stark and somber facts. An objective strategic analysis, however, on the basis of those facts will assign to the Treaty of Moscow a significance unprecedented in all history: The most powerful nation in the world, with a present vast superiority of strategic military power in-being is: (1) abdicating its position of world supremacy, and (2) is guaranteeing to its enemy the capability—without challenge and without time limit—of developing overwhelming strategic supremacy sufficient to destroy the formerly most powerful nation, without risking devastating retaliation.

How can the Moscow Treaty operate to guarantee the Soviets the capability of developing overwhelming strategic nuclear power, if the United States holds such a vast supremacy in such power now?

The Joint Chiefs' position paper supplies the facts which provide the answer to that pivotal question. The same JCS facts provide the answer also to the equally significant question: How can Secretary of Defense McNamara's claims of U.S. "missile superiority" and "nuclear superiority"—under cover of which he is scrapping all U.S. manned bombers—be at least partially or even technically true, and still be grossly deceptive to Senators and citizens?

Here is how it works. The JSC, referring to the Soviet superiorities in "high yield devices"—meaning both bombs and missiles—and to the "probable" U.S. superiority in the field of very-low-yield tactical weapons, explain:

"It is important to emphasize that the superiority under discussion * * * refers essentially to technological superiority. It does not take into account such superiority as derives from numbers of weapons, variety of delivery systems, and magnitude of nuclear plant and stockpile. Hence technological superiority is only one aspect of the net superiority which must take into account all these factors.

"As to net superiority in ability to inflict damage on the enemy, the JCS consider that the United States is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war, and is probably ahead in the ability to wage tactical nuclear war, whereas the Soviets have developed substantial mid-range ballistic missile capability."

This necessarily sounds—superficially—as if it is backing up the McNamara claims. It had to sound that way, or JCS could not have said it. Actually, strategic analysis is necessary to reveal what it really means.

More than 90 percent of our present nuclear striking power—that is, "ability to inflict damage on the enemy" has to be delivered by manned bombers. These bombers are capable of carrying about 30,000 million tons of explosive power. McNamara's "more than 500 missiles" can deliver a total of about one-thirtieth of the bomber load. Thus our net superiority, which is our present "nuclear superiority" depends on the SAC bomber force being in existence and being operational.

A Soviet surprise missile strike with less than 15 minutes warning—such as from Cuba or by missile submarine—could destroy about 90 percent of our bombers in their soft bases. Thus our superiority (and the overkill which even Mr. Kennedy has referred to) depends upon the United States striking first.

President Kennedy has officially declared that we will not strike first. Hence the statements of our "net" superiority based on our striking first, are deceptive. So also are such statements as "We have enough nuclear power to kill 300 million people in 60 minutes. How many weapons do we need?"

Even without a Soviet no-warning surprise attack, however, our net superiority and our lead in "ability to inflict damage on the enemy," will soon vanish. McNamara is far advanced in his program of scrapping U.S. bombers, and has killed all programs for their replacement by advanced type bombers. As soon as his scrapping program is complete, we will have abandoned more than 90 percent of our total nuclear striking power, and all of our massive nuclear striking power. His program contemplates cutting down our capability from between 30,000 and 40,000 million tons of explosive power based overwhelmingly on bombers, to 2,000 million tons depending almost exclusively on missiles. U.S. Navy aircraft carriers have a substantial delivery capability, but McNamara's programs contemplate cutting them also, and reducing the number of strike aircraft the remaining ships may carry.

As soon as the U.S. SAC bombers are taken out of operational status, missile superiority will control the world.

When missile superiority controls the world. The Soviets have both technological and operational superiority in missiles now, and the Treaty of Moscow will guarantee the continuance of their superiority in the future. This is the meaning of the JCS statement. "The U.S.S.R. is ahead of the United States in the high-yield—tens of megatons—technology * * * and in the yield/weight ratios of high/yield devices. * * * If the treaty goes into effect * * * the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field."

This concedes to the Soviets an existing and guaranteed for the future capability of opening a massive "missile-explosive power gap." This gap already amounts to thousands of millions of tons of TNT explosive power. The Soviets have the capability of opening the gap by orders of magnitude each year, if the United States remains bound to McNamara's low-powered missile program and the Moscow Treaty. As soon as the U.S. bombers vanish, the "missile gap" will become a "destruction gap" because it will give them the greater power to inflict damage on the enemy. When the "destruction gap" becomes massive enough, it will amount to a "deterrent gap" because our retaliatory strike capability will no longer be relatively powerful enough to deter the Soviets from a surprise attack or delivering an ultimatum.

The new missile gap will result not from numbers, but from warhead power. Warhead power in turn depends upon yield/weight ratio and the warhead weight which the missile can deliver, which depends on the rocket thrust power. The Soviets are substantially ahead in both factors. Destructive effect of missiles (on a target which will not be "overkilled" by one hit) goes as two-thirds of the power of the warhead. That is, increasing the explosive power of the warhead by a factor of 3 is the same as doubling the number of weapons. The CEP factor of accuracy of guidance is also crucial. An improvement of 20 percent is considered as equivalent to doubling the yield of the warhead, but only for the purpose of destroying hardened military targets the location of which we know exactly. Both Soviet and United States accuracy is so good now, there is little room left for improvement. Both are known to be accurate within a half a mile—and it is not considered too much of an exaggeration to say that "We can hit an airfield—but the Soviets can hit a football field."

These statistics may seem boring now, but the survival of the United States and the lives of scores of millions of Americans depend upon an understanding of them.

Without them, it is impossible to understand how much—or how little it means, for McNamara to claim: "The U.S. force contains more than 500 missiles * * * and is planned to increase to 1,700 by 1966. * * * The Soviets are estimated today to have only a fraction as many ICBM missiles. * * * Between now and 1966, it is estimated that our ballistic missile numerical superiority will increase both absolutely and relatively."

The Soviet "fraction" of 500 could, of course be 400 or more—but it would be ridiculous to credit them with less than 120 ICBM's. Even Newsweek does (August 5, 1963), and the news "leaked" to it is generally close to U.S. estimates. The Soviets claim about 1,000.

Our missiles now probably average 3 megatons of explosive power: theirs, 30 megatons. Our number 500 times 3 megatons= 1,500 megatons. Taking a low number for them, 120 times 30 megatons=3,600 megatons. This would give them a net missile

explosive power gap of already 2,100 megatons, that is, 2,100 million tons of TNT equivalent. This gap will widen with extreme rapidity in the near future as the United States phases out its liquid-fueled Atlas and Titan I missiles which carry 5 or 10 megatons, and concentrates production on the 1-megaton Minuteman and Polaris.

McNamara plans a total missile force by 1966 of 950 Minuteman, 656 Polaris, and 54 Titan II. The explosive power in the total of their warheads would probably equal about 3,496 megatons. If the Soviets should build one-fourth as many, the explosive power of their warheads would equal 14,525 megatons. The explosive power gap in their favor would amount to some 11,029 megatons. The "destruction gap" would amount to 7,352 megatons. We would thus need more than 7,000 more Minuteman missiles to fill the gap.

We aren't going to get them—not in McNamara's programs. Yet investing in 8,000 missiles would not be too high a price to pay for the survival of the United States. The realistic answer, however, is not such large numbers of missiles, but an increase in their explosive power. Leading nuclear strategists have recommended an increase by a factor of 5 or 10. To attain this, as verified by the JCS paper, we need atmospheric testing. Under the Moscow Treaty, we have signed away our right to take this measure required for our national self-preservation.

Thus, just as the Cuban deal gave a U.S. guarantee against invasion, to assure Soviet Communist control of Cuba, the Moscow deal gives a U.S. guarantee of continuing Soviet nuclear power to control the world.

The controlling strategic factor in the world balance of power during the new era opened by the Moscow Treaty, will be the massive missile gap. Life will be different, for you and your family, and for all Americans. As then-Senator John F. Kennedy prophetically asserted in 1958, America would soon become the "underdog"—as the result of the "gap" or "missile-lag" period. This he defined as a period "in which our own offensive and defensive missile capabilities will lag so far behind those of the Soviets as to place us in a position of great peril."

The JCS position paper establishes the fact that the Soviets have now, and that the treaty guarantees them for the future, the capability of creating exactly such a gap.

Ironically, the missile gap which John F. Kennedy attributed to the Eisenhower administration was imaginary—whereas the gap created by Kennedy administration policies is so real it will shape the future of the world. And it has been made permanent by treaty.

What will be the strategic results? The Kennedy predictions, which were completely wrong for the indicated period of 1960–63, are completely right for the period 1964 to the end of the McNamara defense policies and the termination of the Moscow Treaty. They are even much more accurate, because in the new area there will be no U.S. SAC manned-bombers to more than fill the destruction gap. Here are some extracts from one of his series of articles entitled "Years of the Gap," published nationally by the Hearst Headline Service, and carried in the Los Angeles Examiner of August 24, 1958. Using the same substance, he made the missile gap a major issue in the 1960 presidential campaign.

1. The "coming years of the gap will present us with a peril more deadly than any wartime danger we have ever known."

2. "As the missile striking power of the Soviet Union increases, and our own retaliatory power lags * * * the deterrent ratio might well shift to the Soviets so heavily during the years of the gap as to open to them a new shortcut to world domination * * *. A direct Soviet attack may be our greatest danger throughout the years of the gap."

3. "We are about to lose the power foundation that has long stood behind our basic military and diplomatic strategy. We have possessed a capacity for retaliation so great as to deter any potential aggressor from launching a direct attack on us. This premise will soon no longer be correct."

4. "The Soviet * * * missile power will be a shield from which they will slowly but surely advance * * * through the vicious blackmailing of our allies. The key areas vital to our security will gradually undergo Soviet infiltration and domination. Each such Soviet move will weaken the West—but none will seem significant enough by itself to justify our initiating the nuclear war that might destroy us."

The developments pictured by Kennedy, including the direct Soviet attack on us, will not wait until McNamara has scrapped the last U.S. bomber. Khrushchev's huge investment in his present antiaircraft missile program proves he does not intend to wait that long. Effective deterrence depends on our having enough bombers to saturate his air defenses. This we will lose as soon as McNamara scraps enough of them, so that the Soviet surprise missile salvo, plus air defenses, can take care of the rest. Our 1-megaton missile retaliatory capability, blunted by his growing and treaty-guaranteed high-yield missile superiority, is not sufficient to deter him.

What can be done? The most urgent step is to scrap McNamara's policies of no bombers and small missiles, before they scrap us.

Until we attain missile superiority in destructive power as well as numbers, we need more bombers. We can get them by resuming production of B–52's until we can rush mass production of RS–70's. We must increase our airborne alert, and arm our bombers with 60-megaton bombs. We must mount Polaris missiles on surface ships.

For the future, we must develop a reasonably invulnerable missile force capable of delivering 20 kilomegatons of big-warhead retaliation. Its command, control, and communications systems must be proof against knockout by Soviet superweapons. This force, not the United Nations, is the only power which can secure both world peace and the survival of the United States.

To build this U.S. force for peace and survival, we have tremendous assets. Our program for 54 powerful Titan II missiles can be trebled. Our huge new peaceful space program rockets can be converted to the more realistic peaceful purpose of effectively deterring war. We can develop more powerful warheads for our missiles.

For in missiles—as in planning effective strategy for national defense—it's what's up front that counts.

Rear Adm. CHESTER WARD,
U.S. Navy, Retired,
Associate Editor.

[From the Baltimore (Md.) Sun, Sept. 14, 1963]

SIDE EFFECT OF A-BLAST WORRIES FOES OF BAN—SCIENTISTS OF AIR FORCE POINT TO BYPRODUCT AFFECTING ELECTRONIC EQUIPMENT

(By Mark S. Watson)

WASHINGTON, September 13.—Despite the public spanking administered to the Air Force Association by Eugene M. Zuckert, Secretary of the Air Force, for its bold opposition to the nuclear test ban treaty, numerous nuclear scientists of the Air Force continue in opposition.

Their concern about cessation of tests, it now appears, stems principally from the mystery surrounding a phenomenon of which the public now knows little but of which it is certain to hear more and more as research into EMP becomes more intensive.

AFFECTS ELECTRONIC DEVICES

EMP is the accepted abbreviation for "electromagnetic pulse," one of the byproducts of nuclear explosion. Its power is unmistakably such as to affect electronic equipment of every sort, including instruments for fire and guidance of our own ballistic missiles, that is, threatening the value of the ICBM itself, which now constitutes our chief war deterrent. The question is of how strong is the EMP's effect and how far does it reach.

Even the term is dealt with cautiously, and its use has repeatedly been censored out of official statements, including expert testimony before congressional committees, even though on many other occasions ranking officials have spoken or written of their concern over U.S. science's uncertainty about the electromagnetic pulse.

CENSORED BY POWER

Fundamentally their chief concern is that Russian military science, benefiting from the 1961 nuclear tests, may know much more than we do about EMP and its effect upon radio, radar, and other electronic processes. That concern helps explain reluctance on the part of the Air Force to block off American tests aimed at catching up with Russia.

Quite certainly this is one of the subjects originally touched on by Gen. Thomas S. Power, Chief of the Strategic Air Command, in his much-censored speech of yesterday before the Air Force Association. After censoring was completed his speech still said: "There are uncertainties concerning effects of high-yield nuclear weapons on our missile sites which will have to ride out the initial attack."

That suggests that, in theory, a Russian ICBM, sent against one of our ICBM missile-site complexes, even if unable to incapacitate any large number of the widely dispersed ICBM's by blast effect, could incapacitate the missiles themselves by EMP whose effect reaches much further, and conceivably deeper below ground, than the blast.

Viewed in its worst aspects, this could provide second thoughts about the U.S. present "second-strike" policy. That policy, frequently stated this past year, contemplates accepting an enemy's first strike in the confidence that surviving U.S. resources could "ride out the initial attack" in Power's phrase, and then launch a mighty counter-strike against the enemy, sufficient, as asserted by Robert S. McNamara, Defense Secretary, to wipe out the enemy's military resources.

QUESTION RAISED

The question now raised against the treaty (without effect on the Senate vote, it appears) is over the ability to "ride out" not only the blast power, which can be pretty well calculated but the Emp power, which at present is not computable at all and will not be without test.

A General Electric expert has surmised that a 1-megaton explosion could have effect upon electronic devices within a radius of 100 miles. It is understood that the pulse radiation from one of Russia's high-yield 1962 tests did in fact black out a U.S. satellite much farther off.

Also it has been reported that a mere 20-kiloton test on the Nevada nuclear test site affected power lines circuit breakers 100 miles away. It was this latter disclosure which lately spurred new U.S. Army Signal Corps efforts to develop electronic equipment less sensitive to radiation.

Emp works both ways. If its powers are such as to enable Russian ICBM's (in theory) to inactivate ours, it is certain that American ICBM's might do the same thing to Russia's—but only if they are used first, which is contrary to U.S. policy, and only if their powers are tested and proven, which is not in sight.

Whether military disadvantages outweigh political advantages, as contended successfully, it is not for the military to say. But it is manifest that there is little public knowledge of what the military disadvantages really are.

VETERANS OF FOREIGN WARS RESOLUTION OPPOSING NUCLEAR TEST BAN TREATY

Mr. STENNIS. Mr. President, the Veterans of Foreign Wars of the United States, at its 64th National Convention, gave its attention to the nuclear test ban treaty now under debate. This fine organization includes within its membership many of the foremost thinkers and leaders of our times who are thorough and painstaking and are prompted by the highest consideration of security for our Nation and the free world.

I have before me the resolution 258 of the V.F.W. in opposition to the approval of the nuclear test ban treaty, to give the Congress and the people of the Nation the benefits of the logic and reasons set forth in the resolution, I ask unanimous consent that it be included in full in the body of the RECORD.

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

RESOLUTION 258, OPPOSING PROPOSED LIMITED ATOMIC TEST BAN TREATY

Whereas the Soviet Union has broken over 1,000 treaties and agreements since 1917 as attested to by Senate Internal Security Document No. 125; and

Whereas the Soviet Union has signed treaties of nonaggression with neighboring states and then absorbed the states and has signed promises to refrain from revolutionary activities inside these countries with which it sought friendship and then cynically broke these promises; and

Whereas since that time we have seen nothing but a continuance of treaties broken by the Soviet Union, including the Soviet violations of the nuclear test ban moratorium; and

Whereas the proposed limited atomic test ban treaty, as other Soviet agreements, could be broken—this time with the nuclear vaporization of humanity: Now, therefore be it

Resolved, by the 64th National Convention of the Veterans of Foreign Wars of the United States, That we recommend that the U.S. Senate, in light of the previous treaty violations of the Soviet Union, do not approve the proposed limited atomic test ban treaty.

LET US STOP THE POISONOUS RADIOACTIVE FALLOUT

Mr. GRUENING. Mr. President, I wish to make a few brief remarks on the limited test ban treaty now before the Senate.

Almost 4 months ago—on May 27, 1963—I joined 32 of my colleagues in cosponsoring a resolution offered by the able and distinguished senior Senator from Connecticut [Mr. DODD] to achieve precisely the result sought by the treaty now presented to the Senate. The operative portions of that resolution provided as follows:

Resolved, That it is the sense of the Senate that the United States should again offer the Soviet Union an immediate agreement banning all tests that contaminate the atmosphere or the oceans, bearing in mind that such tests can already be monitored by the United States without onsite inspections on Soviet territory.

That if the Soviet Union rejects this offer, as it has in the past, on the grounds that it wants a ban on all tests or nothing at all, we should not bow to this rejection but should, on the contrary, reiterate our offer and pursue it with vigor, seeking the widest possible international support for our position;

That if the Soviet Union refuses to accede to such a first-step agreement, we commit ourselves before the world to conduct no nuclear tests in the atmosphere or under water so long as the Soviet Union abstains from them; and

That, in committing ourselves to such a moratorium, either unilaterally or by agreement, we keep the Soviet record of deceit and bad faith in mind, and maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or under water.

I have listened to and read carefully the arguments advanced against the Senate's giving its unreserved advice and consent to this treaty. While I appreciate the ability and sincerity of those who are advancing these arguments against unconditional ratification of the test ban treaty, I cannot agree with their arguments.

True, we cannot trust the Soviet Union—that we have been taught through bitter experience.

True, the masters of the Kremlin have a long record of breaking treaties.

True, Khrushchev announced their purpose to "bury the United States."

True, they have invaded Alaskan waters, torn up the crab traps of Alaskan fishermen and taken fish in our waters forbidden them by international law.

True, they have been guilty of a variety of unjustifiable acts. They have never hesitated to practice deception, nor is there any evidence of any change of heart or purpose.

Even though we recognize these truths while not condoning them, even though we fully appreciate the perfidiousness of the men in the Kremlin and the need to be constantly on our guard against treachery, nevertheless we can, on the basis of all the testimony, safely enter into this treaty because the advantages to our own Nation in taking such a step far outweigh any possible disadvantages.

Those of us who sponsored Senate Resolution 148 last May were fully aware of these realities. Nevertheless we sponsored the resolution because we firmly believed that whatever risks remained could be safely averted by maintaining a constant state of readiness to resume testing—which the President has promised to do—and that it was essential for something to be done—and done promptly—to avoid further contamination of the atmosphere.

The proximity of the State of Alaska to the Soviet Union has made Alaskans particularly exposed to the dangers of radioactive fallout. My able colleague, Senator BOB BARTLETT, has repeatedly stressed the poison from radioactive fallout that has stricken our Alaskan Eskimos. It has poisoned the lichens on the arctic tundra. The lichen is a rootless plant which absorbs its nourishment from the atmosphere, and it has absorbed the radioactive fallout generated by the tests in Siberia and carried eastward by the winds. It is on the lichens and moss that the vast herds of caribou in northern Alaska feed. They have taken the radioactive fallout into their bodies. Caribou meat is one of the principal foods on which the inland Eskimo depend. They in turn have been poisoned.

On September 12, in a major speech on the floor of the Senate, my colleague [Mr. BARTLETT] went into the whole subject exhaustively, ranging far beyond the effects in Alaska and citing in detail the findings of a number of distinguished scientists—Canadians, Americans and others—who have testified in their scientific publications to the increased incidences of congenital deformities, leukemia, and cancer, clearly attributable to the nuclear testing in the atmosphere and in the space above the earth's atmosphere. My colleague has rendered a great service.

I consider Senator BARTLETT's scholarly research made available to the Senate and the public—perhaps for the first time—to present an unanswerable factual presentation of the necessity of stopping all nuclear testing in the air and sea.

The test ban treaty before us is the first imperative step. Can we decently fail to take that first step? Can we, by abstention or opposition, sanction the daily malformation, agony, and lingering death of some of this generation and of countless numbers of succeeding generations? Hardly.

Mr. President, despite the arguments so eloquently advanced by the able and distinguished chairmen of the Senate Armed Services Committee and the Preparedness Subcommittee, whose views I deeply respect, I am convinced we can enter into this treaty for a limited ban on atmosphere or ocean contaminating tests without endangering the security of the free world.

We can do so safely by remaining alert and ready at all times to resume testing if this agreement is breached, though I hope and pray that this need will not arise. I am convinced that we can overcome by preparedness any sudden resumption of testing on the part of the Soviet Union. That being so, then the advantages to the United States—and to all the peoples of the world—of a cessation of the constant pollution of the atmosphere and the contamination of mankii d are great, indeed.

Mr. President, I am not sanguine about the future actions of the Soviet Union in the light of its willingness to enter into this limited test ban treaty. I would like to see some evidence of a new attitude, of a new purpose. But I refuse to peer into any crystal ball to determine whether this action on the part of the Soviet Union indicates an easing of the tensions of the world in the future. We can hope so, but that is all. We must judge each future action of the Soviet Union on its own merits, warily, and with a full realization of the intentions of that country as shown by its past history. But on balance, without interpreting the Soviet Union's willingness to enter into this treaty as the hoped-for beginning of an era of lessened tension and peace, it is my sincere belief that, for the sake of future generations,

the United States can and must enter into this treaty.

I shall therefore vote in favor of giving the Senate's advice and consent to this limited test ban treaty.

Mr. HRUSKA. Mr. President, in his address to the Nation announcing the conclusion of the treaty which now lies before us for ratification, the President called for "a historic and constructive debate." That debate is now nearing the time of decision. It has been conducted in committee rooms, on the floor of this Chamber, in homes and halls across America, and in all the public media. We can congratulate ourselves that it has been conducted responsibly and with a keen regard for the gravity of the issues involved.

TREATY HIGHLIGHTS

Mr. President, stated in simple terms—and perhaps in oversimplified fashion—the treaty has for its objective a pledge by the three major signatories—the Soviet Union, the United Kingdom, and the United States—to stop testing nuclear weapons in space, in the atmosphere, and in the common waters of the oceans. Duration of this pledge is set out as that period of time until one of these three nations serves 90-day notice that it will resume testing.

The treaty will not do certain things. It will not stop signatory nations from making nuclear weapons of any kind; nor maintaining their present or increased arsenal of nuclear weapons; nor use of such weapons in defense of any signing nation or its allies against aggression. It will not halt preparation for any of the prohibited test explosions right down to the point of pressing the button; nor will it stop underground test explosions. It will not totally prevent further poisoning of the atmosphere by radioactive fallout because neither France nor Red China are parties to it and both are engaged in active nuclear weapons development and testing programs.

DURATION OF TREATY

It is provided that any party to the treaty has a right to withdraw from it upon 3 months' notice if it decides that its supreme interests are jeopardized. A more likely method of termination, however, is a summary and unceremonious breaking of the treaty by the Soviet Russians the very minute such action suits their purpose better than continuing under its terms. This point will be developed at greater length later in my remarks.

The treaty was agreed to by the three major nations in July of this year. However, the idea of a limited test ban agreement was first advanced to Soviet Russia in April, 1959, by President Eisenhower, with British support. His letter proposal called for a prohibition on atmospheric tests up to 50 kilometers, without on-site inspections being required. The Soviets rejected the Eisenhower proposal.

FACTORS UNDERLYING HRUSKA DECISION TO FAVOR RATIFICATION

Without exaggeration, Mr. President, the ultimate issues raised by this debate go to the existence of this Nation and the principles for which it stands. They go to the very existence of our civilization which it is our purpose to preserve against all obstacles and all enemies. Also they go to the aspirations of men of good will everywhere in the world, that the far prospect of eventual peace—however dim—is something more than a cruel deception; and that the immediate cessation of further radioactive fallout—however small—is a substantial gain for humanity for whatever period it lasts, however long that may be. It is in the spirit of hope, matched by an alertness to every potential danger and a determination to keep ready our massive military power and to take other safeguard steps, that I will cast my vote in favor of ratifying this limited test ban treaty.

This decision has been reached against a background of some doubt and brutal realism. It was reached with difficulty. This decision has been shaped by all the participants in this historic debate—a debate that has indeed been constructive, informative, and exhaustive.

Chief among these participants is President Kennedy, whose letter of September 10 set out eight "unqualified and equivocal assurances to the Members of the Senate, to the entire Congress, and to the country." These eight points verified much of the testimony of Secretary of State Rusk and others who appeared in person before the Foreign Relations Committee, and who gave interpretations of language and outlined our Nation's intended course of action under the treaty.

My decision has also been greatly influenced by the testimony of the Joint Chiefs of Staff, and by their considered judgment that—on sober balance—the strengths of the treaty outweigh its weaknesses, that the benefits exceed the risks. Our military posture will unquestionably be affected by the test ban. But it will not be compromised.

And I would be gravely remiss if I did not acknowledge, as well, my debt to those who have in dedicated fashion conducted and participated in the committee hearings and who have engaged in the debate in this Chamber. This includes those who have opposed the treaty outright; and those who will, in the end, cast their votes against it. To cite just one example, the questions so well posed and the arguments so eloquently advanced by my colleague, Senator CURTIS. He, like every Senator recognizing many vulnerabilities in the treaty, is also concerned about the paramount issue of our national safety and security. In speaking out forthrightly, he has served the Nation's best interest. In fact, all the voices of doubt and opposition have been articulate and responsible. They bespeak the convictions of dedicated patriots. One may disagree with their final judgment—as I do—but their sense of high obligation cannot be faulted. I pay them sincere and grateful tribute.

But beyond all else, Mr. President, my decision has been shaped—my thoughts supported and sustained—by the most important of all the participants in the debate: the American people. Never, in my years of public service, has such an outpouring of thoughtful, reasoned letters reached my desk as those relating to the issue before us. About half favor ratification; about half oppose it; but all of them reflect, in every considered word, the same deep concern.

Taken together, they have helped to cut through the infinite complexities of this issue to what is simple and essential. The writers of these letters seek a just peace and, more particularly, desire an end to the continued contamination of the atmosphere by radioactive debris. That the menace to future generations is yet unknown serves merely to heighten the sense of dread. But these letters both for and against express, at the same time, a second theme: a practical reliance on a strong right arm of national defense—powerful and ready.

On this issue, the prerequisites of public policy correspond to the American character itself: a surefooted idealism guided by practical and prudent commonsense.

This is the precise balance that I have tried to strike in my own thinking. It has not been easy. Ease of mind craves certainties. And in this matter there are many uncertainties. The effect of the treaty on weapons development, on maintaining our present superiorities, on closing existing gaps, on the peaceful uses of nuclear explosions, on the progressive expansion of human knowledge itself—in all these vital areas of concern, unequivocal assurances are not forthcoming. There are only questions and doubts, only tentative and limited judgments, virtually all of which predated initialling of this treaty, and none of which are solved or made final by it.

INITIAL MISGIVINGS ON TWO KEY POINTS

When the treaty was first submitted, this Senator's preliminary study led to grave doubts on two key points which I publicly expressed at that time.

The first was this: In the event of a major nation breaking the treaty, whether we would be bound to wait out the 3 months before being freed from the terms of that document. During the hearings and in the President's letter it was made clear that in case the Soviet Union conducted tests in violation of the treaty, these United States retained the right to resume testing forthwith. It is also pledged that this country will maintain a posture of constant readiness for such resumption of testing.

The second point upon which this Senator declared keen misgivings was the same as that raised by former President Eisenhower: Does the treaty impose any inhibition on the use of nuclear weapons by us in case of war or aggression against us or any of our allies? The answer was a clear "No," clear to the Senate, clear to the American people, and perhaps most important of all, clear to the Soviet Union. This clarity was expressed in point 4 of President Kennedy's letter by his statement that "the treaty in no way limits the authority of the Commander in Chief to use nuclear weapons for the defense of the United States and its allies, if a situation should develop requiring such a grave decision."

Thus, the essential interpretations applied to each of these two points are now

a part of the legislative history of the treaty. They are a part of the formal record. They are now in every practical sense a part of the substance of the treaty. On both scores, therefore, my initial concern has been relieved.

PRESIDENT KENNEDY'S EIGHT POINTS OF ASSURANCE

Each of the eight points set out in President Kennedy's September 10 letter addressed to the majority and minority leaders of the Senate, are likewise a part of the legislative history and of the formal record. They clear up a great many questions and objections placed on this subject. Mr. President, I ask unanimous consent that the text of these eight points contained in that letter be printed at this point in the RECORD.

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

1. Underground nuclear testing, which is permitted under the treaty, will be vigorously and diligently carried forward, and the equipment, facilities, personnel, and funds necessary for that purpose will be provided. As the Senate knows, such testing is now going on. While we must all hope that at some future time a more comprehensive treaty may become possible by changes in the policies of other nations, until that time our underground testing program will continue.

2. The United States will maintain a posture of readiness to resume testing in the environments prohibited by the present treaty, and it will take all the necessary steps to safeguard our national security in the event that there should be an abrogation or violation of any treaty provision. In particular, the United States retains the right to resume atmospheric testing forthwith—if the Soviet Union should conduct tests in violation of the treaty.

3. Our facilities for the detection of possible violations of this treaty will be expanded and improved as required to increase our assurance against clandestine violation by others.

4. In response to the suggestion made by President Eisenhower to the Foreign Relations Committee on August 23, 1963, and in conformity with the opinion of the legal adviser of the Department of State, set forth in the report of the Committee on Foreign Relations, I am glad to emphasize again that the treaty in no way limits the authority of the Commander in Chief to use nuclear weapons for the defense of the United States and its allies, if a situation should develop requiring such a grave decision. Any decision to use such weapons would be made by the United States in accordance with its constitutional processes and would in no way be affected by the terms of the nuclear test ban treaty.

5. While the abnormal and dangerous presence of Soviet military personnel in the neighboring island of Cuba is not a matter which can be dealt with through the instrumentality of this treaty, I am able to assure the Senate that if that unhappy island should be used either directly or indirectly to circumvent or nullify this treaty, the United States will take all necessary action in response.

6. The treaty in no way changes the status of the authorities in East Germany. As the Secretary of State has made clear, "We do not recognize, and we do not intend to recognize, the Soviet occupation zone of East Germany as a state or as an entity possessing national sovereignty, or to recognize the local authorities as a government. Those authorities cannot alter these facts by the act of subscribing to the test ban treaty."

7. This Government will maintain strong weapons laboratories in a vigorous program of weapons development, in order to insure that the United States will continue to have in the future a strength fully adequate for an effective national defense. In particular, as the Secretary of Defense has made clear, we will maintain strategic forces fully insuring that this Nation will continue to be in a position to destroy any aggressor, even after absorbing a first strike by a surprise attack.

8. The United States will diligently pursue its programs for the further development of nuclear explosives for peaceful purposes by underground tests within the terms of the treaty, and as and when such developments make possible constructive uses of atmospheric nuclear explosions for peaceful purposes, the United States will seek international agreement under the treaty to permit such explosions.

Mr. HRUSKA. Mr. President, it is plain that these assurances are stated in an "unqualified and unequivocal" fashion. My reliance upon them is implicit in their being made sincerely and with the President's firm determination to follow through unswervingly. It is to be hoped that he will be more steadfast and undeterred in this instance than he has been in some other areas of foreign policy in which he has engaged, but which he has not been able to bring to successful conclusion.

U.S.S.R. AS CHAMPION TREATY BREAKER

Many of those speaking to the matter of ratification of this treaty have pointed out that we cannot trust the Soviet Union to abide by its terms. This Senator is in full agreement with that view. The U.S.S.R. on innumerable occasions has proven itself utterly incapable to abide by treaties it has undertaken.

If this treaty were dependent upon Soviet good faith, then I would vigorously oppose it; I would vote against it in that case. But after careful and lengthy consideration I am persuaded that the treaty does not depend upon trusting the Russians. This is so because of the safeguards provided in the President's letters, and our ability to implement them.

In fact, my own expectation is that sooner or later the Soviet's abrogation of the treaty in a way not provided by its terms, will terminate its tenure. All past history counsels us to anticipate such violation. Being thus forewarned, we are forearmed. All text of Communist doctrine, put us on clear warning that according to the perverse course of Communist thinking, no treaty or international obligation can ever take precedence over the imperatives of world Communist imperialism. They hold that those things alone are good which advance the goals of the so-called Socialist commonwealth. If a treaty solemnly signed becomes burdensome or undesirable, the obligations contained in it are forthwith disregarded and not observed.

In 1955, the Senate Subcommittee on Internal Security, in Senate Document No. 85, published a study entitled "Soviet Political Agreements and Results." Nearly a thousand treaties and agreements, both bilateral and multilateral, entered into by the U.S.S.R. with countries all over the world were examined. The Senator from Mississippi [Mr. EASTLAND], chairman of the subcommittee, wrote in the preface:

> The staff found that in the 38 short years since the Soviet Union came into existence, its Government had broken its word to virtually every country to which it ever gave a signed promise * * * it keeps no international promises at all unless doing so is clearly advantageous to the Soviet Union. I seriously doubt whether during the whole history of civilization any great nation has ever made as perfidious a record as this in so short a time.

In fact, treatybreaking has been an instrument of national policy with the U.S.S.R. since it came into existence. Bainbridge Colby, who was President Woodrow Wilson's Secretary of State, declared:

> The responsible leaders of the regime have frequently openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements.

As long ago as 1919 one of Lenin's lieutenants, Zinoviev stated:

> We are willing to sign an unfavorable peace. * * * It would only mean that we should put no trust whatever in the piece of paper we should sign. We shall use the breathing space so obtained in order to gather our strength so that the mere continued existence of our Government would keep up with the worldwide propaganda which Soviet Russia has been carrying on for more than a year.

Later this was updated by Joseph Stalin who put the Communist diplomatic philosophy even more bluntly, and in this fashion:

> Words must have no relations to actions * * * otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or wooden iron.

Senate Document No. 85 of the 84th Congress was brought up to date in Senate Document No. 125 in the year 1959. When the treaty now before us was initialed, this Senator requested Chairman EASTLAND of the subcommittee to have that second printing to be brought up to date, which was done.

This 1963 "Supplement No. 1" shows the U.S.S.R. record of perfidy in the matter of treaties is consistent with the 38 years of broken promises reported in Senate Document No. 85.

Quite often we hear of "a new spirit" which comes about over the U.S.S.R. So it is "the spirit of Geneva" in 1955; or the "spirit of Camp David" at a later time, and so on. These spirits are supposed to denote a change of heart, a new direction, a mellowing, or a maturing to a point where there are evidences that the U.S.S.R. wants to become a respectable, law-abiding member of the family of nations.

Such thoughts and hopes have been expressed here on the floor of the Senate during this current debate.

In truth and in fact, however, there is no such change. There has always been and there is right now a steadfast resolution and obsession in the minds and in the program of the Soviets. It

is geared to the eventual domination by the Communists of the entire world.

Chairman EASTLAND in his foreword to Senate Document No. 125 of 1959 stated:

Communism is not an evil thing only because it has been controlled by evil men since it first rose to power in 1917.

It is organically evil. You must renounce bourgeois morality, you must become an evil man before you can become a good Communist. You must be a liar, a cheat, and probably a spy, before you can represent a Communist nation in international diplomacy. You must have no more regard for honor when you sign an agreement on behalf of your country than a forger does when he puts a name on a check.

In 1958, the book "Masters of Deceit" was published. Its author is J. Edgar Hoover, widely considered as the foremost authority upon the subject of communism—its nature and its ways. Here is a declaration on the point which we are now considering, taken from his book:

The Red Fascists have long followed the practice of making use of democratic liberties: Elections, lawful adjudication and propaganda and free speech, press and assembly. Their basic premise: reap every advantage possible. However, if it will help, don't hesitate to use illegal methods, such as underground operations, terrorism, espionage, sabotage, lying, cheating. "We have never rejected terror on principle, nor can we do so. Terror is a form of military operation that may be usefully applied," wrote Lenin. Morality is strictly a bourgeois device. To the Communists everything that promotes the revolution is moral, legal, and beautiful.

Many people are confused by the party's abrupt twists and turns, such as denouncing the United States as an imperialist nation, from 1939 to 1941. Then overnight, after Russia's entrance into the war, hailing America as a great ally. Communists often look like frightened rabbits chasing back and forth.

But in reality these changes in the party line are merely shifting tactics all designed to promote the ultimate goal of world revolution. They are not changes in heart.

In their splendid book, entitled "What We Must Know About Communism," authors Harry and Bonaro Overstreet state in regard to Communist doctrine:

As for treaties signed and broken, we must again take stock of a basic difference of viewpoint. Having signed these treaties in good faith, we feel that the Communists, by violating them, have clearly manifested bad faith. But they have never conceived of good faith as possible between Communists and non-Communists. Bad faith, therefore, is an equal impossibility. The signing of a treaty across the division line prescribed by the Marxist-Leninist aversion of the class struggle is an act of expediency. The breaking of it is also precisely that—and nothing more.

Many more citations and examples could be cited. Those which have been set out should be quite conclusive in their own right. With most of the people of America they are reminders and refreshers of what the Nation has long been aware.

This Senator has gone into this phase of the unreliability of the U.S.S.R. in the field of treaties to make certain without fail that the Senate in voting ratification of this treaty has been thoroughly and completely aware of untrustworthiness of one of the major signers of this historic document.

I repeat, this record of perfidy leads me to one overriding conclusion: Were the test ban treaty dependent, in any degree, on Soviet good faith—if it were contingent upon our trusting the Soviets—then I would flatly oppose it. But we know that it is not. We have the testimony of our military and scientific chiefs, the Secretaries of State and Defense, and the assurance of the President, to the effect that our national safety and security rest on two foundations, and two alone: Our effective detection systems and our state of instant readiness, over and above our basic posture of massive military power.

I do not question the sincerity of these assurances. I accept them. I take pride and comfort from such evidence of American might, and of the skills and devotion of our Nation's scientific personnel. More pride perhaps—and certainly more confidence—than was shown by the President himself as recently as March 2, 1962. These were his words to the Nation on that occasion:

But in actual practice, particularly in a society of free choice, we cannot keep top-flight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the undefined future. Nor can large technical laboratories be kept fully alert on a stand-by basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly, and found it impossible of execution.

Let me stress that final sentence: "We have explored this alternative thoroughly, and found it impossible of execution." And as for the extent to which this treaty or an uninspected test ban can be truly and effectively self-policing, these were the President's views as expressed at his news conference of February 7, 1962:

We will support the passage of an effective treaty which provides for effective inspection, but we cannot take less in view of the fact of our experience of the past months where it takes us many months to prepare for tests in the atmosphere. The Soviet Union prepares in secret. Unless we have adequate protection against a repetition of that incident, any such test agreement obviously would be extremely vulnerable.

Do we now, as evidently we did not then, have adequate protection? Have the basic conditions, the irreducible essentials of national security, somehow changed? Are the two situations in some critical way incomparable—as some administration spokesmen have tried, with more bravery than logic, to argue? I am not persuaded by these attempts to evade the embarassing consequences of their own previous supersalesmanship. Nor am I persuaded, today, by the new version of the hard sell by which some of these same partisans are attempting to minimize the risks imbedded in the treaty before us.

This is, indeed, no time for salesmanship of any kind. It is, rather, a time for cool reason and hard logic. This is what I have looked for in the considered testimony of the Joint Chiefs—for example, in the official brief filed at the behest of the junior Senator from the State of Washington [Mr. JACKSON], specifying the criteria for a truly ready alert and for a state of instant preparedness to resume profitable tests. Reason, logic, and the judicious balancing of risks is what I have looked for, Mr. President. And this is what I have found in the official record—sufficient, in my judgment, to deem these risks acceptable.

But from this disturbing evidence of contradictions and of uncertainties, in the President's own words, let us draw the appropriate conclusions. No one who is sincerely dedicated to this Nation's enduring interests—no one, surely, in this Chamber—can take pleasure simply in recitations which may be embarrassing to the administration's highest officers. But let no one shrink from the duty of holding them to their words and their solemn assurances. Under the terms and the inherent risks of this treaty, let these officials be on notice: They—no less than the Soviets—are on trial.

They have given us assurances that our detection system will be rigorously maintained and constantly improved; that all the arts and skills of underground testing, for both military and peaceful purposes, will be developed to the limits of our resources; that our experimental facilities and our scientific manpower will be sustained in a state of maximum capability and instant readiness. And so I repeat and reemphasize: By making these assurances, they have entered into a solemn pact with the American people on the vital question of our national security. The Nation will hold them to their word.

This, finally, has been the lasting strength of the "historic and constructive debate" for which the President originally called. Never has this Senate, this Congress, or this Nation been more fully in a state of alert. Never have the risks of a limited test ban been more widely or more deeply understood. We may once again fall victim to duplicity—but not soon again to our own delusions.

And because we now comprehend the risks, we may judge them to be—on balance—acceptable.

Without deluding ourselves as to the purposes other nations might have in signing this limited treaty, it is nevertheless clear that our support of it will assure, at least for a limited time, a reduction of radioactive contamination of the seas, the atmosphere and outer space.

Should we withhold our approval, the likelihood of continued atomic testing seems inevitable. It may yet be resumed for reasons of compelling national security, but mankind is due a breather. This is an opportunity, in other words, to test intentions rather than bombs as we keep our powder dry.

Thus, in ratifying this limited treaty, we do hope that we may finally have embarked on the perilous road toward a just and lasting peace. No one can say in certainty that we have done so. I do not. But I do say that we venture forth in the name of all that is most worthy in the human spirit. Sustained by that conviction, I am prepared to support the treaty.

THE RUSSELL UNDERSTANDING

Having made that determination, Mr. President, we nonetheless must take all prudent steps to reduce any risks which may be incurred.

One very practical way in which we can reduce the risks is to approve the proposal of the Senator from Georgia [Mr. RUSSELL] which would reserve to the Senate the right to ratify or reject future alterations in the treaty.

This is simply a reasonable precaution to restate, reaffirm, and protect the constitutional right of the Senate to advise and consent to international treaties. It would reaffirm the national policy of having a branch of the Congress, representing the people, pass on the merits of amendments to the treaty after due and widely publicized disclosure and debate. It would be a warning against the use of executive agreements in which the people through the Senate have no voice and sometimes no knowledge till long after the fact.

Those who oppose the Russell amendment protest that it is not necessary; that the Secretary of State has testified that any amendment will be subject to Senate approval. If that is the case, Mr. President, how can they object to having it spelled out? Surely it can do no harm. And it would have the simple virtue of saying what we mean and what the fact is.

As the Senator from Georgia has pointed out, his language is identical to that in the International Atomic Energy Act. It was deemed important then; surely it is equally important now.

It is my hope, Mr. President, that the Senate will support the Russell understanding. Armed with such an understanding, the treaty would be significantly strengthened.

"A FIRST STEP TOWARD PEACE"

Often during this current debate reference has been made to this treaty as a first step toward peace. However, repeatedly our attention has been called to the fact that it is not a widely encompassing measure; that not too much is covered by it nor can too much be expected from it. After all, it is very limited in its scope. Nevertheless, this first step would bring about benefit to the world by not having the air polluted with radioactive poison, no matter how brief the respite may be.

But in ratifying this treaty, the Senate endorses only the content of this treaty and nothing more. It surely does not commit itself to approve further steps which the President may make.

All of us can hope that the treaty is indeed a first step toward peace. But most emphatically it does not follow that the treaty is a first step toward approval of all other treaties and foreign policy changes which the President may see fit to lay before the Congress and the country.

This Senator will most emphatically hold to this foregoing thought. He will consider himself totally free to consider any amendment of the present treaty or any sequel to it altogether clear and separately from their ratification of the treaty.

GAINS OUTWEIGH RISKS

Mr. President, I have attempted to spell out as carefully as I can not only the reasons for voting for the treaty, but the risks and dangers which accompany such a decision.

From the time the treaty was initialed at Moscow, it has been apparent that the problem confronting the Senate was to weigh the advantages against the risks and thus arrive at its decision.

This has been done in the kind of free and open discussion which characterizes our system of government. All points of view have been heard. The result is clear: the advantages, not only to our Nation, but to the world, justify our ratification. We can do no less.

Mr. BYRD of Virginia. Mr. President, no man wants peace in the world more than I do. I abhor war. I know the horrible destructiveness of nuclear conflict. My highest purpose in the Senate of the United States is to preserve the sovereignty and the system of this Nation.

I attribute the same motives to all Members of Congress. I am aware of the proposed treaty's objectives as they have been stated by the President. The treaty itself says the purpose is to ban nuclear tests in the atmosphere, outer space and underwater.

I have never given a matter before the Senate more thoughtful study and consideration than I have given this treaty. I wish I could vote for its ratification in the belief that it would be in the best interest of the country.

But I do not believe entering into such a treaty—as it stands—with the Soviet Government would serve our national security. I am fearful that it will weaken, if not undermine, our defense. I cannot conscientiously consent to ratification as it is proposed.

Before reaching this decision I listened to the testimony, participated in the discussions, and studied the hearing transcripts; and I have called on my 30 years of experience in the Senate observing world affairs and our position in them.

Through these years I have served on the Armed Services Committee and its predecessor, the Naval Affairs Committee; I helped write our atomic energy control legislation; and I was an original member of the Joint Committee on Atomic Energy.

It is contended that the proposed treaty is a "small step" toward world peace and relieving cold war tensions, and perhaps toward disarmament. From experience I have learned that proposals in the name of peace do not always lead to peace.

We have Neville Chamberlain's "umbrella" experience with Hitler in the prelude to World War II, if a reminder is needed. The proposed treaty may tend temporarily to lessen international tensions, but the vital question is its ultimate effect on our security.

Ratification of the treaty in its present form would give me great concern. The Soviet Union would be one of three principal parties to it. We know that destruction of our system is a primary requirement in the Soviet aim for world conquest.

Soviet Chairman Khrushchev, himself, has said he intends to "bury" us. There is just reason to assume that the Russians think this treaty will work to their advantage, or that it can be turned to that end. Why would they be interested in it otherwise?

There is nothing in Soviet history which would serve as a basis for faith that the Kremlin would enter into a treaty with us at this time and keep it if they did not think it would serve their objectives to our disadvantage.

Secretary of State Dean Rusk, testifying on the treaty proposal, before the Senate Foreign Relations Committee, August 12, 1963—page 18 of the hearings—said:

> We have no basis yet for assuming a fundamental change in Soviet objectives.

We can expect Soviet Russia to disregard the treaty when breaching it would serve Soviet purposes. Former President Truman has told us that the Soviet Union has violated 50 of the last 52 or 53 treaties it has entered into.

A State Department memorandum on this subject, dated August 22, 1963, cited conventions of convenience—such as the Universal Postal Convention—to which the Russians are adhering, but beyond these, it said:

> It is perfectly clear that the Soviet Union has violated a large number of major international agreements and treaties. Their record is well known.

We have already been victimized by the Soviets under one nuclear test ban, and there is reason to suspect that our position with respect to nuclear weapons, as compared with the Russian position, suffered. This fact cannot be overlooked.

Under unilateral "statements of intent" the United States and Great Britain entered into a so-called "moratorium" with the Soviets in 1958. As might have been expected the Soviets exploited the moratorium while we and the British honored it.

For more than 2 years the Russians used the moratorium secretly to build up their experimental and test devices, and when they were ready, in September 1961, they exploded them—the tri-party moratorium notwithstanding.

On March 2, 1962—only about 18 months ago—President Kennedy, in a nationwide broadcast—CONGRESSIONAL RECORD, volume 108, part 3, page 3427—said:

> On September 1 of last year, while the United States and the United Kingdom were negotiating in good faith at Geneva, the Soviet Union callously broke its moratorium with a 2-month series of more than 40 nuclear tests. Preparations for these tests had been secretly underway for many months. Accompanied by new threats and new tactics of terror, these tests—conducted mostly in the atmosphere—represented a major Soviet effort to put nuclear weapons back into the arms race.
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> * * * * *
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> Many of their tests were aimed at improving their defenses against missiles—others were proof tests, trying out existing weapons systems—but over one-half emphasized the development of new weapons, particularly those of greater explosive power.

And in that same speech to the Nation President Kennedy said:

I must report to you in all candor that further Soviet series, in the absence of further Western progress, could well provide the Soviet Union with a nuclear attack and defense capability so powerful as to encourage aggressive designs. Were we to stand still while the Soviets surpass us—or even appear to surpass us—the free world's ability to deter, to survive, and to respond to an all-out attack would be seriously weakened.

The President also said:

The fact of the matter is, we cannot make similar strides without testing in the atmosphere as well as underground. For in many areas of nuclear-weapons research we have reached a point where our progress is stifled without experiments in every environment.

The purpose of the President's 1962 speech was to advise the Nation that since the Soviets had violated the moratorium, it was necessary for the United States, to protect its own security, to conduct further tests in the atmosphere as soon as necessary preparations could be made.

Months later these U.S. tests were made, and able man that he is, Gen. Thomas S. Power testified on September 6, 1963, before the Armed Services Preparedness Subcommittee—page 46 of transcript—that:

One of the most important things I think we discovered is the great void in our knowledge.

President Kennedy, in his March 1962 speech, said he was ordering further testing by the United States after:

Having observed the Soviet Union's refusal to accept any agreement which would inhibit its freedom to test extensively after preparing secretly.

What has happened with respect to our confidence in the Soviets since the President made that statement 18 months ago? Apparently not very much. Secretary Rusk told the Senate Foreign Relations Committee last month—August 12, 1963, page 19 of the treaty hearings—that:

Although we hope for compliance, we cannot discount the possibility that the Soviet Union may violate the treaty. We shall be on the alert for any violations, and we have a high degree of confidence in our ability to detect them.

We have proposed control of atomic weapons repeatedly—in one way or another—since Bernard Baruch's first proposal in 1946, but with two exceptions we have always insisted on effective inspection. The Russians have opposed effective inspection.

The two exceptions to our effective inspection rule are the 1958 "moratorium," and the treaty now proposed. We know what happened under the moratorimum, without inspection. Now we are asked to forgo meaningful inspection again and rely on other "means of detection."

The State Department memorandum of August 22, 1963—page 968 of the hearings on the pending treaty—says:

As the President and the Secretary of State have made clear, the United States, in entering into the test ban treaty, is not relying upon the good faith of the Soviet Union, or upon Soviet respect for treaties and international law.

The United States will rely for its protection upon its own ability to detect Soviet violations and to maintain a military and scientific posture that will deny to the Soviet Union any gains that might accrue from a violation of the treaty—

According to the State Department memorandum.

In that statement the State Department seems to be saying it expects the Soviets to violate the treaty, and if they do we are to rely on our ability to detect violation and deny them any gains from the violations.

But the product or use of our detection and intelligence to date does not reassure me. I am not sure whether the deficiencies lie in the absence of vital information, its evaluation, or its use, or whether we are deficient in all three.

The President, himself, said Soviet preparations for the tests that shattered the moratorium had been "secretly underway for many months." If we had early information about missiles on Cuba—90 miles from Florida—we were very deficient in its use.

This is part of the recent public record of detection and intelligence on which we are to rely. For security reasons little can be said on the subjects of intelligence and detection, and discussion of detection and identification of nuclear tests is necessarily technical.

But on these subjects I quote one of the "safeguards" on which the Joint Chiefs of Staff conditioned their approval of the treaty—page 24 of the September 9, 1963, report by the Armed Services Preparedness Subcommittee. The Joint Chiefs said we need—

Improvement of our capability within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

The Joint Chiefs of Staff amplified the criteria they wanted as follows:

(a) The current capability of the United States to detect and identify nuclear tests conducted by the Sino-Soviet bloc must be improved to the extent it is both feasible and remunerative. (Special proposals for this purpose are currently under consideration.)

(b) A vigorous research and development must be pursued in order to improve equipments and techniques for nuclear test detection and identification.

(c) Conventional intelligence sources must continue to complement the scientific intelligence techniques.

We are asked to rely on "our ability to detect Soviet violations," when, according to the Joint Chiefs of Staff, our detection capabilities are still so far short of requirements. How long will it be before these promised safeguards are developed?

The fact that the Joint Chiefs of Staff conditioned their approval of the proposed treaty on the effective implementation of "safeguards" designed to reduce its military "disadvantages and risks" caused the Preparedness Subcommittee deep concern.

After the subcommittee heard Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs, Senator HENRY M. JACKSON, a very distinguished Member of this body, moved that:

The Joint Chiefs of Staff submit to the Senate Armed Services Committee * * * a statement of the specific requirements to implement the safeguards proposed by the Joint Chiefs reducing the risks and disadvantages of the limited test ban treaty, which safeguards are set forth in the statement presented by the Chairman of the Joint Chiefs of Staff to this committee on August 14, 1963, as follows:

Recognizing the * * * disadvantages and risks, the Joint Chiefs of Staff believe that they can be reduced through certain safeguards. These safeguards include:

(a) The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

(b) The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

(c) The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its items be abrogated by the Soviet Union.

(d) The improvement of our capacity, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

Roswell Gilpatric, Deputy Secretary of Defense, and General Taylor responded to this committee motion with assurances that safeguarding steps have been—or will be—taken; and subsequently the assurances were repeated by the President.

The effect of this recognition that such comprehensive safeguards are required confirms my fear that military disadvantages to the United States are associated with the treaty. Some of the disadvantages considered by the subcommittee—pages 7 and 8 of subcommittee report of September 9, 1963—included:

1. The possibility that the United States could be left "unable to duplicate Soviet achievements in very high yield weapon technology."

2. The possibility that the United States would be made "unable to acquire necessary data on effects of very high yield weapon atmospheric explosions."

3. The possibility that the United States would be made "unable to acquire data on high altitude nuclear weapons effects."

4. The possibility that the United States would be made "unable to determine, with confidence, the performance and reliability of any ABM (antiballistic missile) developed without benefit of atmospheric system tests."

5. The possibility that the United States would be made "unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions."

6. The possibility that the United States would be made "unable to verify the ability of its missile reentry bodies—under defensive nuclear attack—to survive and to penetrate to target, without the opportunity to test nose cone and warhead designs in a nuclear environment, under dynamic reentry conditions."

7. The possibility that the "treaty would provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology."

8. The possibility that the "treaty would deny to the United States a valuable source of information on Soviet nuclear weapons capabilities."

I am not a member of the Armed Services Preparedness Subcommittee, as such, of which Senator JOHN STENNIS is chairman; but I am a ranking member of the full Armed Services Committee, of which Senator RICHARD RUSSELL is chairman.

In this capacity I was privileged to participate in the subcommittee's exhaustive inquiry into the military aspects of the proposed test ban treaty; and because of my deep concern over the treaty I did participate in the hearings.

And the subcommittee report of September 9, 1963, pages 4 and 5 found that:

Since the early 1960's the deterrent strategy of the United States has been based substantially on second-strike missile systems which can survive a massive first strike by a nuclear armed enemy and still retain the ability to retaliate in such force as to destroy the attacker.

By mid-1970's this Nation's nuclear deterrent will probably reside primarily in land-and-sea-based missile systems designed to achieve that degree of survivability.

To date, only Polaris has been subjected to a full scale test, including the explosion of the nuclear warhead. Minuteman, Atlas, and Titan have never been so tested.

Nor have models of the base complexes of hardened underground Minuteman and Titan systems been subjected to close-in high yield nuclear explosions to prove the adequacy of their design.

Nothing impressed me more in the long hearings held than the testimony of Gen. Thomas S. Power. General Power is not only Commander of the U.S. Strategic Air Command; he is also director of the Joint Strategic Target Planning Staff.

In these capacities, General Power is the man responsible for writing war plans under which we would retaliate if attacked. He did not equivocate. His testimony was forthright, clear, and to the point. I quote directly from General Power, as follows. He said:

I am not in favor of the test ban treaty.

I do not think it is in the best interests of the United States.

I feel that we have military superiority now, and I feel very strongly that this had resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban than I have under a condition in which we do not have a test ban.

Along the same line, later in his testimony, General Power answered one of my questions with these statements:

I think the reason we haven't had a war is simple. We have had overwhelming superiority, and whenever somebody examined the feasibility of attacking the United States, they immediately had to reject it because it was ridiculous.

I think that is a sound position to hold if you can.

Overwhelming capacity to retaliate is one of the chief deterrents to war.

General Power, in those portions of his testimony released by the subcommittee, made these statements:

We have never completely tested any of the nuclear weapons in SAC's arsenal. We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs.

The only way you can prove a weapon system is to take it out of stockpile in a random pattern and let the tactical unit take it out and detonate it. * * * Unless you test everything that is in your arsenal, you are never certain, and the stakes are so high I feel we must be certain.

I have to deal with proven data; (if it is not available) I do not have a high confidence factor that I have a sound plan. We are dealing with the security of the United States, and if the facts can be obtained I want to have them.

General Power took the position that the fact that we are not full testing now is voluntary; and that this is something far different from being foreclosed from obtaining vital data under a multipower treaty.

As the man responsible for writing our strategic war plans, General Power has access to all of the intelligence available in this country with respect to the Soviet Union; and much of his testimony necessarily must be classified.

I greatly regret it was necessary to delete from the transcript of testimony some of the most startling things he said.

When a man of his knowledge, responsibilities, and courage says this treaty is not in the best interests of the United States, as a Member of the U.S. Senate, I cannot take such professional advice lightly.

I am mindful also of my duties as a member of the Armed Services Committee, which has legislative responsibility for the Nation's common defense. The function of the subcommittee is to oversee the state of our preparedness. The adverse effect on the strength of our defense which could arise from the military disadvantages of this treaty must be considered.

The subcommittee took 2,800 pages of testimony on the proposed test ban treaty from 24 highly qualified witnesses in order that the Senate might have the best information on the military aspects involved.

While the subcommittee did not have primary jurisdiction over the treaty in the Senate, five of its seven members, without reservation, reached these conclusions:

1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from ratification of the treaty. At least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology are capable.

2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we deem them to be inferior.

3. Admittedly, however, other important factors—such as foreign policy, international affairs, and relations with other countries—are relevant in an overall assessment of the treaty.

4. These are not within the scope of this report. When they are considered, as they must be, each individual must reach his own judgment about the wisdom and desirability of the treaty on the basis of personal philosophy, past experience, current knowledge, and relative weight which he assigns to the various factors involved.

In arriving at my own decision with respect to this proposed test ban treaty I found no practical justification for believing it would lead to any reduction in the arms race in the foreseeable future; there is more reason to think it may be expanded.

Adm. Arleigh Burke, former Chief of Naval Operations and member of the Joint Chiefs of Staff, testifying before the Preparedness Subcommittee on August 27, 1963, took the position that:

Under circumstances which make it more difficult for us to determine Soviet progress, the treaty might serve to "heighten, rather than reduce, tensions and suspicions if growing uncertainty develops."

President Kennedy, in a letter of September 10, 1963, to Senators Mansfield and Dirksen—page 16791, CONGRESSIONAL RECORD, September 11, 1963—said:

We will maintain strategic forces fully insuring that this Nation will continue to be in a position to destroy any aggressor, even after absorbing a first strike by a surprise attack.

The Secretary of State, testifying before the Foreign Relations Committee on August 12—page 18 of the hearings—said:

We are still engaged in a contest between free choice and coercion.

Senator JACKSON, although announcing he would support the treaty—speaking from experience on both the Armed Services and Atomic Energy Committees—told the Senate on Friday, September 13—page 16962 of the CONGRESSIONAL RECORD—that:

Efforts to limit the spread of nuclear weapons deserve our serious attention. But I believe the role of the treaty in inhibiting proliferation has been generally overestimated.

General Power told the Preparedness Subcommittee that he didn't see "how you can arm and disarm at the same time." Admiral Burke told the same committee that in essence the treaty is self-contradictory, in that the—

Discussions of it imply a mutual sincerity of purpose, and yet demand that we take proper safeguards to protect against a lack of sincerity.

I am aware of the widespread uneasiness over radiological fallout, but I do not profess to be an authority on the subject. For purposes of considering this treaty, I rely again on the testimony of General Power. I quote directly from his statement of August 19, 1963. He said:

I am thoroughly familiar with the radiation problem as one who writes a war plan and has to take fallout into consideration. I

believe I have available to me the opinions of all of the experts.

There is by no means agreement amongst all the experts, but I do feel that, as a general statement, in some areas the danger of fallout has been greatly overexaggerated.

I think the type of testing that we have done or that we had contemplated doing is well within acceptable limits.

I fully realize the responsibilities of our position of leadership in the free world. I join in the hope that other nations which are not now free and democratic might find merit in our example. There is no doubt in my mind as to our high purposes.

I realize also that part of the Soviet technique is to use their propaganda to make us look bad, and to have us regarded in certain areas of the world as imperialistic warmongers. This has been going on for years; and we may expect its continuation whether we ratify the treaty or not.

Our record speaks for itself. States worthy of national status know we are not going to use nuclear weapons for imperialistic purposes. Ours are mature and moral motives. I am fearful of anything tending to relax our defense so long as the Soviets have such weapons, and continue to make them.

The first concern of our foreign policy should be the protection and preservation of our sovereignty, our freedom, and the integrity of our territory. No responsible nation could have a legitimate quarrel with this. This national responsibility is universal.

The Government of the United States owes it to the people of this country to formulate and pursue a foreign policy designed to use its resources first for the survival and well-being of the Nation and its citizens.

These are fundamental national interests. They come before consideration of the friendship of others, and certainly before consideration of the possibility that some nations may call us names or damn us otherwise. None of these is comparable to the loss of freedom inherent in our sovereignty.

Let me emphasize that I do not impugn the motives of any responsible officer of this Government in his consideration of the proposed test ban treaty. To be for it or against it under present world conditions is a most difficult decision. I wish I could approve it.

But under all of the circumstances I have described I cannot within my conscience and my duty, as I see it, vote to ratify the treaty, without effective inspection, while the Soviets are in possession of such vast nuclear power.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. LONG of Louisiana. I congratulate the Senator on what I believe to be a truly magnificent statement of his position. I am compelled to agree with the Senator, that the net effect of the treaty as between the United States and the Soviet Union will be that the Soviet Union will gain a great amount of leadtime on us in the development of new weapons. I suspect that that nation will gain, at the minimum, 1 year of leadtime in developing the most modern weapons.

The Secretary of Defense made a very fine statement to the effect that our Nation is very strong today. We are strong because we have stayed ahead of our adversaries in these matters. I believe that statements such as that of General Power indicate that the result of the treaty will be that, by virtue of developing the information the Soviets already have and manufacturing in large numbers the weapons which that information will make possible, and by cheating in one manner or another under the terms of the treaty, under a code of morality which exists there, as compared with the code of morality under which we are required not to cheat, the Soviets will gain great advantages that will imperil our security.

Mrs. SMITH. Mr. President, on September 16, 1963, I raised certain questions with respect to the wording of the nuclear test ban treaty. Very promptly and voluntarily and without prompting or request from me, the Secretary of State sent to me the answers of the Legal Adviser of the State Department to those questions.

Because I believe the Members of the Senate will be interested in those answers, I ask unanimous consent that the letter of the Secretary of State to me, dated September 18, 1963, and the memorandum of the State Department Legal Adviser, dated September 17, 1963, be printed at this point in the body of the RECORD.

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

Hon. MARGARET CHASE SMITH,
U.S. Senate.

DEAR SENATOR SMITH: The questions concerning the language of the test ban treaty that you raised during the debate in the Senate Monday, and are printed at page 17086 of the CONGRESSIONAL RECORD for September 16, were called to my attention yesterday morning. I asked the Legal Adviser of the Department to prepare a memorandum dealing with these questions. I am pleased to send you that memorandum which represents the position of the executive branch on these points of law. I am also sending a copy of the memorandum to Senator FULBRIGHT.

Sincerely yours,

DEAN RUSK.

SEPTEMBER 17, 1963.

Memorandum for the Secretary.
From: The Legal Adviser.
Subject: Questions raised by Senator SMITH concerning the test ban treaty.

You have asked me to prepare a memorandum responsive to the questions raised by Senator SMITH concerning the language of the test ban treaty and printed at page 17086 of the CONGRESSIONAL RECORD for September 16, 1963. Senator SMITH has grouped her questions under Roman numeral headings. For convenience, the same format is adopted here.

I

The first three questions raised by Senator SMITH relate to the phrase, in article I, "at any place under its jurisdiction or control." This phrase was inserted in article I by the United States to qualify the obligation of parties "to prohibit" and "to prevent" nuclear tests in the three environments. Without this qualifying phrase, parties to the treaty would have been obligated to prohibit and prevent all nuclear explosions prescribed by the treaty, no matter where they occurred or by whom they were conducted. A party obviously could not prohibit or prevent a nuclear test explosion unless it had either jurisdiction or control over the carrying out of the explosion. For this reason, the obligation was limited to tests occurring "at any place under its jurisdiction or control."

For the purposes of the test ban treaty, a party is considered to have temporary control over any place in which it conducts a nuclear test explosion during the time that the explosion is being conducted. Each control is distinguished in the treaty from jurisdiction by the use of the disjunctive "or." It was precisely to avoid the problems to which Senator SMITH calls attention that the words "or control" were inserted in article I.

Thus, the answer to Senator SMITH's first question is that a party could not justify carrying out a nuclear explosion in the atmosphere above an uninhabited island not claimed by it. Although the explosion would not occur at a place under the jurisdiction of the party conducting the explosion it would occur at a place under its control for the purposes of article I. Such an explosion would also violate paragraph 2 of article I which prohibits parties from "causing, encouraging, or in any way participating in" the carrying out of the proscribed explosions "anywhere." This is one of a number of cases in which the obligations imposed by the two paragraphs overlap.

Similarly with respect to Senator SMITH's second question, any party conducting a nuclear weapon test in outer space would be considered to have temporary control over the place in outer space where the test was conducted, although it would not have jurisdiction over outer space or any portion thereof. Such a party would also have control over the area on earth from which it directed the explosion.

The same analysis applies to Senator SMITH's third question. For the purposes of article I, and party conducting a nuclear weapon test explosion in the high seas would be considered to have temporary control over that portion of the high seas. An opinion of the legal adviser, dealing in part with the high seas, is attached.

Senator SMITH's fourth question is:

"4. Does the ban on any other nuclear explosion prevent us from operating atomic energy plants for the production of electricity, the steamship *Savannah*, or any atomic submarine, all of which are operated by means of controlled atomic explosions?"

The answer is "No." An explosion is the release of large quantities of energy in a very short period of time—on the order of a few millionths of a second. Nuclear power reactors such as those for producing electricity or propelling steamships or submarines release energy comparatively slowly—over periods of many hours, weeks or months. No explosions take place within the meaning of the treaty. Chairman Seaborg told the Senate Committee on Foreign Relations:

"The treaty will, of course, not inhibit the peaceful uses in any of the fields that do not have to do with nuclear explosives; that is, the field of civilian nuclear power, and the use of nuclear energy for propulsion and auxiliary power in space and the use of isotopes in medicine and industry and research, and so forth" (p. 239, hearings).

Senator SMITH's fifth question is:

"5. Will we be branded as a violator of the treaty if we have an accidental explosion at one of our atomic energy plants?"

The answer is "No." The obligations of the treaty are concerned with the intentional

conduct of the parties. It could not reasonably be maintained that a party had "carried out," "caused," "encouraged," or "participated in" a nuclear explosion if the explosion occurred by accident. Nor could the obligation to "prevent" and "prohibit" nuclear explosions be violated by an accidental explosion occurring against the will of the party and despite its best efforts to prevent it.

II

The analysis of the first three questions under Roman numeral I above applies in large measure to the two questions raised under Roman numeral II. As noted earlier, paragraphs 1 and 2 of article I of the treaty overlap to some extent. Paragraph 2 of article I is intended in part to prevent a party from giving assistance to another nation in carrying out the proscribed tests, and thus doing indirectly what paragraph 1 would prohibit it from doing directly. However, by virtue of the words "causing" and "in any way participating in"—deliberately chosen because of their broad scope—paragraph 2 also outlaws direct action by the parties. To use Senator SMITH's examples, the Soviet Union would be prohibited both by paragraph 1 and by paragraph 2 from carrying out an atmospheric explosion anywhere. It would also be prohibited by paragraph 2 from "causing, encouraging, or in any way participating in" a nuclear explosion by the Communist Chinese regime in the atmosphere above Mainland China. Paragraph 2 is not limited by the phrase "under any place under its jurisdiction or control" because it does not obligate the parties "to prohibit" or "to prevent" nuclear weapon tests, as does paragraph 1.

III

With respect to Senator SMITH's final question, an opinion of the Legal Adviser of August 12 was prepared on this point. It concludes that the United States would not be compelled to wait 3 months before resuming nuclear weapons tests if the Soviet Union violated its obligations under the treaty. A copy of that opinion is attached. The President's letter of September 11 to Senators MANSFIELD and DIRKSEN also points out that the "United States retains the right to resume atmospheric testing forthwith if the Soviet Union should conduct tests in violation of the treaty."

ABRAM CHAYES.

Mrs. SMITH. Mr. President, I wish to make very brief observations and comments on the answers of the Legal Adviser of the State Department.

I

The answers to, and observations concerning, the first three questions under the heading "I" depend for their validity upon the parties to the treaty being in agreement with the Legal Adviser's views concerning the meaning of the term "control," as used in paragraph 1 of article I of the treaty. The term "control" is not defined in the treaty and the doctrine of temporary control with respect to outer space and the high seas expressed by the Legal Adviser appears to be novel. It is reassuring to know that the Legal Adviser believes that paragraph 2 of article I of the treaty, which does not contain the term "at any place under its jurisdiction or control," would apply with respect to explosions of the type dealt with by the first three questions.

The answers to, and observations concerning, questions 4 and 5 under the heading "I" likewise are dependent for their validity upon the parties to the treaty being in agreement with the Legal Adviser's view that the term "any other nuclear explosion" does not include either the process by which heat is obtained from fissionable material in a nuclear reactor or an accidental nuclear explosion.

II

As indicated before, it is reassuring to know that the Legal Adviser construes paragraph 2 of article I of the treaty to be applicable with respect to both direct and indirect acts of the parties to the treaty and is therefore not compelled to rely upon any questionable definition of the term "control," as used in paragraph 1 of article I, for the purpose of finding that explosions over unclaimed territory, in outer space, and under the high seas are barred by the treaty.

III

In connection with the question which was posed under this heading, it is assumed that the President's statement in his letter of September 11 to Senators MANSFIELD and DIRKSEN that the "United States retains the right to resume atmospheric testing forthwith if the Soviet Union should conduct tests in violation of the treaty" means that we are prepared under those circumstances to have others brand us as a treaty violator and that we would not feel compelled to follow the procedure adopted with respect to our denunciation of the extradition treaty with Greece—see page 4, opinion of the Legal Adviser of the State Department, dated August 12, 1963, with respect to the right of the United States to withdraw from the nuclear test ban treaty in the event of violation by another party.

Mr. CARLSON. Mr. President, for 15 years we have sought agreement with the Soviet Union on some formula that would slow down and perhaps eventually halt the nuclear arms race.

I believe the real end sought by these efforts is not solely a halt in the development of more destructive weapons—or even a gradual cutting down of those already produced. I believe our real purpose has been and should be the prevention of a devastating nuclear war from which no nation would emerge as the victor.

We must remember that a nuclear arms race between two major world powers cannot ultimately be won by either side. Both nations must eventually face destruction or compromise. Neither the United States nor Soviet Russia believes in the promises of the other. This mutual distrust builds an endless, vicious circle and makes that first small step toward nuclear compromise a difficult but necessary one to make.

This treaty is the first concrete result of 18 years of effort by the United States to impose limits on the nuclear arms race.

To most people—I imagine—the reasonable aim of preventing a nuclear war should not be difficult to attain. But, Mr. President, we are negotiating with an enemy who for years has stated its primary goal was to destroy our form of democracy and replace it throughout the world with an alien Communist dictatorship. In promoting this aggressive policy, the Soviet Union has seen fit to use in its relationships with other nations every means—diplomatic and nondiplomatic—available, including deception.

Their historic pattern of secrecy at home and duplicity abroad makes it almost impossible to put trust in their signature upon any international agreement, including this most important treaty.

But, Mr. President, we should carefully note this is not a treaty of trust—it is a treaty the adherence to which may establish trust.

This treaty is self-enforcing in that it prohibits nuclear weapons tests in the three environments where our scientists tell us we can detect significant violations without onsite inspections. It carries within it neither provisions nor promises for any disarmament at all. More than that, the treaty provides that we can withdraw from it whether or not another signatory violates its provisions if we decide "extraordinary events" have "jeopardized" the security interests of our country.

In my opinion, the biggest danger is not in the terms and risks of the treaty itself, but in the obvious efforts of the Soviet Union to lull us to sleep while they prepare for another move in the cold war.

The Senate has been assured that our military readiness and vigilance will not be slowed down. Surely history has taught us to be skeptical and wary of the Communists. With history as our guide, we can turn this treaty into a victory for the free world. In the area of peaceful purpose, I feel we have much to gain or lose. To reject the test ban treaty would be a rejection in the eyes of the world of this small step away from the brink of nuclear war.

Mr. President, I consider this withdrawal provision extremely important and with regard to its implementation Secretary Rusk, in answer to my question during the hearings stated:

I think, Senator, world opinion would certainly make a difference in terms of our adopting any casual or frivolous or lighthearted approach to this question, but I have no doubt that the security interests of the United States would take highest priority here, and that these matters of passing opinion would not be a decisive factor.

Mr. President, there is another matter that I consider extremely important with which this treaty deals and that is the peaceful uses of nuclear materials—the so-called plowshare program initiated by President Eisenhower.

The treaty's language is such that plowshare explosions in the atmosphere, underwater, and in outer space are prohibited as are underground plowshare explosions where resultant radioactive debris leaves the territorial limits of the country in which the explosion takes place.

Here is a firm example, Mr. President, where our negotiators were unwilling to make this treaty dependent upon trust. By eliminating all explosions, including peaceful ones, they prevented the Soviets

from carrying out tests—without onsite inspection—which could be used for weapons development but hidden under the guise of peaceful uses experiments.

Because of this lack of trust, our negotiators placed language in this treaty that inhibited the Plowshare program. How much has that program been inhibited? This question bothered me and I asked Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, about it. He answered by noting that the treaty would not inhibit the peaceful uses program in the fields of nuclear power, nuclear energy for propulsion and the use of isotopes in medicine, industry, and research.

As for the field of nuclear explosions, Dr. Seaborg said that within the United States certain excavations could be undertaken along with work in the areas of mining and development of underground water resources.

Larger projects, such as canal and harbor building and mountain moving, Dr. Seaborg noted, depend upon development of nuclear explosives and associated excavation technology which were not presently available. It is my understanding that the administration foresees needing the next few years to develop our capabilities in this large scale excavation area and then plans to approach other treaty signatories on a project-by-project basis as each one becomes feasible. By then, perhaps, if the treaty has been adhered to, we may have built up enough trust between the Soviets and ourselves that they will permit us to observe their peaceful explosion experiments and we—as we have offered in the past—will invite them to observe ours.

It had been my hope that the approval of this test ban treaty would give us some assurance of a reduction in arms and armament. The Secretary of State and members of the Defense Department testified that even though the treaty is approved, we cannot expect any immediate reduction in our defense efforts. As a matter of fact, it could well increase, instead of decrease, our military expenditures for years to come.

This matter was forcibly called to the attention of the committee in the testimony of our Secretary of State, Mr. Rusk, which appears on page 29 of the hearings. On direct interrogation by the Senator from Alabama [Mr. SPARKMAN], the Secretary stated:

> This treaty itself does not reduce weapons in being or prevent their further production.
>
> This treaty is aimed only at the question of nuclear explosions. I regret myself that it has not been possible to make greater headway in some actual physical disarmament measures consistent with our own security.
>
> But this treaty is not a step in that direction—this treaty is not itself dealing with that problem. It may turn out to be one small step that opens up some possibilities in this field but that has not yet become apparent.
>
> Senator SPARKMAN. It is a treaty of hope so far that is concerned.
>
> Secretary RUSK. So far as actual disarmament is concerned, it is a treaty of hope. It is a treaty of a fact insofar as explosions in those three environments are concerned.

Mr. President, the distinguished minority leader [Mr. DIRKSEN], in his impressive statement in support of this treaty last week, pointed out that our party went to the electors in 1960 with a platform that included the statement:

> We advocate an early agreement by all nations to forego nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing, if the Geneva Conference fails to produce a satisfactory agreement.

This is not a partisan matter but I cannot help noting the treaty before the Senate meets almost exactly the 1960 pledge of our party, and in fact follows initiatives begun by President Eisenhower.

As a member of the Senate Foreign Relations Committee, I attended practically every hearing on the proposed nuclear test ban treaty. These hearings lasted 3 weeks and contained volumes of testimony which was given in open and executive sessions.

After hearing the testimony, I have reached the conclusion that it is in the interests of our Nation and the peace of the world to vote for the ratification of this treaty. This had to be a choice not between right and wrong, but rather a choice of the greatest gains toward world peace and the fewest risks to our national security.

Mr. GOLDWATER. Mr. President, after reviewing the remarks made in this Chamber, and the testimony regarding the proposed limited nuclear test ban treaty, I am impressed by three arguments—one in its favor, two in opposition.

In favor of it, after all is said and done. is a hope, usually described as a faint glimmer, that this may be the first step toward easing tension in the world. It is difficult, if not impossible, to argue with a hope. It is an emotional thing; and in its soft and gentle glow, arguments appear harsh. The more fragile an illusion, the more rude must seem the attempts to shatter it.

I have warned, and will continue to warn, that nuclear weapons are not the cause of tension in this world; that if all were to disappear magically overnight, the tension would remain, so long as world communism remains dedicated to aggression and obsessed by its irrational vision of man as a mere cog in the machine of history.

But hope heeds only itself. How does one remind hope that, hitherto, on-site inspection has been the qualification of our trust of any arms control scheme? How does one remind hope that the technology of remote detection still has not developed fully to a point where it can replace such inspection? Or how does one tell hope, sprung from fear, that fallout is less a present threat than smog and fumes of everyday life? If we say these things, hope—revulsed—shrinks from our harsh words. One who says these things stands alone, a sad, somber, and unwelcome guest in a house of celebrants.

We are, apparently, well past arguing with hope. The future will shatter the hope and will sober the celebrants. But we must wait.

For my part, and the part of the other few who must heed other voices in their conscience, there is only the time now to say why we will vote, as we must, to oppose approval of this treaty. I perceive two reasons, basically; and I have based my decisions upon one.

First, there is the reason that this treaty is a political ambush, baited by the necessity of the Soviet to ease the many pressures upon its tyranny. This has been discussed on this floor. The argument impresses me; and I share, with those who have made it, bewilderment at why freedom is aided by putting salve on the wounds of tyranny. But that is not the argument which, alone, moves me to vote as I must and as I will.

I will vote "no," because of how I read history and perceive the future. I see in our history, in this nuclear age, that what peace we have had has been possible because of our strength. I see in our history the clear course of Soviet aggressions and breaches of the peace: They have poured through gaps in our strength. They have been stopped when those gaps closed or were precluded when our guard remained high.

I see no change in the future until or unless the objectives of communism, not merely their weapons, change. And not even hope has spoken to us so far of a change in those objectives. Rather, all say that the objectives remain unchanged. But hope, it seems, can hear that truth and still proceed, whistling past the graveyard of experience.

Thus, if strength is the shield of peace and weakness the way to war and defeat, it is the impact upon our strength that concerns me most.

What is that impact? Have we not heard assurance after assurance that our strength will be upheld under this treaty? We have, indeed.

But assurances are not facts, promises are not performances and I do not feel that freedom's strength, in a time of freedom's peril, can be armored by either. Such strength is a matter of here and now, not of "if and when." Real hope must be founded upon real strength.

There is a catalog that has been laid before us of the price in strength we will pay under this treaty. Have we seen a similar catalog of a Soviet price? Hope may see such a catalog; reality does not.

The major heading of this catalog of America's price, America's strength, is that the treaty, perhaps gently but nonetheless firmly, closes the door of knowledge.

Now the Senate must pardon me for speaking of real weapons in the real world. As I have said, the words sound harsh in the glow of hope. Truth often does.

There has been work underway in our laboratories toward the design, development and test of a device with a yield of 80 to 100 megatons. Now the door will close on that, if this treaty is ratified. Does it close on similar knowledge

for the Soviets? We only know that they have tested—tested, mind you, not just conjectured—devices with yields approaching that range, and we have not, and we will not under this treaty.

We have never tested fully the stamina of our hardened missile emplacements. The treaty will close the door against such tests. Will it close such a door for the Soviets? We only know that there is evidence that they have tested—have tested, not theorized—hardened structures.

Not knowing whether our missile emplacements or missile sites will withstand a severe blast, how can we be sure of our great deterrent, which is a second-strike capability? How can we even be sure that any missiles will leave their sites with the lack of knowledge that we have of the environments to which they will be subjected?

Through the eyes of hope, of course, we see tests of major weapons and systems as unnecessary. Hope says that what we have is enough, that these high-yield devices are of minimum military efficiency. Lapsing only for a moment into the language of harsh fact, it is asked if several 20-megaton devices are not far better than one 60- or 100-megaton device. Again, the answer must be along the horizons of knowledge and not along the edges of the statisticians ledger sheet.

It is the knowledge of the effect, the environmental effect, of high-yield explosions, the sort we have not tested and will not test under this treaty—it is in such knowledge that we will be weakened by this treaty.

Prompt gamma pulses from high-yield explosions are known devastatingly to distort electronic circuitry.

We know very little about that subject. We know that megaton yields of which the enemy is capable could render unusable our entire communications system. It would even render unusable our entire domestic electric systems at astonishingly high distances. Since my colleagues have not been too well informed in that field, at the end of my remarks I shall ask consent to have printed in the RECORD some information that I have gathered on that subject, but I shall not offer it now.

Interference with electronic triggers is an area of grave concern. So is the effect upon missile guidance systems. So grave is the concern, that our military men must ask if the Soviets do not have the capability, with the knowledge gained in their exclusive high-yield tests, of thoroughly disrupting our retaliatory missile systems. They must ask if their systems can survive the melt-down of fissionable materials by neutron impact, the effect of X-rays, the disruption of communications and radar blackout from beta rays, from gamma rays, from fireball effects.

Ask the men who must man the missiles and they say tests are needed. Ask if the Soviets have not already tested in this area and we find that we do not know—but there is ample evidence upon which to presume that they have.

Ask the man upon whose command rests 90 percent of the strategic striking power of this Nation: ask General Power the impact of this treaty upon the strength about which he knows as much as any man. We have all heard his answer. This treaty is not in the national interest.

Ask the man whose job it has been to work with the most advanced weapons system: ask General Schriever the impact of this treaty. We all have heard his answer. He felt he could protect his country better without the treaty.

And what of the Joint Chiefs of Staff altogether? Remember now, if you will, only that they finally supported the treaty because of many safeguards, many promises, and political advantages of which others had spoken. But remember every other day of your life, every day that the time bomb of Communist treachery ticks closer to detonation, that they spoke and spoke clearly of military disadvantages under this treaty.

Pray God that we do not have to remember that under attack, weakened and unprepared.

Remember also their warning that a state of euphoria would be the most deadly consequence of the treaty. Remember that as we now officially study increased trade with the Soviets. Remember it when the next steps are taken, the pacts proposed, the agreements signed. It is not too late to remember those things now, but other, more popular tunes seem to dance in the air.

I shall not recite the page after page of cataloging of the U.S. price in strength that this treaty exacts. Senators know of them; they have heard or read them. They can restudy them. Let me just sum up the price: Under this treaty we close the door on sure knowledge of the survivability of our second-strike capability, the very capability which, until now, has been the shield of peace in this world. We halt the search for the widest span of nuclear know-how at a point where the total test yields of the Soviet are a full third greater than our own.

If I had no knowledge of weapons and of the enemy, then I would wish also to vote for this treaty and share the brief illusion that it brings. But I have lived too long with reality, too long with the men who are dedicated to our defense, too long with the facts of the enemy's dedication, to discard all that I am and all that I know.

I will vote against this treaty because it will erode our military strength. I will vote against this treaty because it preserves the enemy's advances in high-yield weaponry while freeing them to overtake our lead in low-yield research. We pay a price; they do not.

I do not vote against the hope of peace, but only against the illusion of it. I do not vote for war, but for the strength to prevent it.

I have been told, as have others, I am sure, that to vote against this treaty is to commit political suicide.

I will vote against this treaty because in my heart, mind, soul and conscience, I feel it detrimental to the strength of my country.

If it means political suicide to vote for my country and against this treaty, then I commit it gladly. It is not my future that concerns me. It is my country—and what my conscience tells me is how best I may serve it.

Mr. President, I ask unanimous consent that the first 7 pages of the introduction to a paper prepared by Dr. V. W. Vodicka, technical director, Joslyn Electronic Systems Division, and John A. Kuypers, of Stanford University, may be printed in the RECORD following my remarks.

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

The immediate electromagnetic effects of an atomic explosion are massive and diverse. These effects can wipe out critical weapons and communications systems in a few seconds time although the same facilities may survive in the so-called conventional part of the attack environment.

There is more to a nuclear explosion than a spectacular visual display, ground and atmospheric shock waves, heat, and atomic radiation. These are only part of the nuclear attack environment.

Some of the electromagnetic effects (viz., Argus) are trans-hemispheric. All are relatively instantaneous. Some effects are more localized, with a facility damage radii of 100 to 200 miles.

Our strategic and tactical defense/offense systems are required to survive in periods of nuclear attack. Some of our facilities have been designed to withstand tremendous physical shock and radiation levels. As now implemented, these same systems (missiles, ground electronics, command/control and communications) may not dependably survive the electromagnetic nuclear environment.

Nuclear electromagnetic effects have been noted since the advent of nuclear explosion testing. Overwhelming verification of their existence and scope has been built up by correlation of shot times (most accurately defined in foreign technical papers) with concurrent working system outages and damages. This correlation effort by the authors began in 1952 with notations of electromagnetic effects in the vicinity (200 mile radius) of the test grounds.

In August 1958 the Argus test series in the South Atlantic Ocean caused dramatic and unpredicted transhemispheric electromagnetic disturbances. A low-yield shot at 200 miles altitude caused the undersea coaxial cable across the North Atlantic Ocean to intermittently fail in function. Correlated outages existed in critical defense systems at this time but were not published due to classification of facilities logs.

Soviet instrumentation of our test efforts defined our shot times to the second. The times were published in unclassified technical papers.

The effects of the Argus test series on commercial and military communications gave additional verification of the existence of highly significant nuclear electromagnetic effects. A preliminary paper on the subject was prepared in 1960 and distributed by the authors to those who should have been concerned. Since that time, much additional material has been uncovered. More effects have been defined and a good amount of quantitative data observed and derived. Foreign unclassified data continues to be a major source of information. Our systems design and implementation remains in the horse and buggy stage with respect to nuclear electromagnetic effects.

Many tactical and strategic weapons, communications, and command systems are not hard electrically. These systems as now implemented may not survive electronically to the same degree that they will survive mechanically. Catastrophic electrical and electronic failures can be expected in most mili-

tary facilities which are combined with commercial facilities as now installed to a radius from ground zero as follows if not properly protected:

	Miles
1 MT fusion, low altitude	20
10 MT fusion, low altitude	72
50 MT fusion, low altitude	120

The catastrophic failures are defined as: Vaporization and explosion of electrical conductors (power distribution and communications), equipment component burn out (especially solid state devices) and massive insulation failures due to both conductor overheating and electrical stress (over voltage) and ionization of dielectric.

Lesser systems failures can be expected outside of the radii specified above. Both calculations and actual experience show that our systems are vulnerable to a lower order of damage in this extended area. These troubles are on the order of: component failure, blown fuses, damaged or blown circuit breakers, grounded protectors, computer confusion caused by unexpected ground loops, transient pulses, and unprogramed events and instructions, disturbance of data transmission facilities. Disruption of radio frequency transmission paths has been partially recognized but unduly minimized.

Systems troubles are created daily by natural and manmade electromagnetic phenomena. The natural effects include lightning and lesser random static discharges, aurora, magnetic storms, telluric (earth) current pattern changes. The manmade effects include power systems switching transients, and electrical interferences caused by arc welding, electric shoe arcing, and electrical power faults which at times cause radical local ground potential changes.

The electromagnetic effects associated with fusion activity have been partially sorted out. The list includes:

1. Argus effect: This aurora-like mechanism has been noted in every high altitude test (United States and Soviet) since August 1, 1958. This effect can create a manmade aurora at any desired location equal in electrical disturbance to any recorded sun-spot storm.

2. Electromagnetic pulse effect: This effect has demonstrated its power in every nuclear test shot.

Early low-yield fission test activity caused concurrent outages on powerlines passing the general area. Circuit breakers on main feed lines opened due to over voltage conditions induced at distances in excess of 80 miles. This extremely powerful effect has been observed from the beginning of nuclear test activities. It contributed to most of the instrumentation failures experienced in early test efforts. This effect continues to cause instrumentation trouble because it is neither recognized nor understood by many instrumentation systems design engineers. The effect causes potential changes on conductors in excess of 10,000 volts with rise times in the order of 20 to 100 nanoseconds and durations of 1 second or more. This affects buried cable in the vicinity equally with any aerial facilities that may be left standing. Insulation breakdown from voltages, several orders in excess of design stress are followed by extremely high currents. The result is conductor burnout in the immediate vicinity and high voltages passed down the line to the distant terminal or other electrical/electronic facility.

3. Neutron flux effect: This effect is often masked by effect No. 2, since it takes place relatively close to the nuclear activity. The end result of this mechanism is the development of abnormal voltages in electrical conductors accompanied by insulation breakdown due to heat, chemical change, and electrical stress plus initiation of secondary radiation along the flux path.

4. Static discharge effect: This is similar in appearance and occurrence to lightning. It is applicable to radio antennas and other above-ground facilities which may have survived the mechanical stresses outside of but close to a nuclear fireball. These facilities invite massive electrical discharges from the fireball edge much as a lightning rod. The currents that would be experienced are sufficient to melt the structural components and collapse the facility.

5. Radio frequency transmission effects: This area has been covered qualitatively in papers and reports by others but more quantitative data correlation work is required. This is especially true in the low frequency and ultra low frequency transmission area. Categorical statements minimizing or pointing out the absence of vulnerability of these transmission media are unrealistic. Large outages in low frequency and ultra low frequency transmission systems have been experienced in connection with nuclear testing activity and are to be reckoned with when examining systems' reliability in the nuclear environment.

The vulnerability of existing facilities (and future systems) can be reduced without resort to exotic methods. Knowledgeable application of systems design and installation fundamentals and attention to detail in interface areas is a must. Systems designers and operations personnel must be apprised of the electromagnetic effects mechanisms and quantitative results of same. Existing knowledge must be used and all known techniques brought to bear on this problem. The use of fast response, self-healing circuit protection devices will materially reduce the aforementioned damage radii. Certainly, R. & D. design of new transmission systems should proceed. Unique though not necessarily oversophisticated new systems have been proposed which are far more immune to the electromagnetic environment than the transmission techniques now used.

There is a definite need for a focal point for information regarding the various electromagnetic effects on weapons, command, and communications systems. The sources of information are diverse and not always in themselves knowledgeable as to the "practical results in working systems" aspect. The large range of sources can be realized by a perusal of the bibliography. Some of the most significant data available is from unclassified technical journals from the U.S.S.R., France, and England. Another group of sources are private industry with no government ties, and government agencies who are systems operators out of the realm of the defense effort. Definitive studies and practical analysis of electromagnetic effects versus defense systems have been urgently required since before nuclear weapons became available for use by others than the United States. As of this time there is not so much as a handbook which can be used by systems designers as an information source. The present Mil-Spec series is completely inadequate to meet the total reliability requiremnts of communications and weapons systems facilities. At present the Mil-Spec series does not recognize the real integrated EMP problem.

Where some of the effects are recognized but systems solutions not readily apparent, the problem is classified and withheld from personnel who must have the information in order to design systems that will accommodate the problem.

Mr. THURMOND. Mr. President, will the distinguished Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. THURMOND. I commend the able Senator from Arizona for his magnificent statement. The distinguished Senator from Arizona is a major general in the Air Force Reserve. In performing his duties in that capacity he has had occasion to learn a great deal about missiles, rockets, bombers, and nuclear weapons. His statement today on this subject should bear great weight with the Senate. He has made a fine contribution, which I am sure will be helpful to the Senate.

Mr. GOLDWATER. I thank my distinguished friend from South Carolina, whose military knowledge I respect highly.

I implore my colleagues in the Senate to read the excerpt from the paper I have asked to have printed in the RECORD, when the RECORD becomes available tomorrow. It covers a subject we have not discussed, which is of vital interest to our survival.

As these scientists conclude, catastrophic electrical and electronic failures can be expected in most military facilities which are combined with commercial facilities.

We are not talking about a direct hit. We are talking about the electromagnetic impacts, which some scientists say can travel 1,100 miles and which some scientists agree can have an effect of 1 megaton of fusion in a low altitude burst at 20 miles. In fact, as a result of a low-yield shot at 200 miles altitude the undersea coaxial cable across the North Atlantic Ocean was caused to intermittently fail to function.

We know enough about effects to know that all modern circuitry—all circuits in radios, all circuits in radars, all circuits in inertial guidance systems, as well as the electronic triggers which cause the missiles to travel—is now in the process of being redesigned, because we do not know enough about the effects of the electromagnetic pulse to defend and protect the systems we now have.

This one item alone should cause the Senate to pause before approving this treaty, at least until a time is reached when we have an opportunity to find out how to protect our own systems.

Mr. THURMOND. Mr. President, will the Senator yield further?

Mr. GOLDWATER. I yield.

Mr. THURMOND. Is it not true that the only way we would be able to acquire the knowledge about which the Senator has spoken is by testing in the atmosphere? It is impossible to acquire that knowledge by testing underground, is it not?

Mr. GOLDWATER. We could acquire much of the knowledge by testing underground. We could study the effects of gamma rays underground.

Mr. THURMOND. We could acquire a portion of the knowledge from underground testing.

Mr. GOLDWATER. Yes. I have yet to meet a scientist who will categorically say we can acquire the information needed in this way. It cannot be said to the people of the United States, "We have a device which we guarantee will work in the atmosphere—through a nuclear environment, through gamma rays, through fireball blackout," unless it is tested in the atmosphere.

We can develop the theory. We can do a great deal of experimentation. We can do much extrapolation from underground testing. But no man can guarantee that any weapon will work without

testing it in the environment in which it must be used.

Mr. THURMOND. The weapon must be tested in the environment in which it is to be used in order to determine actually what results will be obtained.

Mr. GOLDWATER. Yes.

Mr. THURMOND. Under the treaty, if ratified, that would be impossible.

Mr. GOLDWATER. The Senator is absolutely correct. I recall that shortly after our entry into World War II we tried a torpedo which the scientists told us would end all naval warfare. We had never tested it. It did not work. We spent a long time getting the old torpedoes ready to go.

I wish it were possible for me to vote for the treaty. I should like to vote for it. Knowing the scientific and military facts of life, I think we are asking for real trouble if we ratify the treaty.

Mr. THURMOND. I know the great respect the able Senator from Arizona has for General Power. I should like to read a statement General Power made a few days ago:

> In my personal opinion all sensible people in this world desire peace and freedom from a nuclear war. But there are two different theories of how to get there.
>
> One theory is through military superiority and through deterrence, which is the philosophy of the strategy we have used. There is another one through disarmament.
>
> I personally think the two theories are diametrically opposed. I don't see how you can arm and disarm at the same time. I have studied previous disarmament measures and in my opinion disarmament is a proven concept to get you into a war. I think history will prove that the surest way to cause a war, nuclear war or any war, is to disarm.

I wonder if the Senator from Arizona is in accord with that statement by General Power.

Mr. GOLDWATER. History would make me be in accord with it, even if I were not inclined to be. The general is absolutely correct in that statement.

Mr. MONRONEY. Mr. President, the choice we face here is not easily defined or described, but many Senators have participated in this discussion, and in going over the record I was deeply impressed with the depth of the study which the Senate has made of this treaty. It is now quite clear that the Senate will ratify this treaty by a substantial margin above the required two-thirds majority. One cannot review the many thousands of words that have been said in the Senate concerning the treaty without concluding that the decision to support it is sound.

In the simplest terms, what we face is a choice of risks. Or, to put the matter in positive terms, a choice of hopes. We cannot be sure of the benefits which this treaty offers mankind. On the other hand, we cannot be certain of the safety and security of mankind without it. With the treaty, we hope that the relentless increase in poisonous radioactivity in the atmosphere will be halted. With the treaty, we hope that the rush of nations to arm themselves with nuclear weapons which threaten annihilation of civilization will be halted, or at least slowed. With the treaty, we hope the world can move into an era of mutual trust and confidence based on performance. Not until we see how the Soviet Union performs under this treaty will such trust and confidence in it be merited, but we can well afford the risk of a probationary period, in my opinion.

To refuse to ratify the treaty will mean an end to the long-drawn-out negotiations which we initiated in 1946 and have pressed in various conferences ever since.

Now that we have reached an agreement at long last, limited as it is, we can be sure that, if we refuse to go through with the initialed treaty, we face a prolonged period of unlimited testing, without hope of another open outer door for limiting the dangerous effects that will result.

If the limited test ban is violated, we will only face the condition we face today and for years to come without any treaty. Nations would again resume contaminating our soil and polluting the world's atmosphere and space.

This decision can and perhaps will play a vital part in changing the course of the cold war. On it certainly ride the hopes and fears of millions of the world's people, who pray for some cessation of tensions that build up in the present nuclear arms race.

There are both certainty and uncertainty about the ratification of this treaty. No treaty is foolproof or has built-in guarantees of success.

There is certainty, however, among the neutral and uncommitted nations, numbering more than a billion of the world's peoples, that this crossing of the outer threshold with a limited treaty is in their best interests. These are the innocent bystanders who know that they would suffer along with the industrial powers should a nuclear exchange take place.

They see in this pause in the acceleration toward greater and more terrible weapons a chance for a cooling off period that may—repeat may—lead to other agreements resulting in further easing of tensions among the atomic powers.

There is certainty also among the smaller but more industrialized nations, many of them our allies, who have not yet entered the field of atomic armament but who feel that they must soon make a fateful decision. This decision will tax their industrial and scientific capabilities and thrust them into the maelstrom of atomic weapons development. If they enter, they will be a part of the acceleration toward more terrifying weapons.

This proliferation of atomic power to many smaller nations, the neutral, the friendly and those who lust for power over their neighbors, raises an international danger. A worldwide atomic war could be triggered when the grave responsibility of possessing atomic weapons rests with the irresponsible. War by miscalculation or by blackmail multiplies the threat we face. If great danger lies in having these weapons in the hands of three atomic powers, it will be magnified many times when new nations acquire even a modest stockpile of weapons.

I believe it is evident that the nations who have already signed the pact are certain that it is in the best interest of their security. It will allow them the privilege of abstaining from the arms race, and being spared the great expense and attendant dangers of entering into the atomic club.

They feel, I am sure, that the hope for negotiations is better if the possessors of such weapons are few in number, and if even these are seeking to limit the dangers inherent in the arms race.

We cannot avoid the knowledge that more than 90 nations already have subscribed to the treaty. We cannot avoid being aware that all these other nations acted with knowledge that this treaty is useless without the approval of at least 67 Members of the U.S. Senate.

The overwhelming support which the treaty has engendered around the world was clearly evident to Members of the Senate and House of Representatives who attended the 52d Conference of the Interparliamentary Union starting last week in Belgrade. Previously, the Senate's attention has been directed to news dispatches sent to this country from Belgrade emphasizing the treaty's transcendental importance in the minds of the 500 elected lawmakers, representing nearly 70 national governments, in attendance there. The U.S. delegates heard speaker after speaker praise the treaty. At every hand, day and night, we were told that the treaty offers new hope for enduring peace.

One U.S. journalist cabled to his readers:

> It is evident to every Senator and Congressman attending this global gathering of parliamentarians that if the U.S. Senate turns its back on the test ban, world opinion will turn its back on the United States in agony and disappointment.

I heartily agree with this journalist's appraisal of the common viewpoint held by the delegates at Belgrade. Peace remains the great unifying motive of all mankind, and leaders of more than 90 nations have already recognized this treaty as a step in the direction of peace, or as a step backward and away from the horrible possibility of a nuclear war.

I am very much aware, however, that Members of the Senate must not let this worldwide display of fervor for the treaty to be the controlling factor in their deliberations. Instead, we must keep in mind that this phenomenal enthusiasm is the direct result of the leadership which the United States has provided along the path of peace. We must remember that this treaty was our idea in the first place, and that we are now engaged in testing the courage of our own convictions. The record of American efforts to secure a workable limitation on the testing of nuclear weapons dates back to 1946, the year after weapons of this dimension were employed by this country to conclude a war that this Nation had been forced to fight. The report of the Committee on Foreign Relations recites the details of these efforts, year by year, through the administrations of President Truman and President Eisenhower.

This has never been a partisan issue with the American people. In 1960, both President Kennedy and his Republican opponent for the Presidency, the then

Vice President, Mr. Nixon, repeatedly expressed their hopes that the negotiations with our allies and with the Soviet Union, started in 1958 at the urging of President Eisenhower, would prove fruitful.

The bipartisan support which this treaty has won speaks well for the guarantees which it embodies.

The limited test ban treaty, however, is challenged by its opponents, who assert that it casts a grave doubt on our continued and continuing superiority in atomic weapons. We have been advised, and I believe properly so, that today we are the world's strongest atomic power, both in technology and in the quantity of our weapons.

Doubt has been raised, however, that this limited ban will cause us to lose our advantage. From all the evidence I have read, the treaty offers us an opportunity in which the dangers are minimized. The values of such a ban, so eagerly desired by the world, offset the uncertainties which are bound to exist in any such agreement.

As the Preparedness Investigating Subcommittee has declared in its concluding paragraph:

> The question is one of weighing relative risks.

The fear derives from exposure on four principal points. These points are:

First. The significance of the 60- to 100-megaton bomb exploded by the Soviets.

Second. The question of the superiority of smaller nuclear weapons.

Third. The development of the anti-missile missile.

Fourth. The survivability of our deterrent force.

The record is filled with testimony on both sides of these questions. However, with the strong testimony from the Joint Chiefs of Staff, numerous scientists, our own leaders on the Joint Atomic Energy Committee, and our own distinguished Senate chairmen, Senator PASTORE and Senator ANDERSON, who are experts in this field, I feel that the advantages of the limited test ban treaty outweigh the fears expressed on these four points by opponents of the treaty.

On the question raised about Russian superiority because of testing of the 60-megaton bomb, I believe the judgment of our military and civilian leaders is convincing. We were free to explode all the giant bombs we chose during this recent period of uncontrolled testing. We made a decision, based on our knowledge and strategy, that such weapons were not necessary. We based this decision on the fact that our present arsenal contains more effective bombs for selected targets, rather than terror bombs of widespread range.

I am further assured by the testimony that the present state of our art would be sufficient to quickly produce such giant bombs without additional atmospheric testing, if such weapons were later needed.

On the second point, the versatility and quantity of our smaller nuclear weapons, with existing instruments of delivery for strategic bombing, give us great security. True, these weapons have lower yields, but they still have the power to wipe out any known military or industrial targets contained in our strategic plans. The versatility and selectivity of all types of weapons in our arsenal make us the world's strongest atomic power. Our superiority in this field of quantity and types more than offsets any of the giant bombs the Soviets may produce.

Further, the provision permitting all kinds of underground testing enables us to continue, as has been promised by innumerable witnesses, to upgrade and update our weapons capability to any extent necessary.

On the third point, the development of the antiballistic missile, several challenges have been made. The testimony is conclusive that the Joint Chiefs and atomic experts believe that the problem here lies in the field of delivery, guidance, and selectivity of targets, rather than in the field of explosives. Underground testing of explosives is still possible and the testing of the intercepting missile itself is one that is permitted since it would not require atmospheric blasts.

Whatever protection against blackout or other exotic effects is needed, this must at all events be built into the missile and not into the explosive it is designed to carry.

On the fourth and last point, the vulnerability of our hardened missile sites has been discussed. Here again our experts are strong in their opinion that the Russians have gained no more knowledge in this field than we already possess. The large yield tests conducted by the Russians were not effects tests upon such sites, and there is no evidence that they gained this type of data from their recent explosions.

Thus the evidence I believe we have from our own leaders, who have spent years in specializing in this field, would indicate that both sides will be equally restricted by the treaty and that neither would gain a substantial advantage over the other.

One danger that could exist has been dispelled by assurances from the President and from agencies in charge of our development program that we will expand and improve our capabilities to detect atmospheric and underwater explosions to even a greater degree than we now possess.

The chance of cheating by illegal explosions will be even further reduced by continued improvement in our vast detection facilities.

Also reassuring is the guarantee that our laboratory facilities will be held in a state of readiness so that if the treaty is breached, we can immediately resume atmospheric testing on the finding by others. This ever-ready mobilization for further atmospheric testing not only guarantees our readiness but also keeps together the experts who have been so successful in weapons development in the past. It will also discourage those who might be inclined to cheat.

This team could be used promptly should it be deemed essential for our national security, or should the treaty or any of its terms be abrogated by the Soviets.

These were the requirements demanded by the Chiefs of Staff.

Their assurances were spelled out in detail by our military leaders in testimony before the Subcommittee on Defense Appropriations when on August 20, 1963, the Deputy Secretary of Defense, Mr. Gilpatric, summarized in these words:

> We do have in this year's budget funds that would support the kind of an underground test program, the kind of nuclear effects test research program that would meet the conditions that the Joint Chiefs put upon their approval of the partial test ban.

Those opposed to ratification of the treaty have charged that it will commit the United States to a process of disarmament without preserving the principle of inspection, which has been the cornerstone of U.S. disarmament policy. As a number of Senators have pointed out, this is a false and misleading premise.

Dr. Harold Brown, director of Defense Research and Engineering, told the Foreign Relations Committee:

> It does not limit arms development. It does not reduce armaments but it does reduce arms development. I believe that unless we get some kind of arms limitation as well as maintaining our own military capability the next 10 years are going to see further degradation in everyone's security as other nations obtain nuclear weapons, less responsible ones than have them now, I think that will make everyone less secure.
>
> I don't say this treaty is going to solve that or produce the millenium but I think in the absence of this treaty, which has represented the first step, no one can go on to anything else.

We have been reminded continually during the course of this most worthwhile debate that the U.S. Senate must take into account, not only the hopes and aspirations of the American people, but public opinion throughout the world as it considers this limited nuclear test ban treaty. We will, of course, give first consideration to the security and welfare of the United States.

As a signatory to this treaty, we have no absolute guarantee that the United States can maintain its present security. We have the solemn word of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that the treaty offers the United States clear and indisputable advantages.

General Taylor said:

> The Joint Chiefs of Staff have reached the determination that while there are military disadvantages to the treaty, they are not so serious as to render it unacceptable * * * it is the judgment of the Joint Chiefs of Staff that, if adequate safeguards are established, the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

In the same vein, the Secretary of Defense, Mr. McNamara, declared:

> The risks under the treaty are either small or under control, and the values of the treaty are substantial even if we consider only the military area. The scales are clearly tipped in favor of the treaty, Mr. Chairman. It has my unequivocal support.

The risk, well recognized though not clearly defined, that this treaty promises to reduce is the hazard that mankind will suffer for generations to come if atmospheric testing is not stopped. This is the risk that is recognized. This risk we assumed in the interest of national security when the development of weapons required it. It is a risk which can now be reduced.

Most of the people who have written to ask me to vote for ratification have been concerned primarily with the danger of radioactive fallout from continued atmospheric testing. A letter from a 26-year-old resident of Norman, Okla., is fairly typical. She said:

I am 26 years old, the mother of two small children. This is my first letter to a legislator. I was nudged into action by a recent news story which quoted the Public Health Service as saying the amount of radioactive strontium 90 in the Nation's milk this May was almost twice that of a year ago. I want to make it absolutely clear that I am totally in favor of the pending test ban treaty, and of any further steps taken to reduce the threat of nuclear war or of radioactive poisoning from the current arms race.

This writer went on to express her concern that the Federal Radiation Council has not established firm standards regarding the hazards of radioactive exposure to human health. I share her feelings, and I urge my colleagues who are members of the Joint Committee on Atomic Energy to keep pressure applied to this problem. In June of this year, I noted, the Subcommittee on Research, Development, and Radiation of this Committee held extensive hearings on this subject. At the conclusion, the council promised to provide such guidelines.

This subcommittee was told that after tests were started by the Soviet Union in 1961, the fallout rate rose sharply. By the end of 1962, more fission products were put into the atmosphere than in all preceding years of testing—and the Soviets were largely to blame.

The contamination of space and of the atmosphere by past tests has been a danger to all forms of life on this planet. Carried by rain and by air currents, no one is exempt from its dangerous effects. For peculiar reasons, the deposits collect irregularly in certain areas. But sooner or later, the fallout that is shot into space or air will reach the earth. What is the point at which, in our efforts to be secure, we contaminate the very elements which sustain life?

Of this we can be sure: Unlimited atmospheric and space explosions of bigger and bigger yield bombs will bring us closer to the time when the testing can be dangerous to life and can contaminate the food supplies of wide areas of the world. The prevention of such contamination, through limiting atmospheric and space testing, is vital to our very existence.

The commonsense and common hopes of the American people have been asserted once more in unmistakable terms. Since the founding of our Nation, we have sought peace and understanding among men. It has been a risky road, but is one we willingly take. It can lead all humanity to a better world.

EFFECTS ON NUCLEAR WEAPONS AND COMMUNICATIONS OF CERTAIN PHENOMENA INDUCED BY NUCLEAR BLASTS

Mr. SPARKMAN. Mr. President, an article appearing in the September 16, 1963, issue of Missiles and Rockets, carrying the title "Soviets May Have Ultimate ABM," contains a number of substantial inaccuracies in the form of errors of fact and misleading statements, which should be corrected.

At the outset, the Missiles and Rockets article notes concern over the possibility that the electromagnetic pulse created by exploding very-high-yield nuclear weapons could deactivate U.S. missiles in their silos. It is stated that this concern is behind the opposition by many high military officers and nuclear scientists to the nuclear test ban treaty. The article fails to state that the overwhelming majority of both the military leaders and leaders in the field of nuclear science have registered support for the treaty. These include the Secretary of Defense, his Director of Defense Research and Engineering, the Joint Chiefs of Staff, and the Chairman of the Atomic Energy Commission. These are the men who are primarily responsible for the military security of the United States, and also the ones who have access to all available information upon which to reach a judgment concerning the existence or nonexistence of certain vulnerabilities in our retaliatory nuclear forces.

Possible uncertainties concerning the effects of electromagnetic pulse on U.S. missile systems, as well as other uncertainties, were in the mind of Secretary of Defense McNamara when he addressed the problem of missile-site survivability, in testifying before the Senate Foreign Relations Committee on August 13, 1963. The Secretary of Defense stated:

Our missile force is deployed so as to assure that under any conceivable Soviet first strike, a substantial portion of it would remain in firing condition. Most of the land-based portion of the force has been hardened, as well as dispersed. Minuteman silos are designed to withstand thermal and pressure effects and ground motion effects of typical Soviet weapons detonated at relatively close quarters.

The Minuteman control posts are protected by extreme hardening. In addition, we have duplicative facilities which will in the future include the capability of launching each individual Minuteman by a signal from airborne control posts.

Uncertainties * * * will continue to be compensated for by conservative designs, wide dispersal and large quantities of missiles.

Dr. Harold Brown, in testimony before the same committee on August 21, 1963, added the following:

In the future we expect we will be able to fire advanced U.S. missile systems on the basis of a signal sent out from an aircraft without requiring survival of the launch control centers, which presently send the signal to launch the missile, and without requiring survival of their cable connections to the missile site.

This will eliminate any effect of vulnerability of launch control centers or of control cabling.

Therefore, those who are best qualified to judge have concluded that any uncertainties regarding EMP—electromagnetic pulse—do not constitute an unacceptable risk to the Nation's security in entering into the nuclear test ban treaty.

The Missiles and Rockets article has indicated that the "ultimate" ABM may be one which de-activates missiles in their silos. The statement is made that:

Achievement by the Soviets of the capability of using their first strike offensive weapons simultaneously as defensive weapons that would destroy the electronics of U.S. silo-based missiles would wipe out the ability of the United States to retaliate.

This statement is imprecise and inaccurate in several important respects.

First, the U.S. retaliatory capability is derived from large numbers of weapons of various yields, capable of being delivered on target by a variety of means—the "weapons mix." Our strategic retaliatory forces consist today of land-based missiles, such as Minuteman, Titan, and Atlas; sea-based missiles, such as the submarine-launched Polaris; and long-range aircraft, primarily B–52's. The sea-based and aircraft-deliverable weapons which today constitute the great bulk of the U.S. retaliatory force would be unaffected by any possible EMP vulnerability pertaining to the land-based missiles.

Second, with regard to the ability of our land-based missiles, and, in particular, our hardened Minuteman systems, to survive a Soviet surprise attack, Secretary McNamara has stated:

We know, and the Soviets know, that in the event of a surprise Soviet first strike, at least a substantial proportion of our Minuteman missiles will survive.

On the question of a possible EMP vulnerability of our land-based missiles, the Missiles and Rockets article cites Gen. Thomas S. Power, commander of the Strategic Air Command, as having expressed "fear * * * in depth." General Power is an outspoken critic of the nuclear test ban. However, during the course of hearings before the Preparedness Investigating Subcommittee, headed by the Senator from Mississippi [Mr. STENNIS], General Power was asked the question:

Concerning the Minuteman system, do you have confidence in the ability of this system to perform its assigned mission?

General Power replied:

Yes, I do. I have a high confidence factor.

General Power, whose testimony before the Stennis subcommittee is frequently referred to in the Missiles and Rockets article, may disagree with the Secretary of Defense on the degree of uncertainty that is acceptable to him; but there seems to be no apparent disagreement with respect to the conclusion that our Minuteman system is one upon which the United States can justifiably rely.

It would also be well to clear up some of the confusion created by the Missiles and Rockets article in categorizing as an antiballistic missile a possible Soviet

weapon designed to knock out U.S. missile silos. The popular conception of an ABM is one which is designed to intercept and destroy incoming missiles. A weapons system with the assigned mission of destroying enemy missiles prior to being launched is generally referred to as a counterforce weapon. However, the Missiles and Rockets article has, unfortunately, lumped the two different concepts together in such a way as to misinform the reader.

For example, the article contains the statement:

The Soviet lead in antiballistic missile development has been acknowledged even by administration supporters in the test ban debates. It is based on the long range ability of strong electromagnetic pulses to cripple the electronics system of a missile so that it cannot be fired.

The view as to the relative capabilities of the United States and the U.S.S.R. in the ABM field, as considered by the administration officials in the test ban debates, was based on the generally accepted notion of a defense against incoming warheads that had already been launched. The question of electromagnetic pulse raised in the article is irrelevant to this generally held conception of an ABM system. Concerning the substance of whether the United States or the Soviet Union is ahead in the development of an ABM system, Secretary McNamara has stated:

The best present judgment is that our design efforts are comparable in magnitude and success with those of the Soviets. Any deployed system which the Soviets are likely to have in the near future will probably not be as effective, almost certainly not more effective, than the Nike-Zeus system. It should be noted that the United States decided not to deploy the Nike-Zeus because its effectiveness was inadequate.

Dr. Brown has expressed his view of the relative capabilities of the two sides, as follows:

I think we are roughly comparable (the United States and U.S.S.R.). If I were forced to say one side or the other is ahead on knowledge, I would say that we were, but I don't think that is a very firm statement on my part.

A better judgment, I think, is that we are about equal.

In the Missiles and Rockets article, we also find, in reference to the Preparedness Subcommittee report, the following:

It noted that the character of the recent Soviet high-yield tests indicated they were centered upon antiballistic missile development.

This statement, like the statement previously discussed, is misleading in implying a connection with electromagnetic phenomena, and is similarly irrelevant. Moreover, it confuses Soviet high-yield tests with high-altitude experiments. The Stennis subcommittee report referred to a series of high-altitude operations which, if properly instrumented, could have provided substantial and important data on various types of radar blackout and nuclear effects relevant to the solution of various problems in connection with ABM development. As to relative knowledge in the field of these nuclear effects, Dr. Brown has stated:

With respect to high altitude tests carried out for the purpose of determining the effects of nuclear bursts on communications blackout, radar blackout, and nuclear weapons vulnerability, Soviet and United States experience appear to be comparable.

Each side has had about the same number of tests, over yield ranges and altitude ranges which are comparable though not identical, the number of nuclear tests carried out by related missile tests appears to be about the same although different techniques for making the measurements were used by the two countries.

Finally, the thrust of the Missiles and Rockets article is contained in the statement that:

EMP, however, might be capable of incapacitating a great number of missiles at once.

Secretary McNamara, in reference to missile site vulnerability, stated—

The most pessimistic view * * * suggests a vulnerability ratio for our hardened, dispersed Minuteman sites of less than two sites killed on the average by a single very-large yield Soviet missile.

The numbers of missiles on each side are such that a 2-for-1 kill ratio would leave the United States with the capability to destroy the Soviet Union, after absorbing a Soviet first strike.

REPLY TO KENNEDY TAX SPEECH

Mr. MILLER. Mr. President, last evening, the President of the United States went before the American people on television and radio to seek, as is his prerogative, to build up public opinion in support of his position that his tax cut bill is in the national interest.

We trust that equal prime time will be given by the television and radio stations to enable the other side of the argument to be heard by the American people. And in order that public opinion will have a fair chance to be fairly developed, we trust that the other media of the press will see to it that equal coverage in an equally prominent place is given to the opposite viewpoint. For example, I note that front page coverage was given by several newspapers to the President's speech. It would be only fair to have an equal amount of front page coverage given by these newspapers to those of us who wish to rebut the President's argument. This is particularly so, in light of the President's own evaluation of the tax cut bill, when he said:

No more important legislation will come before the Congress this year.

Let everyone understand that all of us agree with the President that the high wartime and postwar tax rates we are now paying do not leave in private hands enough money to keep this country's economy growing and healthy; that they have helped to cause recessions in previous years; that unless they are reduced they can cause recessions again; that we must create more than 10,000 new jobs every day in the next 2½ years, to meet the demands of a growing work force and to reduce unemployment to acceptable levels; that we cannot effectively attack the problems of teenage crime and delinquency until we attack teenage unemployment; that we cannot effectively solve the problems of racial injustice until we create more jobs for all; that we cannot effectively tackle the challenge of automation until there are more jobs for the men who are being thrown out of work by machines; that recession means high unemployment and high budget deficits; that of all kinds of waste, unemployment is the worst; that 7 million more young people are coming into the labor force in the 1960's than in the 1950's, and that today's children will be aware of this when it is time for them to seek work; that if we cannot create more jobs—if we permit unemployment to grow—then no worker can be sure of his job, and no businessman can be sure of his future; that in recent years our loss from excessive unemployment has been almost 20 times as great as our loss from strikes; that recessions are not inevitable; and that there are as many men and women out of work now as there have been in some recession years—and this notwithstanding the last that as a result of the actions of the President and his Democratically controlled Congress, 165,000 more employees have been added to the Federal payroll and over $15 billion has been added to our national debt, for future generations to pay.

For the President to say all these things is merely to state the obvious. One wonders why he took so much time to do so.

The real point he should have spent all his time discussing is whether or not his tax cut bill, accompanied—as it will be—by billions of dollars of more deficit spending and billions of dollars of more inflation, will contribute to solving all of the problems by getting our economy moving again. He thinks it will. I say it will not.

The President may talk all he wishes about the stability of our wholesale price index. He may claim that retail prices have held remarkably steady. The point he misses is that almost all our people buy at retail prices—not wholesale prices; and that since he took office, the retail Consumer Price Index has gone from 214.5 to an alltime high of 221.3, while the purchasing power of our dollar has dropped from 46.6 cents—compared to a 1939 dollar worth 100 cents—to an alltime low of 45.2 cents.

For 1961 and 1962, while our Federal debt was increasing nearly $14 billion, due to deficit spending, inflation reduced the purchasing power of our people's money by $14 billion. This is inflation at the rate of $7 billion a year—equivalent to a 10 percent income tax increase. The tragic fact is that the American people do not yet realize what has hit them; but they have been hit. And under the spending proposals of the President, they will be hit just as bad, or worse, in 1963 and 1964. This is what is wrong with the President's tax cut bill.

Everyone wants a meaningful tax cut. But to be meaningful, the tax cut must be in terms of stable dollars. Surely the President should realize that no one wants to have more dollars to spend if all

the dollars are worth less. The President's refusal to ask the Democratically controlled Congress to cut back spending so as to make room for the reduction in revenue due to a tax cut, really means that he is asking the American people to fool themselves into believing they can get something for nothing—that they can have a meaningful tax cut and can continue to go billions of dollars deeper into debt.

Oh, I realize there may be some taxpayers who would come out ahead, because their increased purchasing power due to a tax cut would more than offset the reduced purchasing power due to inflation. But there are millions who would not. Worst of all is the plight of the millions of our senior citizens who pay no income tax, and will have no increased purchasing power due to a tax cut, but will continue to have the purchasing power of their savings, their pensions, and their retirement annuities reduced by inflation.

The President was careful to use two examples of how his tax-cut bill is supposed to work, in order to give millions of typical families more extra money to spend. A factory worker with a wife and two children, who earns $6,000 a year, will, according to the President, have in his taxpayments a cut totaling 25 percent of $600, or $150. One year of Kennedy inflation alone has cut this worker's purchasing power by $60, since the value of our money has been going down 1 percent a year. It may be answered by saying that this still leaves $90 of increased purchasing power left over. The answer is that millions of other taxpayers who will not receive as much of a tax cut, and millions of our senior citizens and others whose incomes do not require them to pay income taxes, will make up the difference. There always are some people who benefit from inflation; but most people, particularly those who can least afford it, are hurt by inflation.

If we were in a position of a reasonably balanced budget, no one would object to a tax cut, because then it would be meaningful; we would have a stable dollar; the extra money taxpayers would have to spend would mean an overall increase in purchasing power for them; and this would, indeed, stimulate the economy.

The President may say that we cannot cut Federal spending; that his so-called frugal budget of almost $100 billion represents the last word in trimming out fat, extravagance, and waste; that it includes no new programs or no expanded programs which are not absolutely essential to our national interest. This just is not so. Even after he presented his budget, the President voluntarily cut his proposed spending for foreign aid by half a billion dollars, to make his budget more frugal. And under the Clay Committee guidelines, it is likely that foreign aid will be cut back to at least what it is for the current fiscal year. The average cost per year per enrollee in the Youth Conservation Corps will be at least $4,000, if this ill-conceived bill ever gets by the House. That is more than enough to send an enrollee to Harvard and to have a paid summer vacation on top of it. Numerous other examples of sound budget cutting could be cited. I am afraid the President does not understand the meaning of hard-earned money, much less the meaning of the word "frugal."

The President says we should not be partisan about this tax-cut bill. Unfortunately, we must, because the Democratic Party, under his leadership, has identified itself with a false theory of economics, with which the Republican Party must part company if it is to keep trust with the American people and play fair with their hard-earned money. This will be a fundamental issue in the 1964 campaign; and since the issue is all with the Republican Party, I trust that the President will not object too violently if we make full and effective use of it.

Mr. MONRONEY. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

COMMITTEE MEETING DURING SENATE SESSION

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the Senate Committee on Labor and Public Welfare be authorized to meet during the session of the Senate tomorrow to consider the bill S. 2056.

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

Mr. WILLIAMS of New Jersey. I understand that the request has been cleared with the leadership on both sides of the aisle.

WHAT IS NEW ABOUT A PUBLIC ACCOMMODATIONS LAW? SUCH A LAW HAS BEEN ON THE BOOKS FOR 12 YEARS, AND EXPRESSLY APPROVED SIX TIMES BY THE U.S. SENATE

Mr. WILLIAMS of New Jersey. Mr. President, Justice Learned Hand once warned those who judge constitutional issues to "be aware of the changing social tensions in every society which will disrupt it, if rigidly confined." The great social tension disrupting American society today stems from our failure to provide the American Negro with the rights and privileges accorded citizens under the Constitution.

Real barriers exist and must be surmounted before the Negro can enjoy full citizenship. One aspect of this overall civil rights problem—the right of Negroes to have access to restaurants, theaters and other commercial enterprises on the same basis as white Americans—is covered by title II of the proposed civil rights bill, S. 1731, and has been the subject of extensive hearings in Congress. During these hearings, some have gone so far as to call this provision unconstitutional.

The opponents of the public accommodations provisions frequently ground their argument upon the civil rights cases of 1883. These hoary decisions, they say, support the inference that title II has no constitutional efficacy.

This inference is patently absurd. Without going into an extended analysis or discussion of this decision, let me merely emphasize the following remarks from the Court's opinion, which clearly indicate that the Court was not dealing with the power of Congress, under the commerce clause, to enact legislation to provide all persons with full and equal enjoyment of public accommodations:

> Of course, these remarks (which denied the authority of Congress under the 13th and 14th amendments to enact the Civil Right Act of 1875) do not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject * * *, as in the regulation of commerce. * * * In these cases Congress has power to pass laws for regulating the subjects specified in every detail, and the conduct and transaction of individuals in respect thereof" (109 U.S. 3, 18 (1883)).

In conclusion, the Court noted:

> On the whole we are of the opinion that no countenance of authority for the passage of the law in question can be found in either the 13th or 14th amendment of the Constitution; and no other ground of authority * * * being suggested, it must be declared void.

The Supreme Court decided only the questions before it; as noted above, the power of Congress, under the commerce clause, was not at issue.

Those who oppose title II not only rely upon this inapplicable decision, but also upon the theory that the public accommodations provision, if enacted, would deprive a businessman of a property right—namely, the right to run his business as he sees fit.

The Constitution does not recognize that the right of an individual to run a business is a matter of absolute, uncontrollable liberty. The operation of business has, in each stage of its development, had its unique history and has been subject to regulation by State and Federal Governments.

To eliminate the evils which menace the health, safety, morals and welfare of the people, the right to control one's property has necessarily been tempered by regulation, provided it is reasonably adopted to the common good. Business has been regulated by minimum wage and hour laws, child labor laws, antitrust and monopoly laws, labor relations laws, and the like. These laws circumscribe the right of an individual to run his business. As Justice Cardozo emphasized:

> Property, like liberty, though immune from destruction, is not immune from regulation essential for the common good. What that regulation shall be, every generation must work out for itself.

Ownership then does not imply absolute dominion. It would seem apparent, moreover, that the more an owner, for his profit or advantage, opens up his

property to the general public, the more his rights become circumscribed by the rights of the general public.

II. THE IRREFUTABLE PRECEDENT FOR PUBLIC ACCOMMODATION

Paradoxically, many of the Senators who are apprehensive about public accommodations have voted six times in the last 12 years in favor of an operative public accommodations provision that is even more comprehensive than title II in the President's civil rights bill, S. 1731.

The public accommodations provision given such strong support for so long by the Congress is authorized by Public Law 78, a law establishing a program to import Mexican farmworkers. This provision, known as article 8 of the 1951 migrant labor agreement, has been called an irrefutable precedent for title II of the pending civil rights bill and has actually been enforced in numerous instances and is still in effect today. This provision reads:

Article 8

PROHIBITION AGAINST DISCRIMINATION

Mexican workers shall not be assigned to work nor permitted to remain in localities in which Mexicans are discriminated against because of their nationality or ancestry. Within a reasonable time after the effective date of this agreement and from time to time thereafter, the Mexican Ministry for Foreign Relations will furnish the Secretary of Labor a listing of the communities in which it considers that discrimination against Mexicans exists. If there is concurrence by the Secretary of Labor that there is such discrimination in any such area, he will not issue, or where appropriate will withdraw, the authorization provided for in article 10.

If the Secretary of Labor does not concur, the appropriate Mexican consul may request a statement signed by the chief executive officer or officers or the chief law enforcement officer of the community in which the Mexican workers are to be employed, pledging for the community that:

(a) No discriminatory acts will be perpetrated against Mexicans in that locality; and

(b) In the event that the Mexican consul reports the existence of acts of discrimination against any Mexican because of ancestry or nationality, the local governmental officers who signed the statement will have such complaints promptly investigated and take such community and individual action as may be necessary to fulfill the community pledge.

The Mexican Government will permit employment in such areas if such pledges are furnished.

If, notwithstanding the foregoing, the Mexican consul reports that discriminatory acts have been committed against Mexicans because of their nationality or ancestry in a locality where Mexican workers are employed, the Mexican consul having jurisdiction in the locality may request the representative of the Secretary of Labor to join the Mexican consul in a joint investigation in which event the procedure prescribed in article 30 of this agreement will be followed.

The use of the word "authorization" is simply an editorial change to conform the language in this provision with the appropriate terminology contained in articles 1 and 10.

Joint interpretation and amendment of March 1954: The Government of Mexico will not include counties under article 8 of the agreement in the list of towns, communities, localities, and places where it is considered that discrimination exists against Mexicans on account of their nationality or of their ancestry.

Under this provision an agency of a foreign government, the Mexican Ministry for Foreign Relations, may impose severe economic sanctions against local American communities, which discriminate against Americans of Mexican ancestry or Mexican citizens. This is not only a situation where a foreign government can impose hardships on American property owners to protect foreign nationals; this is a situation where the foreign government can act directly on a local American community to prevent discrimination against American citizens.

Before the American community may obtain braceros, under Public Law 78, and benefit by this source of labor, the agent of the Mexican Government must be assured that the community will not discriminate against braceros.

Where the Mexican consul does not concur with a nondiscrimination finding by the Secretary of Labor, the Mexican consul may bypass the Secretary of Labor and deal directly with the chief law enforcement officers of the community and request an antidiscrimination pledge. This pledge would bind the members of the community to provide accommodations to Mexicans and Mexican Americans in the same manner provided to other American citizens. Once given, this pledge would bind the community to a policy of nondiscrimination and would require local officials to investigate complaints regarding discrimination made by the Mexican consul. The law expressly requires "such community and individual action as may be necessary to fulfill the community pledge."

Despite such assurances, where Mexican nationals or Americans of Mexican ancestry are, in fact, subjected to discrimination, the braceros covered by this law will be withheld, or if already employed, will be withdrawn from the community.

These antidiscrimination provisions have been enforced many times. For instance, in Slaton, Tex., in the summer of 1960, the Labor Department investigated and found that there was discrimination at restaurants, bowling alleys, and the city swimming pool. At that time, the matter was satisfactorily concluded without the necessity of removing the Mexican nationals under contract in the area.

In the summer of 1961 a formal complaint was made alleging that the Slaton city swimming pool was being operated on a "white only" basis and that American schoolchildren of Mexican ancestry—not merely Mexican nationals—were denied the use of the swimming pool. Negotiations with city officials followed the investigation in an effort to eliminate this discrimination.

The Mexican Government requested the immediate removal of all Mexicans working in the Slaton area. Through negotiations with Slaton city officials the situation was eventually resolved in 1962 when the city of Slaton opened its swimming pool to all members of the public.

This is but one instance; similar nondiscrimination cases have involved restaurants, movie theaters, and barbershops. In fact, a significant number of Texas counties have been declared ineligible for braceros by the Mexican Government.

On the basis of these facts, it would appear that article 8 of Public Law 78 goes far beyond the public accommodation proposals in the President's civil rights legislation. Unlike the public accommodations provision of the civil rights bill, which only prohibits discrimination by businesses that affect interstate commerce, Public Law 78 prohibits discrimination regardless of whether interstate commerce is involved.

As mentioned earlier, Mr. President, some Members of the Senate have argued that the public accommodations provisions in the pending civil rights bill would prohibit a businessman from serving whomever he pleased, and would therefore deprive him of a property right. It is indeed ironic that many of the people who take this position with respect to public accommodations have expressly affirmed the more stringent nondiscrimination provisions of Public Law 78 for more than 12 years. Here is strong precedent of long tenure.

If the public accommodations provisions of the civil rights bill, S. 1731, are unconstitutional, it would seem clear that the nondiscrimination provisions of Public Law 78 are equally unconstitutional. For under both provisions, businessmen would not be allowed to discriminate among customers without being subject to governmental sanctions.

In fact, Mr. President, the sanctions in Public Law 78 to prevent discrimination are even more severe than the sanctions in title II of the civil rights measure in that Public Law 78 sanctions are imposed on innocent third parties who claim complete dependency on bracero labor. Thus, the discrimination of a few businessmen against Americans of Mexican origin or Mexican nationals may have the effect of depriving the entire grower community of its labor supply, and, consequently may, as some assert, impose severe economic hardships on other innocent businessmen and persons, who depend on the income or services of the braceros.

Surely, Mr. President, the learned Members of the Senate are not disposed to argue that it is unconstitutional to tell a businessman he must serve a Negro who is a citizen, but that it is constitutional to tell a businessman that he must serve a Mexican. Certainly, the constitutionality of a public accommodations law cannot turn on the ancestry or the color of the particular customer.

In conclusion, Mr. President, I think those Members of the Senate who have reservations about the public accommodations provisions, might well reevaluate their thinking in light of the public accommodations provisions of Public Law 78. After such consideration, I would expect many of my colleagues to candidly admit that their reservations about title II have little merit either in fact or in law and should therefore be abandoned.

Under this arrangement with the Mexican Government, when communities have expressed a need for braceros to supplement the work force during the fruit or vegetable harvest season, when restaurants or other public places have discriminated against Mexican or people of Mexican ancestry complaints have been made. The restaurants, the swimming pools—even the beauty parlors—have had to cease the discrimination before the braceros were permitted to be brought to the community. The Mexican Government has been very alert. When such discrimination has been found it has moved in and stopped it.

In my judgment this is a clear precedent for what we would do in title II of the civil rights bill. This is what is being done in areas where the Mexicans are used under the bracero program. The precedent is available. The Constitution is being honored by this kind of prohibition against discrimination.

Those who feel that private property gives unlimited license to use only need look at all the regulations property owners now face to know that property ownership, as with liberty, does not give unlimited license to immorality.

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

Mr. WILLIAMS of New Jersey. I am happy to yield.

Mr. KUCHEL. The Senator has made a very interesting series of comments in the address he has given to the Senate. The Senator and I, from both sides of the aisle, are joined as sponsors of the so-called title II. As I have listened to our colleagues, I have been inclined to the belief that the provisions of the Constitution, with respect to the amendments which were adopted after the War Between the States, remove any question of the constitutionality of title II, at least so far as I am concerned.

As my friend knows, the legislation we have introduced grounds its constitutionality not only on the amendments to the Constitution, but also on the commerce clause.

Mr. WILLIAMS of New Jersey. Exactly.

Mr. KUCHEL. My friend makes an excellent point. I congratulate him.

Mr. WILLIAMS of New Jersey. I appreciate the statement made by our distinguished friend from California. I am proud indeed that from the Atlantic, where I am proud to reside in New Jersey, to the Pacific, the great State of California, represented by the senior Senator from California, our hands extend across the country united on this fundamental principle of justice.

A family weary after a long ride through the day and through the night who cannot find a bed in which to sleep, even though there are vacancies on the way, certainly is receiving one of the greatest wrongs and injustices I can imagine. If that family cannot eat, it multiplies forever the sin.

I thank my friend again.

ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. WILLIAMS of New Jersey. Mr. President, in accordance with the previous order, I move that the Senate adjourn until tomorrow at 10 a.m.

The motion was agreed to; and (at 6 o'clock and 24 minutes p.m.) the Senate adjourned, in executive session, under the previous order, until tomorrow, Friday, September 20, 1963, at 10 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 19, 1963:

COMMODITY CREDIT CORPORATION

George L. Mehren, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 19, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 16: 19: *I would have you be wise unto that which is good and guileless as to what is evil.*

Almighty God, grant that we may be impelled by noble and altruistic motives in every plan that we are proposing and considering for the solution of our national and international problems.

Our own conscience severely rebukes us that there are frequently such variances and inconsistencies between our profession and our practice, between our promise and our performance, and between our creed and our conduct.

Inspire us daily to validate and authenticate the reality and glory of democracy by our loyalty and desire to manifest the splendor of its ideals and principles.

May we be numbered among those, who, in these perilous and troubled times, are seeking to orientate their minds and hearts to the spirit of our blessed Lord, who went about doing good and sought the welfare of all mankind.

Bless us now as we pay tribute to one of our colleagues who dwells with Thee in the eternal home.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE LATE HONORABLE LEON H. GAVIN

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, the Honorable LEON H. GAVIN, Representative in Congress from the 23d District of Pennsylvania, was a fine Congressman and a fine citizen. He will not be with us in person anymore. But his good works and good influence will last.

LEON was a man who cared. He believed in many things. And when he believed he did not equivocate. He spoke out boldly, earnestly, and clearly. Once he had made up his mind it was not necessary to ask him twice where he stood nor why he had taken that position. He cared and he dared.

Our friend was a diligent worker. From the time he was first elected to Congress November 3, 1942, just about 21 years ago, he was always on the job in his committees, on the floor, on inspection trips and back in his district reporting and learning.

And our late Congressman was a successful man. He may have personally been most proud of his activities on the Armed Services Committee and Conservation Commission, but he will be best remembered by a grateful citizenry for his labors in behalf of flood control, clean water, and recreational areas. No man living or dead did quite so much as he did to promote these fine objectives all up and down the Allegheny River basin. I know perhaps as well as anyone how intensely he felt on these matters and how diligently he worked to achieve them. People throughout western Pennsylvania and all down the Ohio River can be thankful that he lived and worked successfully to prevent floods, to reduce water pollution, and to provide at the resulting installations good recreational facilities.

Long after he may be forgotten millions will live secure from the fear of devastating floods, millions will enjoy the benefits of better water, and millions will enjoy wholesome beauty and recreation because he cared and worked for these ends. As one of the beneficiaries I say to him a solemn, "Thank you," on behalf of all of us.

To LEON'S immediate family and relatives I say only what they know and feel. They can well be proud that LEON H. GAVIN was one of them. They knew him and loved him better than we did only because they knew him better than we did. We bid him a prayerful farewell, proud, and happy that he was one of us—a splendid colleague. You, his kin, can be even prouder and happier that he was one of you—a fine citizen, a fine father, a fine husband, and a fine man. God be with you.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I will be very happy to yield to the chairman of the Committee on Armed Services.

Mr. VINSON. Mr. Speaker, I was deeply shocked to learn of the tragic loss of our colleague and my close personal friend, LEON GAVIN.

The Nation can ill afford to lose men of LEON GAVIN'S caliber. He possessed attributes of character that every man can envy.

He was loyal; he was sincere; he was courageous; and he was dedicated to the security of the Nation.

He was elected to the House of Representatives on November 3, 1942. When he passed away on Saturday, September 14, he was the dean of the Pennsylvania delegation.

He was a man who believed in his convictions, and never deviated from them. When the Armed Services Committee was formed in January of 1947, he became a member of that committee. I soon learned that the security of our

Nation and the welfare of our Armed Forces came uppermost in his mind. There was not a single tinge of partisanship in his approach to national security matters.

I relied heavily upon his advice and counsel in the many matters of legislative concern that came to our attention during the past 16 years. He met his responsibilities in the committee and on the floor of the House in an outstanding and conscientious manner.

I can say with sincerity that LEON GAVIN contributed greatly to the building up, and the maintenance of the greatest military force for the preservation of peace that the world has ever known.

He knew from personal experience the futility of war, but he also knew the urgency and wisdom of being constantly prepared for war, so that it can be prevented. He knew that our strength, and the maintenance of peace, went hand in glove together.

The men and women who serve in our Armed Forces will be forever indebted to him, for he was one of them.

He knew the rigors of military life, having served in the 51st Infantry, 6th Division, during World War I.

And I think he would want me to repeat his concern for the men who live in the mud and dust, and are exposed to the rain, the heat, and the snow, while they are performing the never-ending task of defending our Nation.

He served his congressional district, his State, and his Nation with distinction, with honor, with enthusiasm, and with wisdom.

He also found time to be active in wildlife preservation, and to become a great student of the War Between the States. Hardly a week went by that he did not come into my office with a book in hand about some incident of that tremendous conflict.

The Congress of the United States is a greater institution because of LEON GAVIN; but it is poorer today because of LEON GAVIN'S passing.

I extend my most sincere sympathy to Mrs. Gavin and her family. They have lost a husband, a father, and grandfather—the Nation has lost a champion of the American way of life, and a loyal son.

I have lost a close, personal, true friend.

It is indeed appropriate that LEON GAVIN was laid to rest in Arlington National Cemetery among those with whom he served and loved so well.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, with the passing of LEON GAVIN we have lost not solely a colleague. We have lost someone who cannot be replaced. He has left a void in our hearts that no one can fill. He was a man of determination and drive, of conviction and courage, an ardent advocate of what he believed; and so vigorously would he argue his case that he would impress one as being wholly unyielding.

But underneath this seemingly bluntness there was a humility, a compassion, and a heart of gold. He was endowed with a deep affection for his fellowmen. His generosity and kindliness was without limits. He was always thinking of others.

One of the pages remarked to me a few weeks ago that the page boys considered Mr. GAVIN one of their favorites. He was never demanding but always understanding. He always expressed an interest in them personally, treated them as members of his family and not simply messenger boys in his hire. It is my understanding that periodically he would instruct the cloakroom lunch counter to give all the pages some kind of a treat.

All this bespeaks the man who is no longer with us. It says more than I can possibly say as to the kind of man he was—kindly, generous, compassionate, unselfish.

LEON took justifiable pride in having been an infantry sergeant in World War I, and I would guess that he was one of the best sergeants that Army had. When one reflects on it, LEON typifies what we generally consider a good sergeant as being. He had a commanding appearance. He had a bombastic way of speaking. He could be austere and determined. But beneath all this there was a deep affection for his men.

The distinguished gentleman from Pennsylvania served over the years with me on the Armed Services Committee. He occupied the seat next to me. No one was more regular in attendance at committee meetings. His assistance to me personally and his contribution to the work of our committee is beyond measure. His contribution to the deliberations of the House as a whole is beyond measure.

Mr. Speaker, we have lost a truly fine and a truly great man. I have lost one of my best friends. I extend my very real sympathy to his family.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join my friend from Pennsylvania and his colleagues from his State, and our colleagues on the Committee on Armed Services and all Members of the House, in expressing my personal sense of loss over the death of our late and beloved colleague, LEON GAVIN. The House of Representatives will not be the same any more since LEON has left us.

Over the years he endeared himself to every Member of the House. He was a man of singular characteristics—great ability, independent mind, deep convictions. Strong in his views, he nevertheless had a deep sense of humor. At times he was a regular actor. He was an outstanding and dedicated Member of the House. He was a Christian gentleman. He was my friend.

LEON GAVIN was a fine Congressman who served his country well. He worked tirelessly toward the development of the resources of his own State and district, but he worked even harder for a strong and free America. We shall long remember him and his good deeds.

I extend my deepest sympathy to Mrs. Gavin and his children. May his soul rest in that peace of God which passes all understanding.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, when one loses a close and dear friend, a colleague with whom he has been associated for 21 years, it is difficult to find the words one wishes to use to pay tribute to that fallen brother. So I find it difficult today to say the things I would like to say about LEON GAVIN who traveled this way and stayed awhile and made this House of Representatives a greater legislative body, and this country a better Nation, because of his having been here.

LEON GAVIN was a man, not only of great courage, as he demonstrated in World War I and in his service here, but also one of very strong convictions, a man who would not do anything his judgment or his conscience told him was not in the best interests of those he represented and so well served.

I recall many things, as they flood back across my mind, of the days gone by and of our association together.

Mr. Speaker, I remember LEON taking the floor of the House and making many a statement on behalf of legislation in which he believed, or in opposition thereto, as the case might be. I also recall his more human side, his ability to do something most of us could not do, of how he made his annual address every year to make famous his district as the home of the groundhog at Punxsutawney, if I can pronounce the name correctly. That particular groundhog became a national symbol, if you please, so everyone in America not only knew of him, but also knew of LEON GAVIN and his great and deep sense of humor. Perhaps those annual talks he made on Groundhog Day showed to us one side of LEON GAVIN that most people did not know and did not see. His deep sense of humor, as I said a moment ago, his ability to express himself in a homely way about common things that mean so much to a great many people, who might hear his talk quoted on the air, or read about it. Yet his abilities went further.

Mr. Speaker, as a member of the Committee on Armed Services, as has been said here by the gentleman from Georgia [Mr. VINSON], the chairman of that committee; and by the minority leader on that committee, the gentleman from Illinois [Mr. ARENDS], LEON GAVIN contributed much to the strengthening of the defenses of America.

Mr. Speaker, he served here through difficult times, and two wars. His experience in World War I made him a better legislator, the type of legislator to whom all of us could turn, and *did* turn, from time to time for information and for advice in connection with those things so vital to the defense of America.

So I say, Mr. Speaker, that Leon GAVIN, while he will be missed from among our midst, will live on in the memory of all of us, in the history of this great Chamber, and in the annals of the forward march in this great Republic.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Speaker, in the death of LEON GAVIN the House has indeed sustained an irreparable loss. He was my friend, and he was my colleague on the Committee on Armed Services. It was a great privilege to serve with him on the great subcommittee of which I have the great honor to be chairman. He was the ranking minority member of that subcommittee.

Mr. Speaker, LEON GAVIN was one of the great Americans in every sense that this word connotes. He was a man who was keenly interested in the welfare of our American fighting men. He jealously guarded their rights, and he fought tirelessly for their welfare. LEON GAVIN fully earned the confidence and respect of every one of the Members of this great body. His passing will leave a void that will not be filled in the distant future.

I am certain, however, Mr. Speaker, that LEON GAVIN needs no words of praise from me. His life and the words of his deeds will be amply documented on the pages of history of this great body. The monuments that are his and the monuments erected through and by his magnificent service in this Congress are now built into the very fabric of our way of life and the freedoms with which we are endowed.

Mr. Speaker, he was an authority on the history of the War Between the States. He knew practically everything about this unfortunate event in our history. One of the great characters in this struggle was a favorite of LEON GAVIN—Stonewall Jackson.

Mr. Speaker, when Stonewall Jackson lay mortally wounded he is alleged to have said these words:

Let us cross the river and rest in the shade.

Mr. Speaker, it is fitting that LEON lies in Arlington Cemetery, that he rests on the other side of the river in the shade with other heroes of another era and of another day.

Mr. Speaker, in the words of Robert Louis Stevenson:

> Here he lies where he longed to be;
> Home is the sailor, home from sea,
> And the hunter home from the hill.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Speaker, LEON GAVIN was my friend. He was a man of sterling worth, he was a great patriotic American and a gentleman of the highest order. I remember well when he came to the Congress. I had been here a few years. I learned to know LEON GAVIN as a hard hitter, yet a man with a big, good heart. I learned to know his heartbeats.

I spoke to LEO on last Thursday right here in the House. We had a nice visit. Little did I suspect he would leave this life just a few days thereafter.

LEO was the kind of fellow who never complained, yet we know how he had many days of suffering during the past few years. He was a brave soldier, a top sergeant in World War I. I always called him the "top soak," which he liked.

I shall miss LEO, as will all of my colleagues on both sides of the aisle. I join with my colleagues in the fine things that have been said about this great and good man.

May the same God who took LEO GAVIN to his heavenly home give his family strength to bear the great loss they have sustained.

God rest his soul.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. It is my pleasure to yield to our distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, for 21 years LEON GAVIN served with distinction, with ability, with courage, and with sincerity in this great body. By designation of this great body he held several important public positions of trust, getting experience which he quickly developed into expertness in the use of the machinery of the House of Representatives in the considerations both in committee and on the floor of the House.

During those years a very strong, close, and personal friendship developed between my dear late friend, our colleague, and myself, a friendship which I valued very much. It was only a day or two before his untimely death that we were chatting and engaging in a pleasant conversation, such as anyone always had when talking with LEON GAVIN.

In any cause to which he was dedicated and interested in, he was intense in fighting for the things in which he believed. For example, in the field of conservation he made and leaves behind him an outstanding record.

In 1954 the Izaac Walton League, the National Park Association, the National Wildlife Federation, the Wilderness Society, and the Wildlife Management Institute, jointly gave LEON a plaque for his championship of the National Park System. He was the second ranking man on the Republican side on the important Committee on Armed Services. During the period he served, many serious questions came before this committee, and the Congress of the United States in connection with the national interest and with the national defense of our country, and with reference to holding back and rolling back the vicious and evil forces of international communism. History will show that LEON GAVIN was always fighting and voting for those bills and those appropriations that made America strong, and that will enable our great country to take its position of leadership during this trying period in the world's history.

He was a man of independent views, a man of strong convictions, a man who voted as his judgment and his conscience dictated.

He leaves behind him a record that has now become an integral part of the history of this great body. He also leaves behind him a record that will be a great consolation to Mrs. Gavin, their two sons, and their daughter.

We come here and we serve for a period of time, in accordance with the will and the wishes of our constituents. We represent a spirit, each and every one of us, and we leave, whether by retirement or, as in the case of our late friend, through death. The spirit of our service is left behind and becomes a part of the atmosphere and the history of this body, and the spirit of LEON GAVIN'S service has enriched this body and enriched the history of this body.

He leaves behind him a contribution that will always be recorded in the legislative pages of the Congress of the United States. He was a man who thought directly and talked directly, who expressed his views. You knew where he stood. He was a man possessed of nobility of character, a man who evidenced by his utterances and his actions his intense love of his fellow human beings.

I have been enriched in my life by knowing LEON GAVIN. I am sure all of my colleagues who served with him either in this Congress or in past Congresses have also been enriched. We are better men and women because we knew and served with such a noble-minded gentleman. Physically he has left us, but the spirit of LEON GAVIN remains with us. He will always be an integral part of the atmosphere and the history of this great Chamber.

Mrs. Gavin and her sons and daughter derive consolation from the knowledge that he believed in the truth, spiritual and otherwise, and that LEON lived up to what he believed in. I know they will derive great consolation from the knowledge that he dedicated himself to God and country, and that it will be a solace to them in the years that lie ahead.

To Mrs. Gavin and her sons and daughter, Mrs. McCormack and I extend our profound sympathy in their bereavement.

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that the minority leader, the distinguished gentleman from Indiana [Mr. HALLECK], be permitted to extend his remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

Mr. HALLECK. Mr. Speaker, it was not until Monday morning, when I arrived at the Capitol, that I learned of LEE GAVIN'S death on Saturday.

My reaction was one of disbelief. This just could not be.

And yet I realized in the next moment that this tragic news must be accepted and that a fine friend and great American was suddenly no longer with us.

It was my pleasure not so very long ago to speak in Oil City, LEE GAVIN'S hometown.

On that occasion it was evident to me that the people he represented in the Congress so diligently and ably for so many years held him in highest esteem and had for him the deepest affection.

For those of us who knew him here, this was not hard to understand.

Our departed colleague is reported to have described himself as a "sort of maverick." I cannot vouch for the accuracy of that report. But I can say that, if this was the case, he was the most helpful maverick I ever knew.

The short biography LEE GAVIN offered for the Congressional Directory speaks volumes for his inherent modesty. It tells us that he was a Republican, an Army sergeant in World War I, that he was married and had a family, and that he served continuously in the House of Representatives from the 78th Congress to the present.

He must have been a great sergeant: tough, two-fisted, but with the most wonderful sense of humor a man could possibly possess.

He carried these same fighting qualities to his career in the Congress—and that same genius for rib-tickling comments that endeared him so very much to all of us on both sides of the aisle.

LEE GAVIN was a man genuinely loved by all who knew him, and he was held in highest regard here in the House of Representatives for his significant contributions as an experienced, dedicated, hard-working member of the Committee on Armed Services.

His presence in this Chamber will be sorely missed, and to his wife and family I offer my deep sympathy in their sudden bereavement.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, the State of Pennsylvania has suffered two losses within the last several months, one a Democrat and one a Republican, both distinguished Americans; first the dean of the delegation, Tad Walter, whom we on our side of the aisle all loved, and now LEON GAVIN, whom all of us on both sides of the aisle loved.

For nearly 20 years it was my privilege—and a great personal pleasure—to know, to work with, to admire and to respect LEON GAVIN.

He was, as we in this body say, "a Congressman's Congressman." He typified, in carrying out his responsibilities, the best in our congressional traditions. His unceasing diligence, his fairness and courtesy to all regardless of party, his eternal questing for the truth, his jealous regard for the prerogatives and the prestige of the House of Representatives—these qualities won him the respect and the high regard of all the Members of this House.

And these qualities also endeared him to the people of the 23d District of Pennsylvania. Time after time they sent him back to Washington with overwhelmingly majorities. They knew a good man when they saw him, they selected him as their spokesman, and they backed him up year after year. He never let them down.

We, and the people of his district, will miss LEON, but as we say our farewell, we remember that service—service to one's generation and service to one's country—is the noblest crown of life. Service—dedicated, unselfish service—certainly was LEON GAVIN's crown.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Speaker, it is with a heavy heart that I arise to join in the tributes being paid to our beloved colleague, LEON H. GAVIN. He was elected to the House of Representatives in 1942 and has served his State and Nation well and continuously since that date. His 21 years as a legislator attest his devotion to our great Nation and well-being of its citizenry. He was motivated by the highest principles of representative government, of which he was a part. He translated his belief in the fundamental principles of democracy into actions which benefited his Nation, his State, and his constituency.

I express my deepest and most heartfelt sympathy to his devoted wife and to his children for the irreparable loss which they have sustained. With a sad heart, I join them in mourning his passing and extend to them my sincerest condolences and prayers that the good Lord may lighten their heavy burden of sorrow and that they may get much comfort from the remembering of his dedication to those principles of good government, to which he was such a firm adherent.

Pennsylvania has suffered the loss of a famous son, and the people of his congressional disrtict have suffered the loss of a devoted and forceful advocate in the halls of this great body.

It is my devout prayer that he may find peace, rest, and eternal reward in his heavenly home.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker—

The clock of life is wound but once,
And no man has the power
To tell just when the hands will stop—
At late or early hour.

Now is the only time you own:
Live, love, work with a will.
Place no faith in tomorrow, for—
The clock may then be still.

Little did any of us realize when we last saw LEON that his clock of life would be stilled so soon.

I was not privileged to know him as a younger man, but from what I have learned from colleagues, here was a man who actually did "work with a will." Pugnacious in the cause of right, he simply refused to take "no" for an answer. The highest tribute I could pay to LEON would simply be to say he was a good public servant, rendering devoted services to his congressional district, his State, and his Nation.

All of us want to remember him as a true friend, a man of courage, a two-fisted fighter but always displaying the human touch, an open mind and a warm heart.

No man is indispensable. The earth will continue to revolve on its axis, the sun will rise and set, the tide will ebb and flow but every Member of this House will miss the influence of LEON GAVIN.

My sincere sympathy to Mrs. Gavin and the family.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, it was my privilege to serve with LEON GAVIN on the Armed Services Committee for a number of years. Ours was a pleasant personal friendly relationship, which enabled me to observe in him the many fine and unusual qualities which endeared him to his colleagues and to his constituency and earned his repeated reelection. LEON was a sincere man of strong character, intense conviction, and of great tenacity in his pursuit of those convictions. He will be especially missed by those of us on the Armed Services Committee, and I join with my colleagues in expressing a feeling of personal loss and my sympathy to his family.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, it is my sad privilege to join in this tribute to the memory of LEON GAVIN. LEON and I came to Congress at the same time. He was a genuine and honest person and was endowed with an especially keen sense of humor. His true character, however, I think is pointed up in his biographical sketch in the Congressional Directory. It was his modest choice to have it contain less than five sentences and yet it includes the words as has been referred to here many times today: "during First World War served as sergeant in the 51st Infantry." One knows how proud of that service as a sergeant he was. As my sons have reminded me—"sergeants have more authority." Certainly not that LEON wanted to dominate—except for justice and fairness and progress and Godliness and the good of all of us. He will always be all that a real and lovable "old sarge" means in its true sense. May God receive him and bless his soul forever. My wife and Mrs. Gavin have been friends for many years and she joins me in extending our deepest sympathy to Mrs. Gavin, their two sons, their daughter, and the entire family.

Mr. CORBETT. Mr. Speaker, I am happy to yield to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Speaker, in one of the great eulogies of history it has been said that the evil which men do lives after them, the good is oft interred with their bones. This could not apply to LEON GAVIN. There was no evil in him to live after him. The good that he did certainly was not interred with his bones but lives after him to remind us of the person who did live and who contributed so much to his country.

His booming voice has been silenced, but the beat of his great heart will continue to echo in the ears of those of us who now live and who are privileged to have known him. Those of us who were privileged to know him and to serve with him shall never forget him. For many years LEON GAVIN served on the Subcommittee for Special Investigations of the House Committee on Armed Services of which I was chairman. For the last 4 years he sat at my left hand as the ranking minority member of that committee. Wherever LEON GAVIN was present there was electricity in the air. He was stimulating, dynamic, and most effective. You could never forget having known LEON GAVIN.

The additional words I could utter now could in no way enlarge upon that

which has already been said about him today in this body, so I merely pause to pay this simple and humble tribute to the memory of a man who had no evil but who had great capacity for good.

To Mrs. Gavin and his family and to his loyal Pennsylvania constituency may I express my deepest sympathy.

Mr. CORBETT. Mr. Speaker, it is my pleasure to yield to the gentleman from Pennsylvania [Mr. DAGUE].

Mr. DAGUE. Mr. Speaker, the Commonwealth of Pennsylvania stands bereft today of one of her most stalwart sons, this House has lost one of its most distinguished Members, and our delegation has witnessed the passing of a dynamic figure whose place in our midst can never be filled.

Our uncertain world of today has seen too few of his fearlessness and there are too few among us who care to invite the attacks of predatory interests by standing for the right as our late colleague was wont to do, even if he had to stand alone. Beneath the bluff exterior of this dedicated public servant you found a heart of gold and an infectious sense of humor that drew to his side a host of friends who never had to apologize for or explain his legislative or private actions.

It was my great privilege to enjoy LEON GAVIN'S confidence and he often reviewed with me his plans and aspirations which centered largely in the betterment of his district and the welfare of his friends and loved ones. Thus it was that when he came under recent attack by certain newspapers because of his stand for what he felt was right he displayed a sensitiveness that bordered on bewilderment that his years of service should be so quickly forgotten.

We shall mourn the loss of this good friend and in the years that may be left to us we shall recall our association with this shining exemplar of courageous public service based on honest convictions. His belief in a life beyond this vale was firmly established and we are divinely persuaded that he rests in a sunnier place where we shall all meet again those who have traveled on ahead. To his beloved wife Susan we extend our heartfelt condolences and to her and the other members of his family we offer our solicitude as they face a way ahead now darkened by this sad event.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, I wish to join with my colleagues in paying tribute to the memory of our departed friend, LEON GAVIN.

Mr. Speaker, I have listened to these tributes and I have been struck by the fact that so many in the remarks have captured the personality of the real LEON GAVIN. He was a forceful man, he was a fearless man. He was a just and capable man. He made a tremendous contribution to the welfare and security of our country.

Mr. Speaker, LEON GAVIN did a good job on the committee of which he was a member, one of the most powerful and most important in this body, the Committee on Armed Services. His interests ranged beyond that. In my work on the Committee on Appropriations, and especially on the Defense Subcommittee, I found him always helpful, always interested, and always concerned about the problems of our Nation.

Mr. Speaker, it is a sad day for us all, but we can take pride in the fact that this man has left a heritage to the House of Representatives and to his family which will endure into future days.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WHALLEY].

Mr. WHALLEY. Mr. Speaker, it is with great sadness that I rise to pay respects to our departed friend and colleague, LEON H. GAVIN. I feel privileged to have been able to have had him as my personal friend.

LEON GAVIN served his district and his Nation for many years with honor and distinction. His influence, and the warmth of his friendship extended far beyond the borders of his congressional district.

We shall feel his loss keenly, but can take comfort in the realization that, during his 70 years on this earth, LEON GAVIN lived a rich and full life, characterized by unselfish service to others.

I join my colleagues on both sides of the aisle in extending deepest sympathy to his widow and to the members of his family.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from California [Mr. BOB WILSON].

Mr. BOB WILSON. Mr. Speaker, I would like to join my colleagues in a final tribute to a very great and distinguished American—a man who served with honor in the House of Representatives and commanded the respect of every Member of this body. With the passing of LEON H. GAVIN, Mr. Speaker, I find that there is a void in the U.S. Congress which will be difficult to fill. During my few years in this body, as compared with the 21 years that LEON GAVIN served his Nation in these halls, I have never found a more honorable friend or a more devoted public servant. He was devoted completely to his Nation, his State, his district, and to his family.

I served with LEON GAVIN on the Armed Services Committee, where he was second ranking minority member—and outstanding champion of the enlisted men of the U.S. armed services. The military posture of this country today is the better for his dedication and hard work.

On many occasions, he and I would hold friendly feuds concerning the respective qualities of our home States—California and Pennsylvania. But I never once lost respect for this man who was a giant among men—both physically and mentally.

He led the fight for his constituents and his untimely death came before the completion of an important project he had championed for his district, the Allegheny River Reservoir Dam. We here in Congress will long remember LEON GAVIN. We will miss him. And, the Nation will miss his clear-sighted knowledge and devotion as a public servant.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, I learned with inexpressible shock of the death of my good friend and neighbor, LEON GAVIN. We lived in the same neighborhood here in Washington and saw each other quite often. Our service in this great House has paralleled more than two decades. Naturally, I came in contact with him at home and here on the floor of the House.

Over the years we have served together I learned to recognize him as a Member of this body who had a deep interest in the welfare and preservation of this Nation. He stood quietly but firmly for the security of our country as a ranking member of the Committee on Armed Services. He carried forth the principles of other Members of Congress from his great State of Pennsylvania in recognizing the need and fighting for the preservation of our natural resources. He was a man of great influence.

Mr. Speaker, I found LEON GAVIN to be a man of splendid character, interesting and jovial to be with. I shall miss him, as others in this body shall miss him.

Mr. Speaker, I express my deep sympathy to his family and his friends on the sad occasion of his passing.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Massachusetts.

Mr. BATES. Mr. Speaker, I consider it a great honor to join my colleagues today in paying tribute to a man who served with me on the Committee on Armed Services for some 14 years and with my father on the same committee for several years prior to that time.

I have traveled all over the world with LEON GAVIN. He was a diamond in the rough, a man who gave and asked no quarter in debate. On many occasions I know of the tremendous defense he made of the U.S. Army in the Committee on Armed Services to make certain that the mistakes made in World War I would not be repeated in the event that our country was engaged again in armed conflict.

Although he gave and asked no quarter, Mr. Speaker, I do not know of any man who had a bigger heart than LEON GAVIN. He was a pleasant man to travel with, he was an understanding individual. I considered him a real friend, not only on these trips but also as we sat together during my eight terms in the Congress on the Committee on Armed Services.

The country has lost a forceful representative, all of us have lost a good friend. I extend to his wonderful family, in whom he had such pride, a heartfelt expression of condolence.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Illinois.

Mr. LIBONATI. Mr. Speaker, Congressman LEON GAVIN was a man of solid personality—a strong, determined advocate in debate and a stanch supporter of legislative program proposals in the field of conservation and public improvements in depressed areas.

He was faithful to his party and yet made his own determinations in matters affecting the public interest.

He was a realist, practical and understanding of the problems of his people. He was kind and considerate of the rights of others and fought for principles to protect their interests.

He was a fighter at heart and loved to enter into spirited debate. His whole life interest was centered in his legislative work. As a dedicated Member of the House in the 20 years of his service he developed superb faculties of discernment and strongly voiced his position in the simple terms of the philosophers of old, colored by the earthy experiences of life itself. He spoke straight out, mincing no words and sparing none once he made up his mind that he was right.

He was a fearless public servant whose high integrity bespoke his honesty of purpose to service his district with a deep sense of loyalty to their needs and attitudes.

A great man has left us—the void he left is great—we of the Illinois delegation lost a loyal friend, a true statesman, and a powerful leader in our support.

The State of Pennsylvania has lost a great personage of high statesmanship and influence in this body. The Nation has lost a great patriot and public servant.

We send our heartfelt condolences to his lovely widow, Mrs. Susan Gavin, and his beloved family. May the Lord bless him and reward him with heavenly bliss.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, I first became acquainted with LEON GAVIN shortly after I came to Congress about 13 years ago. About 11 years ago I became a member of the Committee on Armed Services and from that time on had been very closely associated with him. I found him to be a dedicated man, a man who never compromised on his principles, who always fought for what he believed to be right.

There are many fine things I could say about Mr. GAVIN, but one of the greatest is we have never had a man in this Congress who showed a more continuing interest in the welfare of the enlisted man in our armed services. I do not recall any legislation coming before the Committee on Armed Services where he did not take a special and leading interest in the welfare of the enlisted man. He could be compared in many ways with Ernie Pyle, the great writer of World War II, who glorified the enlisted man in the service. That was an outstanding characteristic of LEON GAVIN.

We who knew him well knew that with all of his seriousness that he had a keen sense of humor.

He was a very dear friend of mine. He was held in the very highest of respect by his colleagues. He was a man of character and a fighter for America.

We in the Committee on Armed Services will miss him in committee and all of us will miss him on the floor of the House. While I never knew his family intimately, I do know of his great devotion to them and know that they knew they had a very devoted husband, father, and grandfather.

All of us will miss LEON for a long, long time.

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that the following gentlemen may have permission to extend their remarks at this point in the RECORD: Messrs. FULTON of Pennsylvania, MILLIKEN, SCHWEIKER, KUNKEL, WEAVER, MCDADE, and AUCHINCLOSS.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a real feeling of personal loss to learn of the passing of my good friend, Congressman LEON GAVIN, of Pennsylvania. I join with my other Pennsylvania colleagues in paying tribute to our longtime friend and outstanding dean of the Pennsylvania Republican delegation. We are all sorry to learn of the sudden passing of LEON GAVIN, who has faithfully served the Congress and his district for 21 years.

LEON GAVIN was an example for those of us who worked with him, as a man strong in his beliefs, dedicated, patriotic, and determined in his convictions.

Not only have we Members of the Pennsylvania congressional delegation lost a close friend and colleague, but the whole Congress will miss LEON GAVIN, who had attained the second ranking position on the Armed Services Committee of the House of Representatives where he had served so patriotically and effectively. As a veteran of World War I and who served during World War II in the Congress, and continuously since that time, LEON GAVIN worked and fought for a strong defense of our good country.

I express especially to Mrs. Susan Gavin, as well as her two sons, William G. Gavin of Falls Church, Va., and Attorney John R. Gavin of McCandless Township, Allegheny County, Pa., and daughter, Mrs. Gordon Gudmestad of Seattle, Wash., my sincere sympathy in their sorrow and my deepest personal regards.

We friends will certainly miss LEON GAVIN, and his cheery, hearty greeting as he entered any delegation or committee meeting, "At ease, men, I was a private once myself." Such warm hearted and loyal friendships are really worthwhile, and LEON was a fine Congressman and a fine friend.

Mr. MILLIKEN. Mr. Speaker, it was with great shock and a profound sense of loss that I learned of the sudden death of my colleague from Pennsylvania, the Honorable LEON H. GAVIN.

During my years in the House of Representatives I came to admire and respect "LEE" GAVIN as one of the outstanding members of the Pennsylvania delegation. His life was one of dedicated public service—to his district, his State, his country, and the Committee on Armed Services on which he served so ably.

The people of the 23d Pennsylvania District have lost a real public servant and a friend in "LEE" GAVIN. He will be sorely missed by them, as well by his many colleagues on both sides of the aisle in the House where he served so many years. To Mrs. Gavin and to his family I offer my sincere sympathy.

Mr. SCHWEIKER. Mr. Speaker, it was with a deep sense of sorrow that I learned of the death of my distinguished colleague from Pennsylvania, the Honorable LEON GAVIN. His constituents, his many friends in the Congress, and the people of Pennsylvania have suffered a great loss in his passing.

His unfailing devotion to duty and his dedicated service to his district, his State, and his Nation will be sorely missed. The intelligent guidance and helpful advice which he willingly gave to his younger colleagues have endeared him to many.

LEON GAVIN'S unselfish leadership as head of the Pennsylvania Republican delegation will not soon be forgotten. For me, it has been a distinct honor to serve as delegation secretary under his able chairmanship.

His family and countless friends may always take comfort in knowing that LEON GAVIN has left a deep mark on the world he served so well. Claire and I extend our deepest sympathies to Mrs. Gavin and her family.

Mr. KUNKEL. Mr. Speaker, never have I been more deeply shocked and grieved than when the news of the sudden death of my tried and true friend, LEON H. GAVIN, was flashed on the television last Sunday afternoon.

We had been good friends ever since LEON'S first election—to the 78th Congress. In all that time, I can never remember any disagreement with him on any subject other than the friendly arguments one has here in the House in respect to differing viewpoints on legislation. But LEON was a broadminded man. You could differ with his views and opinions without fear of marring your personal relationship in even the slightest degree.

LEON was a sturdy individualist. He studied legislation carefully. He reached his own independent conclusions. He always acted for what, in his judgment, were the best interests of the Nation and the State and his district. Few people have ever worked more strenuously for the welfare of a district than did LEON for his. There are many memorials to his efforts now dotting the 23d District of Pennsylvania. In any projects or matters affecting the welfare of the State of Pennsylvania, LEON was always a leader in the battle to obtain them.

LEON was the dean of our delegation on the Republican side. He was the eighth ranking Republican in the House. For many years he had been a distinguished and valuable member of the great Committee on the Armed Services. At the time of his death, he was the second ranking Republican member. He took a tremendous interest in his committee work. He contributed greatly to the building and maintenance of the defense of our Nation in many ways through his activities on that committee.

LEON was always ready to assist a friend. I can recall many instances when he willingly and enthusiastically cooperated with me in helpful ways. He had unbounded energy and a keen sense

of humor. I will always remember the way he would come into our delegation meetings with the announcement, "At ease, I was a private once, myself."

The Nation, the Congress, the State of Pennsylvania, and in particular, the 23d District and his countless friends have suffered a great loss.

I am saddened by the loss of his warm and understanding friendship, but I am thankful for having once possessed it.

To his wife and family, I extend my deepest sympathy.

Mr. WEAVER. Mr. Speaker, in the death of Mr. GAVIN the Pennsylvania delegation, the Commonwealth of Pennsylvania, and the Nation have lost a distinguished leader who ably served his country.

His loss will be particularly felt in northwestern Pennsylvania. We of Pennsylvania have closely observed his concern for the welfare of his constituents and the conscientious manner in which he handled problems facing the Nation.

He was a sincere, dedicated public servant whose election to the House 11 times indicates strongly the confidence and faith his constituents placed in him.

Mr. GAVIN, through his long tenure in office, gained a thorough knowledge of the operations of Government. His advice and counsel since I became a Member of Congress have been invaluable to me.

Mr. GAVIN had a deep interest in conservation work. He consistently fought for adequate funds for the development of forests and the fish and game resources on public lands. For his interest in this field he was presented a national award for distinguished service.

In his services as a member of the House Armed Services Committee he championed a strong America and showed a sympathetic interest to the problems and welfare of members of the armed services and veterans.

Who could forget his pride in being a sergeant of World War I. Many times when he would stride into the Pennsylvania delegation meetings where he served as dean and chairman, his top sergeant voice would boom out: "At ease men—do not stand up; I was once a private myself."

The warmth and vitality of this long-term Congressman was and is an inspiration to all of us who follow in his footsteps.

It is with deep regret that I express my sympathy to Mrs. Gavin and the members of her family.

Mr. McDADE. Mr. Speaker, I join with my colleagues in the House to extend my deepest sympathy to the family of Congressman LEON GAVIN.

Knowing LEON was to me a great privilege. He demonstrated qualities of leadership and a tireless devotion to his district, to the Congress, and to the Nation. Perhaps more important than all of these, LEON possessed rare qualities of kindness. This, more than the tremendous record of his accomplishments, will remain with me always.

LEON "fought the good fight, he finished the course, and he kept the faith." We shall all miss him deeply.

Mr. AUCHINCLOSS. Mr. Speaker, I am much saddened by the untimely death of our colleague, LEON GAVIN, who represented the 23d District of Pennsylvania. He came to Congress the same year that I did and I always had a deep respect for his judgment and was honored by his friendship.

He called himself a sort of a "maverick" and indeed it is a fact that he asserted his independence not only in his thinking but in his actions. However, there is no doubt that people admired him for this quality and although he may not have agreed with you, he bore no ill will and there was no rancor in his heart. He was blessed with a constructive and keen sense of humor which he used on occasions to emphasize an argument and it would make a definite impression on his hearers. His remarks on Ground Hog Day were looked forward to by his colleagues and although his subject was always the same, there was nothing trite or repetitious about what he said and it was a delight to listen to him.

There were few men that I have known who had a greater spirit of patriotism or love for America than LEON GAVIN. He was a devoted citizen and had no patience or tolerance for any theory of government or ideology which would weaken the fundamental principles on which our Nation was founded. He was an inspiration to all with whom he came in contact and an example for all Americans in the honor and respect he gave his country.

His death leaves a void in the Congress which will be hard to fill but the memory of this great man will linger long in the hearts of those who knew him and the effectiveness of his unselfish and ardent spirit will last through the ages.

I extend my sincere sympathy to the members of his family who suffer greatly in this bereavement and I bid them take heart and comfort in the knowledge that he was a "true and faithful servant" who has attained a rich reward.

Mrs. KELLY. Mr. Speaker, today I join my fellow Members of Congress in paying tribute to the memory of a most esteemed colleague, LEON GAVIN.

In his long and distinguished career of public service, LEON GAVIN was notable for his dedication and perseverance. Determined to achieve that which he believed to be right, he worked hard and successfully for the welfare of his home State, and the Nation as a whole.

My deepest, heartfelt sympathy is offered to his family. May God's blessings sustain them in their loss.

Mr. SIKES. Mr. Speaker, I share the regret that has been expressed by my colleagues over the death of our colleague, LEON GAVIN. It is a very genuine regret. Here indeed was a man. His service was outstanding. We served together for a longtime. I knew him better than most. I think he was absolutely fearless in his approach to the problems before the Congress.

Here was a man who gained and held the respect of his colleagues even when he differed with them. We knew that he spoke, in his vigorous and straight forward manner, from the heart; that he was sincere. Here was a man who loved his America, who stood up for it, who fought to preserve and protect its institutions, and who gained a great name by his devoted and unselfish service. A strong voice is gone; a strong leader is gone; a sincere and devoted American is gone. In LEON GAVIN'S death, the Nation has lost an able and articulate spokesman for good and sound government.

Mr. PHILBIN. Mr. Speaker, it is with a very heavy heart indeed, as well as with a sense of shock and deepest grief that I learned of the sudden, unexpected death of my very dear friend and esteemed and admired colleague, Congressman LEON GAVIN, of the great State of Pennsylvania.

Only a few days ago I talked with him at some length in the House and in the House restaurant, but as usual, he appeared to be hale and hearty, extremely vigorous, and in good health. He looked exceptionally well, and in his characteristically lively, forceful manner, exchanged views with me on a number of pending public questions and controversies presently before the Congress.

When I left him, little realizing it was our last talk, he cheerfully wished me a good weekend and remarked that he looked forward to seeing me Monday. So I repeat, Mr. Speaker, I am shocked almost beyond expression, and touched as I have seldom been by word of his truly untimely and unanticipated demise.

LEON GAVIN was one of the greatest Americans I have ever known. He was a patriot in the best sense of the word—dedicated to his country, and to the cause of free, democratic government. In war and in peace, he enthusiastically and courageously demonstrated his loyalty and devotion to the principles of our Nation and the American way of life.

He was a man of very strong convictions which he did not hesitate to express. He was a man of great humane quality who had deep feelings for his fellow man and the people of the rank and file of our citizenry. He was the true friend of the people, their stalwart champion and eager servant.

In his work on the House Armed Services Committee, which he performed with great diligence, sincerity, and high purpose, time and time again he made it clear beyond any doubt that he was not only very well informed concerning the needs but absolutely committed to meeting them promptly and efficiently in the interest of the national security and a well rounded, effective national defense. As a fellow member of the committee, like all colleagues, I greatly admired him.

His extensive experience in military action during World War I, in which he made a distinguished record, gave him a deep insight into the problems of the armed services and enabled him to make particularly valuable contributions to the deliberations and work of our committee.

Endowed with great natural ability, impeccable character, high ideals, devotion to lofty principles and an eagerness to serve his district, State and country,

LEON GAVIN has left us all a legacy of able, devoted public service which will long remain an inspiration.

He will long be remembered in this historic Chamber for his rugged Americanism, his profound love of freedom, his able, dedicated service, his outstanding patriotism, and the depth of his compassion for the inarticulate, the poor, helpless, and the needy.

In the passing of LEON GAVIN, a devout and God fearing soul, I have lost a dear and valued friend. The House has lost one of its most able and zealous Members. His district has lost an outstanding representative, and the Nation has lost a loyal and devoted patriot and public servant.

My heart goes out to his bereaved family whom he loved so dearly—his gracious helpmate and wife, Mrs. Gavin, his loving sons, their families and all his dear ones, whose loss is so great, so poignant and so deeply felt.

I hope that in this great sorrow that has come to them with such crushing suddenness that the good Lord will bring them true reconciliation, strength, consolation and peace, and I hope and pray that our beloved and cherished friend, LEON, may find everlasting surcease and rest in his heavenly home.

Mr. SCHNEEBELI. Mr. Speaker, the dean of our Pennsylvania Republican delegation, LEON GAVIN, was a friendly, lovable, and dedicated legislator. Since the beginning of this year, when he was elected our delegation chairman, LEON brought our group together much more closely as a unit by his sympathetic leadership and we shall certainly miss him on the floor and as presiding official at our biweekly meetings. He worked hard at building our group into a harmonious unit and he was most cooperative with each of us in the delegation.

LEON took his legislative responsibilities most seriously and he was ever trying to determine his proper course of action. He was dogged in his objectives, as was noted in his recent success in having secured approval for authorization for the Kinzua Dam project in his congressional district. He had many odds and disadvantages to overcome in achieving this success but he was relentless and driving until he finally succeeded.

LEON enjoyed tremendously his work as a Congressman and he was rightfully proud of his many accomplishments in behalf of his ideals. We shall miss him and his beneficial guidance and counsel in the future. Mrs. Schneebeli and I extend our deep sympathy to Mrs. Gavin in her grief and sorrow resulting from LEON'S sudden and tragic passing.

Mr. MURPHY of Illinois. Mr. Speaker, it was a great shock to me, and to my staff, on learning of the untimely passing of Congressman LEON H. GAVIN.

Mr. GAVIN was in his 21st year as a Representative of the 23d District of Pennsylvania. He was second ranking minority member of the House Committee on Armed Services, and dean of the Republican delegation from Pennsylvania.

Mr. GAVIN was deeply interested in flood control and devoted his untiring efforts toward the completion of an important project for the construction of the $100 million Allegheny River reservoir dam in Warren County, Pa. His great interest in wildlife was indicated by his acceptance as a House representative on the National Migratory Bird Conservation Commission.

LEON GAVIN was one of the first Members I met when I became a Member of the 86th Congress. Because our offices are adjacent, a close friendship and warm relationship developed between us and members of our staffs. He was helpful to me in setting up my office and his staff has been very cooperative with mine.

LEON was not only my colleague, but a close personal friendship existed between us. His loss will be keenly felt by not only his constituency but by the entire membership of the House of Representatives.

Mrs. Murphy joins me in extending our heartfelt sympathy to Mrs. Gavin, his lovely daughter, and two sons for the great loss they have sustained. May God grant him peace everlasting.

Mr. MORGAN. Mr. Speaker, we are all saddened by the sudden death of our colleague, LEON GAVIN, who was dean of the Pennsylvania Republican congressional delegation.

I knew LEON through the years of our service in the Congress as a sincere friend and gentleman who, although on the opposite side of the aisle, was always ready to cooperate whenever he thought the case was just or whenever the action would be of benefit to our country and State.

He represented the 23d District in northwestern Pennsylvania with conscientious ability. He was elected by comfortable majorities for 11 terms, which is evidence of the esteem in which he was held by his constituency.

He was the second ranking minority member of the House Armed Services Committee. He served that committee and this Congress with distinction.

He was a good man, a sincere, earnest, able, and hard-working legislator. He will be missed, not only by this Congress but by the State of Pennsylvania and the Nation. To his widow and his children who survive him, I extend my deepest sympathy.

Mr. LANGEN. Mr. Speaker, once more we gather in the hushed atmosphere of this room to speak softly but sincerely of a colleague whose voice has been stilled by the firm hand of our Maker. There is a certain amount of regret in our hearts as we rise in eulogy; regret that our departed colleague is not present to hear what we say; regret that many of our words were not uttered long ago.

LEON GAVIN walked up to me in this very Chamber the Thursday before his death. We had our usual friendly chat and the subject turned to the problems of maintaining good health. I was pleased to hear that LEON apparently had none of the problems that face others. He remarked that he had never felt better. His words were sadly recalled 3 days later as the flags were lowered to half-mast in his memory.

We will miss LEON GAVIN'S dedication to the principles of good government. We will miss his devotion to his country and to this legislative body. We will miss his vast experience as a lawmaker.

Ground Hog Day will never be quite the same without his pertinent remarks on the subject.

We will long remember his forceful and persuasive voice as he faced this body, a voice that could and often did put a certain amount of fear into the hearts of his listeners. Unless you knew LEON GAVIN well, you might not perceive the quiet, thoughtful personality within.

Our sincere sympathy is extended to his family in their hour of sorrow. We, too, will miss LEON GAVIN, an American statesman who gave his full measure to the preservation of the freedoms he held so dear.

Mr. SAYLOR. Mr. Speaker, with the death of LEON GAVIN, the House of Representatives has been deprived of a dedicated, able, and conscientious Member.

The State of Pennsylvania and his Congressional district have lost a public servant whose entire political career was distinguished by the highest sense of duty and service.

Those of us in this House who were privileged to know him well have lost a valued friend and a wise colleague.

His family, to whom we all extend our heartfelt sympathies, have lost a devoted husband and father.

LEON GAVIN was his own man. His stand on public issues was dictated by his head, his heart, and his conscience. This independence was an inspiration to all of us and a source of the profound respect in which we all held him.

LEON GAVIN is dead, but he has left us a rich heritage.

He has left this House a better place as a result of his 20 years of service here.

He has left his country a stronger nation, especially as a result of his keen interest in conservation and his work on the Armed Services Committee.

And he has left to each of us a noble gift indeed—the memory of a man whose life exemplified the highest ideals of honor and integrity.

Mr. HALEY. Mr. Speaker, I rise to join our colleagues on this sad occasion in paying tribute to our departed friend, the late LEON HARRY GAVIN, Representative from Pennsylvania.

It was my privilege to meet LEON soon after I became a Member of the 83d Congress. We represented different regions of this great Nation. We were members of different political faiths and we never served together on a committee of the Congress, but we became good friends and I cherished this friendship.

This was a man who was dedicated in the service of his State and his country. I had the deepest respect for his ability, for his knowledge and for his long and effective service in the House of Representatives.

I know that the people of Pennsylvania have lost a noble son. Our Nation has lost one of her finest citizens and most able legislators.

To Mrs. Gavin and her children, I express my deepest sympathy.

Mr. KIRWAN. Mr. Speaker, it is with deep regret that I note today the passing

of one of our dear friends and colleagues from Pennsylvania, LEON GAVIN.

It was my privilege to have served with him during his 21-year career in the House, and I shall long retain fond memories of our association.

Over the years LEON GAVIN earned the respect and esteem of every Member of this body. He was a man of immense character; more so, he was a man of his word. His dedication and determination were well known to his colleagues as well as to his constituents who reelected him on 10 consecutive occasions. He was an ardent partisan, but an independent voter, and he cherished his independence.

It is said that a man is best judged by those with whom he works. I think I can speak for the whole House when I say that in the estimation of his colleagues, LEON GAVIN was a fine man.

We are all a little poorer with the loss of any valued item, but we are poorer still with the loss of a good friend.

Mr. McCLORY. Mr. Speaker, in expressing admiration for the life and works of our late colleague, LEON H. GAVIN, I want to recall that during this—my first term—it was my privilege to have my office next door to his in the Longworth House Office Building.

Mr. GAVIN was cordial and friendly to me as well as to others with whom he came in contact. A legislator of courage and conviction, he expressed his considered views articulately, both on and off the floor of the House of Representatives. He gave modestly the benefit of his wisdom, gained from a lifetime of experience and adherence to the highest principles.

The spirit and the wisdom of LEON H. GAVIN, esteemed and long-time Member of Congress from the 23d District of Pennsylvania, will live on—in the Halls of Congress and in the memory of his colleagues. The respect and praise expressed on this occasion can attest in only a small measure to the high esteem in which we have always held him.

In joining in these expressions of respect for my friend and colleague, the late LEON H. GAVIN, I want also to communicate my deep and heartfelt sympathy to his beloved widow and children.

Mr. O'HARA of Illinois. Mr. Speaker, today there is a void in this historic Chamber and in our hearts is the pang of a personal grief. It is difficult to understand the pattern of life. Only on last Thursday as I was coming through the tunnel to the Capitol I was charmed, as I have been on many occasions during many years, by the heart-warming voice of LEON GAVIN in greeting of a colleague and a friend. He seemed in the full vibrancy of life and there was no indication in his manner or his appearance that it was the last time I was to hear a voice that long association and warm friendship had endeared to me. I was shocked when I heard of his passing in a radio news broadcast on Sunday.

LEON GAVIN was genuine in everything that he did and he was genuine in every word that he uttered. There was nothing artificial about LEON GAVIN. Affectation was foreign to his nature. I shall always remember him as a great American who in high public office lived up to the tradition that a public official is a public servant.

I shall always remember his speeches from the well of the House, his ringing voice, his employment of plain and understandable words, his ardor, his so apparent sincerity in his convictions. In the seven Congresses in which I have served with him I cannot recall a single occasion when the Speaker had to call the House to order because the Members were not listening.

In his passing I have lost a beloved friend and I shall miss him sadly. I share in the grief of his wife and children, and to them I extend my deepest sympathy.

Mr. McINTIRE. Mr. Speaker, the passing of our colleague and good friend LEON GAVIN touched me with deep sadness.

It was my privilege to have his friendship and counsel during my entire service in the House of Representatives, and this association is one that I will always treasure.

LEON GAVIN was always an eager and able participant in the legislative proceedings of this Chamber, and he was held in the highest regard by the Members of this body. As both a person and a legislator he will be sorely missed.

Mrs. McIntire joins with me in extending heartfelt sympathy to the members of the Gavin family.

Mr. HEMPHILL. Mr. Speaker, it is with sadness today that I join other Members of the U.S. House of Representatives in paying tribute to the life and the service of the late, the honorable, and the beloved LEON HARRY GAVIN, who so ably represented the 23d District of Pennsylvania in the U.S. Congress. To his family and his legion of friends, Mrs. Hemphill and I extend our deep and continuing sympathy.

It was not my privilege to know Congressman GAVIN intimately. Like so many others, I only knew him through his appearance and his work here on the national scene. He was a man of honor, and a source of aggressiveness. He was determined and he was dedicated. All of us recognize that he strictly attended to the business of the Congress, especially the business of the Armed Services Committee on which he was so valuable a member for so many years.

We can take example from him. Example of service and dedication and dignity. I would hope that his family and friends find comfort in the reflection of a useful life lived by a man who was truly a great American.

Mr. KEOGH. Mr. Speaker, it was with sadness that I learned of the sudden passing of our distinguished and beloved colleague, LEON H. GAVIN of Pennsylvania, for he was my good and old friend.

For 21 years, LEON GAVIN served faithfully and well in the House. He represented a mixed industrial and farming area in northwestern Pennsylvania and, unfortunately, died before the completion of a project in which he was greatly interested and which consumed much of his interest and effort—the $100 million Allegheny River reservoir dam now being constructed in Warren County, Pa. He was the second ranking Republican member of the Armed Services Committee and the dean of the Pennsylvania delegation. He was a sincere, hardworking Member whose bright bits of levity occasionally lightened the arduous proceedings of this body.

LEON GAVIN was a kind and friendly man without malice who devoted himself to the interests of the people of his home community and to the welfare of our country. He will be greatly missed by all of us who were privileged to know him and to serve with him. I extend to Mrs. Gavin and to his sons and daughter my deep and heartfelt sympathy on their great loss. I hope that they will find consolation in the thought that LEON had a long and active life and leaves behind a rich heritage of public service.

Mr. RHODES of Pennsylvania. Mr. Speaker, I was saddened to learn of the death of my respected colleague, Representative LEON GAVIN, of Pennsylvania's 23d District.

Representative GAVIN was dean of the Republican delegation from Pennsylvania and was highly respected by all Members of Congress of both political parties.

I have known LEON as a very good friend ever since I came to the Congress. His cordiality, good humor, and dedication to public service made him a justly revered friend and an outstanding Congressman.

I join all of his colleagues in offering my condolences to Representative GAVIN's family.

Mr. COHELAN. Mr. Speaker, I join with our colleagues in expressing deep sorrow and regret over the passing of a revered and valued Member of the House.

It was my great privilege to serve with LEON GAVIN on the House Committee on Armed Services. There, and on the floor of the House, I came to know and respect this man as a loyal and distinguished public servant; as a courageous American dedicated to the ideals of our country and to those policies which he believed would enable us to achieve and maintain our greatness.

"Sarge" GAVIN, with his voice and bearing, brought the image of the first sergeant to the Halls of Congress. He was proud of his well-earned nickname and responded to it with zest. His comrades of World War I and his colleagues seldom could remember LEON—it was always "Sarge," and it stuck. The U.S. Army has lost a devoted and loving advocate. His support of the "GI" was unceasing. "Sarge" GAVIN's colorful presence in the House where he served so faithfully for so long leaves an enormous void. But the legend of "Sarge" will be remembered wherever "dogfaces" and "doughboys" get together.

Mrs. Cohelan joins with me in extending our heartfelt condolences to Mrs. Gavin and their children.

Mr. DORN. Mr. Speaker, in my 15 years of service in the Congress, I have never known a more conscientious, more dedicated, hardworking Congressman than LEON HARRY GAVIN. He gave his life in the service of his country. From the time he was a soldier in World War

I, he fought for a strong national defense; he was a great statesman, and America is a more secure nation as a result of his dedication, patriotism, and outstanding service.

Mrs. Dorn joins me in deepest sympathy to his devoted family.

Mr. GROSS. Mr. Speaker, I feel a real sense of personal loss in the death of my friend, LEON GAVIN.

He was a dedicated, working Member of the House. Beneath his brusque exterior and his readiness to fight for what he believed to be right, all of which led me to affectionately address him as "Scrap Iron," there was a warm and friendly heart. Members of the House will miss his presence and will not soon forget him.

I join with my colleagues in extending sincere condolences to Mrs. Gavin and the other members of his family.

Mr. RIEHLMAN. Mr. Speaker, I was shocked, along with other Members of Congress, to learn of the death of LEON H. GAVIN.

Ever since I have been a Member of Congress I have known him quite intimately. Through the years I have appreciated the assistance and advice he has so generously given me.

I was particularly fortunate in obtaining his advice on matters dealing with the Military Establishment. He devoted so much time and energy to this field and was truly expert in it.

His loss will be deeply felt in the House of Representatives, his community, and in our country.

I offer my heartfelt sympathy to his family.

Mr. WINSTEAD. Mr. Speaker, I was shocked and grieved to learn of the passing of my friend and colleague, the Honorable LEON H. GAVIN. The State of Pennsylvania, as well as the entire Nation, has lost one of its most outstanding citizens.

It was my privilege to serve with LEON on the House Armed Services Committee for many years. I have never known a more dedicated and patriotic American and I am certain that, through his effective and untiring efforts as a member of the committee, he made many lasting contributions to the defense of the country he loved so well.

LEON GAVIN will be greatly missed by his colleagues in the House and I know the people of his congressional district will find the task of replacing him a difficult one indeed.

To his devoted wife and other members of the family, I extend deep and sincere sympathy.

Mr. DERWINSKI. Mr. Speaker, I join my colleagues this afternoon in paying my deep respect to our distinguished former colleague, LEON GAVIN, whose sudden death last Saturday night was a great shock and loss to all of us.

LEON was a hard-working and conscientious Representative, an outstanding citizen, and a credit to his State and to the Nation. Since his election to Congress in 1942, his service to the people of his district won for him their utmost faith and confidence, which was evidenced by the overwhelming majorities with which he was continuously returned to Congress.

LEON GAVIN was particularly interested in conservation, and had been honored nationally by the National Parks Association, the Izaak Walton League, and other organizations and societies, for his great work in this field.

We shall miss him greatly, and I join my colleagues in extending deepest sympathy to his family.

Mr. STRATTON. Mr. Speaker, I rise to express my deep sadness in the loss of my good friend, our colleague, LEON GAVIN. Since coming to the Congress 5 years ago I have had the privilege and pleasure of serving with LEON on the great Committee on Armed Services. I had come to have a high regard for his integrity, for his outspoken courage, for his independence, and for his dogged persistence in behalf of those causes in which he deeply believed.

As one who had served in the Army in World War I, LEON GAVIN was always an effective spokesman in our committee for the Army, indeed more particularly for the hard-working, plodding, unsung rank-and-file infantryman who really wins the battles and wins the wars, even in this mechanized and computerized age of ours. Even with the growing complexity of sophisticated and automated weapons systems, LEON GAVIN never let our committee or those representing the Department of Defense who appeared before us forget that after all we needed to look out for the men whose courage and whose willingness to run risks really provided the core of our military preparedness.

Mr. Speaker, GI Joe lost a real friend and champion in the passing of LEON GAVIN, and we too in this Congress have lost a dear and a thoughtful and a devoted colleague. I only hope that as a result of my own years of association with LEON GAVIN perhaps something of his concern for the man who wears the pack, the man who carries the rifle, the man who walks and climbs instead of riding—the so-called little man, whether it be in military operations or in any other field of human endeavor—has rubbed off on me and that in that committee which LEON loved so devotedly and which he served so effectively we can all join together in the months ahead to carry on the fight that he had come to make so distinctively his own.

Mr. HALL. Mr. Speaker, I join in expressing the sense of loss that the Congress and the Nation have suffered in the death of LEON GAVIN. It was my privilege to serve with LEON on the Armed Services Committee.

As the second ranking minority member of that committee, he made a lasting contribution to the security and well-being of our country. He had a great sense of responsibility both to his constituents and to the Nation as a whole, and he always applied his vast experience toward the solution of the difficult issues before our committee.

He will be missed by all of us, and I want to express my sympathy to his family, even while assuring them that the impact of his dedication to principle will always remain among us.

Mr. PELLY. Mr. Speaker, the sudden passing of our colleague, LEON GAVIN, deprives the Congress and the House of one of its most effective Members. Likewise it deprives the Nation of one of its most devoted and patriotic citizens.

LEON GAVIN was always in the forefront of any legislative issue involving the defense of our country and he was an ardent and vigorous debater. Also in matters of interest to his country, his State, and his legislative district he never failed to actively fulfill his responsibilities. Mr. Speaker, all Members on both sides of the aisle respected LEON GAVIN and held him in real esteem and affection.

Certainly, our departed colleague will be greatly missed and fondly remembered in the years to come.

His death is a real loss and I join his friends and colleagues in expressing profound regret. A great legislator, a good citizen and a genuine and good man has gone to his reward.

Mr. EVINS. Mr. Speaker, I wish to join with my colleagues from Pennsylvania and others in paying a brief but sincere tribute to the memory of our late colleague, LEON H. GAVIN, the gentleman from Pennsylvania, whose sudden death has saddened us all.

Congressman GAVIN has had a long and distinguished career of service as a Member of this body. He was an important and well respected and esteemed member of the Committee on Armed Services. He was a gentleman of integrity and character who served honorably and well his district, State, and Nation.

I knew LEON GAVIN as a warm friend and colleague. During my early years of service in the House, I lived in the same apartment building with Congressman GAVIN and we began a friendship at that time which continued through the years.

I know of his great fight to secure approval of appropriations to have built in Pennsylvania the great Allegheny Dam. He fought tirelessly for the things he believed to be best for his district and State—and I admired him for his great work and dedication. He was a great American and will be greatly missed.

I extend to Mrs. Gavin and to the other members of his family an expression of my most sincere sympathy in their loss and bereavement.

Mr. CONTE. Mr. Speaker, it is with a great sense of loss that I join with my colleagues in mourning the death of LEON H. GAVIN. His death on Saturday at the age of 70 was a severe blow to me, and he will be sorely missed in this House where he served so long and so notably.

Not only was his death a shocking blow to all who knew him but also to those whom he served in the greater State and Nation. I say this because LEON GAVIN spoke for the entire Nation as well as for the district he represented in northwestern Pennsylvania.

A distinguished Republican in the House, and the second ranking Republican member of the Armed Services Committee, LEON GAVIN was not a rubber stamp for any man, and often voted against the wishes of his party if he felt that a particular issue was not in the best interest of the Nation.

Congressman GAVIN impressed his colleagues in many ways, Mr. Speaker, and was a great source of inspiration to the younger Members of this body.

A dedicated wildlife expert, and the House representative on the National Migratory Bird Conservation Commission, LEON GAVIN fought diligently for a sound national wildlife program. I personally benefited from his warm and gracious advice on numerous occasions.

On a working basis, it would be hard to imagine a more genuine man, and daily meetings with him were a thing of great joy. His wit was precious, and he was a serious man. This is a rare distinction in times like these. He will be greatly missed, and I want to extend my deepest sympathies to his wife and three children.

Mr. CHENOWETH. Mr. Speaker, I was greatly saddened last Sunday when I learned of the passing of our colleague, LEON GAVIN. I wish to extend my sincere sympathy to our colleagues from Pennsylvania on this great loss, which all of us share with them.

I recall when LEON GAVIN came to the House. We had mutual friends in my hometown of Trinidad, Colo., who had known LEON in Pennsylvania. This gave us a common interest and I soon learned to appreciate his many sterling qualities. We had many pleasant visits and I always enjoyed talking to him.

LEON GAVIN was a sincere and dedicated public servant. He was most diligent in looking after the interests of his people. He was enthusiastic about any work in which he was engaged. There was never any question as to where LEON GAVIN stood on issues considered by the House.

I liked LEON and I am going to miss him. His passing is a distinct loss, not only to his district, but to his State and the entire Nation. He was an able and efficient legislator, and served in this body with great distinction. LEON GAVIN was a patriotic American, and a champion of constitutional Government.

I extend my deep personal sympathy to Mrs. Gavin and the children.

Mr. FISHER. Mr. Speaker, LEON GAVIN was elected to the 78th Congress. He and I entered Congress together and I have known him quite well throughout the time he served in this body. For a number of years both of us have been members of the House Armed Services Committee. These associations have given me an opportunity to become well acquainted with him and to understand and appreciate his many outstanding qualities.

LEON GAVIN was an honorable man. He was an uncompromising enemy of graft and corruption in any form and was one of the leaders in the House in opposition to waste and extravagance in the operation of the Federal Government.

LEON was a fighter and a very articulate advocate of principles of good government which he espoused. At the same time, he was very humble and took more than a passing interest in the little things in the lives of the people with whom he was associated. He was indeed a beloved character who fought the good fight and achieved and deserved the plaudits, the admiration and respect of all his colleagues. I extend to the family my deepest sympathy in their bereavement.

Mr. MILLER of California. Mr. Speaker, LEON GAVIN was my friend and I shall miss him. All of us shall miss him and that makes our sorrow all the more poignant.

I have many enjoyable memories of association on the Committee on Armed Services and although our political views differed we were drawn together by virtue of the fact we were both World War I veterans. This was a strong tie.

It was my good fortune to travel to Europe on more than one occasion with Mr. GAVIN. We were both interested in history, particularly that of World War I. We visited several of its battlefields and cemeteries together.

Like you, I shall miss LEON GAVIN but I am the better for having known him and to have considered him a personal friend.

Mrs. Miller joins me in extending our heartfelt sympathy to Mrs. Gavin and his family.

Mr. GOODELL. Mr. Speaker, I rise to express my grief at the loss of a friend. LEON GAVIN, of Pennsylvania, who so ably represented the 23d District, which adjoins mine in New York State, is gone from this Chamber.

LEE GAVIN served in the 6th Division in the First World War. He was always a "top sergeant" who exhibited a bulldog tenacity to his principles which were so greatly admired in this House. His was a deep commitment to his district. Few Congressmen can match his record of devotion to public works. He worked tirelessly to advance the development of his area, searching out and grasping onto those ideas which could help the people of the 23d District. It was with a sense of duty, for example, that he opposed to the Area Redevelopment Administration amendments this year, and he was tortured by the necessity to vote "no" on this program which might have brought some superficial assistance but which, in the long run, he felt, was unwise.

As this House knows well, he was an energetic and dynamic proponent of the Kinzua Dam project on the Allegheny River in Pennsylvania. I was against the construction of the dam until all possible alternatives were explored. LEE GAVIN was a stalwart and worthy opponent. On several occasions Congress heard his impassioned plea for Kinzua. I can hear his voice rising now in righteous indignation.

LEE GAVIN was a strong and vigorous legislator. Perhaps more important, he was an effective Representative.

To us who were his colleagues, he was a warm and generous friend, with a gentle and wry humor. He is gone but his district and this House cannot forget what he has done, and what he was.

May God give his family the strength to endure their loss. They have our sympathy. May God also grant this House more men like LEON GAVIN.

Mr. ROONEY. Mr. Speaker, it was a great shock to me to learn of the sudden and unexpected passing of my longtime friend and colleague, the Honorable LEON GAVIN, of Pennsylvania.

It is with a heavy heart that I join my colleagues in paying tribute to him. He long will be remembered in these Halls of Congress for he was, indeed, a man of deep convictions, a man of courage and determination. As second ranking minority member of the House Committee on Armed Services, he continually worked for the welfare of the enlisted men of the U.S. Armed Forces.

LEON GAVIN'S life was dedicated to public service. The people of his district, of his beloved State of Pennsylvania, and of the entire country will surely miss the able leadership of our departed friend. To his wife, his sons, and his daughter, I extend my heartfelt sympathy upon their great loss.

GENERAL LEAVE TO EXTEND

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD following the remarks of the gentlemen referred to above.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF SEPTEMBER 23

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, I take this time to inquire of the majority leader if he can give us the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the gentleman's inquiry, Mr. Speaker, the program for next week is as follows:

Monday is District Day. There are no bills from the Committee on the District of Columbia to be considered on that day.

However, there will be taken up five travel authority resolutions from the Committee on Rules, as follows:

House Resolution 510, Committee on the Judiciary.

House Resolution 514, Committee on Agriculture.

House Resolution 515, Committee on Merchant Marine and Fisheries.

For Tuesday and the balance of the week, H.R. 8363, the Revenue Act of 1963, which will come up under a closed rule with 8 hours of general debate.

Mr. Speaker, we have finished the legislative business for this week.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 23

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House

adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VICE PRESIDENT LYNDON B. JOHNSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, it is very fortunate, particularly at this time of the world's history, that we have as Vice President of our country, the Honorable LYNDON B. JOHNSON. The Members of both branches of the Congress are very proud of the Vice President, who has served in both branches of the Congress, beginning his public career on the national level in the National House of Representatives. He ably cooperates with President Kennedy, with great ability and loyalty, in the conduct of our country's affairs. On several occasions, he has represented our country abroad, as an ambassador of goodwill; there is no one who surpasses him from the United States.

Vice President JOHNSON has just returned from a trip abroad, during which time people of the several countries he visited received him with enthusiasm and friendship. His recent trip abroad was a great success in the national interest of our country.

In my remarks I include a splendid and interesting article entitled "Johnson Again Able Ambassador," written by Gould Lincoln, and appearing in the Washington Evening Star of September 17, 1963.

JOHNSON AGAIN ABLE AMBASSADOR

(By Gould Lincoln)

Vice President LYNDON JOHNSON's goodwill tour of the Scandinavian countries, from which he returned today, has been a major success, judging by the warm receptions accorded him, Mrs. Johnson, and their daughter, Lynda Bird. The tour, which was proposed by Secretary of State Dean Rusk with President Kennedy's approval, came at an excellent time. The nuclear test ban treaty had been negotiated and hailed as a step—a first step—toward lessening of world tension, particularly between Communist Russia and her satellites and the nations of the West. It was part of the Vice President's mission to stress again the need of the West to keep its guard up—to maintain unity of purpose and defense against any possible Communist aggression. This meant a strengthening of NATO—not a weakening, not a time for complacency and letting the guard down.

Not since the Vice President's historic and successful trip to West Berlin in August 1961, a week after the Communists had sealed off, with wire and wall, East Berlin from West Berlin, have the Vice President's talents been used more effectively. At that time the West Berliner's morale was at a low ebb, and so was that of all West Germany, fearing that Britain, France, and the United States might be lessening their determination to maintain the freedom of West Berlin. Mr. JOHNSON gave them the reassurance they needed, along with a pledge that this country would live up to its promises to the people of West Berlin. And at the same time President Kennedy sent the Vice President to West Berlin, he ordered 1,500 additional U.S. troops to join the 11,000 already in that city. A million West Berliners turned out to welcome and to cheer the arrival of the Vice President. At one point, he hopped out of his automobile and walked briskly along for five blocks, shaking hands with the West Berliners and stopping to kiss babies.

RENEWS U.S. PLEDGE

It was with the same friendly handclasps that the Vice President met the thousands of Swedes, Norwegians, Finlanders, and Danes who greeted him on his arrival in their countries on the last trip. His last visit was to Iceland before his final flight back to the United States. The tall Texan has an attitude for making friends, and winning the confidence of people. While the trip was not made under such dramatic conditions and during such stress as was his visit to West Berlin 2 years ago, it nevertheless had its value, at a time when there has been much suggestion that United States and Britain were inclined to ease off, to let the nations of Western Europe look to themselves. As he did in West Germany and West Berlin, the Vice President pledged again and again the willingness of the United States to fulfill 100 percent its obligations.

Geographically, these Scandinavian countries border or are close to Soviet territory to the north and west of Russia. Their cooperation, in case of need in any crisis with the Communists, would be valuable. They are in position to block the straits leading into the Baltic Sea, Russia's way out by water to the North Sea and far reaches of the Atlantic. In the past, these countries have not had an opportunity to see and welcome a Vice President of the United States, and it was a good stroke, diplomatically as well as realistically, to send Mr. JOHNSON among them.

SAMPLE OF REACTION

A sample of how the Swedes felt about his visit is contained in an editorial appearing in Ny Tid (Social Democratic) published in Goteberg, which reads in part: "The Swedes can feel proud now that for the first time they are paid a visit by a Vice President of the United States. The Gotebergers also feel proud as the program provides room for a quick visit to their city. Since we are not allied with the United States (Sweden remained neutral in the last World War) there are hardly any urgent reasons for either President Kennedy or his alternate to control on the spot the tenure of our relations. When, nevertheless we receive a visit it probably is because we mean, or are considered to mean, something in the world. LYNDON JOHNSON has been given a much better reception in the Swedish press than Nikita Khrushchev, both when the latter cancelled his visit after the press attacks and when some newspapers now want him to cancel it anew." The editorial spoke highly of Mr. JOHNSON's abilities.

In Denmark, the Vice President called for continued NATO defense efforts, and he voiced the same plea in Norway. He impressed on their leaders the need for being on guard in periods of relative relaxation—such as that which may follow the ratification of the test ban treaty. He received assurance on their part.

The Vice President discussed many other questions of interest, like shipping and trade. He still has his report to make to the President, which he is expected to do promptly.

MARCH ON THE STATE CAPITOL IN MONTGOMERY, ALA.

Mr. GRANT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GRANT. Mr. Speaker, last night I called upon the President and the Attorney General, in their conference today with Martin Luther King of Atlanta, to request that the ill-conceived and contemplated march on the State capitol in Montgomery be abandoned.

The morning press reports that members of the so-called Student Nonviolent Coordinating Committee is arriving in force in Birmingham. This is a time for outside agitators to stay out of Birmingham and out of Alabama.

Practically everyone in Alabama deplores the deaths caused by the recent bombings in Birmingham. The Governor of Alabama and all law enforcements officers of the State, county, and city governments are doing everything within their power to bring those guilty of these crimes to justice. All of these agencies are diligently working with the FBI in an all-out effort to solve the crimes. Generous rewards have been offered by the Governor of the State, by other local governmental agencies, as well as by organizations and individuals.

It is most regrettable that there are some who will exploit this unfortunate and tragic occurrence. Looking for a scapegoat is going to do no one any good. Some of the Negro leaders are criticizing Governor Wallace and charging him indirectly—by his actions—with the responsibility for these crimes. He has, of course, been no party to such, and I am sure he deplores this occurrence as much as anyone in the State. The Governor's fight for segregation in the schools has never advocated violence in any form; and, if responsibility is to be placed, it can be placed more on the continual influx of outside agitators to Birmingham and to the whole State.

In the city of Montgomery, the capital of the State of Alabama, the two races

are living in peace and harmony, and the citizens of both races there do not approve of this senseless march.

CIVILIAN EMPLOYMENT

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, sometimes a statement can be technically accurate and yet totally misleading.

I regret to say that the President of the United States made such a statement last night in his address to the Nation on pending tax legislation.

I quote the President's statement:

> In fact, there are fewer Federal civilian employees today than there were 10 years ago.

That statement is technically accurate.

As of July 31 of this year, there were 112,088 fewer Federal civilian employees than on January 31, 1953.

As a member of the Manpower Utilization Subcommittee let me relate the rest of the story which the President did not tell.

At the low point of Federal civilian employment during President Eisenhower's administration, the figure was 315,267 below the 1953 total when Mr. Eisenhower took office.

At the end of Mr. Eisenhower's term in January 1961, the net reduction in Federal civilian employment for his 8 years in office was 280,667.

As of July 31 of this year, after 2½ years of Mr. Kennedy's New Frontier, Federal civilian employment has increased 168,579 to the total of 2,537,353.

President Kennedy did not tell the American people that last night.

Let us keep the record straight.

JUSTICE DEPARTMENT INTERVENTION IN THE NORTHEAST AIRLINES CASE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is of more than passing interest to note that the Civil Aeronautics Board has told the Justice Department to get out of the Northeast Airlines case.

Justice Department intervention in this case has all the earmarks of the improper type of interference with independent regulatory agencies that was deplored by various Democrat political figures, notably in the Sherman Adams-Goldfine case, the problems of personal contacts with FCC Commissioner Richard Mack, as well as similar activity in other regulatory agencies.

Congress deplored that activity, and properly so. We should be even more concerned now that Justice Department power should be used in the manner it is being used in this case.

It is understandable why some New England legislators would be interested in the future of an airline based in that area. However, it seems incredible that Justice Department intervention would be sought or that Attorney General Kennedy would permit Justice Department intervention. We can hope that the CAB action stops it.

BRACERO CASUALTIES IN CALIFORNIA

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from California [Mr. TALCOTT] is recognized for 20 minutes.

Mr. TALCOTT. Mr. Speaker, a horrible, tragic accident occurred in my district, just outside my hometown of Salinas, 2 days ago. Twenty-nine men lost their lives, four more may die; a number more were seriously injured.

The accident was so stunning and so grievous that people in my district could do little more than convey genuine, although almost totally inadequate, condolences to the bereaved families, friends, and associates of these men. Of course, no reference hereinafter made by me applies to or refers to a colleague. I certainly do not impugn the motive or interest of any colleague for being concerned with this accident. Many Members of Congress have demonstrated a genuine concern and appreciation for the individual bracero.

However, there will be ghouls and demagogs outside of Congress, so crass, so insensitive, so depraved, they will attempt to make personal, political capital out of this tragedy. Even while some men hover perilously near death, while some men still cling tenaciously to life, while others are dying; these base exploiters will stoop to misrepresentations, false claims, and distortions concerning the accident, to achieve their miserable goals. When a cause lacks merit, the advocates often resort to misrepresentations of facts and distortions of the issues. If an objective is so weak, if arguments are so unpersuasive that a terrible accident, death, and grief must be wrenched into the debate, all decent people will have cause to be ashamed, if not nauseated by the methods.

The only circumstance of this particular accident which distinguishes it from other such horrendous accidents is that most of the dead, dying, and injured are braceros—Mexican nationals working temporarily in this country under Public Law 78 as supplemental farmworkers. This simple, singular circumstance may be an open sesame for some evil minds to exploit the sudden death, misery, and grief for political and economic profit, without scruple or decency. Such crass reaction would be unthinkable if the dead were schoolchildren, football players, Boy Scouts, GI's, or art dilettantes.

In a belief that all of my colleagues in the House want to make their decisions on fact rather than emotion, that they seek the truth and abhor taking advantage of death, pain and sorrow, I want to report my findings concerning this shocking accident. I know the area where the accident occurred. I have talked with reputable reporters who were on the scene, the TV photographer who took the ghastly pictures you have seen, officials of the California Highway Patrol who worked this assignment, the county coroner and some others. Reconstruction of the events leading up to the accident and the facts of the accident itself, with absolute certainty, is humanly impossible, but the consensus now is as follows:

The farmworkers were returning from work in a celery field; some were domestics, most were braceros. Their bus, not a truck, accommodated 69 passengers—although only 60 were aboard. The bus was a late model, well constructed, properly equipped, in good condition and met all the rigid California State safety regulations. Although I have not read the regulations of all other States relating to labor buses, I believe no other State has more rigid safety and comfort requirements than California.

The bus was being driven by a legal resident of the United States—a "greencarder"—not a bracero. The driver held a valid California chauffeur's license and was duly qualified to drive the vehicle.

The bus was approaching U.S. Highway 101 about 8 miles south of Salinas, on a private grade crossing of the Southern Pacific Railroad at 4:27 p.m. The weather was clear and daylight. The windows of the driver's cab appeared to have been open.

There may be a conflict of evidence regarding whether the bus stopped momentarily or stopped completely and then proceeded onto the railway tracks.

The diesel engine of a northbound Southern Pacific freight train struck the bus midcenter of the the passenger section, at an approximate speed of 65 miles per hour. The tremendous impact draped the bus over the front end of the train, dragging it a half mile before screeching to a stop. Debris and bodies were strewn the distance. The train was not derailed. There was no fire.

Twenty-two were found dead at the scene; four more were dead on arrival at nearby hospitals in Salinas; two died during the first night; one succumbed yesterday; four are still critical.

The driver, miraculously, was uninjured. He is being held in the county jail charged with felony manslaughter. As gross as his negligence may have been, I have only the greatest pity for him. His punishment has already been enormous. His remorse cannot be measured or appreciated by any other man.

What more can a person say about such a sad, horrible event. My pity for the driver, my grief and condolences for the survivors and the families and friends of the deceased is exceeded only by my anger and contempt for those who may attempt to use this accident for their mean political or economic purpose or benefit.

In my district where the farmworker, whether domestic or bracero, is appreciated, respected, treated decently, and fairly paid, we are just as sorry and sad

for the Mexican as for the American citizen.

I am disgusted to nausea to report the following remark—not by a Congressman or public official—relating to the multiple deaths: "Well, there will be at least 28 more jobs for Americans." The blatant crudeness and falseness deserves no comment. Another remark: "This ought to scare some of those 'wetbacks' from coming to this country." This is a shamefully crass remark, which I loathe to repeat, but which needs to be reported.

Many of us who know something about these labor buses want to refute the accusations that they are unfit for men and that the passengers are treated like animals. These are the same buses which are often borrowed to transport our Boy Scouts, Little Leaguers, church students. We have as much concern for the safety of our Boy Scouts, our Little Leaguers, and our church students and our farm workers as any other community.

In spite of a myriad of general and specific laws and regulations of the governmental agencies and of the practices of the farming and food processing industries, designed to insure the safety and comfort of all farm workers, some accidents are certain to occur. In spite of the most diligent efforts, the most prudent conduct, the best equipment, and the most modern safeguards, accidents will occur involving airplanes, trains, school buses, and labor buses. We are grateful that the number is small.

Any future argument that we should abandon the bracero program because of one unfortunate accident, even though caused by the gross negligence of one man, will employ the most tortured and wretched logic.

Any such demagogic logic, exploitation of grief, or wrenching of profit from tragedy, would have outlawed soccer in England—some 20 players—a whole team—died in an airplane crash in Yugoslavia—football in California—where our own San Luis Obispo Cal-Poly football team was killed in an airplane accident in Toledo, Ohio, in 1961—and where perhaps even more negligence was involved—public schools in Greeley, Colo.—where some 26 youngsters were killed in an almost identical accident just 2 years ago—U.S. Army—where some 16 POW's were killed in a bus returning from work in a sugar beet field in Michigan in 1945—the Atlanta, Ga., Art Association—where over 100 Americans were killed when an Air France charter crashed in Paris less than 2 years ago.

I do not recall anybody being so perverted, so insensitive, so crass as to exploit these other tragedies. I am certain that every Member of Congress will reject and shun any future attempt to convert this tragic accident into an argument against an extension of the bracero program.

If this great tragedy had to occur, and I do not pretend to understand God's will, perhaps it is well that it occurred in my district. Adequate hospital facilities, three; ambulances, many; blood, free—American Red Cross—doctors, nurses were available. Doctors, nurses, aids worked around the clock. The grim work of the California Highway Patrol required doubling of many assignments. The officers and deputies of the sheriff and coroner performed admirably. The news media discharged their obligations well. I believe the governmental agencies which investigate and evaluate this accident will report that the community responded magnificently to the worst tragedy in California bus history. Lives were saved, grief was cushioned, pain was alleviated. Not every rural, farming area in America could respond so adequately, professionally, or sympathetically.

This is the worst tragedy for our community since our National Guard unit—one of the first to be called to active duty in World War II—was almost completely annihilated at Bataan.

Regardless of this horrible tragedy, in spite of the future mouthings of demagogic ghouls, and even though the true facts of this accident will be intentionally and wilfully distorted and misrepresented, the bracero will still be eager to return, to work and live temporarily, in the Salinas Valley where the climate and working conditions are good, wages are high, facilities, food, and lodging are excellent, and the farm laborer is appreciated and respected for his work and for himself.

"Slave law" is an expression often seen in some newspapers which is false and maliciously inflammatory. Show me where or when in the history of mankind that free men knowingly and willingly, time after time, climb fences, swim rivers, risk imprisonment, to work at wages of one-half of what we pay in California for only a few months of the year. Facts refute the mean charges. Reiteration should not give credibility to erroneous statements.

"Indenture servitude" is another such misused expression. "Indenture" means an agreement in writing. There is little practical difference between a Public Law 78 contract and an agreement by organized labor with management—except that the agreement pursuant to Public Law 78 requires that the wages be increased whenever the domestic wage increases—not simply at the end of a term. We all enter into agreements of employment. Public Law 78 is not servitude or bondage—because these men can return whenever they wish—some do.

Most of them, however, want to return to California, year after year. The Mexican Government has no problem of recruiting—only of selecting and allotting. There have been riots in Mexico by applicants who were denied the right to come here as braceros.

The words have an emotional, inflammatory ring, but they are false by definition, fact, and practice. It is a travesty that the mere repetition of falsities give them currency.

In some areas there is an adequate supply of domestic farm labor—in some places there is a surplus, perhaps. No proponent of Public Law 78 denies this. But another more obvious fact is that in many places, especially at harvest time, there is a great shortage of domestic farm labor—such a shortage that enormous amounts of crops would spoil without a supplemental supply. My area is one of the latter. We welcome the domestics from other areas—we do everything practical to recruit them. We hire every single jobseeker. Nevertheless we still have a desperate undersupply of domestic farm labor—and have had since the 1870's.

We look forward to the time when we will no longer need the bracero or any other imported worker. In spite of yeoman effort, that time has not yet come in our area, nor in many other areas of major agricultural production in the United States.

Public Law 78 provides nicely and fairly for both areas and situations. Where there is an adequate supply of domestic labor—there are no braceros. If a single domestic wants a job—bump the bracero. But where it is impossible to obtain adequate domestic farm labor—then permit the bracero to enter temporarily under close supervision. To most persons who analyze the facts and conditions, this seems fair and reasonable.

Incidentally, inventions and developments by the farming industry in our area have permitted other areas to mechanize and eliminate the bracero.

If the farmers in any area of the United States do not need braceros, they are not required to use them. Such area should be glad for itself, but should not try to deny the program to farmers in other areas who need them desperately.

For months I have been soliciting suggestions for a practical, reasonable substitute for the bracero program. One suggestion is that we permit all of the braceros to immigrate to the United States, without restriction, as permanent immigrants and residents. I am unashamedly opposed to this suggestion. We need temporary, supplemental labor in agriculture only. In other industries, we have much unemployment, underemployment, and borderline between employment and unemployment especially in the unskilled and low-skilled jobs.

These employed, underemployed and unemployed do not transfer to stoop labor on farms for many reasons. However, the bracero is a bright, energetic, industrious, ambitious worker and, after the first harvest, he would very quickly transfer to another industry—service, building, manufacture, or transportation—and would create the worst panic imaginable among the present workers in these industries.

Furthermore, I believe we should revise our immigration laws, but not just in favor of the Mexican nationals.

One other point which I really do not need to make. Sometimes the underdog needs defending even if by a friend. The braceros who come to our area, and I doubt that they are different from the braceros who come to other districts, are not ignorant. They might not speak English when they arrive, but this is not the only manifestation of ignorance. They have many of the characteristics which we most admire—a deep religious faith, devotion to their families, industry, ambition, brightness, honesty.

I recognize that it is difficult for the United States and Mexico to prevent Mexican nationals from coming into the

United States illegally without the bracero program. The reason is simple—the natural, economic and social demands on both sides of the border are so great that unrealistic laws invite breach. Another virtue of Public Law 78 is that it practically eliminated the illegal Mexican entrant or "wetback."

I have taken this time—not to criticize—only to present some facts and to urge all of my colleagues not to permit an unfortunate, tragic accident to affect their judgment until the official reports are available. We should be extending our genuine condolences rather than ghoulishly digging around lifeless or anguishing bodies for mean political propaganda.

All the circumstances of this accident are being thoroughly investigated by six separate agencies. Nothing will escape these local, State, Federal, and international investigators. I request unanimous consent to include the official reports of these agencies, when completed, in the body of the RECORD.

FAR EAST POLICY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HARVEY of Michigan. Mr. Speaker, in an editorial in the Washington Post on July 28, 1963, that newspaper accused our colleague from Michigan [Mr. BROOMFIELD] of appointing himself Assistant Secretary of State for the Far East.

What aroused the ire of the Washington Post editorial writers was an amendment offered by the gentleman from Michigan to cut off foreign aid to Indonesia unless the President declared that such aid was in the best interests of the United States.

It seems that we now have a third Assistant Secretary of State for the Far East.

This morning the Washington Post published another editorial on the subject of Indonesia. The Post proposed that the Government of the United States recall its Ambassador from Indonesia, suspend all foreign aid to Indonesia, lay plans for "forceful and immediate responses to the present situation" by related agencies of our Federal Government and, in essence, get ready for a possible war in that troubled part of the world.

It is interesting to note that the Post is now advocating exactly the same policy for which it so harshly criticized the gentleman from Michigan [Mr. BROOMFIELD] less than 2 months ago.

Perhaps the Post's "September Song" reflects a greater maturity and a greater understanding of world affairs than was present during the "Lazy, Hazy, Crazy Days of Summer." Let us hope so, and let us hope that the Department of State attains the same realistic evaluation of a serious situation.

For the benefit of my colleagues, the editorials which appeared in the Washington Post on July 28 and September 19 follow:

[From the Washington Post, Sept. 19, 1963]

INDONESIAN AGGRESSION

In a generation more given to order, the behavior of the Indonesian mob that burned the British Embassy in Djakarta would have been regarded as just occasion for the severance of diplomatic relations if not for a declaration of war.

Disregard of the properties and decencies and amenities of international conduct has been repeatedly forgiven and condoned in new countries where the maintenance of order seemed genuinely beyond the power or genius of the Government. It can hardly be passed over lightly in a country which has had every opportunity to establish order and which now has every capacity to enforce order in its own capital.

The British would be right to summon home their Ambassador. They will be justified if they sever diplomatic relations. The Government at Djakarta either countenanced this disorder, and is thereby guilty of a calculated offense, or it occurred in spite of it, in which case the Government is convicted of a degree of incompetence so great as to make the maintenance of normal relations impracticable.

The Indonesian Government commenced with the high hopes and support of much of the free world. An exceedingly rich economy, an amiable and industrious people, great natural advantages for a maritime power all combined to make it likely that the new country would be viable economically, progressive socially, and stable politically. These hopes and expectations have been increasingly disappointed by a regime that has done its best to sabotage its own interests and to conceal its gross incompetence by external military adventures clothed in clouds of sheer demagoguery.

The outcry against Malaysia puts a powerful case into the hands of those who said at the time of the West Irian dispute that in Indonesia there was arising an aggressive, expansive, insatiable military power bent on constructing a new colonialism in its own area of the world. That new colonialism now seems likely to have all the evils of the old colonialism plus an inability even to confer order upon the hapless people who fall under its tyranny.

Whatever Great Britain does, the Government of the United States ought to call its own Ambassador home and restudy its own relations with a regime that grows less and less responsible. In the meantime our aid program should be suspended. And while our Ambassador is in this country for consultation, the related agencies of government ought to lay their plans for other forceful and immediate responses to the present situation and to prepare contingently for military measures which alone seem to hold any prospect of containing Indonesian aggression. We seem to have largely solved the problems of the old colonialism, put in train solutions to the problems of neocolonialism, only to founder on the challenge of a new colonialism as odious as its predecessors.

[From the Washington Post, July 28, 1963]

SHOWING SUKARNO

Representative WILLIAM S. BROOMFIELD, a Michigan Republican, has appointed himself "Assistant Secretary of State for the Far East." He is annoyed with President Sukarno, of Indonesia, and has decided that the House Foreign Affairs Committee should declare war by stopping all military and economic aid to that country. Initially, the committee voted down Diplomat BROOMFIELD, but in an unfortunate reversal the House unit tacked on the amendment that would require President Kennedy to make an invidious finding before any help went to Indonesia.

Mr. BROOMFIELD's views on southeast Asia policy are interesting, and deserve to be heard. But the results of congressional dictation of foreign policy, which has already caused so much mischief in our relations with Poland and Yugoslavia, demonstrate the wisdom of our Founding Fathers in making the conduct of diplomacy an Executive function, carried out with the advice and consent of the Senate. The first virtue of a diplomat is patience, a trait not in excessive supply on the House floor, and a kick at Sukarno at the very moment when there is more moderation in Djakarta is not in the national interest.

NORTHEAST AIRLINES—VICTIM OF A GOVERNMENT-CREATED MONOPOLY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, free enterprise is the essential basis of our entire economic system. To protect it from the abuse of monopoly we have antitrust laws, and we have a Justice Department charged with their enforcement. It is not only the best interests of business that are served by the prevention of monopoly and the encouragement of healthy competition, but also the best interests of the public.

The danger of monopoly becomes no less great when it is created by decree of a Federal agency. But the CAB has done just that in its recent decision to remove Northeast Airlines from its south-of-New York routes and leaving vital air corridors in the hands of only two airlines. Worse yet, when the Department of Justice petitioned to intervene, stating that "the traffic statistics, the decision of the Board, the clear intent of Congress, the firm policy of the Federal Aviation Act, all clearly demonstrated that the east coast Florida market, one of the richest in terms of profits and the largest in terms of passengers, must be serviced by at least three carriers," the CAB refused to let them participate in the arguments over reconsideration.

The Justice Department's statement that the immediate monopolistic value if a third carrier is not allowed to continue in the east coast market would be worth $4 million in profit to National and $6 million to Eastern—clearly more than adequate to support any third carrier in this market—apparently did not interest the CAB either.

Mr. Speaker, this is a ridiculous situation—one agency acts in direct violation to a Federal law and the department responsible for the enforcement of that law must ask permission to intervene, and then stand idly by when the permission is denied. A situation such as this, with two agencies of the Federal Government in head-on collision creates confusion

and impairs confidence in good government.

I have therefore introduced legislation providing that the Attorney General may intervene or take an appeal from a final order of any U.S. agency if the agency's decision would reduce competition or create a monopoly. Mr. Speaker, I cannot emphasize strongly enough the importance of immediate action of this legislation to avoid the dire effects of monopoly and reduce competition on Northeast's southern routes.

The principle involved is a vital one to our free enterprise system and the practice is of vital importance to the economy of New England. If Northeast is knocked out of competition by the CAB decree and if there should be another strike on Eastern, people in New England would be virtually unable to travel to Philadelphia, Washington, and Florida. Congress might then be faced with another situation such as the railroad strike when we were forced to legislate a solution in violation of the principles of free collective bargaining.

FREEDOM OF THE PRESS OR GOVERNMENT CONTROL?

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HOSMER. Mr. Speaker, there are several bills pending before this body, including two of my own, to prohibit the Federal Government from competing with private wire services engaged in dissemination of news or other information.

My bill, H.R. 8341, is directed specifically to the Department of Agriculture, which already is engaged in such an activity through its New Marker News Service, established last August 1 without any statutory authority, as far as I have been able to determine. This bill has been referred to the Committee on Agriculture.

My other bill, H.R. 8214, would prohibit any department, agency, et cetera, from disseminating news by wire in competition with private wire services. It has been referred to the Committee on Interstate and Foreign Commerce.

The Agriculture Department news service is being vigorously opposed by the American Newspaper Publishers Association, and many individual newspapers throughout the land have voiced their editorial opposition to it. They consider it an unwarranted and highly improper intrusion by the Government into a field which always has been, and should continue to be, reserved to taxpaying American free enterprise.

The objections which have been raised quite properly warn that the entry of the Government into the news wire business could lead to complete Government control and censorship of the news. As has been pointed out by ANPA, such a development is inherent in the Agriculture Department's own statement that it will deny its market news service to any subscriber at any time for alleged "misrepresentation of reports, or for any other reason when in its sole judgment such cancellation is desirable."

In commenting on the market news service, Editor & Publisher, the trade magazine of the newspaper publishing business, said in an editorial:

> This is a dangerous precedent and should be suspended immediately. A Government, or official, news agency is the last thing we want in this country. It would lead to attempts by other Government agencies to enter the same area and this particular endeavor would put the Government in the censorship business in odious form.
>
> The Government has no more business in this area of news dissemination than it has in the ownership of a newspaper, radio, or television station.

The Secretary of Agriculture has stated that the new Market News Service makes available "public information on commodity markets through a system of leased wires linking over 200 farm markets and marketing regions." Then he went on to say that "the Government receives no revenue for this, nor does it add to the budgetary costs of the service."

Even if it were possible for such an activity to be carried on without cost to the taxpayer, the Secretary has unwittingly underscored the very objections which have been made to his new project. He is supplying Government-source news to private subscribers without cost to them; they get it "for free" from Orville Freeman. All they have to pay is the wire charges of the American Telephone & Telegraph Co., whereas they have to pay the Associated Press, United Press International and other wire services for their news gathering services. Certainly the private subscriber would like to receive news for nothing, but where does that leave the private enterprise wire services which pay reporters to gather this news, which pay taxes, which go about their business at no expense to the taxpayers?

If there are some who see nothing sinister about the Government being in the news-dispensing business, who do not fear the establishment of an American Tass, let them consider the Department of Agriculture's own defense of its new wire service. In a printed brochure, USDA stated that:

> All circuits carry a variety of additional marketing information, as it is available, on crop and livestock production, storage holdings, meat production, and various USDA news releases of importance to marketers.

This is a clear acknowledgment that the Department has embarked on a program of spoon feeding its news to the public—news as the Department of Agriculture sees it. Commenting on this, the American Newspaper Publishers Association has said:

> This clearly provides the apparatus whereby Government officials will select the information they want to make available, put it in the form of news releases and move it on the Government-leased news wire. This apparatus becomes a propaganda agency and, instead of promoting greater access to public information, as the Secretary of Agriculture has claimed it will, it stifles inquiry of Government officials who, as public servants, are supposed to answer inquiries from members of the public who are paying the cost of operating the Department of Agriculture.

To those who see nothing sinister about the Agriculture Department's trial balloon news wire service, let them also consider a recent proposal by Commissioner Loevinger of the Federal Communications Commission. In a speech made soon after the balloon was launched, he complained that the Nation's private wire services are not geared to production of the spoken word, only to that of the written word and that, as a result, radio and television stations are not being properly served by them. He further complained that the broadcast stations are not devoting sufficient time to broadcasting news and implied that this was due to the poor quality of the news as received from the private wire services.

And what was Mr. Loevinger's solution for this "problem?" He proposed that FCC licensing authority be used to force the radio and television stations of the country to establish a news service of their own to replace the Associated Press and United Press International. Let it not be forgotten that the Federal Communications Commission, of which Mr. Loevinger is a member, holds life and death power over the Nation's radio and television stations through its licensing and relicensing authority. Its proposed new wire service could become a sort of kissing cousin to Agriculture's new Market News Service. Of course, we would not dream of thinking that FCC would deny relicensing of any radio or TV station which failed to utilize the proposed new wire service, or which did not devote as much time to news broadcasts as FCC would like, or which failed to include in its newscasts stories in which the FCC or some other department or agency of Government had a particular interest in pushing. It is unthinkable that at relicensing time the FCC would consider how favorably or how unfavorably to the political administration in power the station handled its newscasts—or is it?

Another development with some relation to Agriculture's news wire venture is the application pending before FCC by Western Union and the American Telephone & Telegraph Co. for approval of an increase in the rates they charge the wire services and the Nation's press. In the course of recent hearings on this application, executives of the American Newspaper Publishers Association, the Associated Press, United Press International and other news organizations predicted that higher rates would bring curtailment of service and widespread cancellation of service. They said that newspapers in many communities stand to lose services they can barely afford now. This, they said, would constitute a curb on the free flow of information.

Of course, the rate increase application may be expected to receive FCC consideration solely on its merits. But if it is approved and, as is contended, many newspapers will be forced to cancel their

wire service contracts, we may fully expect the Government to step into the breach and provide news on its own wires without cost.

If Agriculture's "trial balloon" is permitted to remain aloft, there will be a headlong rush by other departments and agencies of the Government to get into the act. In the words of Editor & Publisher:

> The excuses of "public demand" and "precedent" can be used to justify any excursion into this field. What about all the businessmen who want more and faster reports from the Department of Commerce? Financial institutions want better information from the Treasury, don't they? Shouldn't Health, Education, and Welfare have better contact with public and private health officials? All of these agencies, and others, could justify their own "news service" on the same grounds as the Department of Agriculture.

Once all the departments and agencies have their own wire services, the probable next step would be to coordinate them into a Department of Information, or, more realistically a Department of Propaganda.

Exactly 3 weeks after the "trial balloon" went into ascendancy, on August 21, President Kennedy ordered the establishment of "a unified governmental communications system—NCS. It shall be established and developed by linking together, improving and extending on an evolutionary basis the communications facilities and components of the various Federal agencies."

Could this be the forerunner of the Department of Propaganda?

If the President's sole motive in issuing this order is to provide communications facilities for all the many Government agencies at maximum efficiency and minimum cost, it is a laudable move. However, in the words of the American Newspaper Publishers Association:

> This step emphasizes a point we have made earlier in our objections to entry of the U.S. Department of Agriculture into the news wire business; that is, future expansion of the service could easily lead to a complete national news wire. When the USDA wires are unified with wires of the Departments of Commerce, Labor, Health, Education, and Welfare, etc., it is then a short step to a national news agency of the type which exists in some other countries, including Russia's Tass.

Mr. Speaker, Secretary of Agriculture Freeman stated in a recent news conference that he was "very confused" by the controversy that has arisen over his New Market News Service. I suggest that the committees of the House to which prohibitive legislation has been referred conduct hearings, which I am sure will clear up the confusion in Mr. Freeman's mind. Let the House and Mr. Freeman be given the opportunity to hear the representatives of America's great free press and its wire services on this subject. Let the threat to press freedom and the American people's "right to know" which is implicit in the Governments' growing influence in the preparation and distribution of news be spread on the records of this body, and let the Congress be given a chance to deal with such threats in appropriate manner.

SOCIAL SECURITY BENEFITS

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I have introduced today a bill which would remove the limitation upon the amount of outside income which an individual may earn while receiving social security benefits.

At present each beneficiary may earn as much as $1,200 per year without any reduction in old-age survivors insurance benefits. If a beneficiary exceeds this limit, his benefits are reduced by $1 for every $2 of annual earnings between $1,200 and $1,700, and by $1 for every $1 of annual earnings in excess of $1,700.

Retention of the maximum permissible income provision keeps many older people from working, thereby stifling their initiative, and depriving the Nation of valuable skills and productivity. Thus, the stultifying effect of present social security income restrictions sadly prevents many of our older citizens from bettering their own situations and leading more satisfying lives.

In addition the current statutory provisions cause real hardship for those individuals over 65 who must work to supplement their social security benefit payments. And perhaps the most practical reason for eliminating the maximum income requirements stems from the fact that it is complicated and very difficult for the ordinary person to understand.

Seventeen of our colleagues in the House are cosponsoring this bill. Thus, while the Congress has as yet taken no action in removing the income limitation requirements, perhaps the strong and concerted interest shown by an increasing number of House Members in this regard should prompt favorable consideration of the measure at an early date.

MINE SAFETY AND ECONOMIC DISTRESS IN COAL REGION AREAS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, I wish to join with my distinguished colleague and friend from Pennsylvania, Congressman JOHN DENT, in discussing the question of mine safety and problems in coal region areas.

I commend him on his excellent presentation on this subject on the House floor yesterday. I agree that mine safety is of major importance. I feel, too, that related problems also require the attention of the Congress as well as the local communities.

It was my privilege to accompany Mr. DENT and two other distinguished colleagues of the General Labor Subcommittee on an inspection tour of several small coal mine operations in the anthracite region of eastern Pennsylvania, including the site of the Sheppton mine disaster. The other two Representatives on the inspection tour were the gentleman from Illinois, ROMAN PUCINSKI, and the gentleman from New York, CHARLES GOODELL.

The purpose of the inspection was to evaluate firsthand the advisability of making the Federal Coal Mine Safety Act applicable to mines employing 14 or fewer workers.

The General Subcommittee on Labor is currently considering legislation to amend the Coal Mines Safety Act and the gentleman from Pennsylvania [Mr. DENT] and other Members spoke at greater length on this important matter yesterday. As Representative to the Congress from the area where miner Louis Bova lost his life and where David Fellin and Henry Throne narrowly missed losing theirs, I am quite concerned about the problem of mine safety. Saving human lives is a matter of major importance to every Member of this Congress.

But just as important as the problem of safety regulations for small mines is the need for congressional action in attacking the basic causes of economic distress in the coal regions, and the cause of some of many mine accidents.

It is the lack of jobs and opportunity in the coal regions that causes men like Bova, Thorne, and Fellin to risk their lives in unsafe mine holes in order to eke out a living. Unemployment in the coal regions of our Nation is the highest in the country. It has run above 10 percent of the work force in the two coal-area counties I represent, Northumberland and Schuylkill, for many years. It is even higher in some coal counties in West Virginia and Kentucky.

These conditions exist because local and State governments—and the Congress—in times past did not take the necessary steps to insure against the senseless exploitation of land and resources that has produced the current problems.

Experts in these matters point out that coal areas have declined for two reasons: the discovery and utilization of new energy fuels, and automation. New machines which do the work of 10, 20, or 100 men, have taken the place of those men in the mines remaining in production.

These economic changes, in coal as in hundreds of other areas, have had revolutionary effects on our social fabric. They have drastically changed educational and skill requirements for employment. Today's worker must be a skilled worker, able to handle the machines that the age of automation is producing with more and more abandon. No longer can a young worker expect to find a secure and respected position unless he has earned at least a high school diploma.

Adjustments flowing from automation and the revolutionary changes in Ameri-

can technology have exacted a heavy toll in hardship and dislocation. More than 4 million Americans are at this moment facing the misery and anxiety of unemployment, parttime employment, and substandard existence on inadequate income.

And this toll will grow heavier as the technological revolution accelerates unless we develop and put into effect without delay a comprehensive program to deal with these radical changes in our economic and social life.

I urge the Congress to give serious attention to expanding existing programs and enacting additional needed legislation to combat the serious economic problems existing in the coal region areas.

Existing programs, already approved by the Congress, which require additional support include the area redevelopment, manpower development, and training, water pollution control and small business administration programs.

Of unique interest to the coal industry and the millions who depend on it for a livelihood, are efforts by the U.S. Office of Coal Research to revitalize the industry by research on new uses for coal. Secretary of Interior Udall's recent announcement of a $9.9 million contract to a Pittsburgh Coal Co. to determine if it is economically feasible to produce gasoline from coal on a large-scale basis, is a hopeful sign.

Congress should continue giving its support to such research. Although automation has eaten away many coal industry jobs, new commercial uses for this important mineral could result in needed employment in coal-producing areas. Not only would mine employment increase, but thousands of new jobs would be created in new processing and related industries.

These efforts have been successful in bringing new hope, new industry and new jobs to coal region areas. Measures currently before the House to increase ARA funds and liberalize the Manpower Training Act will be even more helpful in providing the economic stimulus that long-neglected areas of the country require.

Congressman JOHN BLATNIK'S legislation, H.R. 7351, to provide an additional $900 million for the emergency public works program is also needed. Emergency public works grants to coal region communities in my congressional district have not only built needed public facilities and performed such useful services as controlling water pollution, they have created hundreds of jobs. Local citizens have told me, time and time again, that emergency public works grants to build sewer systems, for instance, have been essential in bringing new industries to their communities.

Although there are several proposed pieces of legislation to stimulate economic growth in the country and coal region areas, two deserve special mention. One, of course, is President Kennedy's tax bill, which the House will consider next week. The other is legislation introduced by the gentleman from Maryland, Congressman SICKLES. This is H.R. 7935, a bill creating a Joint Federal-State Commission on Appalachia, whose function will be to formulate a comprehensive plan of resource and economic development for the entire Appalachian region, which includes Pennsylvania, Alabama, Georgia, Kentucky, Maryland, North Carolina, Ohio, South Carolina, Tennessee, Virginia and West Virginia.

President Kennedy has already recognized the regional nature of the problem of economic distress in coal areas with his creation of the joint Federal-State committee for the Appalachian region last spring. Franklin D. Roosevelt, Jr., who was appointed Under Secretary of Commerce in March, is chairman of this study committee which is in the process of drafting legislative recommendations to help alleviate the chronic economic distress in Appalachian States. Under Secretary Roosevelt's comments on the problems of the region are worth repeating:

> This chronically underadvantaged economy dramatically demonstrates why Appalachia looms so large as the Nation's key developmental problem area. There is need for urgency in grappling with the vexing problems that beset this region. With the full-scale cooperation of private business, State governments and the many resources of the various branches of the Federal Establishment, I am sure we can marshal the wisdom and sound counsel needed to bring forth a plan of action that will point the way toward reversing the recent trends and give the people of Appalachia new hope and new promise for strong growth in the decade ahead.

I am looking forward to the recommendations of the President's Committee as, I am sure, are the representatives from all distressed coal region areas.

So far, I have talked exclusively of the Federal programs needed to combat the problem of lost productivity and wasted manpower. But the States have not sat still, waiting for the Federal Government to move. I am especially proud, of course, of Pennsylvania's efforts to stimulate economic growth.

Under the administration of Gov. David Lawrence, Pennsylvania created an Industrial Development Authority to attract new industry to the State. In conjunction with community and regional development authorities, PIDA has successfully helped finance the construction and settlement of hundreds of new businesses in the Keystone State, producing thousands of jobs.

Governor Lawrence also proposed a far-reaching land and water resources development program, designed to reestablish Pennsylvania as one of the major tourist attractions in the Northeast. Governor Scranton has made this a bipartisan program by supporting efforts to gain public approval for the $70 million bond issue that this project, known as Project 70, will require. State voters will cast their ballot on the measure in a November referendum.

If approved Project 70 will preserve and improve Pennsylvania's notable landscape by helping finance local and regional parks, and water conservation and wildlife protection programs. Assisted by Federal funds, Project 70 money will be used to acquire and convert land into new opportunities for outdoor leisure and recreation. The project will not only increase Pennsylvania's already ample attraction as a tourist goal, it will help attract more industry and more jobs to the State.

My visit to the Sheppton mine and my experience in dealing with coal region problems have convinced me that Congress must not delay in facing its responsibilities to the unemployed there and throughout Pennsylvania and the Nation. Our Nation is the wonder of the world because of our great wealth and unsurpassed standard of living. A country that can afford to stockpile billions of dollars of excessive nuclear weapons and foodstuffs, must not neglect the very real problems of poverty, wasted natural resources, lost manpower and productivity.

The Nation cannot afford to continue this senseless waste in real wealth that runs into untold billions of dollars.

With permission of the House, Mr. Speaker, I include with my remarks an excellent editorial on this subject which was printed in a recent issue of the Shamokin (Pa.) Citizen.

The editorial follows:

IMAGINATIVE REMEDIES FOR COUNTY PROBLEMS

Many people in the local area seem to be giving a lot of thought to the problem of redevelopment in the coal regions and in the county, and they have suggested some remedies which lie within the realm of the possible.

Some years back, Dr. John Linnet began his public campaign to create a tourist site in the coal regions by utilizing the Glen Burn Colliery and mines as the central attraction. Taking off from that point, some other local residents have suggested to the editors of this newspaper some tie-in possibilities concerned with outdoor recreation and the tourist industry—it ranks emphasis because of the multimillion dollar income that Pennsylvania derives from tourists.

Arguing that the concept of a collapsible dam on the Susquehanna River may become a reality in the Sunbury area, some county residents believe that a residential and recreational area is just waiting to be developed in the area from the end of Sunbury, down through Snydertown and Elysburg, to Catawissa and up to Riverside. What these people envision is the development of a ski slope and winter sports area along the ridges and mountain slopes in this valley, an area which would tie in with the existing fine facilities for summer recreation already built in this area. These people argue that the county thus has a natural unit to develop from the Glen Burn Colliery right up to the river, making our land a year-around mecca that could make money.

Added to this grand idea of a tourist area in this county is another plan which many of these same people believe would rebuild the stripped out land and produce another future source of income. Since the coal region was in the past also a site for a rather thriving lumber industry, the idea is that the stripped land could be reforested and become the source of woodpulp and low-grade lumber, both of which are now in great demand and will continue in limited supply for decades to come. Proponents of this plan maintain that the reforestation project would not only restore the beauty of the now blighted landscape, it would also create a resource which, through scientific management, would be a source for many new jobs.

In this respect, they point out that there is a distinct possibility that lumber, pulp, or

paper industries could or would locate in the county if the wood growth stock were improved. Estimates place the volume of wood resources in the county at a yield of about 60,200,000 board feet and approximately 550,000 cords of poletimber material. This isn't as much good timber for lumber as may be desired, but putting emphasis on the development of timberlands could double this potential in the next 5 to 10 years, the argument runs.

How could this be done?

Well, local initiative and effort are the first two ingredients required to get anything stewing. Grants from the ARA for technical studies of wood resources and soil are a real possibility, as is financial assistance in the development of recreational facilities on public lands.

Right now, several counties related to the Susquehanna Economic Development Association (SEDA) are developing overall economic development plans which inventory resources of the county as a whole and which outline the problems and the solutions to problems which can be developed on a communitywide and on a countywide basis. This type of county plan is being urged by Federal officials in charge of economic development as the model for future planning.

And there is need of real thinking on the part of our citizens which sees the potential of this great county. There are riches and resources that surround us which not too many of us really see as tangible assets.

One of these assets, according to some imaginative local residents, is the deep strip pits which could be used as a possible site for a manmade lake. These people claim that one or two of these deep pits could be located which are fed by springs that could be the source of water for a lake. Careful planting of the area around the manmade lake then could make a picnic area, and the lake could be used for boating, swimming, and water skiing. Those who advance the plan point out that this solution has been used effectively in certain soft coal areas and has restored the natural beauty of the land.

That there are great natural assets in this county is beyond question, but what gives us hope for the future is the fact that many people are now taking the first imaginative steps to find ways to put those countywide assets to use.

THE TRAGEDY'S AFTERMATH

Mr. ALBERT Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANDREWS. Mr. Speaker, charges are being made that law and order are breaking down in Alabama. Nothing is further from the truth.

The recent bombing is deplored by the people of Alabama, probably, more than by any other people in the world. Prayerful Alabamians hope that the despicable, recent, brutal attack of a church in Birmingham will end in the apprehension, prosecution and punishment of those who are guilty.

I can assure you that Governor Wallace is using every means at his command to see that the guilty are apprehended. Ridiculous charges are being made that Governor Wallace is responsible for the dastardly bombings. Nothing is further from the truth.

I assure you Governor Wallace is a Christian who believes in law and order. I ask unanimous consent to include an editorial from the Montgomery Advertiser, Montgomery, Ala., dated September 17, 1963.

THE TRAGEDY'S AFTERMATH

It is all but impertinent to remark the appalling thing that has happened in Birmingham, because the crime speaks for itself with such eloquent hideousness. The murder of children at Sunday worship is beyond the adequacy of words.

We trust that whoever is responsible for this tragedy hates Alabama and its people, black and white. For he has done them an injury that will not heal in a long time and which is almost certain to generate evil complications.

Unfortunately there are those who will be able to exploit the event from a variety of motives, ranging from money to political advantage.

The one thing above all others that would prove most effective in averting more tragedy is the apprehension of the murderers. That would instantly reduce the fiery pressures.

Fortunately there is some hope that this will come to pass. For every available agency and influence is at work.

A squad of FBI bomb experts is at work. They have been welcomed to the State and are as one working with State, county, and city police in the crucial manhunt. Generous rewards for information have been posted.

Meanwhile local and State authorities have made it plain that all necessary forces will be made available to maintain order.

This, we believe, is all that could possibly be done at this point. Dillinger himself did not have the honor of a more generously equipped and determined posse than the Birmingham bombers.

In the course of this many wild things are going to be said about Alabama by fanatical agitators and eastern politicians of the kind to which Truman alluded.

They are more interested in Alabama violence than that in North Carolina or Illinois for certain obvious reasons.

The floor of Congress is the most potent of platforms for defense against such slanders and distortions. We trust that our Congressmen and Senators will be heard from when the JAVITS and POWELLS get going.

BRACERO DEATHS IN CALIFORNIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, a disaster is a strange thing. Sometimes we get excited and concerned when some spectacular accident or great calamity takes place, but sometimes we do not. I suppose that in this tense world there is a limit to the number of things one can be excited about because otherwise we might all go insane.

This week there occurred the greatest and most tragic highway accident in the history of California. I have not detected much excitement about it. Maybe highway disasters are so common that this is one of the things that we relegate to the category of clucking our tongues and saying, "Too bad."

Twenty-eight Mexican braceros were killed in that accident, and another 35 were injured, about half of them critically so. Yet despite the awful magnitude of what happened, we restrict ourselves to saying, "too bad, but these things will happen." There is no demand for tighter safety regulations, no demand for better drivers for bracero transports, and I guess not even a demand for safety devices at the railroad crossing where the transport was struck by a freight train.

Why is there no outcry?

Perhaps it is because nobody really cares about those 28 dead men, because nobody knew them, at least nobody in this country. They will not be missed except back some place in Mexico that we will never see.

We do not care about those dead men at all, because they were not really even men, but only commodities. They show up on the rolls of the importing association as being 28 short today. Since the inventory of this human commodity is short, no doubt orders will soon go out for replacements from the wholesaler at the border.

In the 18th century there were slave ships that crossed the oceans regularly, bringing in cargoes of laborers. They say that you could smell a slaver before you could see it, but I do not know about that. Naturally some of these slavers would be lost from time to time, driven on the shoals by some vagary of the winds, or drifted there through some human error, just as that truck drifted in front of the train this week.

But nobody got excited when a slaver hit the shoals or went down with all hands aboard, because nobody knew or cared about the humans who died. Lost slaves were just a lost cargo, a lost commodity that required replacement as soon as possible.

Nobody knows or cares too much about those dead and maimed braceros, either, because they are—or were—just another commodity lost in transit.

This is the evil of the bracero system. Those were not men out there on that railroad track, but just another shipment of slaves lost in transit. Who is to care? They are easily replaced.

Perhaps, Mr. Speaker, there is no outcry about this accident because nobody really cares, and nobody really cares because the bracero program is just another form of indentured service.

But some of us care, and we want to see the traffic in human lives ended. If we need more laborers to harvest our crops, then let us bring in men, not commodities. Let us not import indentured servants, but let us admit freemen.

SAVING RAILROAD PASSENGER SERVICE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I have today introduced a bill intended to save railroad passenger train service in this country by repealing section 13a of the Interstate Commerce Act. While this proposed legislation would apply to passenger trains throughout the Nation, I have taken this step because of developments this week in my own district of Rhode Island, where action by the New York, New Haven & Hartford Railroad in seeking to eliminate passenger train service required by hundreds of commuters has brought forcefully to my attention the serious lack of adequate protection for the public interest which now exists in Federal legislation dealing with railroad passenger train abandonments.

Section 13a of the Interstate Commerce Act, which Congress enacted in 1958, now permits any railroad to discontinue any train on its own initiative and with but token regard for the interests of the public using it. In fact, under this law, all that a railroad has to do in order to eliminate a passenger train—even if it has been ordered to keep that train running by the State regulatory bodies concerned—is merely to post a notice, and if the Interstate Commerce Commission does not act to stay that discontinuance within 15 days, that train, no matter how necessary, is automatically eliminated. Prior to the 1958 enactment, the regulation of passenger train service was left entirely in the hands of the State railroad commissions, who were close to the problem and were able to better determine the true extent of the need for trains in the circumstances prevailing in the areas affected. My bill would return control over passenger trains to the State agencies.

Since the enactment of section 13a of the Interstate Commerce Act in 1958, the Interstate Commerce Commission has permitted the elimination of no less than 246 passenger trains and allowed the curtailment of service on 10 others. Most of the trains involved in these applications were either trains which the railroads had been ordered by State commissions to continue, or were trains which they believed the State commission would deny them permission to discontinue and so the application was filed under section 13a which preempts the rights of the State commissions in this matter.

The New Haven Railroad, which on Monday filed notices with the Interstate Commerce Commission that it would end three more passenger runs on October 21 under the section 13a provisions, has not hesitated to abandon other trains previously. No less than 18 trains have been abandoned by the New Haven as the result of previous actions under this provision of law, which has now been in effect for 5 years. Certainly that is a long enough time for any railroad which might have been unfairly prevented from taking off a train for which there was no longer a justifiable need to have acted. In my opinion, the kind of discontinuance the New Haven is now seeking in annoucing plans to eliminate train 508, which runs from New London to Boston and is the morning commuter train across southeastern Rhode Island into Providence, is an abuse of the section 13a provisions of the Interstate Commerce Act. I am sure that Congress never intended that it should be an instrument to deprive businessmen and commuters of a means they have used for more than 70 years of getting to work in the morning. But that is exactly what the elimination of train 508 as proposed by the New Haven management would mean to the hundreds of commuters who use this train weekly.

Protests by State railroad commissions against this kind of abuse since 13a was enacted have been of no avail. In view of the fact that the railroad industry as a whole is now trying to seriously curtail many aspects of railroad service through mergers and other means, I believe that the public inevitably will continue to suffer from the lack of adequate protection which section 13a affords to consideration of its need for continued passenger train service. Under this provision, for example, the public is denied a right to appeal a train's discontinuance to the courts, although the right to appeal an order to continue a train is nevertheless reserved for the railroads. Section 13a, while permitting such unappealable discontinuances to take place, does not even require a public hearing before a train may be eliminated, since whatever hearings are held are left solely to the discretion of the Interstate Commerce Commission, an agency in Washington which has long been accused of being "railroad management minded."

Even if a hearing is held, however, the railroad seeking to remove a train does not have to justify such action. Rather, under section 13a, the public must prove that the continuance of the train would not be an undue financial burden on the railroad, although such proof can only be secured from the books of the railroad itself. Moreover, if a hearing is held, section 13a permits the railroad to withhold from interested parties all material needed to prove that continuing the train would be an "undue financial burden" until the day of the hearing. In view of these provisions which favor the railroads at the expense of the public using the passenger trains, experience has shown that section 13a makes it virtually impossible for the public or even the ICC to prevent a railroad from eliminating a passenger train it is determined to discontinue.

Section 13a also places unreasonable time limits upon the ICC in dealing with proposed passenger train discontinuances. For example, the Commission must render a final order in each case within 4 months of the original discontinuance date set by the railroad or the operation of the train or trains involved will cease automatically. Such an arbitrary and unreasonable time limitation prevents the ICC from giving adequate consideration to the public's side of the case.

The National Association of State Railroad and Utility Commissioners has regularly, at each of its conventions since section 13a was enacted, adopted a resolution calling upon Congress to repeal this provision of the 1958 Transportation Act. In some years, the resolution has been adopted unanimously. I point out that the men who took this action are the commissioners in each of our 50 States who day in and day out are concerned firsthand with railroad problems in their area. When every one of these commissioners thinks section 13a should be repealed, Congress should certainly heed their warning.

I am particularly disturbed that the New Haven Railroad, which is now in bankruptcy—not because of inadequate use of its facilities, but because of gross mismanagement, as ICC studies have shown—should seek to eliminate a daily commuter train which clearly is still being used heavily by the public. Because of its weakened financial condition, the New Haven in recent years has been a railroad which has been given far more than its share of special concessions and outright aid by the State and Federal Governments. More than $6.5 million in tax relief and maintenance assistance has been given to this railroad in recent years by the States of New York, Massachusetts, Rhode Island, and Connecticut, and the Federal Government has been a rich benefactor of this carrier. Within the last 10 years, the U.S. Treasury—meaning the general taxpayer—has had to pay off a total of $26,481,000 in loans it guaranteed for the New Haven on which the railroad defaulted. The first big payment was $11,781,000 in 1961, which represented the U.S. Government's guarantee of a loan made in 1955 under the Defense Production Act. Since that time, the carrier has had additional loans in a total amount of $35,659,400 guaranteed under the Transportation Act of 1958, and of this amount, there has already been a total default of $14,700,000 paid by the U.S. Government to meet its loan guarantee obligations.

Thus, it is clear that the amount of State and Federal aid which the New Haven Railroad has received in recent years is very substantial. This aid was forthcoming because the State and Federal Governments recognized that the passenger and commuter services provided by the New Haven are indispensable and must be continued. In fact, a committee representing the Governors of the four States I have previously mentioned and Mayor Wagner of New York City in 1961 warned the New Haven trustees that the carrier could lose the tax relief it has been granted if its contemplated abandonments of trains are "of such magnitude as to curtail service or otherwise jeopardize the railroad's financial position." The committee, formed in 1960 to help the New Haven with its financial problem, referred with "apprehension" to an announcement by the trustees that they were even then studying plans to eliminate branch lines and passenger service.

Thus, there can be no question of the fact that the New Haven management has accepted State and Federal aid in a very substantial amount with a clear understanding that essential passenger and commuter train operations must be continued. Yet, despite the huge subsidy it has accepted, it now seeks to abandon

train 508 on the very flimsy ground, it seems to me, that it allegedly lost $48,000 on its operations last year. I am quite frankly skeptical of that claim, and I am particularly skeptical of the figure on the amount involved. Railroad accountants are granted tremendous latitude in the allocation of expense items between passenger and freight operations, and I am aware that many railroads in applications to abandon a train have cited figures which usually include overhead and maintenance costs which continue even after that train is abandoned. In any case, a loss of even the full $48,000 claimed on this particular train would be a small amount for the railroad to absorb in recognition of its obligation to provide the public with service it needs in return for the more than $26.4 million which the Federal Government alone has paid this railroad outright to keep such commuter service running. Any train like 508, which hauls more than 100 passengers a day, is still capable of meeting expenses under proper management, and it still is needed by the public.

Mr. Speaker, the Providence Journal of September 18 carried an editorial in which it pointed out that train 508 is more than just a train. It is, the editorial declared, "a state of mind." I ask unanimous consent to conclude my remarks by having this editorial printed in the RECORD at this point in the hope that it may induce a different "state of mind" in the New Haven's trustees and that they will reconsider their ill-advised move to deprive the public of railroad passenger service which clearly is so much in demand.

There being no objection, the editorial referred to follows:

THE OLD 508 IS MORE THAN A TRAIN

The New Haven Railroad will make a big mistake if it abandons train 508, not because of inconvenience to its passengers—and, goodness knows, it will cause inconvenience—but because it will deprive the road of its best publicity gimmick in Rhode Island.

In the trying years before trusteeship, the most accurate barometer of public feeling about the New Haven was "Old 508." When its morning arrival in Providence was delayed 66 minutes by a hot box north of East Greenwich, the road got more condemnation than if the Merchants Limited hadn't run at all. But when 508 ran on time, God was in His heaven and all was well with the world.

Train 508 is a state of mind as well as the last commuter train in Rhode Island, and all because of the special breed of passenger it carries. They are mostly residents of South County, which also is a state of mind. Their fraternity in adversity from riding the 508 has been a wondrous development to watch. In late summer and fall, they stepped off 508 onto Union Station with marigolds in their lapel, the flowers having been dispensed by a fellow passenger as they got on the train a station or two down the line.

They have suffered great adversity together. They have shivered at Kingston Station on winter mornings waiting for the train that could drop behind schedule by 30 minutes between New London and Westerly without half trying. They have seen it overshoot the station at East Greenwich, then back up to pick up the passengers its engineer nearly forgot. They have complained, griped, and cussed its service—but now they are up in arms because New Haven says it loses money on the 508 and wants to take it off. They protest probably because nothing could be just a little bit worse than the 508.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PUCINSKI.

(The following Members (at the request of Mr. BATTIN) and to include extraneous matter:)

Mr. FINO.

Mr. LINDSAY.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. BROWN of California.

Mr. ROUSH.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, September 23, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1220. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 3, 1963, submitting a report, together with accompanying papers and an illustration, on an interim report on Grand River, Grandville, Mich., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 16, 1950 (H. Doc. No. 157); to the Committee on Public Works and ordered to be printed with one illustration.

1221. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting the semiannual report for the Department of the Navy relating to military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder for the period January 1 through June 30, 1963, pursuant to Public Law 87-554; to the Committee on Armed Services.

1222. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs resulting from the noncompetitive procurement of aeronautical replacement spare parts by the Department of the Navy; to the Committee on Government Operations.

1223. A letter from the Secretary of Commerce, transmitting the report of all claims paid by the Department of Commerce during fiscal year 1963 pursuant to section 404 of the Federal Tort Claims Act (28 U.S.C. 2675); to the Committee on the Judiciary.

1224. A letter from the Assistant Secretary of the Treasury, transmitting a certified copy of amendments to the regulations governing the numbering of undocumented vessels, promulgated by the Commandant of the U.S. Coast Guard and submitted for publication in the Federal Register, pursuant to the Federal Boating Act of 1958 (46 U.S.C. 527d); to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. House Joint Resolution 724. Joint resolution to provide additional housing for the elderly; with an amendment (Rept. No. 754). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: House Resolution 527. Committee on Rules. A resolution providing for the consideration of H.R. 8363, a bill to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes; without amendment (Rept. No. 755). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 510. Resolution to grant additional travel authority to the Committee on the Judiciary; without amendment (Rept. No. 756). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 514. Resolution to grant additional travel authority to the Committee on Agriculture; without amendment (Rept. No. 757). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 515. Resolution to grant additional travel authority to the Committee on Merchant Marine and Fisheries; without amendment (Rept. No. 758). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 8499. A bill to amend the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, and the Investment Company Act of 1940, as amended, to provide for the regulation of collective investment funds maintained by banks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 8500. A bill to prohibit departments, agencies, and instrumentalities of the Federal Government from participating in activities which are in competition with private news services engaged in dissemination of news or other information; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 8501. A bill to provide for a parkway connection between Mount Vernon and Woodlawn Plantations, in the State of Virginia, and for other purposes; to the Committee on Public Works.

By Mr. FOGARTY:

H.R. 8502. A bill to repeal section 13a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 8503. A bill to provide for the tariff classification of certain particleboard; to the Committee on Ways and Means.

By Mr. JONES of Alabama:

H.R. 8504. A bill to amend the Government Employees' Training Act in order to eliminate the requirement contained in regulations pursuant thereto which prohibits the selection for training purposes of certain non-Government facilities; to the Committee on Post Office and Civil Service.

By Mr. KILBURN:

H.R. 8505. A bill to amend the Federal Reserve Act in order to enable the Federal Re-

serve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATHIAS:

H.R. 8506. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. ROBERTS of Alabama:

H.R. 8507. A bill for the relief of certain medical and dental officers of the Air Force; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 8508. A bill to amend section 336 of the Communications Act of 1934, to permit cargo ships on voyages between Hawaiian ports to carry radiotelephone in lieu of radiotelegraph installations; to the Committee on Interstate and Foreign Commerce.

By Mr. SICKLES:

H.R. 8509. A bill to provide for the establishment and operation of an analytical research experiment station at Frederick, Md.; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 8510. A bill to amend the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. KYL:

H.J. Res. 745. Joint resolution to provide that the District of Columbia shall pay court costs and reasonable attorney's fees in any proceeding to acquire land for highways and urban redevelopment; to the Committee on the District of Columbia.

By Mr. SCHWEIKER:

H.J. Res. 746. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.J. Res. 747. Joint resolution authorizing and requesting the President to proclaim November 19, 1963, as Gettysburg Address Centennial Day; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H. Res. 524. Resolution providing an additional stationery allowance for the 1st session of the 88th Congress; to the Committee on House Administration.

H. Res. 525. Resolution providing an additional allowance for telephone and telegraph service for the 1st session of the 88th Congress; to the Committee on House Administration.

H. Res. 526. Resolution to provide additional postage for the 1st session of the 88th Congress; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII:

The SPEAKER presented a memorial of the Legislature of the State of Massachusetts memorializing the President and the Congress of the United States to enact legislation providing for a 200-mile offshore limit for taking fish off the New England coast by fishing vessels of foreign countries, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 8511. A bill for the relief of Giovanni Altobello; to the Committee on the Judiciary.

By Mr. JENSEN:

H.R. 8512. A bill for the relief of Mr. and Mrs. Christian Voss; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 8513. A bill for the relief of Jechiel Shulkes; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 8514. A bill for the relief of Mrs. Rebecca Shavitch; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8515. A bill for the relief of Dr. Adil Sokmensuer and his wife, Ulku Sokmensuer; to the Committee on the Judiciary.

H.R. 8516. A bill to provide for conveyance of certain mineral interests of the United States in real property situated in Florida to the record owners of the surface of that property; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

305. By Mr. O'NEILL: Petition of the City Council of the City of Cambridge, Mass., requesting the Congress to amend the Constitution of the United States to allow reading of sacred Scripture in the public schools, etc.; to the Committee on the Judiciary.

306. By the SPEAKER: Petition of Gibson Gayle, Jr., secretary, American Bar Association, Chicago, Ill., relative to approving in principle the provisions of S. 1061 and H.R. 4700, now pending in the Congress; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

My Skyscraper City: A Child's View of New York

EXTENSION OF REMARKS
OF
HON. JOHN V. LINDSAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1963

Mr. LINDSAY. Mr. Speaker, most people who do not come from Manhattan think that no one lives there. Just the reverse is true—all kinds of people live in Manhattan, and surprisingly enough many children are brought up there and are very happy about it.

In fact, in my opinion, boys and girls brought up in Manhattan are usually better adjusted than those who have the blessings of green grass and trees.

I was thrilled when one of my constituents, Katrina Thomas, aided by Penny Hamond, published a book—via Doubleday & Co.—entitled "My Skyscraper City: A Child's View of New York."

It is a wonderful book, and it is full of excitement and fun. It is a picture story of Apwick, a little boy who lives in Manhattan and who loves the city. From Apwick's point of view we see the skyscrapers, the glass wall buildings, the museums, the snow on the trees in Central Park, the tugboats on the river, the pigeons, the animals in the zoo, the streetcleaners, and the mounted policemen.

He is a very busy little boy in a very busy city, and he is doing fine.

Katrina Thomas, who also loves New York City, has given all city folk a lift by her beautiful book.

New Jersey: The Gamblers' Paradise

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1963

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House, more particularly the New Jersey congressional delegation, about gambling in that State. New Jersey is one of those 24 States that has had the sense to legalize, control, and profit from parimutuel betting. But, as in most other States so acting, only a half step has been taken. Illegal gambling—the logical result of bluenosed governmental attitudes—is keeping the crime syndicates fat and happy in New Jersey. A covert coalition of hypocrites and mobsters is keeping gambling illegal—and bleeding the State in the process.

In 1962, New Jersey ranked fourth in the Nation in parimutuel betting. Almost $325 million was wagered on the State's racetracks. The public treasury of New Jersey made about a $30-million profit from this turnover.

However, most of the money gambled in New Jersey is doing nothing to swell governmental coffers. Instead, the revenues of illicit gambling are financing the underworld crime syndicates.

New Jersey's share of the estimated figure for national off-track betting presented to the McClellan Committee came to almost $1.7 billion last year. When it is realized that off-track betting constitutes less than one-half of the total illegal gambling, the full and stunning extent of illegal gambling becomes apparent.

In New Jersey, Mr. Speaker, the total amount wagered illegally each year may approach $3½ billion. This figure represents the turnover. The gambling syndicates retain only 10 percent of the turnover as profit. But this is enough to make New Jersey a gangland gravytrain.

The gambling rings contribute much of their take to the financing of syndicated crime. The gross profit which may reach $350 million a year in that State is diminished by expenses such as

bribes and payoffs to corrupt law enforcement.

We all know that gambling cannot be eradicated, and so long as it is outlawed, but tacitly allowed to flourish in criminal hands, it will continue to spin a vast web of evil. Only Government control and regulation of gambling—best exemplified by a Government-run lottery—can make it work for the people rather than against society. When are we going to remove our heads from in the sand?

John Pickett Displays Selfless Dedication

EXTENSION OF REMARKS
OF
HON. GEORGE E. BROWN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1963

Mr. BROWN of California. Mr. Speaker, every engineering, chemistry, or physics student is familiar with the name "Pickett" in relation to his use of the slide rule. John Pickett has a most admirable history of service in the education of these future scientists in the use of this most rudimentary tool of their trade.

The following sketch will, I am sure, give you a better insight into Mr. Pickett's beliefs. I am proud to have Pickett Industries in the 29th Congressional District of California, and I recommend the reading of Mr. Pickett's story below, to all of my colleagues:

The adjective Communists most often apply to capitalism is "selfish" or one of its synonyms. This appeal is based upon a depiction of capitalists as monomaniacal, self-seeking, in depicting communism as the only political system which encourages civic responsibility and selfless dedication.

There are, of course, marvelous examples of American citizens who disprove this ridiculous charge. However, I feel it worthwhile to bring to this estimable body the example of a constituent of the 29th Congressional District, since his selfless contribution directly effects a good percentage of our college, secondary, and vocational school students and directs them along the lines of scientific and advanced intellectual learning, areas essential to the eventual victory of capitalism over communism in peaceful competition.

This man, in spite of the tremendous extent of his contribution, is only 36 years old. John Pickett began his career as a teacher. He lectured for 5 years at the University of Southern California and in that period found that there was a dangerous educational gap among many students in that they were unfamiliar with one of the rudimentary tools of science—the slide rule. Although an educator by trade he became a manufacturer by necessity.

Six years ago, John Pickett assumed the presidency of Pickett Industries and directed the primary manufacturing and sales orientation toward interesting American students in the use of the slide rule. He pioneered and blazed the trail in supplying our Nation's schools with the most modern and scientific means of teaching the use of this instrument, so symbolic of scientific learning.

Mr. Pickett has donated more than 70,000 slide rule teaching guides to educators throughout the Nation and has placed more than 30,000 wall-demonstrator slide rules on permanent loan in classrooms across the country. It is estimated that more than 2½ million students each day are aided in the learning of slide rule technique through the teaching aids he has donated.

Further, in his pursuit of raising the level and degree of education for American youth, he has inaugurated three yearly college scholarships which are presented to outstanding members of the Junior Engineering Technical Society—JETS—and contributes freely to many local and national competitions designed to encourage interest in science and mathematics.

In this, the age of the electronic computer, the slide rule remains the basic computing tool and the channel through which the eager young minds of our Nation are directed toward the future.

John Pickett has not left his chosen field—education. He has merely expanded the scope of his impact upon our Nation's youth and, in so doing, has demonstrated the strength of democratic capitalism—that individual enterprise and generosity of a free populace is more than a match for the institutionalized "benevolence" of a totalitarian government.

Which Road Will We Take?

EXTENSION OF REMARKS
OF
HON. J. EDWARD ROUSH
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1963

Mr. ROUSH. Mr. Speaker, I applaud our President on his statement made last evening to the American people on the tax bill. I am especially pleased with his recognition that tax reduction is preferred to public expenditures for the purpose of stimulating the American economy. I agree.

Our colleague, the gentleman from Arkansas [WILBUR MILLS], the distinguished chairman of the Ways and Means Committee, pointed out on Monday last that the purpose of the bill is to loosen the constraint which the present Federal taxation imposes on the American economy, but that in passing the legislation we are making a choice.

That we are choosing to stimulate the economy by reducing taxes and not by Government expenditures for that purpose. In a free enterprise society such as our own we prefer doing that which will result in greater economic activity—not on the part of Government but rather on the part of the private sector of our economy. By releasing these constraints which a heavy tax burden imposes it will be private enterprise not the Government which will solve our unemployment problem, which will make us more competitive, which will help our balance-of-payments problem, which will produce revenue to run the necessary functions of Federal, State, and local governments and which will produce a bigger, more prosperous, and more efficient economy.

Minority Staffing

EXTENSION OF REMARKS
OF
HON. HUGH SCOTT
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Thursday, September 19, 1963

Mr. SCOTT. Mr. President, Representative FRED SCHWENGEL is chairman of the House Republican conference subcommittee on minority staffing. With his usual energy and eloquence, Representative SCHWENGEL is calling to the attention of the country the importance of increasing minority staffing in the Congress.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a thoughtful letter from Representative SCHWENGEL which appeared in the New York Herald Tribune on September 10, 1963.

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

CONGRESS NEGLECTS ITS MINORITY
(By Representative FRED SCHWENGEL)

For all the talk about minorities, a shocking situation exists in the Halls of Congress which is receiving remarkably little attention. The majority party (Democrats) outnumbers the minority (Republicans) 3 to 2 in the House of Representatives and 2 to 1 in the Senate. Yet professional committee staff members responsible to the majority outumber staff responsible to the minority 10 to 1 in the House and 12 to 1 in the Senate.

Much of the important work of Congress is done in the committees. Their professional staffs do research, draft bills, arrange for witnesses to attend hearings and do other tasks for which Congressmen have neither the time nor, in some cases, the specialized knowledge. Most of them are hired, promoted and assigned work by the chairman—a member of the Democratic majority—of each committee. Naturally their allegiance is to the majority. Minority projects and reports tend to be neglected.

This weakens the two-party system—the basis of our Government. The "loyal opposition" must present clear, constructive alternatives to majority legislation. Without adequate staff it cannot do this and the distinction between the parties blurs in the public mind as the two sides of an issue fail to be presented forcefully to the voters.

This situation makes it impossible for Congress to adequately check the work of the executive branch—its constitutional task. The executive branch today is the Nation's largest pressure group. Each department and agency has a vested interest in acquiring more and larger appropriations. Executive staffs unavoidably reflect this bias, especially when, as now, the Presidency and both Houses of Congress are controlled by the same party.

The present situation is a tremendous waste of the taxpayer's money. Without ade-

quate staff the minority cannot pare all the "fat" of the executive budget, nor can it conduct necessary investigations to expose inefficiency or prevent another Billie Sol Estes scandal.

The relatively small cost of more professional staff responsible to the minority would soon be repaid by savings in proposed and existing programs.

Only Republicans in Congress are taking steps to remedy this abuse. We have formed the House Republican conference and Senate-House joint ad hoc committees on increased minority staffing. Also we have proposed measures in both Houses to provide an equitable solution.

Yet minority staffing should not be a partisan issue. Republicans will not always be the minority and Democrats the majority. Regardless of which party is the minority, it is in the public interest that the minority position have sound research behind it and be clearly presented. It is strange that the Democrats, who claim to speak for all minorities, neglect so sadly the cause of the minority in Congress.

Address by Senator McIntyre

EXTENSION OF REMARKS
OF

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Thursday, September 19, 1963

Mr. MUSKIE. Mr. President, two of the most outstanding junior Members of the Senate are the able senior Senator from Indiana [Mr. HARTKE] and my good neighbor from New Hampshire [Mr. MCINTYRE].

Both these men have devoted their efforts to analyzing the challenges of the future and to developing methods of meeting those challenges. They are not afraid of entrenched opposition; in fact, their past careers demonstrate that they thrive on it.

Last month, New Hampshire's junior Senator spoke at a meeting in Bristol, Ind. Since I believe his thoughtful observations on the future of our country merit the consideration of the Members of the Senate, I ask unanimous consent that his remarks be printed in the RECORD.

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

AN ADDRESS BY U.S. SENATOR TOM MCINTYRE, DEMOCRAT, OF NEW HAMPSHIRE, AT THE DEMOCRATIC PARTY RALLY, EBY PINES PICNIC GROUNDS, BRISTOL, IND., FRIDAY, AUGUST 16, 1963

I am delighted to be here with all you good Indiana Democrats this evening. I'm told that when delivering a speech, the speaker should start off with a bang, make a ringing declaration that will bring applause and cheers and set the tone of his address. Well, I think I can accomplish all that with just two words—VANCE HARTKE.

I am here tonight to tell you Indiana Democrats some things that a good many of you may already know. But they are things I have wanted to say for some time, and I have wanted to say them in Indiana.

They are about a young man who rose through the party ranks, was a brilliant prosecuting attorney, served ably as mayor of Evansville and at the age of 39 became the first Democratic Senator from Indiana in 20 years. In short, I want to talk about VANCE HARTKE.

As you all know, VANCE was not in the Senate more than 2 years when he became chairman of the Democratic senatorial campaign committee, one of the highest positions in the majority leadership. In this important post, VANCE HARTKE'S organizational genius came into play. There is no better way to gage his success than to recite the results of the 1962 off-year elections. A total of 23 Democrats—more than two-thirds of those running—were elected to the Senate. Of the 23, 6 took seats formerly occupied by Republicans. I was one of these, and I can tell you that these victories were in no small measure due to the help of the campaign committee under VANCE HARTKE'S leadership.

In June of 1962, some of my good friends in New Hampshire were urging me to run for the U.S. Senate seat left vacant by the death of Styles Bridges. Naturally, as you might suspect, I was somewhat hesitant to take on again the Republicans in a State that had been so long dominated by Republicanism.

At any rate I promised them I would give it my consideration and I came down to Washington to talk it over with the national committee leaders. While here I met and talked with your distinguished Senator VANCE HARTKE. VANCE was most encouraging. He told me of his plans to help Democratic candidates all across the country. He assured me of research assistance, he promised to send an experienced staff man to New Hampshire to help out in the heat of the campaign. And all of these promises that he made, he lived up to. Before I left to return to New Hampshire that day, VANCE did a TV script with me for campaign purposes. Then to top it all off, at about 11:30 on election night VANCE called me long distance from Washington at my headquarters in New Hampshire to congratulate me on my great victory. The funny thing was that as I talked to him on the phone, I said, "How do you know, when right now I am running behind some 3,000 votes?" VANCE said, "TOM, believe me, you are in, I know." And he was right.

VANCE'S help to me did not end on election night. When I came down to the Senate, I naturally started seeking a good committee assignment. Here I needed advice and counsel. The first man I went to was your VANCE HARTKE. In typical HARTKE style he said, "TOM, come with me." And off we went directly to the office of Democratic Majority Leader MIKE MANSFIELD. VANCE told Senator MANSFIELD of my wishes concerning committee assignments and said to the majority leader: "I want you to do all you can to give TOM MCINTYRE a good committee assignment." And what happened? You guessed it, MIKE did. So that is the kind of Senator you have. Not only an outstanding representative of the great State of Indiana, but a man who is a friend to his fellow Senators and who is respected among them; and today numbers among its members, freshmen like myself who will always be grateful to him for his kindness, his interest, his encouragement, and his wonderful help in the election of 1962.

VANCE and I sit side-by-side in the Senate, and I have had the opportunity to get to know this man better and better. He is a working Senator, fiercely loyal to the tenets of his party and completely dedicated to the principles of this democracy. He is plain-spoken and outspoken. The range of legislation he has sponsored runs the gamut from international affairs to the problems of the man in the street.

I am proud to be a cosponsor with Senator HARTKE of such major legislation as the area redevelopment administration extension, hospital care for the aged, and the civil rights program. But VANCE HARTKE is also interested in the little problems of the men and women of Indiana and the Nation.

A perfect example of this is his bill in the Senate which would exempt from the excise tax musical instruments purchased by parents or children for use in school bands and orchestras. He told his Senate colleagues that there is inequity in a law which exempts musical instruments purchased by schools but taxes instruments which parents purchase for their children to use in schools.

There is a companion to this bill in the House of Representatives, sponsored by the young and very able Congressman from his district, JOHN BRADEMAS. And may I say now, while I am in his district, that when the names of outstanding young Members of the House are mentioned in Washington, always among them is JOHN BRADEMAS.

Tonight I also want to salute you—the Democrats of Indiana. You have done a magnificent job. In a State that hadn't elected a Democratic Senator in two decades, you have by your teamwork in the short space of 4 years, sent to Washington two Democratic Senators—not only VANCE, but the popular, young, aggressive legislator—BIRCH BAYH.

You have also managed, through organization and drive, to help elect a fine Chief Executive—Gov. Matt Welsh.

Your Democratic congressional delegation of the able Congressmen MADDEN, DENTON, ROUSH, and BRADEMAS, have compiled excellent records in the House of Representatives. With this team and with your solid help, I know they will be returned to office next year by greater majorities than ever before.

But make no mistake, the challenge of the election year of 1964 is just as great as ever. That is why you must be busy with the immediate problem at hand—the city elections this fall. I am told that 76 of the 108 mayors currently are Democrats, and this includes 25 of the 26 largest cities. This is a fine record, but one upon which you can still build. Speaking as a former mayor of my home city, Laconia, N.H.—and I know Senator HARTKE will bear me out on this—it's impossible to overestimate the importance of electing Democrats to the key local positions. It's at the local level that the strength of a party organization begins.

This meeting tonight should deepen the dedication of you Democrats to work harder on the problems of today on behalf of the citizens of tomorrow. Our party draws strength from our commitment to the promise of youth, just as our organization draws strength from the lively and vigorous hard work of the Young Democrats. Without them, we cannot succeed, and it is their future upon which success depends for its meaning.

As a nation moving toward maturity, we no longer meet simple problems. These our dynamic, our inventive people, solve easily for themselves. The problems facing us today are difficult ones and there are no easy answers.

For the first time, we as a nation which has historically suffered from a shortage of labor, have had to face the problem of chronic unemployment. Since 1957, the rate of joblessness has been over 5 percent for every month but one.

For the first time, we as a nation of abundant land and rich resources have had to face problems of congested cities, contaminated water, and polluted air.

Newly independent nations have arisen all over the world with claims which our economic system is not yet well suited to satisfy. New needs demand new responses. But because the programs we propose are new, we are told that they are unneeded. Because they involve the spending of funds, we are told that they are unwise. The prophets of doom and disaster wring their hands and cry of the paternalistic state. They charge that

we are coddling the citizens from cradle to grave. They warn that we would destroy that independence and self-reliance upon which America was founded.

In reply I need only ask—

Who is the more independent—the consumer who is victimized by false packaging and misleading advertising? Or the consumer who can choose from a variety of goods, secure that he will get that for which he pays, and safe from harmful or damaging merchandise?

Who is the more independent—the elderly citizen who must rely upon public charity to pay the costs of hospital care? Or the citizen who has saved through social security for such an emergency and thus can pay with his own earnings?

Who is the more independent—the unemployed, hat in hand who must beg for work where none exists? Or the employed, who through retraining have learned useful skills and secured productive jobs?

I for one, and I think that you as Democrats will agree, feel that these human needs are the proper province for Government concern. And we must make sure that these changes represent blessings rather than burdens. If we are to assure this, we must allow ourselves the freedom, and demand of ourselves the creativity and initiative to deal with social and economic problems as they arise.

Our settled determination is toward progress on public needs even when this invites bitter denunciation from the cave-dwelling rightwing. As Harry Truman used to say, "If you can't stand the heat, get out of the kitchen." But we are in the kitchen and the future's in the stew. Our will must be unbending toward doing the right, as it is given us to see what is right, to meet our needs for social justice, expanded economic opportunities, and a just and secure peace for the world.

It is particularly appropriate to reaffirm before this audience the dedication of the Democratic Party and its leaders to progress. My generation, which has accepted public responsibility in these days, could easily limit its vision to obvious realities, could easily disregard the awesome changes in the world, and could easily balance the books in a mood of bland contentment with things as they are. Many would urge this course upon us. If we were to relax into the mediocrity of complacent satisfaction, we would leave an ugly legacy of insuperable problems to youth and deny to the next generation the resources it will need in leaving its own mark on national affairs.

I am proud to be a Democrat because our party has resolved not to throttle change, but to master it. We have never claimed to have final answers to the problems of the world, and our dogmas are few. We resolve to create opportunity for youth rather than self-righteous certainty for those who have tired of challenge. But it takes capable leadership to meet challenge and to master change. Indiana has been giving such leadership to the Nation, and again and again in the Senate I have been grateful for it. Let me say only that I share in the excitement of this wonderful meeting, which demonstrates how your organization supports the men our party will need if it is to keep faith with the future.

This meeting shows me again how we depend upon you, the party workers, not only for the support and hard work we so often need, but for the sense of purpose which makes the Democratic Party a redeeming element in the affairs of the Nation and in all our lives.

Our assignment is clear. Our task will be difficult. But we have a candidate who came up through the ranks of Congress, who has a sense of history. We have a candidate who has the courage to demand enactment of civil rights legislation, the compassion to seek a hospital care program for our elderly. We have a candidate who is dedicated to the search for peace, vigilant enough to support a strong defense posture and with foresight enough to advance our space program. We have the man who, with the aid and support of each and every one of us Democrats, will be returned to the White House next year by an overwhelming majority of the voters of Indiana and the Nation. We have the man who has built a magnificent record in his first term and who will continue to push forward the New Frontier in his second term—John Fitzgerald Kennedy.

And as sure as I'm talking to you tonight—the President will have at his side that hard-working, sincere and able Hoosier and American—U.S. Senator VANCE HARTKE.

Attorney General Robert F. Kennedy's Address at the Polish National Alliance Convention

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1963

Mr. PUCINSKI. Mr. Speaker, the 34th Quadrennial Convention of the Polish National Alliance, which is now in session in Philadelphia, Pa., on Wednesday of this week gave Attorney General Robert F. Kennedy a tumultuous welcome when he arrived to address the delegates.

Those attending the convention represented Polish National Alliance councils in 38 States of America. The reception given to Mr. Kennedy was one of the most enthusiastic of the entire convention.

The Attorney General reminded his audience that while the U.S. foreign policy is to encourage greater contact with those now living behind the Iron Curtain, "our Nation will never retreat from our conviction that there can be no lasting justice in the world until people everywhere have the right to self-determination."

The Attorney General's inspiring message was interrupted repeatedly with enthusiastic applause. I am happy to include Mr. Kennedy's address in the CONGRESSIONAL RECORD today, for it spells out a program of hope for the unfortunate victims of communism behind the Iron Curtain.

REMARKS BY ATTORNEY GENERAL ROBERT F. KENNEDY AT THE POLISH NATIONAL ALLIANCE CONVENTION, BENJAMIN FRANKLIN HOTEL, PHILADELPHIA, PA., SEPTEMBER 18, 1963

Poland was an old country when the United States was born, but our two national destinies have been interwoven ever since.

Poles were among the earliest, hardiest, and most democratic settlers of the New World; and no account of the American Revolution would be complete without the names of Casimir Pulaski and Thaddeus Kosciuszko.

Pulaski gave his life in our war for independence, after serving with gallantry at Brandywine and Valley Forge.

Kosciuszko lived on to work and fight for the cause of freedom, both here and in Poland, for many years.

His close friend, Thomas Jefferson, wrote of him that "he is as pure a son of liberty as I have ever known—and of that liberty which is to go to all, and not to the few."

Money and land were settled on Kosciuszko by a grateful Congress after the war—but it was typical of the man that he never used this bounty for himself.

Instead, he placed his will in Jefferson's hands—and in that will, anticipating the Emancipation Proclamation by more than half a century, he directed that the whole of his American fortune be used to buy slaves and set them free.

Today, the herioc statue of Kosciuszko that stands opposite the White House in Washington is a lasting symbol of our friendship with the people of Poland.

And it is appropriate, too, that the monument was built with funds of the Polish National Alliance, for surely there is no organization more truly dedicated to furthering that friendship than yours.

I think we can all agree that it has been a mutually rewarding friendship through the years—though we must acknowledge that America has had the best of the bargain.

The millions of Poles who followed Pulaski and Kosciuszko to this country as immigrants brought a rich and vital strain into our national character: we would be a poorer and weaker nation today without them.

If I set out to read a list of all the Polish-Americans who have earned places of leadership and honor, in war and peace and in all walks of life, it would take all day—so I'll settle for mentioning only one whose name is currently in the news, the distinguished John A. Gronouski, our new Postmaster General.

Within 12 years after the United States won its independence, Poland lost hers; and nearly all of her modern history has been a valorous and continuing struggle to regain it—a struggle with which Americans have always been deeply concerned.

During the First World War, the United States was a leading advocate for reestablishment of the Polish State. And was influential in providing for its formation at the Treaty of Versailles.

And time and again since then, we have been inspired by the courage of the Poles in fighting for freedom in their homeland.

We can never forget how Polish cavalrymen charged their horses against invading Nazi tanks.

Nor can we ever forget General Bor's uprising in occupied Warsaw, which held out for 63 days against the overwhelming forces of the German Army.

Several years ago, I climbed the rocky hillside at Monte Cassino—the scene of a hard-won Allied victory in one of the bloodiest battles of the Second World War—and there, on the monument to the Polish dead, is one of the most moving inscriptions I have ever read:

"We Polish soldiers, for our freedom and yours, have given our souls to God, our bodies to the soil of Italy, and our hearts to Poland."

The fate of Poland after the war, when the Communist regime came into power, opened still another dark chapter in her troubled history.

But the Communists didn't reckon on the stubbornness of the Polish spirit. They soon found out that nobody can make a collectivist out of a Polish farmer—and they still are discovering, more clearly every year, that nobody can stifle a Polish imagination; nobody can bend a Polish will.

Since 1956, the barriers have begun to come down.

The Polish people have won greater freedom to travel abroad, and to receive visitors

from other countries. Many Americans, including some of you here today, have been able to welcome Polish friends and relatives to this country.

During 1962, an estimated 10,000 Americans visited Poland, and the figure will undoubtedly be even higher this year.

Under an extensive cultural exchange program, Polish scholars have come here to lecture at our universities, and a lively student exchange program has developed between the two countries.

American athletes now compete with Polish teams, and such renowned Polish performers as the Mazowsze Folk Dance Group and the Posnan Boys' Choir have toured American cities.

American newspapers and magazines are on sale at Polish newsstands, and American broadcasts are received without interference in Polish homes.

In the field of international trade, too, the barriers have been slightly lowered. The United States has sold large quantities of agricultural surplus to Poland, and Polish exports to this country have increased.

We hope to see a steady widening of these economic relations, and for that reason this administration is in favor of retaining authority to grant "most favored nation" treatment to Polish commodities entering our ports.

The United States has made it clear that we will continue to welcome those actions of any country, Communist or otherwise, which respond to the basic needs of the people of that country and which seek to improve relations with us.

Our foreign policy is to encourage such developments, and to show our approval of any progress made along those lines.

But this in no way suggests a weakening in our fundamental position—and the Communists know it.

We as a nation will never retreat from our conviction that there can be no lasting justice in the world until people everywhere have the right to self-determination. And the cause of justice demands equal vigilance here at home.

We will never retreat from the belief of our fathers—the belief for which Pulaski died and Kosciuszco lived; the belief that lives today in every Polish heart, no less than in the hearts of all Americans—the belief that all men were made to be free.

Thank you.

SENATE

FRIDAY, SEPTEMBER 20, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of Light, whose universe is all law, yet all love, in a world that lieth in darkness, swept by the fitful winds of doubt and despair, blighted by suspicion and intrigue, we pause in this sheltered sanctuary to make sure that Thy light is not shuttered from our inner lives.

By Thy kindly light, as we follow it patiently and obediently, lead us and all men to a realm where, as a harvest of good will, peace will reign; to a kingdom of regnant human rights, where mouths shall not cry for bread; where hands and feet shall not be shackled; where speech shall not be silenced; where eyes shall not be bandaged, or minds darkened by falsehoods which hide the light of truth.

We ask it in the Redeemer's name. Amen.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour, and that statements in that connection be limited to 3 minutes.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 19, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 17, 1963, the President had approved and signed the following acts:

S. 495. An act for the relief of Evanthia Christou;

S. 506. An act for the relief of Panagiota Makris;

S. 657. An act for the relief of Dr. Mohammed Adham;

S. 909. An act for the relief of Marija Lovsin;

S. 1154. An act to provide for the sale of certain mineral rights to Christmas Lake, Inc., in Minnesota;

S. 1185. An act relating to the exchange of certain lands between the State of Oregon and the C. & B. Livestock Co., Inc.;

S. 1230. An act for the relief of Carlton M. Richardson; and

S. 1489. An act for the relief of J. Arthur Fields.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING THE SESSION OF THE SENATE ON MONDAY NEXT

On request of Mr. MAGNUSON, and by unanimous consent, the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce was authorized to meet during the session of the Senate on Monday next to consider three maritime bills.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON MILITARY CONSTRUCTION CONTRACTS AWARDED ON OTHER THAN A COMPETITIVE BID BASIS

A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis, for the 6-month period ended June 30, 1963 (with an accompanying report); to the Committee on Armed Services.

AMENDMENTS TO REGULATIONS GOVERNING NUMBERING OF UNDOCUMENTED VESSELS

A letter from the Assistant Secretary of the Treasury, transmitting, pursuant to law, amendments to the regulations governing the numbering of undocumented vessels, promulgated by the Commandant of the U.S. Coast Guard (with an accompanying paper); to the Committee on Commerce.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a special report of the National Advisory Council on International Monetary and Financial Problems, concerning a proposed increase in the resources of the International Development Association, dated September 1963 (with an accompanying report); to the Committee on Foreign Relations.

PROVISION OF CERTAIN BASIC AUTHORITY FOR U.S. INFORMATION AGENCY

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation to provide certain basic authority for the U.S. Information Agency (with accompanying papers); to the Committee on Foreign Relations.

REPORT ON EXCESSIVE COST TO THE GOVERNMENT FOR LEASING CERTAIN COMPUTER SYSTEMS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the excessive cost to the Government for leasing instead of purchasing analog computer systems for use under negotiated defense contracts by the Martin Marietta Corp., Orlando, Fla., Department of Defense, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF ECONOMIC ASPECTS OF LOAN FOR CONSTRUCTION OF WATER SUPPLY SYSTEM IN SAIGON, VIETNAM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of economic aspects of loan for construction of water supply system in Saigon, Vietnam, Development Loan Fund (succeeded by Agency for International Development, Department of State), dated September 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON UNDUE INCREASES IN MAXIMUM FEDERAL CONTRIBUTIONS RESULTING FROM METHOD OF FINANCING OFF-SITE COMMUNITY FACILITIES FOR LOW-RENT HOUSING PROJECTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on undue increases in maximum Federal contributions resulting from method of financing off-site community facilities for low-rent housing projects, Public Housing Administration, Housing and Home Finance Agency, dated September 1963 (with an accompanying report); to the Committee on Government Operations.