

by generally high ethical standards in business and professional conduct. No country in the world pays as much attention to consumer protection in all its many aspects.

And yet, paradoxically, American consumers tend to be complacent and to neglect their own interests, while other elements in our society are organized and vocal. And this is the significance of our meeting today.

A true free-enterprise economy cannot exist unless the consumer is able to perform his basic function as a discriminating purchaser. Industry, government, and the consumer—each has a distinctive role in the great drama of the marketplace. And all these roles are directed to a single purpose—to supply the needs and wants of all our citizens.

Prayer Is an American Tradition

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1964

Mr. PHILBIN. Mr. Speaker, from a moral point of view, as well as from a democratic point of view, the denial by the Supreme Court of the right to pray on a voluntary basis in the public schools is a shocking development in this great country that was in its inception, and always has been, irrevocably dedicated to belief in God and the principles of ordered personal liberty.

If this judicial decree is carried to its logical conclusion, it would ultimately bar prayer from every phase and segment of American public life. It would remove every reference to God from our courts, from the executive and legislative departments of the Government at every level. In fact, if followed to its logical conclusion, it would officially make us a prayerless nation and a prayerless people, a nation prohibited by our own highest court from mentioning the name of God in public. What a travesty.

This would mean that the word God would in time be eliminated from oaths that are taken in the courts or elsewhere, would strike "In God We Trust" from our coins and wherever else it may appear, it would bar prayers at public ceremonies and meetings, it would strike down the words "In God We Trust" above the Speaker's rostrum in this great legislative Chamber. It would forbid prayers here, if this be dared.

It is not sufficient to say these things shall not come to pass. It only needs to be said that the first step toward these things has taken place by Supreme

Court decision, against the wishes and convictions of an overwhelming number of the American people.

Thus, at one stroke, we have accomplished two things that will certainly come back to plague us. We have driven the mention of God from our public schools, from the ears of our youth who will be the leaders of our Nation in the future, thus educating these leaders, upon whom this Nation will have to rely for its existence and retention of our freedoms, without mention of God in the places where they are being trained for this vital leadership in all the affairs of Government and of our national life.

At the same time, we strike down the principle of majority rule by going counter to the will of the majority. It is not sufficient to say that this is an instance of where minority rights must be protected. There is no challenge presented to the protection of minority rights, in fact, the leaders of every branch of the Government, under the law and under American policy, are unchangeably committed to the protection of minority rights, which are safeguarded here as in no other nation on earth. Hence, the prayer ban decision makes it possible for the views, held by only a very small minority of the American people, to prevail in critical, important and crucial areas of American life against the wishes of an overwhelming number of our people.

A onetime, celebrated American humorist once put on the lips of Mr. Dooley the expression, "that the Supreme Court listens to the election returns." It has not done so in the prayer decision. But the Supreme Court has a greater obligation than that. It must listen to, carefully study, and obey the Constitution of the United States and the moral and spiritual codes, usages and mores of the American people, which have been followed here since the start of this great, free Government. The Court must interpret the Constitution as it is written, not remake it after its own heart. It is a court of interpretation, not a legislature. It construes the law, not creates or changes it.

There has been no real effort made by the Court to check the flagrant, indecent, flammatory, derisive attacks that are directly made upon the Almighty in the spoken and written words of atheists, agnostics, and other disbelievers and Communists, although there have been instances when these scurrilous attacks have been so bitter and so vicious that they could well have sparked serious public disorders in our midst.

Why do we not listen to the counsel of some of the great men of American history to interpret the Constitution the way it was written, and not by what judges may want to write into it, men who understood the place that religion, morality, ethical standards, and spiritual forces have, and were intended to have, in American life, in our government and in our affairs.

I would suggest that some of those who are now inveighing so strongly against prayer in the public schools on the theory that such prayers violate minority rights and constitute the establishment of a religion, a statement which, taken in proper context, is so fantastic as hardly to require rebuttal, might turn their attention, if ever so briefly, to the prophetic words of the great Abraham Lincoln, who once said:

We have been the recipients of the choicest bounties of heaven. We have been preserved in peace and prosperity. We have grown in wealth and power as no other nation ever has grown. But we have forgotten God. We have forgotten the gracious Hand which preserved us in peace and prosperity. And we have vainly imagined in the deceitfulness of our hearts that these things were produced by some wisdom and virtue of our own. Intoxicated with success, we have become too self-sufficient to feel the necessity of redeeming grace, too proud to pray to the God that made us.

If we look around this country and this world today and observe what is transpiring, it would be very easy for reasonable men to conclude that what the Nation and the world needs most today is more prayer, not less, more faith in Divine intercessions, not less, and more regard for the Constitution and its plain, simple terms, not less.

If we were to follow such a course, a course clearly desired and strongly sought by an overwhelming number of the American people, it would be a better reflection of American democratic institutions and a more promising augury for the early reclamation and effective buttressing of the moral truths, spiritual standards, and practices of our way of life which have contributed more than all else to the origin, the growth, the prosperity, the greatness, and the freedom of this glorious Nation.

Shall Americans remain supine and unmoved by the sinister attacks upon our sanctuaries of liberty?

Or shall we rally as God-fearing people should to preserve them?

The prayer decision must go. If it remains this Nation will lose its most valuable asset—the spiritual faith and loyalty to free principles of our people. We will lose the very soul of America.

SENATE

FRIDAY, MAY 22, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Father John C. Rielly, S.M., of Chaminade College, Honolulu, Hawaii, offered the following prayer:

In the name of the Father, our Creator; and of the Son, our cherished Redeemer; and of the Holy Spirit, our beloved Comforter. Amen.

O Heavenly Father, who deigned to send Your only begotten Son to save us, hear our prayer. And You, O Saviour, Jesus Christ, who fulfilled Your mission

here on earth, and returned to the Father, so that, together with Him, You might send us another Paraclete, permit us to address Your Holy Spirit on behalf of all those here present and for all those whom they represent across our beloved land.

Come, O Holy Spirit, come, and from Your heavenly home send forth the fire of Your holy love. Make this love effective in our lives, O Father of the poor,

and enrich us as we serve the needs of others. O finger of God's right hand, touch us, heal us, direct us, and save us from ever going astray. Enlighten us to do what is right. Shine within our hearts and minds, that we may always do Your holy will. We, who confide in Your almighty power to protect, beg You for Your sevenfold gift of grace. Grant us virtue's sure reward; grant us true salvation, Lord, loving and eternal happiness.

In the name of the Father, and of the Son, and of You, O Holy Spirit, who are with Them one. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 21, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House has passed a bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be a morning hour, under the usual conditions, and with statements therein limited to 3 minutes.

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

ORDER FOR RECESS TO MONDAY, AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon, on Monday next.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, before I suggest the absence of a quorum, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages 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.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

ATOMIC ENERGY COMMISSION

The Chief Clerk read the nomination of James R. Ramey, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1969.

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

LEGISLATIVE SESSION

On request by Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 248 Leg.]

Alken	Gore	Monroney
Allott	Gruening	Morse
Anderson	Hayden	Mundt
Bartlett	Hickenlooper	Neuberger
Bayh	Holland	Pearson
Beall	Humphrey	Pell
Bennett	Inouye	Proxmire
Bible	Jackson	Randolph
Burdick	Javits	Ribicoff
Carlson	Jordan, N.C.	Robertson
Case	Jordan, Idaho	Saltonstall
Church	Keating	Simpson
Clark	Kuchel	Smith
Cotton	Long, Mo.	Sparkman
Curtis	Mansfield	Stennis
Dirksen	McCarthy	Talmadge
Dodd	McGovern	Tower
Douglas	McIntyre	Yarborough
Ervin	Metcalf	Young, N. Dak.
Fong	Miller	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREW-

STER], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHEL], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. McNAMARA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HALL], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Wisconsin [Mr. NELSON], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from South Carolina [Mr. THURMOND], and the Senator from Tennessee [Mr. WALTERS] are necessarily absent.

I further announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Kentucky [Mr. COOPER], the Senator from New Mexico [Mr. MECHEM], and the Senator from Arizona [Mr. GOLDWATER] are necessarily absent.

The Senator from Colorado [Mr. DOMINICK], the Senator from Vermont [Mr. PROUTY], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Nebraska [Mr. HRUSKA] is detained on official business.

The Senator from Delaware [Mr. WILLIAMS] is necessarily absent to attend the funeral of a friend.

The Senator from Kentucky [Mr. MORTON] is necessarily absent to attend the funeral of a relative.

The ACTING PRESIDENT pro tempore. A quorum is present.

REPORT ON PROCUREMENT OF MILITARILY DESIGNED TRANSMITTER WHEN COMMERCIALY DESIGNED EQUIVALENT WAS AVAILABLE AT LESS COST

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of militarily designed transmitter when commercially designed equivalent was available at less cost, Department of the Navy, dated May 1964 which, with an accompanying report, was referred to the Committee on Government Operations.

COMMEMORATIVE STAMPS AND COINAGE IN HONOR OF GEN. DOUGLAS MACARTHUR—RESOLUTION OF FOURTH ASSEMBLY DISTRICT REPUBLICAN CLUB, JACKSON HEIGHTS, N.Y.

Mr. KEATING. Mr. President, I present and ask unanimous consent for appropriate reference a resolution adopted by the membership of the Fourth Assembly District Republican Club, Inc., of Queens County, N.Y., calling for the enactment of legislation authorizing the issuance of a U.S. postage stamp and future issues of coinage in commemoration of the late Gen. Douglas MacArthur.

I ask unanimous consent that the text of the resolution be printed at this point in the RECORD.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

**FOURTH ASSEMBLY DISTRICT
REPUBLICAN CLUB,
Jackson Heights, N.Y.**

Whereas the late General of the Army Douglas MacArthur served his country throughout his long and distinguished career with a dedication to duty and country surpassed by no man; and

Whereas his successful performance of that duty and his dedication to the cause of liberty and democracy have earned for him an international reputation as a true champion of liberty; and

Whereas in the hearts of his own countrymen, he has become one of America's outstanding heroes deserving of appropriate commemorative actions so that his memory will survive among generations yet unborn: Be it therefore

Resolved, That the Fourth Assembly District Republican Club of Queens County, N.Y., urges that legislation be enacted providing for the issuance of a special memorial U.S. postage stamp in honor of Gen. Douglas MacArthur; and be it further

Resolved, That serious consideration be given to the possibility of enacting legislation to provide for the inclusion of General MacArthur's portrait on future issues of coinage of the United States of America.

ODIN V. CARLSON,
President.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Sashiki-Son Assembly, of the island of Okinawa, favoring the reversion of Okinawa to the Fatherland, which was referred to the Committee on Foreign Relations.

BILLS INTRODUCED

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

By Mr. RANDOLPH:

S. 2867. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of lead proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

By Mr. CURTIS:

S. 2868. A bill for the relief of Andreas, Gregorios, Eleni, Nikolaos, and Anna Chingas; to the Committee on the Judiciary.

CIVIL RIGHTS—AMENDMENTS

AMENDMENT NO. 607

Mr. TOWER. Madam President, I submit an amendment, intended to be proposed by me, to title VII of the civil rights bill, and ask unanimous consent that it be printed at this point in my remarks.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The amendment will be received, lie on the table, and will be printed; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 607) is as follows:

On page 50, after line 25, insert the following new section:

"AGREEMENTS REQUIRING MEMBERSHIP IN A LABOR ORGANIZATION

"SEC. 719. Section 8 of the National Labor Relations Act, as amended (29 U.S.C. 158), is amended by adding the following new subsection at the end thereof:

"(g) Any agreement, as authorized in subsection (a)(3), requiring membership in a labor organization as a condition of employment, shall to that extent be unenforceable and void if such labor organization, because of race, color, religion, national origin, or sex, denies membership therein to any individual on the same terms and conditions generally applicable to and with the same rights and privileges generally and uniformly accorded to all members of such labor organizations."

Mr. TOWER. Madam President, my amendment would nullify those provisions of any collective bargaining agreement which require membership in a union as a condition of employment in any case where the contracting union maintains an exclusionary policy with respect to membership based on race, religion, color, national origin, or sex.

For the past 30 years, labor unions have been the recipients of many special privileges, rights, and immunities enjoyed by no other form of private organization in our society, and conferred on them by Federal law. Among the most substantial of these union advantages is the power to contract with the employer to compel membership in the union as a condition of employment.

In 1935, Congress adopted the Wagner Act which the trade union movement refers to as its "Magna Carta." A fundamental principle of the Wagner Act was that no employer could lawfully discriminate against an employee because of his membership or nonmembership in a labor union. This basic principle was embodied in section 8(3) of the Wagner Act, which made it an unfair labor practice for an employer "by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization."

If section 8(3) had stopped right there, every form of compulsory union membership agreement would have been rendered unlawful. To avoid this, the Congress conferred a special immunity on labor unions by including a proviso to section 8(3) which permitted unions and employers to enter into compulsory union membership agreements without violating the law.

It was clearly recognized that this exception was in direct contradiction to the act's fundamental principle that an employee's job status was to remain completely unaffected by reason of his membership or nonmembership in a union.

In 1947, Congress recognized the need to narrow this broad and powerful immunity it had granted to labor unions 12 years earlier. Although in enacting the Taft-Hartley Act, it continued to permit employers and unions to enter into compulsory union membership agreements, it narrowed the permissible scope of such agreements. Moreover, it also made explicit by writing into the new statute a principle which had previously been part of the unwritten law, to wit, the so-called right-to-work principle. Section 14(b) of the amended National Labor Relations Act specifically authorized the States to prohibit all forms of compulsory union membership. To date 20 States have enacted such right-to-work laws.

Nevertheless, in the remaining 30 States, unions continue to enjoy the special privilege of lawfully being able to compel employees to join the union if they wish to hold on to their jobs. It is my firm conviction that this special privilege should be withdrawn from any labor union which denies fair and equitable treatment to qualified employees and applicants for employment and which discriminates in membership on the basis of race, religion, color, national origin, or sex.

For that reason I am introducing this amendment which, simply stated, merely renders null and void any provision in a collective-bargaining agreement requiring union membership as a condition of employment, if the union which is a party to such an agreement, discriminates with respect to membership therein because of race, religion, color, national origin, or sex. If a union wishes to assert the prerogatives of a private organization to pick and choose its own members in any way it sees fit, it is inequitable for the Federal Government to grant it the special privilege of contracting for compulsory membership where the union exercises its prerogative unjustly, arbitrarily, and in a discriminatory manner.

In closing, I would like to point out that my amendment would not apply in any way in those States which have or enact right-to-work laws or which have or enact fair employment practice laws covering this matter. Inasmuch as the bill merely nullifies compulsory union membership contract provisions under certain discriminatory conditions, it can obviously have no application in any State where such provisions are already prohibited by State law.

AMENDMENT NO. 608

Madam President, I submit another amendment to the civil rights bill, and ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received, lie on the table, and be printed; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 608) is as follows:

On page 29, line 17, immediately after "include" insert "(1)".

On page 29, line 21, immediately after "assistance" insert a comma and the following: "or (2) any student placement service of an educational institution which is exempt from taxation under section 501(a) of the Internal Revenue Code of 1954".

Mr. TOWER. Madam President, this is a very simple amendment designed only to clarify a situation with which I think there is complete agreement. It specifically exempts university and college placement services from the civil rights bill definition of an "employment agency."

I do not believe that it ever was intended for placement services maintained by educational institutions for the assistance of their students to come under the term "employment agencies." But the bill leaves the matter uncertain.

Section 702(b) of the bill defines employment agency as "any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person." It then exempts agencies of a State which might exclude State-supported colleges, but might not.

Section 702(f) of the bill defines employee to mean an individual employed by an employer. But this appears to be too restrictive. What is intended, no doubt, is to include also "prospective employees," since the present wording if strictly interpreted would remove from the provisions of this act all persons not already employed when they seek work.

Assuming that "prospective employees" are intended to be covered by this act, then students certainly might be included if they are served by placement services in seeking initial work after their education. They almost certainly would be covered in seeking new opportunities through such a service in the later years of their employment. Many colleges operate such services.

I feel that it is unrealistic to bring college placement services under this law, neither do I think it was intended.

It can only be assumed that, if subject to this law, colleges would face added expenses for recordkeeping and for possible legal defenses at a time when this Congress is attempting to put more money into American education, rather than to increase the costs of educational institutions.

It also is obvious that this provision would operate to the detriment of those remaining colleges which are primarily utilized for whatever reason by a majority of students of a so-called minority group. This could affect especially church supported schools.

There also is the issue of testing which has arisen because of the interpretation in the Motorola-Illinois FEPC case. It is possible that tests will be subjected to supervision under this civil right's law—although I hope not. Since our colleges and universities use tests for many reasons, I do not think there should be left

any possibility that they would be restricted in such testing.

At any rate, it was not and is not intended that American colleges and universities be harassed by this bill. Therefore, I suggest that my amendment be utilized to specifically spell out the fact that college placement services are not covered by the bill.

Mr. TOWER subsequently said: Madam President, I ask unanimous consent that the amendments which I submitted may be entered into the RECORD as having been read for the purpose of the cloture motion.

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

SUCCESSION TO THE PRESIDENCY AND VICE PRESIDENCY—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BAYH. Madam President, one of the great issues before the country today is the problem of providing means for proper disposition of Presidential or Executive affairs during times when the President is unable to carry forward the powers and duties of his office.

A joint resolution dealing with this problem, as well as the problem of replacing a Vice President during a time when we would have no Vice President, was introduced by some of us on December 12, 1963.

I ask unanimous consent at its next printing to have the name of the distinguished Senator from Connecticut [Mr. Dodd] added as a cosponsor of Senate Joint Resolution 139, which deals with this problem.

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

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate of May 14, 1964, the following names have been added as additional cosponsors for the following bills:

S. 2842. A bill to confer jurisdiction on U.S. district courts to hear and render judgment on certain claims: Mr. GOLDWATER, Mr. GRUENING, Mr. HART, Mr. MANSFIELD, and Mr. MCGEE.

S. 2848. A bill to establish a program for Federal assistance for college and vocational education loans and a program for Federal undergraduate scholarships: Mr. MCCARTHY.

NOTICE OF MEETING OF PUBLIC LANDS SUBCOMMITTEE

Mr. BIBLE. Mr. President, I would like to take this opportunity to announce that I have scheduled a Public Lands Subcommittee meeting for 10 a.m. on Friday, May 29, to take testimony on four park bills. They are:

S. 91, to establish the Fort Bowie National Historic Site in Arizona.

S. 605, to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in the Independence National Historic Park.

S. 2048, to provide for the Big Horn Canyon National Recreation Area.

S. 1870, to establish the Valle Grande-Bandolier National Park in New Mexico.

These are apparently noncontroversial measures and in the limited time that has been made available, the committee should be able to hear all of the witnesses who desire to testify.

I want to assure my colleagues who are sponsoring other park legislation that as soon as the situation on the floor of the Senate clarifies to such an extent that we can be assured of having sufficient time to hear all of the witnesses, I will schedule hearings promptly.

I would like to particularly assure my colleagues from Pennsylvania and Maryland who have sponsored the Tocks Island and Assateague Island proposals that I have been swamped with requests of interested parties to present their views to the committee. For this reason it appears to be the better course to delay action on these bills until the civil rights matter has been disposed of and the restrictions on committee meetings are lifted.

It is also anticipated that the subcommittee will shortly conduct a field examination of the proposed Fire Island National Seashore. With this exception hearings have been concluded on the bill.

I see on the floor the Senator from New York [Mr. KEATING]. I hope that we can make the inspection either this weekend or the weekend thereafter. As soon as it is completed, we hope to proceed with the consideration of the Fire Island National Seashore at an early meeting of the subcommittee in executive session.

Mr. KEATING. Mr. President, I am very glad to hear the remarks of the distinguished Senator from Nevada. I know he has moved along diligently with the Fire Island bill. Of course the circumstances that prevail on the floor of the Senate at the present time have made it impossible to have the subcommittee visit Fire Island. However, I am gratified to hear his statement, that he and his subcommittee will make a field inspection trip up there. I understand he does not feel that further hearings are necessary beyond the hearings which have already been held here. Is that correct?

Mr. BIBLE. The Senator is correct. Apparently no further requests for hearings have been received. If there are further requests in the field for hearings, it may delay that much longer the ultimate decision on this very worthwhile project. We hope to make the inspection trip a week from tomorrow or the weekend thereafter.

Mr. KEATING. I am grateful to the Senator. If he gets there on the Memorial Day weekend, May 30, he will see a very busy place. If possible, I would like to be there with him, to guide him through the maze of people who will be there that day, enjoying themselves on the holiday. Whether that is possible or not, I hope following the inspection trip the Senator and his fine committee will proceed to act favorably on the proposed legislation. It will be a great boon to that whole area.

Mr. BIBLE. I assure the Senator from New York that as soon as we have completed the details we shall notify both Senators from the State of New York.

Mr. KEATING. I thank the Senator.

AMBASSADOR STEVENSON'S SPEECH TO THE UNITED NATIONS YES- TERDAY

Mr. MANSFIELD. Madam President, at the time of my remarks on southeast Asia yesterday, I had not seen the full text of Ambassador Stevenson's speech to the United Nations. In particular, the news ticker had not yet carried the report of his proposal that there be U.N. action to halt the border incidents between Cambodia and Vietnam. He proposed that a joint Cambodian-Vietnamese force under U.N. observation and direction or an all U.N. force be used to patrol the border between the two countries. He stated further that the United States would be willing to do its part in the maintenance of such a force.

It is an excellent proposal and he is to be commended for advancing it on behalf of the U.S. Government. As I have indicated in the past, some kind of impartial patrol force on the borders is a necessity for peace in Indochina at this time. The absence of a clear geographical boundary between the two countries, Cambodia's historical fear of its neighbor to the east, and the operation of Vietcong units in the border area, all point toward this need.

An impartial border force such as Mr. Stevenson proposed, moreover, would be in line with what Prince Sihanouk has long sought for the protection of his country's neutrality and should go far toward improving relations between Cambodia and South Vietnam. I am hopeful that it would also be useful in restoring a measure of amity in our relations with Cambodia.

"THE CHALLENGE OF COMMUNISM"—ARTICLE BY GOV. NELSON A. ROCKEFELLER

Mr. JAVITS. Madam President, I should like to insert in the RECORD at this point an outstanding fine article entitled "The Challenge of Communism," written by Gov. Nelson A. Rockefeller.

Persons like myself have said that Republicans ought to continue to make contributions to the foreign policy efforts of this country within the context of the bipartisan foreign policy as initiated by Arthur Vandenberg of Michigan, the father of NATO and of the United Nations.

This article by Governor Rockefeller carries out fully that concept, and I ask unanimous consent that it be printed in the RECORD at this point.

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

[From Look, June 2, 1964]

THE CHALLENGE OF COMMUNISM (By Nelson A. Rockefeller)

(New York's Governor Rockefeller speaks candidly about our past errors in dealing with the Soviet Union; the danger in trying to play Communist Russia against Red China; the mistake we make in believing a change in Russian strategy means a change in Communist aims.)

In the 19 years since World War II ended, periodic Soviet peace offensives have raised the hopes of millions, but these expectations

have invariably been disappointed. We have recently been going through another such phase. Early in January, it was reported that President Lyndon B. Johnson was planning his own "peace offensive" for 1964. Roger Hillsman, who was then Assistant Secretary of State for Far Eastern Affairs, spoke optimistically of the lessons the leaders of the Soviet Union had absorbed regarding "the values and priorities which one may safely pursue on a small planet." And Secretary of State Dean Rusk reportedly told a NATO meeting in December 1963 that the West has an interest in Soviet policy prevailing over Chinese policy. Yet, within a few weeks after these statements were said to have been made, the world was again racked by crises from Vietnam to Zanzibar, from Cyprus to Panama and Cuba—some of them Communist instigated, all of them Communist exploited. And at the Disarmament Conference in Geneva, the Soviet negotiators were intransigent as always, making the usual Soviet propaganda proposals designed to disarm the West unilaterally.

No responsible American will dispute the urgency of the effort to achieve peace. But Americans are not willing to buy peace at the expense of freedom. Anyone aspiring to leadership in our society owes it to the American people not to raise false expectations. He must not naively pretend that history will hand us our deepest desires on a silver platter. He must also avoid a sterile negativism that above all is concerned with striking a belligerent pose. I, for one, offer no easy solutions or panaceas to the challenge posed by Communist imperialism. The success of our struggle for peace depends on our understanding of the nature of the Communist challenge and of the dangers and opportunities inherent in the present situation.

From its beginning, communism has occasionally preached political coexistence. It has always rejected ideological coexistence. Last summer, an official document of the Soviet Communist Party declared the irreconcilability of Communist values with those of the West: "The Communist Party of the Soviet Union comes out resolutely against peaceful coexistence in the ideological sphere. This is a simple truth that all who regard themselves as Marxists-Leninists should have mastered long ago."

Have Soviet values changed then, as Hillsman, among others, has implied? The answer is found in the Soviet Communist Party's own words in its memorandum to the Chinese Communists of July 14, 1963: "We fully stand for the destruction of imperialism and capitalism. We do not believe in the inevitable destruction of capitalism, but are doing everything for this to be accomplished by . . . the class struggle and as soon as possible."

Peaceful coexistence was avowed by the Soviet Union between 1924-39; between 1943-46; at the time of the Geneva Summit Conference of 1955; and again at the time of Nikita Khrushchev's visit to the United States in 1959. On each occasion, the period of relaxation was ended when an opportunity for expanding communism presented itself. The 1924-39 period of tranquillity was followed by the annexation of Bessarabia, a third of Poland, the Baltic States—and an attack on Finland. In the period following World War II came the creation of the chain of satellites in Eastern Europe. The spirit of Geneva gave way to the penetration of the Middle East and a crisis over Berlin. And the spirit of Camp David was ended with another Berlin crisis and the establishment of a Communist military base in Cuba.

When the Soviet Union faces internal difficulties, should we bask in the relative calm, or should we use the opportunity to press energetically for a settlement of the issues that produced the cold war in the first place? If all we ask of the Russians when

they are in trouble is a more conciliatory tone, we should not be surprised if they step up pressure as they regain strength.

To avoid a repetition of this process, we must guard in particular against the danger of confusing a change of tone with a change of policy. Soviet peace offensives in the past have been characterized by a change of tone from the usual bellicosity to more normal forms of international conduct, together with some marginal "concessions" designed to meet the rare Western demands for "deeds, not words." These concessions, as often as not, are merely agreements to stop doing something the Soviet Union had no right to do in the first place. Thus, in 1943, it abolished the Comintern and the international apparatus for Communist subversion—on paper at least. The late Senator Tom Connally, of Texas, said then: "Russians for years have been changing their economy and approaching the abandonment of communism, and the whole Western world will be gratified by the happy climax of their efforts."

By 1948, the Comintern, under another name, was reestablished, though it had hardly been inactive during the period that it was formally dormant.

The tendency to view Soviet developments with excessive optimism was illustrated last summer by Under Secretary of State W. Averell Harriman, upon his return from Moscow. He reported that both domestic pressures and the experience of the Cuban crisis had convinced the Soviet leaders of the importance of peaceful coexistence.

But these views were also held by Harriman back in 1959—in the middle of that year's Soviet offensive against West Berlin—when he wrote: "I think Mr. Khrushchev is keenly anxious to improve Soviet living standards. I believe that he looks upon the current 7-year plan as the crowning success of the Communist revolutions, and a historic turning point in the lives of the Soviet people. However, as I had indicated elsewhere, he is finding it difficult to attain the ambitious goals set forth in the plan as long as armaments are making such heavy demands on scientific genius, technical skill and capital investment."

This was a year before the breakup of the Paris Summit meeting, 2 years before another ultimatum on Berlin and the Soviet abrogation of the nuclear-test moratorium, and 3 years before the installation of Soviet missiles in Cuba.

Recently, there were those who described the agreement to permit some West Berliners to visit relatives on the other side of the wall during Christmas as a "step forward." It was overlooked that the wall itself is a violation of solemn agreements and that this so-called concession was obtained only after the West Berlin city government had negotiated separately with the East German regime. The negotiations enhanced the status of East Germany and began a process that could end in the separation of West Berlin from the Federal Republic of Germany—both objectives of the Soviet Union since 1958. We have come a long way when blackmail based on the anguish of divided families is considered conciliation.

Still more recently, President Johnson responded optimistically to Khrushchev's proposal for an agreement on the renunciation of force. Secretary Rusk said that he hoped that our Soviet "friends" were "sincere" in this appeal. But the insincerity of the Soviet proposal was obvious on its face. Khrushchev specifically stated that the agreement would not restrict the use of force against Taiwan, or the use of force against Western military bases that exist under old treaties; that internal struggles to unite countries like Vietnam and Korea were also in a separate category.

We were asked, therefore, to sign an agreement renouncing the use of force, but not to

object to the use of force against Taiwan, Panama, and Guantánamo. At the same time, we were to withdraw our forces from Vietnam and Korea. And yet President Johnson wrote the Soviet Premier that Khrushchev's proposal could be the basis for further progress toward peace. To the extent that we confuse the change of Soviet tone with a change of policy, we strain the free world alliance, and also raise false hope among our own people.

The impact on Soviet actions is even more serious. As long as the Russians believe that any action of theirs, no matter how provocative, can be reversed by a change in tone, they have no incentive to conduct a responsible policy.

We face no more urgent task than to make clear that the cold war can be ended only by resolution of such issues as the division of Berlin and Germany, Soviet subversion in the underdeveloped countries and Soviet encouragement and support for so-called wars of national liberation, which are in fact nothing but wars to overthrow legally constituted governments.

In approaching the free nations, the Russians constantly encourage the belief that each country can do better by dealing directly with the Soviet Union, rather than by acting in concert with the rest of the free world. This danger is compounded by the tendency of political leaders the world over to believe that they have a "special" relationship with Khrushchev—a belief assiduously fostered by Soviet diplomacy. In many democratic countries, the approach of election time makes a pilgrimage to Moscow almost obligatory.

The United States has an unfortunate record of bilateral negotiations with the Soviet Union. In 1962, we engaged in what were called exploratory talks, over Berlin, without the participation of France or the Federal Republic of Germany. In 1963, we and the British negotiated the nuclear test ban treaty without consulting our continental allies on some of its key provisions. And we endorsed by implication a nonaggression treaty between NATO and the Warsaw Pact. This moved the Secretary General of NATO to warn that the United States should not "embark on courses which other members of the alliance might be unable to support."

Unless the West can develop a united program, the pressures for separate accommodation can be expected to multiply, and the purposes of Soviet policy will be served. As the Communist parties are made more "respectable," and the Soviet leaders are given certificates of good conduct, so does the domestic situation in many free countries become increasingly difficult.

The argument is often made that we have an interest in supporting one Communist faction against the other. Sometimes, it is said that we should support individual Communist leaders by making concessions to them, lest more bellicose opponents take over. However, the free world must not delude itself about its ability to affect internal developments in the Communist world. Neither the split between Yugoslavia and the Soviet Union nor the Sino-Soviet dispute was caused, or even foreseen, by free-world policy.

Many of the internal Communist arguments have in any event had primarily a tactical significance. A decade ago, China was supposed to be the "liberal Communist power"; today, the opposite supposition rules. A decade ago, Khrushchev replaced Georgi Malenkov because he supposedly put too much stress on consumer goods. Two years later, Khrushchev adopted Malenkov's program.

The gyrations of Communist internal politics are too complex, and too involved with the ambitions of individuals, for the West to base its policies on them. We cannot play Kremlin politics. We should not make concessions simply to strengthen a so-called

"peaceful" Khrushchev. The test of our offers must be the national security of the United States and the cohesiveness of the free world.

The Sino-Soviet dispute may in time sap the world Communist movement. But we would do well to recognize that, for the immediate future, the split represents danger as well as opportunity.

Finally, I should warn against the expectation that industrialization will automatically make the Communists more peaceful. Nazi Germany was highly industrialized, and highly aggressive. Imperial Japan was the only industrialized country in Asia, and the most bellicose one. Former Assistant Secretary of State Hillsman spoke optimistically of a new generation of less doctrinaire Chinese Communist leaders. Is there any substantial evidence to support this theory?

In order to be effective, any policy toward the Communists must be based on the unimpaired military strength of the United States. The sole argument Khrushchev has used in behalf of peaceful coexistence is that nuclear war is too risky. We have to strive to keep it so.

While our present strategic forces are adequate and dependable, there exists in the Defense Department a dangerous complacency about long-term developments that may amount to a "Maginot mentality"—the assumption that what we have today will prove sufficient tomorrow. This is exemplified by overemphasis on the so-called cost effectiveness approach of Secretary of Defense Robert McNamara, which has been criticized in a unanimous report of the Joint Committee on Atomic Energy: "If this theory had been rigidly applied in the past, we would not have many of the essential weapons we have today. If our potential enemies do not choose to use the same cost-effectiveness criteria as our Department of Defense, we may well find that they will oppose us with the best weapons technology will provide."

I am concerned also about the steady redeployment of troops, which has been going on for more than a year, from Europe, from Japan and even from Vietnam. Once before, in Korea, such redeployment invited Communist aggression. Let us never forget that the presence of U.S. troops overseas heartens the friends and discourages the enemies of freedom. A lasting settlement is possible only if the Soviet leaders become convinced that they will not be able to use the West's desire for peace to demoralize the West. Effective negotiations with the Soviet Union presuppose negotiations with our allies—including Charles de Gaulle—about a common policy.

In all the areas likely to be discussed with the Soviet—political, military, and economic—unresolved disputes exist in the Western alliance. These must be overcome. Specifically:

1. It is dangerous to negotiate with the Soviets as long as allied disunity presents them with a shopping list of conflicting programs.

2. It is impossible to make responsible proposals on disarmament until we have settled long-festering disputes on strategy.

3. In the economic field, the issues raised by the recent wheat deal demonstrate the urgent need for common trading policy as to the Soviets.

Our most urgent task is to form a more perfect union among the nations of the West. I urge an early convocation of a summit conference of the nations of the North Atlantic to begin forging common policies. The heads of the member states should then create a permanent body charged with formulation of the following:

Common NATO negotiating positions toward the U.S.S.R. on matters of common concern.

A common NATO trading policy toward the Soviet Union and the Communist bloc;

A common strategic doctrine among the countries of NATO;

Long-range goals of NATO policy; and Policies that enable other regions to collaborate with the Atlantic community on a basis of equality and mutual respect.

In the past, the tendency has been increasingly to negotiate on a Soviet agenda. When the Soviet is bellicose, the West is reluctant to raise controversial issues for fear of magnifying Soviet hostility. During periods of calm, the West does not raise these issues for fear of disturbing the mood of tranquillity. The West urgently requires a positive program of its own.

The West should make clear that the Soviet cannot ride two horses at the same time: That of peaceful coexistence toward the West and of subversion in all the underdeveloped countries. A real relaxation of tensions presupposes an end to the Soviet policy of indirect aggression in Asia, Africa, and Latin America.

Even in the absence of a settlement of these fundamental issues, some limited agreements may be possible. They fall into three areas:

1. Standards of international conduct: The Soviet Union can relieve the impression that it is not prepared to meet expected standards of international conduct by taking the following steps: It can meet its financial obligations to the United Nations; it can meet its obligations under the international fishing conventions; it can sign the international patent and copyright conventions; it can sign the Japanese peace treaty.

2. Agreement on trading principles between East and West: The nations of the West should seek a comprehensive agreement with the Soviet Union on the principles of international trading. The agreement would cover such areas as dumping and price discrimination, where a state-controlled economy has an obvious advantage in maneuverability over a free-market economy. The principles of the General Agreement on Tariffs and Trade (GATT) seem appropriate.

3. Cultural exchange: Whatever our differences with the Soviet leaders, we harbor no animosity toward the Soviet people. The Russians, like peoples everywhere, deeply desire peace and value individual freedom. It is in the interest of peace to have the greatest possible contact between our people and those of Russia. The greatest degree of collaboration in pure science or other cultural or intellectual fields should be fostered.

If the United States and the free world are to endure and prosper, we must begin to look beyond the edge of the desk over which current crises come. We must choose to lead by making a reality of equal opportunity at home. This will have crucial meaning for those throughout the world whose choice for their own future may rest on our ability to make real the American dream. We must choose to lead in building among the Western nations a union of the free, dedicated to the preservation of human dignity.

It is the task of the leader to raise a standard to which our friends can repair—to define the limits which our foes know they may not transgress. Above all, it is the challenge of leadership to define peace not simply as a static condition, not just as the absence of war, but as an opportunity for free men everywhere to realize the best they have within them.

CONSEQUENCES OF TRADE WITH SOVIET BLOC IN STRATEGIC MATERIALS

MR. TOWER. Madam President, Mr. R. G. Follis, chairman of the board of the Standard Oil Co. of California, has written in the April issue of the Stand-

ard Bulletin a concise and powerful analysis of the consequences of trade with the Soviet bloc in strategic materials, particularly oil industry facilities.

I ask unanimous consent to have the views of Mr. Follis printed in the RECORD, and I commend them to the careful attention of the Senate.

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

TRADE WITH SOVIET RUSSIA

(The U.S.S.R. wants to trade the West for prototypes of advanced industrial plant that will let them bypass five decades of research and experience, keep their technical resources at work on military projects and give them a big competitive edge in world markets.)

From all the economic barometers, from reports from within Russia herself, the Soviet economy is sagging, and badly. Growth of heavy industry has slowed to a crawl; in other sectors, such as agriculture, the slowdown amounts to stagnation.

At the same time, there is an apparent relaxation of tensions in the Soviet "cold war" with the West. Whether or not these two things are related cannot be known for sure. One facet of the present thaw is a Soviet invitation for more trade with the West. Even now, to help ease their food crisis, America is selling grain to the U.S.S.R. Meanwhile, Russia continues to dump oil on world markets wherever it can be used to open free world countries to infiltration, and at the same time secure more foreign credits, at whatever price. It is not clear that the U.S.S.R. and the free world have the same understanding of the word "trade."

What do the Russians really want? They have already indicated what it is. Despite their aggressiveness and the advanced technology displayed in the military and related activities, the Russian plant for supplying consumer goods for peacetime use is inefficient and obsolete in many areas. To bring the Russian plant into shape would require years and years of devoting to the task huge amounts of capital and, most important of all, technical manpower which in our unbelievably complex technical era puts a firm limit on what can be done in any society.

What they are asking for, in their trade deals, is industrial machinery, not to equip their whole industrial complex, but just one or two ultramodern plants in each category: Chemicals, steel, petroleum, rubber, and a long list of other vital elements. These are obviously needed for just one purpose—model prototypes. At one stroke, by simply copying (Russia does not believe in patents) they will have bypassed 50 or more years of trial and error, of research, inspiration and invention. And their plants, unlike those of the West, will all be of the most modern, advanced type, able to pour manufactured goods into the marketplace in quantity and price almost impossible to match. In other words, they want to repeat the massive transfer to them of Western technology which took place in the thirties and early forties. Then, similar plants in a wide spectrum were made available to them—thus relieving their technological manpower so that their energies could be directed to military and other activities.

And what will the Russians use for trade goods to obtain these plants? The most accessible resource the Soviets have to offer the free world for exchange is their oil—they have already opened and disrupted several markets in the West with it. Further evidence that petroleum is their prime trading weapon is its top priority on the list of modern prototype plants wanted. Russia, before any other plants, wants samples of advanced major refineries and petrochemical plants. Once these plants are duplicated and re-

uplicated and in operation, they may well pay for the prototypes of all the rest.

What is Russia's eventual aim? On this, we have direct evidence. It is in their own statements. One such statement is contained in a speech made by Premier Khrushchev only last December at the Soviet Communist Party meeting in Moscow. It said, in effect, that when the U.S.S.R. had succeeded in obtaining from the West the equipment it needed to avert disaster, it would be able to then "inflict a crushing blow on the Old World and establish with incontestable conclusiveness the superiority of socialism over capitalism."

This is not a simple challenge of competition—and not just a matter of the oil industry alone. Petroleum happens to be the vehicle selected to force the door; if the Soviets can obtain the technical prototype machinery in this field, the new plants they will then build can, and will, secure the foreign exchange power needed by Russia to repeat the performance with every other industry.

It can be hoped that our own Government will be foresighted enough—in this one field of technical industry or in any other—not to create such competition for its own economy by permitting the sale to Russia of prototype equipment. To do so would be to abet a Russian purpose which is neither constructive nor beneficial. It is, in short, the complete destruction of our economy (including our oil and all other industry) and eventually our entire way of life. Perhaps we could convince some of our allies of this fact, too.

R. G. FOLLIS,

Chairman of the Board, Standard Oil Co. of California.

ALLIANCE FOR PROGRESS—ADDRESS BY PROF. J. W. F. DULLES TO TYLER JUNIOR COLLEGE, TYLER, TEX.

Mr. TOWER. Madam President, I ask unanimous consent to have printed in the RECORD a thoughtful speech given at Tyler, Tex., Junior College March 6, 1964, by Prof. J. W. F. Dulles of the faculty of the University of Texas.

Mr. Dulles is a talented and careful observer of Latin America, and his scholarly views on the Alliance for Progress will be of interest to the Senate.

I might note as a matter of further interest, that Mr. Dulles is the son of former Secretary of State, John Foster Dulles.

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

THE ALLIANCE FOR PROGRESS—THOUGHTS FOR TYLER JUNIOR COLLEGE, TYLER, TEX., MARCH 6, 1964

About the Alliance for Progress I should like to make a few observations. They might be divided into two categories. One covers the dangers of generalizing about the situation in Latin America. The other has to do with the objectives of the Alliance.

I

In some places there exists a simple generalization about Latin America which is much used as the basis for judgment. Sometimes it seems to color the newspaper stories which appear in our country, so that for the initiated on the spot it is occasionally hard to recognize from these stories what is really going on. This generalization pictures the Latin American armies, the landowners, and the rich as taking a reactionary position and fighting against reforms which would benefit their countries

and the downtrodden. Actually there are so many exceptions to this generalization that it can hardly be considered very valid or very useful.

During a visit I made to Argentina in 1962 it was apparent that the military chiefs there stood for two healthy things. One was support of anti-Castro action by the OAS, backing the position of the United States. The other was to prevent the return of Perón, whose regime was hardly beneficial to Argentina and who has said that when he does return to power a million Argentine heads will roll. These views held by military leaders—particularly their views regarding Cuba—usually brought them into conflict with the administration of President Frondizi. Finally, the military leaders felt they should take drastic action when they saw that a strong Peronista-Communist combination was about to take the country in what seemed to them to be a dangerous direction. Argentina is now back on the democratic path.

In the past 20 years the Brazilian military has stepped into the political picture on several occasions. Each such step was a very short one in which the purpose was to keep Brazil a democracy. One may or may not agree with the position taken by the Brazilian armed force ministers following the resignation of President Quadros in 1961, but it is nevertheless clear that their objective was to prevent what they felt to be a serious development in favor of communism. They had no desire to take over the nation's political administration, did not do so, and have opposed no social improvements.

Last year there was a military takeover in Guatemala. This was occasioned by the fact that an election was pending, and the election would have brought Juan José Arevalo, a Communist, to the presidency. Some of you may have read Arevalo's book, "The Shark and the Sardines." You may recall that in the early 1950's popular election brought Guatemala into the Communist camp, that this was terribly upsetting to our country, and it took military action in 1954 to overthrow the Arbenz Communist regime. Last year's military coup was, in my opinion, preferable to having Guatemala at the present time become another Cuba.

In an issue of National Review last month Mr. Charles Stokes, of Houston, wrote disparagingly of views such as these which I have expressed now and then. He pictured me as an apologist for military dictatorships in Latin America. He wrote: "It appears Mr. Dulles would set aside certain basic principles to achieve pragmatic, short-term results." Mr. Stokes went on to discuss underlying causes, four centuries old, of Latin American political instability. With much of what he wrote I am in agreement, and I feel sure he would agree with some of the evolution he would like to see may take a good deal of time. I am not trying to say that I think a military dictatorship is the best thing, and certainly I would not say that everything the military has ever done in all of Latin America has been good. But in some areas of Latin America the military in recent years has played a very healthy role, and I would quarrel with generalizations to the contrary.

Some thoughts about this matter have been expressed by Adolf Berle, who served under Presidents Roosevelt and Truman as Assistant Secretary of State for Latin American Affairs and as Ambassador to Brazil, and who, more recently, was chairman of President Kennedy's Task Force for Latin America. Mr. Berle recently wrote that "Latin American armies differ from country to country but they are responsible for and to the best of their ability have maintained constitutional democratic governments over most of the region, and their officers are as enlightened and patriotic as most citizens."

All sorts of statements could be made about agrarian reform and there would probably be some truth to all of them, for conditions vary not only from country to country but also inside many of the countries as well.

Experience does show that the simple division of large estates among peasants means a reduction of food production, at least for a while. Such a program created a very serious situation in Bolivia. More recently Castro, whose agrarian reform program has been described as a shambles, has made it clear that he will distribute no more land.

Together with the possession of a piece of land, a great deal is needed to make things satisfactory for a landowner and for the economy of a country with hungry citizens. By using a combination of experience, new investment, and new techniques, landowners in Latin America have increased food production by about 60 percent between 1940 and 1960. Many of them have done very commendable jobs. But in some areas the uncertainty about possible future reform has caused productive landowners to hold off from installing badly needed mechanical equipment. Furthermore in some regions the passion for quick industrialization has resulted in Government monetary and financial policies which have been quit unfavorable for the agricultural sector. Some food shortages have developed and these have contributed to poverty and inflation. The need of further increasing food production is a serious problem in some places.

Mr. Berle states that it is a misconception to say that agricultural reform is a good thing. He also writes that it is at least arguable that agrarian reform is an issue urged primarily by intellectuals and politicians * * * rather than an issue engendered by insipient agrarian revolt.

In February 1962 when I was in southern Brazil I found Governor Brizola, who likes to expropriate foreign utilities, was devoting much time trying to stir up the idea that there is a great need for agrarian reform in the most southern Brazilian state of Rio Grande do Sul. These efforts of his did not catch on. Nor do they seem to have made Brizola popular in his own farming and cattle-raising state of Rio Grande do Sul. In the election which followed, Brizola lost control of his own state, but he nevertheless appeared to be a far leftist hero in the metropolitan city of Rio de Janeiro—which is hardly an agrarian area. The city of Rio voted to have this great expropriator from a distant southern state represent it in the federal congress.

Intellectuals and politicians may possibly, as Mr. Berle has suggested, be to the forefront in urging agrarian reform. At the same time and for other reasons work is being done by Communists, whose attacks on the land-owning class, and whose efforts in some areas to organize peasants for an eventual guerrilla campaign, are not designed to serve as useful solutions.

Statistics about Latin America are sometimes drawn up to show that a large percentage of cultivated land is held by a small part of the population. Sometimes I wonder what corresponding statistics would show for the State of Texas or for the United States. Or what would be the effect here of breaking up the large landholdings, or threatening to do so, with compensation to be in practically worthless paper.

But I do not want to do too much generalizing myself. It seems that in some regions of Latin America there has developed a tenseness calling for some action. Some of these situations exist where there are large government landholdings, such as in Guatemala. In various sectors there are opportunities to create useful new land by new irrigation and new roads. But such solutions take time. Some land expropriations can be expected regardless of the cost in total food production and the considerable cost of

equipping the new landowners with what they will need in addition to land.

It is to be hoped they will be properly equipped. It is also to be hoped that each area will do its utmost to end soon the kind of uncertainty which has caused some of the present landowners to decide to carry on with antiquated farming methods instead of investing in new equipment.

And now a few thoughts about the industrialists and their attitude toward reforms of one type or another.

Statistics show an income distribution of Latin America which is far from satisfactory. In Venezuela, for example, 10 percent of the population receives 80 percent of the national income. In this day of propaganda and communications we can appreciate how dangerous it is to have 90 percent of the population in poverty. But such is the income of Latin American peoples that if all of it were distributed evenly upon a per capita basis, it would simply mean that everyone, instead of the 90 percent, would be too poor. What has happened is that the area of industrial production has to date included a relatively small sector of society. It has not been big enough and a large part of society continues outside the economic picture.

Let us assume we find a state which has had no industry and to which one industry comes, attracted by the profit motive. It brings good earnings for the owners, taxes for the tax collector, and relatively good conditions for its employees. But elsewhere in the state 90 percent of the population is outside of this activity. On the part of certain politicians, ever mindful of the 90 percent, the tendency has been not to take steps to attract new industries, but rather to take a different course. Unfurling a banner of so-called reform, they often present a package of projects which include expropriation threats, the limiting of profit remittances, and the carrying on of fiscal policies which assume such a currency inflation that only a crazy businessman would let his earnings remain in the local currency.

There have been of late occasions when important new industries, and useful expansions of production, have been killed—killed by so-called reforms supported by ultranationalists and Communists; or killed by an outworn theme which goes like this: Spoliation by foreign investment associated with reactionary local capital.

It is perhaps not inappropriate to consider that our own country, in its early days, owed much of its development to European capital which found it attractive to come here. But it is not just foreign capital which is affected in Latin America by what the Chase Manhattan Bank calls the barrage of propaganda against free enterprise. A former Finance Minister of Brazil, the largest Latin American country, has stated that his countrymen are keeping in the United States, Switzerland, and other foreign countries an amount equaling 150 percent of the biggest possible sum that his country can hope to obtain under the Alliance for Progress.

David Rockefeller, speaking in Paris, pointed out that "in some cases a strong and emotional nationalism has led to domestic actions discouraging and even negating the flow of outside assistance from both public and private sources." He emphasized that "economic development is—essentially and profoundly—a product of a nation's domestic policies and attitudes." He stated that "too much of our aid has been channeled into Government programs and too little has gone to stimulate the productive energies of private enterprise." He added that "it is folly to think, as some apparently do, that the staggering task of development can be accomplished without full use of the talents of private enterprise and full support of private investment."

Senator JOHN TOWER in last January's Reader's Digest wrote an article called "Let's Stop Financing Socialism in Latin America." Tower quotes an Ecuador citizen as saying about Ecuador: "If all the capital sent abroad would return, Ecuador could be well off. No basic foreign aid would be necessary." Tower estimates the outflow from Brazil at \$1 billion simply since the Alliance was started. He quotes a Mexican as saying: "Your Alliance is giving governments the money to buy up and operate, as money losing socialist state monopolies, scores of businesses that were formerly taxpaying parts of the free enterprise system. It seems remarkable to some of us that the wealth of the American people should be used to undermine the very system that produced it." Tower gives rather appalling figures of the losses run up by government-owned business enterprises in Argentina, Bolivia, Brazil, etc. He states that U.S. taxpayers have furnished since World War II nearly \$8 billion to Latin America in loans and grants, but that much of this has gone to bail out Latin American government losses caused by deficits in nationalized industries. Furthermore, he feels that the encouragement of this socialism speeds the outflow of local capital.

What we have to bear in mind is that not all of those who call for state ownership of industries have the solutions which will be the most helpful; not all of those who blame private enterprise for the hungry state of the masses have the best interests of the people at heart. Seeking to identify themselves with the many who are poor, demagogues organize loud demonstrations against what they label "the trusts" and "the Yankee imperialists" and introduce legislation which has driven away foreign and domestic private capital.

Alsogaray, formerly Economics Minister of Argentina, has written that it is habitual in some cases "to encourage the ultranationalistic and socialistic groups, believing they are popular and represent Latin American feeling." This, he says, is a "basic error."

I just want to say that some who have taken a bold and sensible stand against such ultranationalistic and socialistic groups, and against much of the legislation these groups favor, have become branded as reactionaries who are opposing reforms.

This is not to say that there are not some measures of reform which would be useful. I have seen situations where I believe strong antimonopoly or antitrust legislation would seem to be a useful reform, helpful both to consumers and to jobseekers. The situation, however, is so complicated that many of the generalizations which have been used, in order to create a nice, simple picture, are far from useful and far from fair. As Ambassador Lincoln Gordon once remarked: "There are reforms, and there are reforms."

II

And now to turn to my second and last category of observations: the objectives of the Alliance for Progress.

If we ask ourselves why the United States is participating on a large scale in the Alliance, a number of laudable reasons come to mind. One of these, surely, is the humanitarian aspect, which President Lyndon Johnson has stressed more than once. The peoples of all the Americas have qualities which transcend selfish interests and are characteristically ready with a helping hand when neighbors badly need it. In addition we have come to know that, in today's world, our own situation depends more and more on the conditions existing in other countries. World order is important. A good argument for the Alliance for Progress lies in the fact that the principal Communist nations are fearful of it. They see it as something which will do much to prevent large parts of Latin America from following the Cuban

path. Russia and China are engaged in a well-financed campaign to smear and block the Alliance. Their agents at times identify themselves with local ultranationalists and support measures which will upset the economy. The National Federation of Students in at least one important South American country has come out against the Alliance for Progress. In one situation with which I am familiar such a stand was the result of clever and very hard work by Communist agents supported by apparently ample funds and by some professional nationalists of the far left. I feel sure that such a stand does not represent the views of the vast majority of students, many of whom are inactive politically. It is an example of the work being done by enemies of the Alliance.

To be successful the Alliance must be seen for what it is, a combined or cooperative effort agreed to by 20 nations. It must not be thought of as a vehicle to be used by our country to devote funds to popularize itself in Latin America.

The great Spanish liberal writer, Salvador de Madariaga, has suggested in his latest book that the United States should give up control of the Panama Canal. In giving his reason for this proposal, he states that such a step would help popularize our country in Latin America. I am not of the opinion that the idea of trying to popularize ourselves abroad should be the basis of deciding on important steps. The basic idea behind the Marshall plan was not the popularization of the United States.

Probably an important quality which each of the nations, including our own, should seek to obtain, is respect. And certainly the surest way for the Alliance to fail is for it to be considered as a one-way flow of effort; that is, from our country south. In this cooperative effort, a tremendous scale of performance is called for by all of the allies of the Alliance.

The Alliance, you will recall, calls for a number of things. Stress has been placed on an increase in Latin America's gross national product and a better distribution of it. Quite properly much attention has been devoted to education and it is pointed out that "inadequate educational programs have been a serious obstacle to economic progress and social integration." Men like Mr. Watson Wise, who are deeply concerned with international education, are doing as much as anyone in our country can do for our neighbors.

The problem with which the Alliance has been faced for over 2 years is how to achieve the excellent objectives which the leaders of 20 nations regard as desirable.

In "The Decline of the West," Oswald Spengler has described the characteristics of societies which can expect to become strong, and those which will decline. Describing the spring of a civilization, he writes of the birth of a new God-feeling, in the grand style. Describing the winter, or final days, he writes of "materialistic world outlook * * * extinction of spiritual creative force * * * ethical practical tendencies of an irreligious and metaphysical cosmopolitanism."

Those characteristics of societies which are dynamic are not necessarily encompassed by the economist's tools. They are characteristics which are associated with a cause considered worthy of sacrifices by the individual. We have seen new life spring sometimes from the most unpromising situations—utterly difficult situations in which some self-reliance has been necessary for survival, and yet where despair has been so rampant that a leader can call a halt to smallminded fratricidal skirmishes. I have seen a football team revive almost overnight when the individuals come to concern themselves with a larger purpose than their own selfish interests. The component parts of a society are each more willing than one might suppose to sacrifice, to work longer hours,

for example, if they are quite positive that the other components will do the same, and if it is appreciated that when all set their eyes on a bigger cause, great things can be done. This principle has been used in connection with good causes and bad ones. But it is this magic leadership, this call beyond a limited day-to-day material in-fighting, that can bring progress out of stagnation. Germany from defeat and from the economic depression of 1933 became something terrible, but strong, in 1939. England arose to a cause with the leadership of Churchill. Compare France of De Gaulle with the floundering postwar pre-De Gaulle France. Many Brazilians in 1960 and 1961 saw that needed leadership in Quadros, overwhelmingly elected to provide a stern and moral government, after pledging that sacrifices would be required of all. He cut out cockfights and bathing beauty contests, limited horseracing to Sundays, and made it mandatory for bureaucrats to put in their full hours of work. Are some of these details trivial, or are they significant? Brazil's present troubles are attributable to his resignation after 7 months in office.

The vitality required for progress cannot be supplied by foreign aid. Once that vitality is expressing itself under dynamic leadership, such aid can be helpful.

It is at this point that we should again remind ourselves that it is dangerous to devote the major share of our attention to the byproducts of a strong civilization; our major attention should be devoted to the spirit which makes a society strong.

History has demonstrated again and again that nations whose primary attention has been focused on the spirit have built up strong moral fibers. The cherishing of spiritual and moral values for their own sake has often been accompanied by such outward manifestations as well-being. The danger comes when a society becomes so attracted by the byproducts that it puts byproducts, such as well-being, ahead of its interest in moral values for their own sake.

The point can perhaps be illustrated by the example of man's search for happiness. The man who has some well-loved goal will experience happiness when he makes steps in the direction of his goal. He is getting happiness as a byproduct. Were he to forget this nature of happiness, and start on a pursuit of happiness for its own sake, his pursuit would not be successful.

Societies characterized by the spirit I have described, possessed of this desire to sacrifice for a cause which is almost a passion, have advanced regardless of handicaps. But, unless the cause be united with metaphysical truth, the advance can be short lived.

We might again recall what motivated the founders of universities which flourish in our country today. Pioneers in a new world, who were at work earning a living for themselves and their families, resolved to contribute of their time and income to establish institutions which, they resolved, would preserve God's word and pass it on to future generations. Concerned about their offspring they had the wisdom to know that the primary function of education was something greater than fostering material progress.

One of the messages which is clearly emphasized in the Old Testament is this one. When the main attention became shifted to the byproduct and away from the original strengthening spirit, civilizations become weak. When leaders, regardless of their practical education, flouted much of the moral law, and their followers did the same, weaknesses developed and civilizations fell; and no amount of attention to material things could cure a condition of fundamental weakness.

As I have mentioned, education is assigned an important part to play in the alliance and this is a very good thing. In the Charter of Punta del Este we find it written that

"the primary aim of education is the overall development of each human being." I know that all of us appreciate that the attainment of the overall development of each human being is impossible unless attention is given to the deepest and most significant aspect of that development.

Charity and the redistribution of assets on a humanitarian basis are not in themselves enough, particularly if such steps are simply inspired by motives of self-preservation. These and other steps must be the byproducts of a great spirit which has as its basis love of the word of God.

History has shown that neither will our country, nor any country allied with us, progress in any meaningful way if the bulk of our attention is so fully focused on the byproducts of greatness that we ignore the fundamental spirit which makes for true strength. This lesson, I feel, should not be ignored as 20 nations, including our own, strive to make a success out of the Alliance for Progress.

FRANCE AND AMERICA ON VIETNAM

Mr. McCARTHY. Madam President, the Washington Post is publishing a series of articles written by Walter Lippmann, based upon Mr. Lippmann's recent trip to Europe.

The third in this series entitled "Europe in the Spring," was published in the Washington Post on May 21, and the third section is entitled "France and America in Asia."

Mr. Lippmann makes a number of interesting observations with regard to American-French relationships, particularly as the relationships meet in an attempt to advance toward a solution of the problems in southeast Asia.

I should like to note two observations made by Mr. Lippmann in this article, to which I believe all Senators should be attentive:

There are, to be sure, reports that the general takes no one into his confidence and that he conducts foreign policy in solitary secrecy. This is simply not true for the major foreign policies. For example, French policy concerned with Germany, Eastern Europe, and the Soviet Union, with NATO and U.S. military and political leadership in Europe, involves the government, not just the general himself. The complex of problems which are connected with France's reentry into the Far East are not the sole and secret domain of the general.

Later in the article, Mr. Lippmann states:

After my conversations in Paris I think I am entitled to say that the French see a stronger resistance as necessary to the negotiations they are beginning to open up.

This was with reference to southeast Asia.

Madam President, I ask unanimous consent to have the entire article by Mr. Lippmann printed in the RECORD.

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

[From the Washington Post, May 21, 1964]
"EUROPE IN THE SPRING," III—FRANCE AND AMERICA IN ASIA

(By Walter Lippmann)

Although I did not see General de Gaulle, who was in the hospital when I was in Paris, I saw a number of key men who were in a position to discuss French policy. There are, to be sure, reports that the general takes no one into his confidence and that he

conducts foreign policy in solitary secrecy. This is simply not true for the major foreign policies. For example, French policy concerned with Germany, Eastern Europe and the Soviet Union with NATO and United States military and political leadership in Europe, involves the government, not just the general himself. The complex of problems which are connected with France's reentry into the Far East are not the sole and secret domain of the general.

The more I heard in Paris, the more evident it became to me that far from being arbitrary, personal gestures, the major French policies are widely prepared, long-range diplomatic operations.

In dealing with France today we are dealing with very serious, highly professional diplomats, with men who are every bit as serious and competent as we are ourselves.

We are missing the main point and we are stultifying our influence when we dismiss the French policies as not really serious, as expressions of personal pique or personal vanity on the part of General de Gaulle, as inspired by "anti-Americanism" and a wish to embarrass us. The truth is that there is a failure of communication between Paris and Washington. The diplomatic channels are clogged with mutual pride and prejudice, and the consequent lack of understanding is a serious matter which could be and must be corrected.

All are agreed that the critical Franco-American conflict is in China and southeast Asia. This is the raw point where American lives and honor are at stake, as they are not at stake in the current differences in Europe. The Gaullist administration is acutely aware of the extreme sensitiveness of the American people about their involvement in the Vietnamese war. To suppose that the Gaullist government is trying to thwart us and precipitate a disaster in southeast Asia is, I am entirely certain, malicious nonsense.

On the contrary, the main objective of French policy is to save southeast Asia from conquest by China and to avert a disaster which would affect the whole Western World in its dealings with Asia. Let us not blind ourselves by a prejudiced refusal to take seriously the French intervention in Asia.

The French, we must not forget, are the only Western nation qualified to intervene at the present time. The British are engaged in a semicolonial war with Indonesia about Malaysia. The Germans are pinned down in Europe and cannot, while they are partitioned, play the role of a world power. We are at war. Only France among the Western powers has fully liquidated its military position in Asia and in Africa. Moreover, the prestige of France and French culture among the educated classes of China and southeast Asia is very high.

If General de Gaulle is right, as most surely he is, that there can never be a stabilized peace in south Asia unless it is supported by China, then it would be folly on our part not to hope that he will succeed in his diplomatic explorations in Peiping. However, these explorations are just beginning, and nothing proceeds rapidly in the Orient.

What is the French hypothesis? It is that the Sino-Soviet conflict is very serious, so serious that it now poses great territorial issues, and therefore that Peiping has a strong interest in stabilizing its southern frontier. The real questions are: What is the price of an agreement to stabilize it and what are the guarantees of such an agreement? This is what General de Gaulle has now to find out.

If we analyze the situation fully, we shall conclude, I believe, that French policy and American are not competitive in Asia but are in fact complementary. This is to say that what De Gaulle is trying to accomplish is the only conceivable solution of what is certainly an otherwise interminable military conflict. But it is to say also that what the

United States is contending to do, which is to sustain the resistance of the Saigon Government, is necessary to the success of the French action in Peiping and Hanoi. It is in this sense that the two policies are complementary. They would become fused into one policy if the administration adopted as its slogan a modification of Churchill's remark "We arm to parley" and said that "in Vietnam we fight to parley."

Standing alone, the United States has no credible policy for winning the war or for ending it. Once again, as in all our wars, we are fighting for victory without a practical political aim. As we can see in the dictated peace after the First World War, in our demand for unconditional surrender in the Second World War, in the calamitous march to the Yalu in the Korean war, it is the vice of our thinking that when we are engaged in a war we can imagine no satisfactory end to the war except the unconditional surrender of the enemy.

This is one of the main reasons why morale is so very bad in southeast Asia. We are supporting and promoting a cruel and nasty war that has no visible end. There is no light at the end of the tunnel I have heard it said by people in Washington that we must fight on in South Vietnam for 10 or 20 years. That may sound stouthearted in Washington but it is a dismal prospect for the villagers of Vietnam. What we are offering the Vietnamese people is altogether demoralizing.

On the other hand, if Peiping and Hanoi are allowed to believe that all resistance will soon collapse in Saigon, the price of stabilization on a formula of neutralization is likely to be intolerably high. Like everyone else, if they see a chance of dictating a settlement, they won't negotiate it. It is necessary therefore to do what the President and Secretary McNamara are doing, which is to reinforce the resistance of the Saigon government.

After my conversations in Paris I think I am entitled to say that the French see a stronger resistance as necessary to the negotiations they are beginning to open up. But most surely they do not think that the reinforcements can be more than a shot in the arm, and I doubt whether any serious American thinks so either.

It must be said also, I believe, that a policy of stabilization in southeast Asia demands that the American power and presence in the South Pacific shall not be withdrawn when our troops withdraw from South Vietnam. On the contrary, we should strengthen our position in the South Pacific. We should be able to do this if we do not forget, as we have allowed ourselves to forget, that we are a sea and air power and must not involve ourselves in land wars on the Asian mainland.

Although I think that French and American action should be thought of as complementary, not as competitive, neither government can at the present time afford to say so. We cannot say so because we might undermine what little fighting morale there is in Saigon. The French cannot say so because they cannot negotiate in Peiping and at the same time give their blessing to our intervention. But nonetheless, today, as so often before in our history, France, and America have the same fundamental interests.

DE GAULLE ON VIETNAM

Mr. McCARTHY. Madam President, I ask unanimous consent to have printed in the RECORD an article entitled "De Gaulle on Vietnam," written by Ronald Steel and published in the magazine the Commonweal, of April 24, 1964, at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator

from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. McCARTHY. While I do not entirely agree with the observations made by Mr. Steel in the article, I do believe he knows that, we, too, raise the same hard questions which he raises, and that we should give some attention to the answers which he proposes, or to the answers which we may ourselves propose as alternatives to his suggestions.

EXHIBIT 1

[From the Commonweal, Apr. 24, 1964]
NEUTRALIZE SOUTHEAST ASIA: DE GAULLE ON VIETNAM

(By Ronald Steel)

(Ronald Steel who has written on international affairs for a number of American journals, is the author of the recently published "The End of Alliance" (Viking).)

Charles de Gaulle's decision to recognize Peiping, coupled with his proposal to neutralize southeast Asia, has struck official Washington with the full force of an unrepentant heresy. France's action is variously described as having dealt a mortal blow to SEATO, NATO, CENTO, the Alliance for Progress, etc., opened the floodgates of Asia to the tide of communism, and/or subverted American diplomacy and with it our leadership of what John Foster Dulles used to call the free world. Curses and moans are the order of the day along the Potomac, where the administration, like a spinster at the marriage of her younger sister, is seething with resentment over what it considers another betrayal of its various grand designs by its favorite arch-villain.

Licking the wounds of its battered pride, the State Department has been consumed with indignation over the actions of That Man in Paris. But, as so often in the past, its arguments have a distressing—although by now expected—tendency to be more self-righteous than convincing. In the land of the diplomatic cliché, the most predictable phrasemaker is king. The rest of us, however, before joining in the Greek chorus over Gaullist perfidy, might for our own benefit take a dispassionate look at what De Gaulle has done in Asia, and what it is he hopes to accomplish.

First, he has recognized that the real Government of China is the one that has ruled the country from Peiping since 1948, and not the one that languishes in Formosa on subsidies provided by the American taxpayer. This stunning act of political adventurism follows a similar action taken by Her Majesty's Government many years ago. In all fairness should not the chant of Gaullist treachery be supplemented by a resounding chorus of "Perfidious Albion"? While the Democratic administration, although it has been in power for more than 3 years, has not shown the slightest intention of discarding an irrational China policy inherited from its predecessors, it blithely assumes that the Europeans must forever remain prisoners of our own China lobby. President Johnson may be afraid to admit that there is something lying between Korea and Pakistan that Washington's political maps don't show, but De Gaulle and Sir Alec are not obliged to put on the same blinkers.

Second, by establishing political ties with Peiping, De Gaulle has sought to open a dialog with China that to his mind offers the only way of stabilizing the West's disintegrating situation in southeast Asia. His position is quite simple: it rests upon the belief, as Couve de Murville recently explained, that "the United States is unlikely to do with 20,000 men what France was unable to do in 8 years with 200,000 men." De Gaulle is convinced that the United States is simply repeating France's tragic error by trying to im-

pose a military solution upon what is essentially a political problem; that the war in Vietnam is not so much one of the Communist North against the "free" South, but a rebellion within South Vietnam itself against a government whose only source of support is the American money and weapons that stand behind it. Since the United States is considerably more interested in fighting the war against the Communist guerrillas than is the Saigon Government itself, the rebellion has turned into a second colonial war with America taking France's place in an effort to impose a friendly regime upon an increasingly hostile people.

Washington is not unaware of the political aspects of this struggle. It has read the manuals of Ho Chi Minh and Che Guevara, but unfortunately it is trying to apply their lesson in reverse. The newly ordained guerrilla warfare experts along the Potomac seem to believe that the present ruling junta in Saigon will win universal adoration if only the Vietnamese people can be shown that their generals have friends in Washington. Thus Secretary McNamara puts on his khaki shirt for a barnstorming tour of South Vietnam, jumping out of helicopters to kiss babies and reassure stunned peasants that the Pentagon stands four-square behind its man in Saigon. Like a small town mayor receiving the blessing of a touring Governor, General Khanh told newsmen, "We would make a good team." The Vietnamese no doubt thought so, too, but the lesson they drew from it may not be the one Washington intended. Treated to a parade of American officials come to embrace their generals, trained by white soldiers, and equipped by the United States to fight a war against their own rebels, might they not assume that this is our war and not theirs?

It is in the mire of this increasingly hopeless civil war that De Gaulle's proposals come like a draught of fresh air. The aims of Paris, despite its radically different approach, are not so very different from those of Washington. Both wish to stabilize southeast Asia and establish cohesive states which will have sufficient internal support to maintain their independence in the shadow of the Chinese colossus. They disagree totally, however, on methods: American officials are trying to achieve through force of arms what De Gaulle believes can be accomplished, if at all, only by an enlightened diplomacy. His judgment is based not only upon the bitter lesson of France's own colonial experience in Indochina, but upon the conviction that there can be no peace in Asia without China's acquiescence.

Despite France's extensive economic and cultural interests in Indochina, De Gaulle has let the United States have a relatively free hand in Vietnam. During the past few months, however, under the impact of the political disintegration in Saigon, the breakdown of the truce in Laos, and the edgings of a fearful Cambodia toward Peiping, he has decided that the need for a political solution has become desperate. Convinced that Washington is following a policy which will lead to the communization of all southeast Asia, De Gaulle is trying to salvage what he can before the war spreads to North Vietnam or until a pro-Communist coup topples the rightwing regime in Saigon. Rejecting the Pentagon's military blueprints as irrelevant to what is essentially a political struggle, he hopes to reach a settlement with China for a neutral southeast Asia from which Western influence will not be excluded.

What De Gaulle is proposing is not simply the neutralization of South Vietnam, but that of all southeast Asia beginning with South Vietnam—a neutralization guaranteed by the major powers. As he explained in his January 31 press conference announcing the restoration of diplomatic ties with Peiping: "There is no political reality in Asia . . . which does not interest or touch China.

Neither war nor peace is imaginable on this continent without China's becoming implicated. Thus, it is absolutely inconceivable that without her participation there can be any accord on the eventual neutrality of southeast Asia . . . a neutrality which, by definition, must be accepted by all, under international guarantee, and which would exclude armed agitation, supported by one side or the other, as well as outside intervention; a neutrality which seems to be, in the present situation, the only solution compatible with the peaceful life and progress of the people of the area."

While the administration finds such an effort fanciful, it publicly muses over the possibility of extending the war to North Vietnam. This rests upon the assumption that there is no civil war in the south, but only Communist aggression from the north—an aggression which can be halted by bombing cities and supply bases. The fact that intervention from North Vietnam has yet to be proved does not seem to diminish enthusiasm for this theory. But it is a policy so unrealistic that most officials in Washington privately admit it to be as futile as it is provocative. Not only would it fail to strike at the real source of Communist strength—which is not northern supply bases but a South Vietnamese population so hostile to its own government that it looks upon the Communist-led rebels as liberators—but would likely force China to come to Hanoi's aid in a ghastly repetition of the Korean war.

The administration is admittedly riding a tiger it does not know how to dismount. It has sunk billions of dollars into supporting a government which has already collapsed twice in the past few months. It has sent American soldiers to die in defense of an army which has no desire to win and does not know why it is fighting. It has helped compromise the uneasy truce in Laos and driven Cambodia to dissociate herself violently from the United States. And it has committed American prestige to an area where we have neither the power to impose a viable military settlement nor the flexibility to negotiate a political truce. With an election looming on the horizon the Johnson administration is highly vulnerable to Republican attack for its inept handling of foreign affairs, yet it is afraid to change course for fear that will only supply more ammunition to be used against it. It has become the prisoner of its own mistakes, and those of its predecessors, and it does not have the courage to face an embarrassing reality.

Trapped in a policy which even its advocates do not claim can lead to anything more than an armed stalemate, Washington sinks ever deeper into the bottomless pit of the Vietnamese civil war. Hypnotized by the military aspects of the struggle, it can see no other. Not only does it consider the possibility of extending the war to the north, it greets Senator MANSFIELD's proposal for neutralization as a stab in the back, and it excoriates De Gaulle for asking the question it dare not raise itself. Yet as Walter Lippmann, as well as Senator MANSFIELD and others, has pointed out, the only hope for stability in southeast Asia lies in the neutralization of the entire area under international guarantees. Only under such a neutralization can there be any possibility of creating independent governments with the internal strength and the popular support to resist Communist infiltration. There is no guarantee that neutralization will work and that the small states along China's frontier can forever resist the dominance of their powerful neighbor. Probably the best we can hope for is the transformation of Indochina into a kind of Finland—or Mexico. But the opposite is certainly true: that there can be no peace in Asia so long as Indochina is used as a military bastion by the great powers in their conduct of the cold war.

In our obsessive suspicion of Gaullist motives, it is easy to ignore that his efforts to neutralize southeast Asia through an agreement with China are very much to our own interests. If successful, his plan offers the one way by which we can disengage ourselves from what has become a disastrous overextension of our prestige and a misguided understanding of our own vital interests without becoming involved in a war against China or suffering a humiliating forced withdrawal. Perhaps De Gaulle will not be able to gain the neutralization of southeast Asia even with our support—the time is very late and our position has deteriorated very rapidly—but it is certain that he cannot do so if we insist on blocking the way. While the administration is right when it says France no longer has the power to decree a settlement in Indochina, it refuses to recognize that only a France with diplomatic ties to Peiping can do for Washington what it is no longer capable of doing for itself.

Time is running out fast in South Vietnam. Without Washington's cooperation, De Gaulle does not have the leverage with which to hammer out a new Indochinese settlement. If his efforts fail we are likely to experience yet another coup in Saigon, this time by a neutralist regime which will order the Americans out and open direct negotiations which Ho Chi Minh to end the war and unify their divided country. In our enthusiasm for prosecuting the struggle against the Communist guerrillas we seem to have lost sight of the fact that no foreign power can win a civil war for a people who have turned against their own government and who look upon the government's friends as their enemies. The dangers of neutralization are considerable and its chances dubious; but the dangers of continuing a hopeless war are even greater, for an anti-American coup is the solution most guaranteed to humiliate the United States and to trigger a violent political reaction here at home. The administration thinks it can forestall a coup by vigilance in Saigon, but can it win a war the Vietnamese no longer want to fight? Washington is being offered a helping hand off the tiger. If it refuses to dismount, then we must all be prepared to go wherever the tiger may take us.

TRUTH-IN-LENDING BILL

Mr. ROBERTSON. Madam President, several days ago, the majority leader's office indicated the interest of the majority leader in early action on the Treasury and Post Office appropriation bill. I had an agreement with them that if on Monday, Tuesday, Wednesday, and Thursday of next week the Senate did not meet until noon, I would schedule hearings for those days on this appropriation bill.

I scheduled hearings commencing at 10 o'clock on Monday, and at 9 o'clock on Tuesday, and for the remaining days.

At 9 o'clock on Tuesday we shall hear the Secretary of the Treasury who had appeared before the Finance Committee on Monday.

On Wednesday we shall hear congressional witnesses on the question of minting \$50 million of new silver dollars. On Thursday, we shall hear outside witnesses.

In the meantime, my dear friend the Senator from Florida [Mr. HOLLAND] came to me and said that he and his colleague the junior Senator from Florida [Mr. SMATHERS] had a joint resolution to authorize the preparation of a memento—a galvano—without any cost

to the Federal Government, to celebrate the 50th anniversary of the naval air station in Pensacola. The Senator stated that the House had passed that joint resolution without any objection and he felt that there would be no objection in the Senate to it, and asked if I would therefore give him a hearing before the Banking and Currency Committee.

I told him that there had been before that committee for 4 years, with over 4,000 pages of testimony, a highly controversial bill, S. 750, euphemistically called truth in lending; that all the financial institutions of the Nation were bitterly opposed to it; and that we had never been able to complete action on it, but that the Senator from Illinois [Mr. DOUGLAS] insisted that if there were to be another meeting of the committee it would have to be on his bill.

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

Mr. ROBERTSON. Madam President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERTSON. The Senator from Florida reported to me that the Senator from Illinois [Mr. DOUGLAS] had agreed that I might call a meeting of the committee on the bill of the Senator from Florida in executive session for 9 o'clock next Monday morning.

Today I received a very bitter if not insulting letter from the Senator from Illinois [Mr. DOUGLAS], repudiating 100 percent what I understood from the Senator from Florida [Mr. HOLLAND] the Senator from Illinois [Mr. DOUGLAS] had said. What they said is between them. I acted on what the Senator from Florida [Mr. HOLLAND] told me. But the Senator from Illinois [Mr. DOUGLAS] repudiated that 100 percent and put me on notice that I had been very unfair to him and that he was not going to stand for that treatment any longer, that when the committee met next Monday at 9 o'clock, he would insist that I take up his bill S. 750, the so-called truth-in-lending bill.

Madam President, the members of the Banking and Currency Committee know that we never have gotten any Federal agency to endorse a bill without amendments. The bill states that it is to be administered by the Federal Reserve Board. The Board refused to take it under any circumstances. The patrons said later, "Turn it over to the Federal Trade Commission." The Commission asked for about nine pages of amendments before they would agree to handle it. There has not been a time since the debate on the civil rights bill began when we would have had more than an hour and a half to consider the bill and that would not even cover one amendment.

Consequently, there have been no more meetings of the committee because the Senator from Illinois insisted that when the committee met it had to act on his bill. It would require days to discuss that bill and vote on all the amendments.

I was shocked, when I had called this meeting on two noncontroversial bills, to find that the Senator from Illinois not only repudiated what the Senator from Florida had said about his having no objection to the meeting, but he charged me, as I understand it, with violating a promise which I had made to the Senator from Pennsylvania [Mr. CLARK] on giving the Senator from Pennsylvania due notice of what would be in the bill before executive sessions.

Think of it, Madam President. Here is a bill to let the Government issue a little memento to celebrate the 50th anniversary of the naval air station in Pensacola, and another bill introduced by the distinguished Senator from New Hampshire, a companion bill to one which was unanimously passed by the House, to authorize national banks to make slightly larger loans on forest tracts.

The PRESIDING OFFICER. The Senator's time has again expired.

Mr. ROBERTSON. Madam President, I ask for 1 more minute.

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

Mr. ROBERTSON. I asked that the committee be polled on the forest tract bill, if we could not have a meeting. Every member of the committee in that poll agreed to the bill except Senators DOUGLAS and CLARK. They did not indicate that they were against the bill. They stated that they did not want anything to come out of the committee unless the truth-in-lending bill came out first.

Now the Senator from Illinois [Mr. DOUGLAS] has said, as I understand it, that I have violated my agreement with the Senator from Pennsylvania [Mr. CLARK] as to the notice he would get on the forest bill, and that he did not get enough notice.

I announce that there will be no meeting of the Banking and Currency Committee at 9 a.m. next Monday, on anything. From present indications, when the committee meets again, it will be on the Douglas bill, and that will not be at any time soon, because we cannot meet on that bill until we have time to consider carefully the many amendments which have been proposed by the Federal Trade Commission and others.

Mr. SPARKMAN. Madam President, may I ask the chairman a question?

The PRESIDING OFFICER. The time of the Senator from Virginia has again expired.

Mr. SPARKMAN. I ask unanimous consent that I may proceed for 1 minute for that purpose.

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

Mr. SPARKMAN. Does this mean that the subcommittees will not be permitted to meet?

Mr. ROBERTSON. No. The Production and Stabilization Subcommittee has met on the truth-in-lending bill for 4 years, and it could not get it out of the subcommittee. Finally the bill was voted out of the subcommittee by one vote, and the Senator who cast that vote said that if his amendment were not adopted by the full committee, he would vote against

the bill in the full committee. That amendment has not been adopted.

Mr. SPARKMAN. I am not speaking about the Production and Stabilization Subcommittee. I am referring to a housing bill in the Housing Subcommittee.

Mr. ROBERTSON. That subcommittee can go ahead. There will be no full committee meeting next Monday.

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

PERSONAL STATEMENT BY SENATOR DOUGLAS

Mr. DOUGLAS subsequently said: Mr. President, I rise to a question of personal privilege occasioned by some rather extraordinary remarks which the junior Senator from Virginia [Mr. ROBERTSON] made about me earlier today.

The Senator made those remarks without notifying me in advance of what he was going to say. My secretaries report they did not receive any such warning. Half an hour ago I telephoned his office to inform him that I was going to reply to the remarks he had made. But he has not appeared on the floor and I cannot wait longer.

I have tried to accord to him the proper courtesies which, for some reason or other, he did not accord to me. The Senator from Virginia stated that I had written him a "bitter, if not insulting letter," which also repudiated an alleged agreement which I had with the Senator from Florida [Mr. HOLLAND].

In order that Senators may know whether or not the statement of the Senator from Virginia is correct, I ask unanimous consent that the letter which I addressed to Senator ROBERTSON on yesterday be printed at this point in my remarks.

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

MAY 21, 1964.

HONORABLE A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency,
New Senate Office Building, Washington, D.C.

DEAR WILLIS: I was surprised to read in last Saturday's CONGRESSIONAL RECORD that you now blame the younger members of the Senate Banking and Currency Committee for the fact that the committee has not met during the last 5 weeks despite my repeated requests that the committee be convened to complete action on S. 750, the truth-in-lending bill which was reported favorably by the Production and Stabilization Subcommittee on March 16, 1964.

The CONGRESSIONAL RECORD on page 11075 contains the following colloquy:

"Mr. HUMPHREY. It does not, if I may say so respectfully to my beloved friend the Senator from Virginia. I hope that committees will adjust to their schedules so that they can meet in the early morning.

"One of the reasons why the Senate has been meeting at 10 a.m., instead of earlier, is to permit Senate committees to conduct their business in the early hours of the morning.

"It is also very beautiful in Washington in the early morning. I know that Senators enjoy the beauty of the early morning hours.

"Mr. ROBERTSON. I concur in that statement. In my earlier duck-hunting days I learned that the sun rises very beautifully, especially over one's quarry. I can stand 14 and 16 hour days, but in the Committee on

Banking and Currency I have noticed that some of the younger members do not seem to want to appear at 8 o'clock in the morning, for some reason or other, and the committee has been handicapped in meeting for that reason."

At the very least, this is an uncharitable reflection on the younger members of the Banking and Currency Committee. I find it incredible to believe that a majority of the members of this or any other committee would deliberately ignore a request of the committee chairman for a quorum to be present so that necessary committee business could be transacted.

I now understand that you have called an executive session for 9 a.m. Monday, May 25, of the full Banking and Currency Committee, to consider a resolution to design and manufacture a galvano, and a forest tract bill for commercial banks, which is being pushed by the American Bankers Association. As I have stated previously, I do not believe that the committee can continue to be run in such a way as to favor those bills that the chairman personally favors and to hinder action on these bills which I and others in the committee may favor, but which the chairman opposes. The issue, as Senator CLARK so eloquently stated, is not the truth-in-lending bill or any other bill before the committee, but simply the question of fair committee procedure and adequate guidelines to insure that all members are treated equitably. Again, I must state that I do not believe that the committee can continue to operate in this fashion. We must adopt some minimum rules of procedure governing committee activity.

Finally, even though the rules of the committee do not require it, and even though you have expressed your implacable opposition to Senator CLARK's rule proposal which would require that all members of the committee be given adequate notice of any matter to be brought up for a vote in executive sessions, nevertheless, I feel it only proper and just to notify you now that next Monday I will move to report S. 750, the truth-in-lending bill, to the Senate.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

Mr. DOUGLAS. If one reads the letter, he will find not the slightest touch of either bitterness or insult in it. The Senator from Virginia and I have differed very sharply on the question of whether the Senator from Virginia, as chairman of the Committee on Banking and Currency, would call meetings of the committee to consider bills which were before it, or whether he would refuse to call such meetings, or, if he called the meetings, whether he was privileged to bring certain bills up for action, and refuse to bring other bills up for action.

It is a well-known fact that the Senator from Virginia is very much opposed to Senate bill 750, the truth-in-lending bill, which certain Senators, including myself, have been sponsoring for several years now.

Finally, we were able to get a meeting this spring after I had requested it on the 16th of March, at which meeting S. 750 was discussed for a half hour. Since then, I have repeatedly asked the Senator from Virginia if he would not call another meeting of the committee, and his reply always was that he was certain he could never get a quorum. In his colloquy with Senator HUMPHREY on Saturday last to which I refer in the body of my letter, by implication he states that this is because some of the younger members do not want to ap-

pear as early as 8 o'clock in the morning, for some reason or other, and the committee has been handicapped for that reason.

In comparison with the Senator from Virginia, I count myself as one of the younger members of that committee. So far as I am concerned not only would I be willing to come at 8 o'clock in the morning, but I would come at 7 o'clock in the morning to consider any bill properly before that committee, even one that I opposed.

Two days ago the Senator from Florida [Mr. HOLLAND] approached me, and said he had a bill for the manufacture of a galvano, whatever that is; but I think it is intended to commemorate the establishment of the Pensacola Air Station, and that he wanted to bring it up in the committee; that the Senator from Oregon [Mr. MORSE] was opposed—and, I believe, properly opposed—to having a polling of the committee serve as action by the committee, but wanted a meeting of the committee held. The Senator from Florida asked me whether I would attend such a meeting of the committee. I said of course I would attend.

I also said—although I am not certain whether the Senator from Florida fully heard me, since he was moving away, "The chairman has been holding up the truth-in-lending bill; and if we have such a meeting, I want that bill considered, also."

I cannot quite understand the logic of the Senator from Virginia. He seems to attack somewhat incoherently from every quarter, like the character in Stephen Leacock's novel who "mounted his horse and rode off in all directions."

So it is hard to find out what the essential thrust of the charge of the Senator from Virginia is. Certainly I did not break faith with the Senator from Florida. I said I would go to the committee next Monday and consider his bill, but I also said that if I did go there, I would bring up Senate bill 750. I tried to do that in a courteous but firm fashion. I am still willing to attend such a meeting and vote favorably for the Holland bill. But I also felt we should consider S. 750 at the same meeting.

The final part of the last sentence of my letter reads as follows:

I feel it only proper and just to notify you now that next Monday I will move to report S. 750, the truth-in-lending bill, to the Senate.

With best wishes.

Faithfully yours,

Apparently that only threw the Senator from Virginia into a rage; and now he has canceled the meeting of the committee, because in the last paragraph of his speech he said:

That subcommittee can go ahead. There will be no full committee meeting next Monday.

Mr. President, I shall be very glad to go to any meeting of the full committee which the chairman of the committee calls; but I simply reserve the right—as a humble member of the committee—at that time to have the same privileges that any other member of the committee has, and to move that a given bill be considered and reported.

I have always thought that was a right of a member of the committee, whether or not the majority of the committee agreed with him. He is entitled to propose but the majority can dispose.

But a broader issue is really involved in this matter; it is the question of whether the chairmen of the various committees are to be czars over the committees, whether they are to have unrestricted power to decide when the committees will meet, and to prevent the committees from meeting, for long periods of time, and whether they will have power to refuse to permit certain matters to come before the committees, or whether they, too, are under a rule of law.

I have always thought the chairmen of committees are not dictators or czars, but are members of the committees, although the first among equals, if I may use that expression.

The Senator from Pennsylvania [Mr. CLARK] and I have been struggling on this matter for some time in the Banking and Currency Committee. On April 1, I made the following statement in the committee; which is printed in the hearings on the bill on the content of silver coins:

However, I must state openly and for the record my conviction that the committee can no longer continue to be run in such a way as to favor those actions which the chairman and others favor and to hinder any matters which I and others who feel similarly with me favor and which others oppose.

The Senator from Pennsylvania [Mr. CLARK] further said:

To me, the issue is one of orderly procedure, fairness, justice, majority rule, power of the chairman, the fact that the chairman made a personal issue some months ago of the proposal I made to have orderly and fair rules of procedure adopted by this committee. At that point I yielded and said I would not put forward those rules, because the chairman took that, as I am afraid he is taking more and more matters, as a personal issue. And I would plead with him to let this committee go about its business in an orderly way.

He also said:

The truth-in-lending bill is entitled to a final vote by the committee after 4 years.

That is all I am asking for—that the committee be entitled to vote on the truth-in-lending bill just, as a matter of fact, the way those of us who favor the civil rights bill are asking that the Senate be entitled to vote on the civil rights bill. The chairman seems to be opposed to this in both cases.

If we are to have a dictatorship in the Senate—which I am afraid we have—that is one thing. But I believe that is not what the country expects of the Senate, and I do not think that comports with the principles of fairplay.

Mr. MORSE. Mr. President, will the Senator from Georgia yield briefly to me, with the understanding that his rights to the floor and his other rights will be preserved and protected?

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield further, for whatever colloquy the Senator from Oregon [Mr. MORSE] may wish to have with the Senator from Illinois, and that in doing so I shall not lose any of my rights.

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

Mr. DOUGLAS. First, let me say there are some factual inaccuracies and some rather vehement language by the Senator from Virginia to which I shall not try to respond in kind; I shall pass that over in silence.

Mr. MORSE. I wish to ask whether the hearings have been completed.

Mr. DOUGLAS. Oh, yes; they have been concluded and printed. The subcommittee voted to report the bill, by a vote of 5 to 4, on March 16. By that vote, the subcommittee voted to report the bill to the full committee. But since March 16, we have been waiting for an adequate committee meeting.

Mr. MORSE. Does not the Senator's committee have a rule of procedure that a meeting of the committee can be called by a petition signed by a majority of the committee?

Mr. DOUGLAS. By a petition to the Secretary of the Senate.

Mr. MORSE. A petition to the Secretary of the Senate?

Mr. DOUGLAS. Yes, to the Secretary of the Senate; that is the formal procedure.

Mr. MORSE. In connection with the Committee on Labor and Public Welfare, on which I serve, if the majority give due notice to the other members of the committee, by a signed petition, a meeting of the committee is called.

But the rule of the Senator's committee requires notice to the Secretary of the Senate, does it?

Mr. DOUGLAS. That is correct.

The Senator from Pennsylvania [Mr. CLARK] has wanted the committee to adopt a rule similar to the one to which the Senator from Oregon has referred—in other words, a rule which would permit a majority of the committee to call a meeting of the committee, to consider a certain matter. But, as the Senator from Pennsylvania stated in the excerpt from the hearing which I read a moment ago, he found that this was made a personal matter by the chairman of the committee, the Senator from Virginia, who was violently opposed to this proposal; and the Senator from Pennsylvania withdrew—he did so mistakenly, I believe, but out of a desire to be obliging—his proposed rule.

Mr. MORSE. What would happen after such a petition was filed with the Secretary of the Senate?

Mr. DOUGLAS. After a certain number of days—I am not quite certain how many days—the next ranking member of the committee would be privileged to call a meeting of the committee.

Mr. MORSE. Has the Senator from Illinois tried that procedure?

Mr. DOUGLAS. No; we have not yet tried it, because I have been reluctant to push the chairman as vigorously as that. I have tried to treat him as a gentleman; and I have been reluctant to go outside the committee.

Mr. MORSE. He is a gentleman, and he is a distinguished Member of the Senate. But, as the Senator from Illinois knows, we must be completely impersonal and professional in our relationships in the Senate.

My questions are based on that motivation.

How long has the bill been before the Senator's committee?

Mr. DOUGLAS. This bill or a similar bill has been before the subcommittee of the Banking and Currency Committee for 4 years.

Mr. MORSE. How long has the subcommittee report been pending before the full committee?

Mr. DOUGLAS. Slightly over 2 months. It was submitted on March 16.

Mr. MORSE. Does the Senator from Illinois contemplate that if there is substantially longer delay, he may try the petition route for holding a committee meeting?

Mr. DOUGLAS. I shall probably be compelled to do so. I hope I shall not be compelled to do it. This attack by the Senator from Virginia came as a surprise to me. I was not notified that it was coming. I have been able to obtain a transcript of Senator ROBERTSON'S speech from the Official Reporter of Debates. I am replying as best I can now without much preparation. I notified the Senator from Virginia that I intended to reply. I tried to conform myself.

Mr. MORSE. How many cosponsors are there?

Mr. DOUGLAS. There are 23 cosponsors of the bill.

Mr. MORSE. That shows a substantial interest in the Senate.

Mr. DOUGLAS. That is correct. I am afraid that the opponents of the bill believe that if it ever gets to the floor of the Senate it will pass, and they hope to kill the bill by asphyxiation in the committee itself.

Mr. MORSE. Has the Senator given any consideration to the possibility, if the delay is long continued, of moving to discharge the committee from further consideration of the bill?

Mr. DOUGLAS. That is a very severe method. I am ready to consider it. I may be driven to it. I hope that the chairman will get over his temper tantrum and agree to have a meeting of the committee. That is particularly possible now since next week the Senate will be meeting at noon instead of at 10 o'clock in the morning. There will be full opportunity for committee meetings in the morning hours every day.

Mr. MORSE. Again, on a completely impersonal basis, for I am very fond of the Senator from Virginia and what I say has no relation to him as an individual at all, but in my capacity as a Senator, representing the people of a sovereign State, and also as a lawyer, I believe in using the rules of procedure to accomplish the objectives of the legislative process. A fundamental objective of the legislative process in the Senate is to get bills out of committee after they have been considered or adequate opportunity has been given for their consideration. I shall be glad to advise with not only any members of the committee, but also other Senators who have sponsored the bill. My recollection is that I am one of the cosponsors of the bill.

Mr. DOUGLAS. Yes. I was very much honored to have the co-sponsorship of the Senator from Oregon.

Mr. MORSE. There is a hard session ahead. I do not know how we are going to handle all the business of the Senate that we have to handle without coming back after the election. I fully expect that such will be the case. But, after due deliberation, we must get legislation out of committee as early as possible and placed in a position to be voted upon in the Senate. I wish the Senator to know that I shall be glad to join in a motion to discharge the committee if the Senator finds his diplomatic negotiations come to naught.

Mr. DOUGLAS. I thank the Senator from Oregon for his helpful statements and I also thank the Senator from Georgia for his courtesy in permitting me to make my statement in reply to the attacks by the Senator from Virginia.

TRAGIC DEATH OF SOUTH DAKOTA CRUSADER

Mr. MUNDT. Madam President, South Dakota is justifiably proud of many of her sons and daughters who have given unselfishly of their time and talents for the welfare of their fellow man. We have visiting here today, and seated in the special gallery, two distinguished recording artists from South Dakota. Miss Polly Johnson is from Rapid City and Mary Jayne is from Sioux Falls, S. Dak., but both now reside in California.

These ladies record religious music exclusively and travel extensively representing Teen World International, an organization dedicated to encourage better citizenship and a more active church participation program among the teenagers of America. Their dedication in this area of vital human need has brought them many honors and much recognition.

So recognized and so honored was Mary Jayne, who last year was awarded the Oscar for being selected "Best Female Vocalist of the Year" by the National Evangelical Film Foundation. Also she was the recipient of an Award of Merit for outstanding aid to America's youth by Teen World International.

South Dakota is indeed proud of Polly Johnson and Mary Jayne. We laud them and encourage them to continue in this unselfish endeavor.

Madam President, this was written for entry in the RECORD on May 25 in honor of the guests mentioned. Since it was composed, Miss Polly Johnson was taken in death, the result of a tragic airline crash in which all aboard were killed. She has now given the full measure of devotion to her career. It is now my desire that this award would be made a part of the CONGRESSIONAL RECORD this date in memoriam, and as a posthumous tribute, to Miss Polly Johnson.

The PRESIDING OFFICER. Is there further morning business?

AIRCRAFT NOISE ABATEMENT

Mr. KEATING. Madam President, the National Aeronautics and Space Administration is increasing its efforts to discover effective methods to reduce the jarring noise produced by the jets that

zoom into and out of New York airports every few minutes. NASA's spending on aircraft noise abatement research has increased by 628 percent since 1962, rising from \$148,000 in that year to \$247,000 in 1963, to \$931,000 in 1964. The Space Committee, of which I am a member, has tentatively approved a sum of \$1.4 million for this program next year, a decision which I strongly support.

Although there is still no promise of a new sound barrier to protect the harassed neighbors of jet airports, I shall continue to press, as I have for the past several years, for accelerated research programs in this direction in hopes of an eventual breakthrough. In 1962 and 1963 I introduced bills directing the FAA to institute noise abatement research programs, and the NASA report I hold here lists several developments that may bear fruit in the next few years. Experimentation in pilot projects has indicated areas for possible reduction of noise in jet airplanes. Current test flights for a steeper landing approach, for instance, may result in dramatic alleviation of the noise problem in areas close to landing and takeoff strips.

Long Island residents, particularly those living near John F. Kennedy International Airport, complain, justifiably, of the earsplitting noise that disturbs sleep as well as conversation. I do not go along with the suggestion that this disturbance should be put up with, any more than I can support the suggestion of one long-suffering constituent that night flights be discontinued. If we can afford to spend billions of dollars to send a man to the moon, we should be able to afford a few thousand dollars to make life more pleasant for those who choose to remain on earth.

I ask unanimous consent that the letter to me and pages 1 to 7 and 10 to 11 of NASA's research programs on engine noise be printed in the RECORD, following my remarks.

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

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION.
Washington, D.C., May 14, 1964.

HON. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: In response to your request of May 7, 1964, to Mr. Webb, we are enclosing information on past and present NASA noise research. Attachment I is a summary of continuing engine noise research programs now underway within NASA entitled "Current NASA Engine Noise Research Programs." Attachment II is a description of the NASA sonic boom research program.

A rough measure of the increasing NASA effort in aircraft noise research since 1962 is given in the following table:

Fiscal year:	R. & D. expenditures
1962-----	\$148,000
1963-----	247,000
1964-----	931,000

About 30 percent of the listed expenditures is in support of boundary layer noise and sonic boom programs. The remainder (70 percent) is in support of engine noise abatement research which is described herein.

If you wish more detailed information on NASA noise research than that contained

in the attachments, we will be pleased to provide it.

Sincerely yours,

RICHARD L. CALLAGHAN,
Assistant Administrator
for Legislative Affairs.

CURRENT NASA ENGINE NOISE RESEARCH PROGRAMS, MAY 1964

The aircraft engine noise research now being conducted or sponsored by the NASA falls logically into several categories; very basic research studies carried out under university contracts; noise standards and community response studies also carried out under contract; and in-house investigations of inlet and jet exit noise phenomena. It should be emphasized that the NASA studies are all directed toward the fundamental understanding of engine noise generation and propagation and are not development projects. In our studies we do not attempt to optimize or develop economic applications but only to uncover basic mechanisms—this is the traditional and charter role of the aeronautical research activities of NASA and its predecessor NACA.

CONTRACT STUDIES

Our basic university research is now being carried out at MIT and Syracuse. At MIT, unstable shear flows and their relation to aerodynamic noise are being studied to permit a more basic understanding of flow phenomena near jet exits and their noise-producing properties. This study has already resulted in a MIT report "The Effect of Free Stream Turbulence and Vorticity on the Radiative Sound Field of a Free Jet" and the final report of the program will be completed by the fall of 1964.

The Syracuse study entitled "Noise Investigations of Impinging Jet Flows" is concerned with analytical and experimental investigations of the noise characteristics of powered jet flows from highly underexpanded convergent and convergent-divergent nozzles which are interacted with relatively low energy control jet flows. These studies cover a 3-year period and may indicate possible noise alleviation trends through mixing of various jet exit flows.

Community response to noise and economic factors are being investigated by a contract study entitled "Subjective Noisiness of Aircraft Sounds" and a contract entitled "Study of Economic Factors Relating to Optimum Use of Land Exposed to Noise From Commercial Aircraft Landing and Takeoff Operations." The first of these studies will be completed in August 1964 and the second in October 1965.

IN-HOUSE INVESTIGATIONS

Compressor noise: The Langley Research Center has completed a small-scale study of the effect of rotor and stator spacing and the number of blades upon the noise output of a single stage compressor. The model used for his pilot study was a 1-foot-diameter electrically driven rotor/stator combination on which the distance between rotor and stator and between blades could be varied. Preliminary results indicate that spacing is a definite factor and that compressor noise can be reduced by moving the stator one-half an engine diameter ahead of the rotor. The first stage is believed to be the most important noise producer but the multistage effects must be studied in follow-on programs. The data are being analyzed in detail and results will be published this year.

As a logical continuation of the pilot work just described, Langley is now proceeding with the procurement of components for the full-scale compressor noise facility referred to in testimony before Congress on February 27, 1964. This effort began 1 year ago with a canvass of possible industry suppliers to coordinate the requirements for the many speciality areas involved in the design of

the equipment since many of these speciality areas were outside NASA areas of detailed knowledge. Informal proposals were received and, by October 1963, specifications for the equipment could be written. Contract negotiations were then carried out with a contract finally being signed last month. The major item of equipment is the most advanced three-stage compressor design known to the aircraft industry (cost \$360,000) and it is being procured from the Continental Engine Co. Foundation and building alteration contracts (total \$90,000) and instrumentation contracts will be let by the end of this fiscal year. It will be at least a year before this equipment is operational and another 6 months before results can be obtained in quantity. The equipment will, as stated previously, be used to study stage interactions and the effects of rotor and stator spacing in a multistage compressor upon the noise generated. Provisions are also made for studying the effects of choked inlets upon noise propagation.

Choked inlets: At present, our choked inlet studies use a full-scale engine (2,000 pounds of thrust). The setup is ready to go, engine performance tests are being conducted, and acoustic tests will begin when dry and calm weather permits. Within 6 months we will have a good fix on the basic noise reduction properties of choked inlets. With a choked inlet a shock wave is generated within the inlet which theoretically prevents the propagation of sound upstream. If such a system is shown to be feasible it would appreciably reduce landing approach noise if the engine can be operated at off design conditions for the approach. Tentative plans for further work in this area include the measurement of noise from the choked inlets of the X-21 under landing approach conditions at the NASA Flight Research Center. To accomplish this we are planning to install a cable system and recording station at Edwards for the pickup, recording, and analysis of noise from aircraft in takeoff, landing, and cruise conditions. The cost of this equipment will be roughly \$100,000.

Jet exits: Jet exit noise is being studied at Langley. We are looking at the problems involved in changing engine bypass ratios with a hot primary flow and a cool secondary flow to determine how much bypass flow can be tolerated without adversely affecting engine performance. Bypass ratios up to 5 have been investigated which have produced extra thrust without an increase in noise. A report on these tests is in the process of being published. Other work in the jet exit noise area consists of closely monitoring wind tunnel work on exotic jet exits. When the most efficient exit configuration is selected an acoustic model will be built and tested.

SST engine noise: Future plans for engine noise research, in addition to the continuation of ongoing programs, will include the study of the engine noise problem in the research program necessary to support the development of engines for the supersonic transport. About \$500,000 of fiscal year 1965 SST funds will probably be required for these studies.

Coordination with FAA: There is another important engine noise program now underway which is funded by the FAA. It covers basic research on compressor noise and will be phased in with our in-house studies by the close coordination which has been established between our two agencies and the probable inclusion of one of our noise experts as a technical monitor for the program. This study costs roughly \$150,000 and is scheduled for completion in March 1965.

OUTLINE OF NASA ACOUSTICS PROGRAMS

The following outline of current NASA acoustic programs indicates the broad base of our noise research effort:

1. Boundary: Layer noise.

(a) Measurement of surface pressures on two Scout vehicles (Langley Research Center contract with Chance Vought Corp.).

(b) Wind tunnel parameter studies (headquarters contract with Douglas—Santa Monica, and Bolt Beranek, and Newman).

2. Jet mixing noise:

(a) Rocket engines:

(i) Measurements on KIWI-B engine (headquarters contract with Douglas—Santa Monica jointly supported with USAF).

(ii) Measurement of statistical properties of supersonic jet noise fields (Langley Research Center).

(b) Jet engines:

(i) Basic study of noise generation by shear flows (headquarters contract with MIT).

(ii) Basic study of noise generation by the mixing of two jets differing in their flow parameters (Langley Research Center).

3. Fan and compressor noise:

(a) Basic study of compressor noise generation (Langley Research Center).

(b) Study of compressor noise propagation in a duct in the presence of airflow (Langley Research Center).

4. Community response:

(a) Jet engine noise: Studies are being conducted with the aid of measured spectra from various types of jet engines including the turbofan in an attempt to devise methods of rating these various noises with regard to the community response problem (Langley Research Center monitoring with B.B. & N. supported jointly with FAA).

(b) Large ground launched space vehicles. Prediction of community noise levels for future Nova class vehicles (Langley Research Center).

5. Structural response to noise:

(a) Effects of jet noise:

(i) Experimental studies of the response of supersonic transport type aircraft structures at elevated temperatures and for airflow attachment in the presence of intense noise. Studies include steel and titanium in various configurations of interest (Langley Research Center).

(ii) Response of complex structures to noise (Headquarters contract with B.B. & N.).

(iii) Equipment malfunction (Langley Research Center). Project not active at present.

(b) Effects of rocket engine noise:

(i) Response of ground building-type structures near launch sites of large rocket vehicles including experimental studies of response of specific building components (Langley Research Center).

(ii) Transmission characteristics of space vehicle structures and launch site building structures. (Langley Research Center.)

(iii) Sonic fatigue of flight vehicle type structures (Langley Research Center).

6. Miscellaneous research projects:

(a) Noise propagation studies both vertically in the atmosphere as well as parallel to the earth's surface over long ranges.

(b) Helicopter rotor noise experimental studies.

(c) Development of new facilities, both modification of present facilities and engineering planning for new facilities such as the low frequency noise facility now out for construction bids.

(d) Development of test techniques where required for unique types of research work such as the combined environmental studies involving intense noise at elevated temperatures.

(e) Analytical and experimental studies involving prediction of noise environments inside and outside of a variety of space vehicles.

(f) The monitoring of research contracts in the acoustics area, plus some of the contracts supported by FAA funds for the SCAT program.

RESEARCH RESULTS

The results of research in the general noise field (as distinct from research on sonic booms) have been published as indicated by the following list of NASA/NACA staff papers.

1. Maglieri, D. J., and Hubbard, H. H.: "Preliminary Measurements of the Noise Characteristics of Some Jet-Augmented-Flap Configurations." NASA memo 12-4-58L, January 1959.

2. Hubbard, H. H.: "Noise Problems Associated With Ground Operations of Jet Aircraft." NASA memo 3-5-59L, March 1959.

3. Maglieri, D. J.: "The Shielding Flap-Type Jet Engine Noise Suppressor." Journal of Acoustical Society of America, volume 31, No. 4, April 1959.

4. Hubbard, H. H.: Noise. Hearings before NASA authorization subcommittee of the Committee on Aeronautical and Space Sciences, U.S. Senate, 86th Congress, for fiscal year 1960. April 7-10, 1959.

5. Edge, Philip M., Jr.: "Random Noise Testing of Aircraft and Missile Components With the Aid of a Laboratory Air Jet. Shock, Vibration, and Associated Environments," part II, bulletin No. 27, June 1959.

6. Regler, A. A., and Hubbard, H. H.: Noise. "Induced Structural Fatigue." Noise Control, July 1959.

7. Mayes, William H.: "Some Near- and Far-Field Noise Measurements for Rocket Engines Operating at Different Nozzle Pressure Ratios." Journal of Acoustical Society of America, volume 31, No. 7, July 1959.

8. Hess, Robert W., Herr, Robert W., and Mayes, William H.: "A Study of the Acoustic Fatigue Characteristics of Some Flat and Curved Aluminum Panels Exposed to Random and Discrete Noise." NASA TN D-1, August 1959.

9. Mayes, William H., Lanford, Wade E., and Hubbard, Harvey H.: "Near-Field and Far-Field Noise Surveys of Solid-Fuel Rocket Engines for a Range of Nozzle Exit Pressures." NASA TN D-21, August 1959.

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CONCLUDING REMARKS

There have been no major breakthroughs which will contribute to quick solutions of the problems associated with the alleviation of aircraft noise near airports. It has been suggested that the solution of the airport noise problem requires a systems approach which covers not only alleviation of the noise intensity from jet engines but also the proper zoning, soundproofing, air conditioning, and industrial use of areas not suited for housing but located near airports. Another consideration is, of course, the use of the airspace near airports to minimize the effect of aircraft takeoff approach and landing noise on nearby communities. This is essentially in the province of the FAA but NASA does have a major flight test program directed toward studying the problems of very steep approaches for aircraft. In this program various types of aircraft are landed by the use of special landing aids (installed at the Langley Research Center) at angles approaching 15° to 20°. Normal transport approach angles seldom exceed 3°. If the problems associated with this technique can be successfully worked out, a major step will have been taken toward alleviating high intensity noise near airports. The problems being studied are not restricted to the development of instrument systems to permit a controlled steep approach angle but are also closely tied to problems of stability and control and flight safety.

WYOMING SPACE AGE CONFERENCE

Mr. SIMPSON, Madam President, for the second year in a row, the city of Riverton in Fremont County, Wyo., will be host to an event in which the Equality State takes great pride—a "Space Age Conference and Exposition," which open its doors June 3.

The first conference and exposition drew a crowd last year of 25,000. It has evolved from the annual industrial banquet held by the Riverton Chamber of Commerce.

In the heart of Wyoming's most diversified industrial area, Riverton is blessed with farsighted men and women who, in this space age, are as interested in symbolic and numerical control and cybernetics as they are in the annual rodeos which highlight my State's pleasant summers.

Wyoming is especially honored at this year's conference and exposition to have as keynote speaker, U.S. Air Force Chief of Staff, Gen. Curtis LeMay.

Conference planners are elated and honored that General LeMay, whose jet speed itinerary is planned down to the minute, will be actively participating in the event. His appearance will make the theme of the exposition, "The Role of the U.S. Air Force in Space," singularly appropriate. General LeMay will speak at noon on "Wyoming Day" June 4.

Madam President, to better explain the scope and purpose of the Space Age Exposition in Wyoming, I should like at the conclusion of my remarks to have printed in the CONGRESSIONAL RECORD a news story from the April 27 Riverton (Wyo.) Ranger, a letter from Wyoming's distinguished chief executive, Gov. Clifford P. Hansen, and a press release issued by my office, under date of April 24.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. SIMPSON. Madam President, I should also like to publish the tentative agenda for the conference as an indication that the State whose capital city hosts the personnel of nearby Fort Warren Air Force Base and one of the largest ballistic missile systems in America is not only cognizant of its role in our national defense but proud of that role and determined to make even more and greater contributions to the military and space sciences.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 2.)

EXHIBIT 1

[From the Riverton (Wyo.) Ranger, Apr. 27, 1964]

GENERAL LEMAY ORGANIZED BERLIN AIRLIFT IN 1948

Gen. Curtis E. LeMay, Chief of Staff of the Air Force who will keynote Wyoming's Space Age Conference and Exposition in Riverton June 4, has a distinguished record of service for his country.

The Space Age Exposition will run from June 3 through June 7.

Last week the conference and exposition were announced by Gov. Clifford Hansen and Senator Milward L. Simpson.

General LeMay is an active, jet qualified command pilot. He also holds the aeronautical ratings of aircraft observer, combat observer and Technical observer. On many of his jet trips, General LeMay is at the plane controls.

The 57-year-old combat veteran was born at Columbus, Ohio, and attended Columbus public schools. He graduated from Ohio State University with a bachelor of civil engineering degree and is a distinguished alumnus of the College of Engineering of Ohio State.

HONORARY DEGREES

General LeMay's distinguished record of service has been recognized by many schools. He has honorary degrees from John Carroll, Kenyon College, University of Southern California, Creighton, University of Akron, Tufts, Ohio State, University of Virginia, and Case Institute of Technology.

He has many awards and decorations from the U.S. Government and from foreign governments. These include the Distinguished Service Cross, the Distinguished Service Medal with two oak leaf clusters, the Silver Star, the Distinguished Flying Cross with 2 clusters, the Air Medal with 3 clusters, the Medal for Humane Action, the National Defense Service Medal and many other American awards.

His foreign decorations include the British Distinguished Flying Cross, the French Legion of Honor, degree of commander; and awards from Brazil, Russia, Belgium, Morocco, Chile, Argentina, Sweden, Ecuador, and Uruguay.

General LeMay entered the armed services as a flying cadet in 1928. He received a regular commission in January 1930. The General of the Air Force participated in the first mass flight of B-17 flying fortresses to South America in 1938. Prior to our entering World War II, he pioneered air routes over the South Atlantic to Africa and over the North Atlantic to England.

General LeMay organized and trained the 305th Bombardment Group in 1942 and led that organization to combat in the European theater. Formation procedures and bombing techniques developed by General LeMay were later adapted to the B-29 superfortresses which fought the war to its conclusion in the Pacific.

REGENSBURG SHUTTLE RAID

As commanding general of the 3d Bombardment Division (England), he led the famed Regensburg raid, a B-17 shuttle mission that originated in England, struck deep into Germany, and terminated in Africa.

In July 1944 he was transferred to the Pacific to direct B-29 heavy bombardment activities of the 20th Bomber Command in the China-Burma-India theater.

Still later he became Chief of Staff of the Strategic Air Forces in the Pacific.

At the conclusion of World War II, he returned to the United States piloting a B-29 superfortress, on a nonstop, recordbreaking flight from Hokkaido, Japan, to Chicago.

After the war General LeMay was transferred to the Pentagon at Washington to be the first Deputy Chief of Air Staff for Research and Development.

BERLIN AIRLIFT

In October 1947 General LeMay was selected to command the U.S. Air Forces in Europe with headquarters at Wiesbaden, Germany. He organized air operations for the famous "Berlin airlift."

A year later he returned to the United States and assumed command of the newly formed Strategic Air Command, establishing its headquarters at Offutt Air Force Base near Omaha, Nebr. This central location became the nerve center of a worldwide bomber-missile force.

SAC COMMANDER

Commanding SAC for nearly 10 years, he built, from the remnants of World War II, an all-jet bomber force, manned and supported by professional airmen dedicated to the preservation of peace.

Under his leadership and supervision, plans were laid for the development and integration of an intercontinental ballistic missile (ICBM) capability.

In July 1957 General LeMay was appointed Vice Chief of Staff of the USAF and served in the capacity until July 1961, at which time he was appointed Air Force Chief of Staff, the post he now holds.

WYOMING EXECUTIVE DEPARTMENT,

Cheyenne, May 8, 1964.

It is with pleasure that we invite your participation in Wyoming's second "Space Age Conference and Exposition" at Riverton June 3-7.

Gen. Curtis LeMay, Air Force Chief of Staff, will keynote the conference on Thursday, June 4. General LeMay is one of America's great military leaders, a national figure who I am sure will be well worth hearing.

Theme of the afternoon space age conference on Thursday is "The Technological Revolution." A group of leading national figures will be present to discuss this theme with us. They will present valuable data and information designed to help open the door for Wyoming participation in the space science fields.

A leading industry speaker will complement the appearance of General LeMay and both the Air Force and industry will provide a technical industrial exposition which should prove of great interest.

It is expected that several different Air Force jets will be on display to add to the exposition.

Last year's Wyoming Space Week Exposition at Riverton attracted about 25,000 people. The National Aeronautics and Space Administration cooperated in the program, and James E. Webb, NASA Administrator, was the keynote speaker. The conference and exposition provided Wyoming with a fine orientation in the space science field.

We are hopeful that this year's conference will show us the way into active participation of Wyoming in the space sciences.

Mark June 4 on your calendar.

We hope you can join with the others from Wyoming on that day to help in the planning of our State's future participation in the space age.

Sincerely yours,

CLIFFORD P. HANSEN,
Governor.

HERE'S NEWS

(By MILWARD SIMPSON, U.S. Senator,
Republican, of Wyoming)

LEMAI AT WYOMING SPACE CONFERENCE

WASHINGTON, D.C.—U.S. Air Force Chief of Staff Gen. Curtis LeMay will speak at the Wyoming Space Age Conference and Exposition to be held in Riverton, Wyo., June 4 through 7, U.S. Senator MILWARD L. SIMPSON announced today.

"The presence of General LeMay, one of America's greatest military leaders, will come as a highlight of the space age conference," Senator SIMPSON said. "His active participation will form the nucleus of what promises to be an exhibition to equal or top last year's monumental show."

Wyoming Gov. Clifford Hansen proclaimed the conference and exposition in an announcement today. Last year's exposition, featuring speakers and exhibits from the National Aeronautics and Space Administration, ran for 8 days. It drew National attention and some 25,000 people. This year's theme is the "Role of the U.S. Air Force in Space."

Senator SIMPSON said General LeMay is looking forward to the Wyoming exposition "with keen anticipation" and is making preparations with his staff for the participation of the Air Force "in what is destined to become one of the outstanding annual events in the Equality State."

"Gen. Curtis LeMay is a military leader of unquestionable stature and integrity. His leadership and vision have helped mold an Air Force second to none in the world. His concern for our national security, plus his lifetime of experience serving his country in war and peace, make him preeminently qualified to speak to Wyomingites on the space age to which America's future is so inextricably bound," Senator SIMPSON said.

EXHIBIT 2

WYOMING SPACE AGE CONFERENCE, WYOMING DAY, JUNE 4

From 9 a.m.: Exposition open to the public, National Guard Armory, Riverton.

From 10 a.m.: Dedication of exposition, Governor Hansen, Senator Simpson, General LeMay, and other dignitaries.

From 10:30 a.m.: Informal tour of the exposition by the official group.

From 11 a.m.: Flyover by Wyoming Air National Guard planes and possible Air Force planes.

From 12 noon: Keynote banquet, Gen. Curtis LeMay, keynote address; introduced by Senator Simpson, Governor Hansen, opening remarks.

From 2 p.m.: Space age conference, theme "The Technological Revolution." Conference speakers: "Wyoming Research and National Goals," Dr. John Bellamy, director, NRRRI, University of Wyoming; "Impact of Symbolic Control in Industry," Albert K. Hawkes, director of Computer Services Division IIT Research Institute; "Numerically Controlled Machine Tools," Mr. L. C. Penny, Sundstrand Aviation, Denver; "Bionetics—Living Growing Science," Air Force representative, Capt. Leslie Knapp; "Summary and Review," Wyoming Natural Resource Board and Industry.

From 6:30 p.m.: Industry banquet; E. B. Fitzgerald, president, Cutler-Hammer, Inc.; Wyoming industrial achievement awards.

SENSIBLE TALK ABOUT CUBA

Mr. BARTLETT. Madam President, "Let's Talk Sense About Cuba" is the title of an article by the able and truly perceptive junior Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Senate Foreign Relations Committee. Certain it is that sense is needed when we talk of Cuba and of Latin America as a whole.

I am afraid that too often in the past we have tended to think of the problems, the dangers, and the opportunities of the whole hemisphere in terms of Cuba. Too often our efforts to encourage a peaceful but profound social revolution across Latin America have been viewed solely as countermeasures made necessary by the threat of Castro's exported subversion. The basic principles of the Alliance for Progress are important in themselves, and not because a Cuban dictator is making threats on the peace of a continent. The deep unrest and injustice which it is designed to meet would be there whether or not there had ever been a Castro. In his article, the Senator well says:

If Castro and his henchmen were to disappear tomorrow, much of Latin America would still be stirred by demands for radical social change.

Castro is a grave threat, it is true, but only because he answers these demands for radical social change. This threat, for us, should be more of a challenge. We must show the people of the hemisphere that orderly change and democratic processes can produce a more effective revolution than does Castroism. We have a job to do in Latin America and we should not let hysteria about the man with the beard keep us from it.

I ask unanimous consent that the Senator's excellent article from the May 16 issue of the Saturday Evening Post may be printed at this point in the RECORD.

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

LET'S TALK SENSE ABOUT CUBA
(By Senator J. WILLIAM FULBRIGHT)

(NOTE.—Democrat from Arkansas Senator FULBRIGHT is chairman of the Foreign Relations Committee. He was a Rhodes Scholar and at 34 was president of the University of Arkansas. He served one term in the House before his election to the Senate in 1944. One of the most distinguished Members of the upper House, Senator FULBRIGHT shook Washington recently with a speech attacking the myths that underlie U.S. foreign policy. Here he defends himself against his critics and tells in fuller detail what he thinks should be done about Castro's Cuba.)

For a long time it has seemed to me that American attitudes toward the world tend to be rigid and slow to adjust to new situations. Thus, for example, we tend to resist change in policies which were developed to deal with a monolithic Sino-Soviet bloc despite the facts that the Chinese and Soviets are now deeply, perhaps irrevocably, split, and that there is growing trend to diversity in Eastern Europe. There are people who cry for a blockade or other stern measures against Cuba, making no distinction between the problems posed by a Cuba with Soviet medium-range missiles and by a Cuba with Communist workers riding the cane fields in new British buses.

It was in an effort to point out some of the areas in which change has outrun policy that I spoke in the Senate on March 25. "We are confronted with a complex and fluid world situation," I said, "and we are not adapting ourselves to it. We are clinging to old myths in the face of new realities." I stated, for instance, that Castro "is not likely to be overthrown by any policies which we are now pursuing or can reasonably undertake." I suggested that our efforts to persuade free-world countries to maintain a boycott on trade with Cuba have been largely unsuccessful and that for this reason the boycott policy has been a failure.

My purpose was, and remains, to stimulate a general discussion, a rethinking, and a reevaluation of our foreign policies in the light of changing circumstances. Such criticisms as were contained in my speech were directed at inflexibility in public and congressional thinking about foreign policy, and not at specific policies of the present and preceding administrations, except as these policies have been thwarted or unduly influenced by popular prejudices.

There is nothing more difficult, and nothing more important, than the adjustment of our thoughts and of our policies to changing realities. As Eric Hoffer has written: "It is my impression that no one really likes the new. We are afraid of it. * * * Even in slight things the experience of the new is rarely without some stirring or foreboding."

If there was something "new" about my speech of March 25, it was not what was said but the fact that it was said, and said publicly. In any case, reactions of fear and foreboding were largely confined to the Congress. The reaction of the press and of over 10,000 private citizens who wrote letters to me in the first 3 weeks after the speech was very substantially favorable to the views which I expressed. What is more important, the reaction showed a very substantial interest in a public exploration of the issues which I raised. The voluminous public response indicates to me that the American people are eager for a public discussion and may be receptive to changes in policies.

I welcome the opportunity to examine some of the questions raised in the various comments and criticisms of my speech. I have no objection to being held responsible for anything I said. I do object, however, to being held responsible for things I did

not say. I did not say, for example, that American policy is guided solely by myths, or that our policies were inappropriate at the time they were framed. I did not say that we should ourselves enter into friendly relations with the Castro regime in Cuba or terminate our own economic boycott. I said only that our effort to organize a concerted international boycott which eventually will bring down the Communist regime is a failure, which it demonstrably is.

I did say that we should face the probability that the Castro regime will continue to exist. We are, of course, already doing so, and this particular suggestion, therefore, is not the adoption of a new policy so much as the acknowledgment, to ourselves, of an existing fact.

There has been considerable inaccuracy on another point. I did not say that the Castro regime is not a "grave threat" to the hemisphere. I said that it is not a "grave threat" directly to the United States. I did say that it is a "grave threat" to the Latin American countries, but one which should and can be dealt with through the procedures of the Organization of American States.

One criticism which has been directed at the speech is that I neglected to state more explicitly what I believe our policy toward Cuba should be. On reflection, I think this criticism may be well taken, because Cuba now appears to have greater importance in the public mind than I had thought.

I believe that the United States under present conditions should maintain its own political and economic boycott of the Castro regime. It would be desirable if all the other countries of the free world would join in such a boycott, but experience has amply proved that major industrialized countries of Europe, and Japan as well, are unwilling to do so and that we are incapable of either forcing or persuading them to do so. We look silly when we cut off a pittance of military aid to Great Britain and France because they trade with Cuba, when at the same time we find an excuse to continue substantial aid to Spain despite its trade with Cuba. What makes the case even sillier is that the aid we were giving to Britain and France was not aid at all. It was called aid because it came from military-assistance appropriations, but in fact it paid for a sales-promotion campaign to persuade high-ranking British and French officers to buy American military equipment.

There is an important distinction to be made between Cuba and Western Europe on the one hand and Cuba and Latin America on the other. Cuba is not a grave threat to Western Europe, any more than it is a serious threat directly to the United States. But Cuba is a grave threat to Latin America. It is logical, therefore, to expect the Latin American reaction to Cuba to be different from the European reaction, and this has indeed been the case. The Organization of American States has found the Castro regime to be incompatible with the principles of the inter-American system, and Cuba has been excluded from the inter-American organization. Fourteen of the Latin American States have broken diplomatic relations with Cuba. There has been increasing inter-American cooperation in the exchange of intelligence and in the application of countersubversive measures. Latin American trade with Cuba, over all, is insignificant.

Nonetheless, Cuban intervention in the affairs of Latin American States has continued, the most flagrant example being the shipment of arms to Venezuela, a shipment which was fully confirmed and documented by a committee of the OAS.

The OAS is the deliberately chosen instrument of the American states to deal with these problems. It has available to it adequate procedures and powers, based on the Rio Treaty and the Charter of the Organization of American States. I believe the United States should fully meet its obligations un-

der these treaties to participate in multilateral action to protect the hemisphere from Soviet-Cuban aggression and subversion. But this is primarily a Latin American problem. We cannot protect people who are not interested in protecting themselves.

The real problems of this hemisphere are not going to be solved by boycotting Cuba but by making the Alliance for Progress a success. Our exaggerated preoccupation with Cuba has distorted our judgment of the revolutionary movements in several Latin American countries. If Castro and his henchmen were to disappear tomorrow, much of Latin America would still be stirred by demands for radical social change.

This change need not be brought about through totalitarian methods and controls. In fact, the example of Castro's Cuba has perhaps done more to turn Latin Americans away from communism than all our preaching about its evils. Latin Americans have been shocked by Castro's brutality as well as by an inefficiency that has made a shambles of the Cuban economy.

Despite the importance of these considerations, it was not my major purpose in my statement of March 25 to stimulate a debate on Cuba but rather to place this issue in a reasonable perspective. The problems of the Caribbean are difficult; but unless they are made the focus of a clash of interests between the great powers, as in the missile confrontation of 1962, they are not in themselves the issues which are likely to precipitate a third world war or to determine the shape of world politics in the decades to come.

The problems which are much more likely to be decisive stem from our relations with the two great powers of the Communist world and our relations with our free world allies. It was with respect to these problems—the supreme issues of our time—that I sought to provoke discussion, and to suggest that, when placed in perspective, such issues as Cuba have engaged our attention to a degree out of all proportion to their real importance. For example, I spoke of the "myth . . . that every Communist state is an unmitigated evil and a relentless enemy of the free world," and I pointed to "the reality . . . that some Communist regimes pose a threat to the free world while others pose little or none, and that if we will recognize these distinctions, we ourselves will be able to influence events in the Communist bloc in a way favorable to the security of the free world."

One of the criticisms of my speech is that I did not explore the problems of the Western Alliance and particularly the increasing differences of opinion between General de Gaulle and the other members of the Western community.

My basic belief is that the best hope for the North Atlantic democracies lies in the development, by gradual stages, of a close political, military and economic partnership. If the Western community of nations is to survive and prosper, its prospects for doing so depend heavily on its overcoming its ancient rivalries and animosities and uniting its member nations in a close working partnership.

Impressive progress toward the development of such a partnership was made from the end of World War II until quite recently—through the Marshall plan, the NATO alliance, the formation of the European Economic Community and of a variety of international financial institutions, and other steps. In the last few years France, under General de Gaulle, has pursued policies which are apparently aimed at quite different objectives, although it is not yet clear what these objectives are. The tendency of current French policy, if I gage it correctly, is away from partnership with other nations, particularly Great Britain and the United States, and back toward the kind

of nationalism that has divided the West against itself in centuries past. In many ways French policy is being skillfully, even brilliantly, executed, and many highly informed observers have come to the conclusion that the Gaullist concept of a European community of sovereign nations, vaguely and loosely bound to each other and separated from Great Britain and the United States, represents the "wave of the future."

Perhaps it does. Efforts to assess the realism and the prospects of General de Gaulle's program, however, are handicapped by the fact that it is extremely difficult to grasp the true meaning of the general's statements. We have been told that the post-war era is at an end and that the Gaullist design is built on that reality; that the Atlantic-partnership idea is only a disguise for American hegemony in Europe; that this hegemony, which is equated with Soviet domination of Eastern Europe, is intolerable and must soon end; that France and Europe (the terms seems to be used interchangeably) have a destiny and "personality" of their own which must not be diluted by "Anglo-Saxon" admixtures; and that Europe must aspire to be "Europe from the Atlantic to the Urals."

In its present state of definition Gaullism seems more a mystique than a program. It may be that President de Gaulle, in his own good time, will give content to his vision of Europe and of the world. It may be that he will go beyond elegant disquisitions on the pride and personality of nations and proceed to suggest the kind of continuing institutions that will bind together the European nations, firmly or loosely, and the kind of political and economic relations he feels Europe should have with the United States and the British Commonwealth.

It may be, as the general has suggested, that the NATO alliance has served its purpose and is obsolete. I do not think so, nor do I think that NATO is a disguise for American hegemony in Europe. In any case, whether or not NATO survives in its present form, it is essential that provision be made for close and continuing cooperation among the nations of the West, lest they revert to the uncontrolled nationalism that all but destroyed Europe in two World Wars. There are two constructive proposals for long-range cooperation that can be implemented with little delay: The seaborne multilateral force and the proposed consultative Atlantic Assembly. If these are unacceptable to France, perhaps General de Gaulle will propose a better approach.

It is inconceivable that France should be anything less than a leading participant in an Atlantic community. France's partners are in need of her wisdom and her vision—the same wisdom which enabled President de Gaulle to end the Algerian war and to make France the guarantor of order and economic growth in large areas of Africa and, indeed, in proportion to her resources, the leading nation of the free world in extending economic aid to underdeveloped countries. Many Frenchmen have feared that France cannot be herself as a participant in a larger community. They would do well to consider that the free world, of which France is an integral part, can have little chance of realizing the full measure of its hopes and opportunities without the participation of France.

The foregoing are some, although certainly not all, of the questions raised by the criticisms of my speech of March 25. I hope that these exchanges are only the beginning of a national rethinking of foreign policy and of a new receptiveness on the part of our people and their policymakers to new ideas and fresh approaches. In a free debate in which no proposal is barred because of its unfamiliarity or its incompatibility with prevailing prejudices, there is certain to be a

good deal of error as well as insight. But this need not trouble us. As Thomas Jefferson said, "Error of opinion may be tolerated where reason is left free to combat it."

CONSERVATION AND POLITICS

Mr. CHURCH. Madam President, we are all aware of the growing importance of conservation and resource issues in our national life. And we are also aware of the natural divisions which have occurred in the conservation community itself.

It has remained for Assistant Secretary of the Interior John A. Carver to put some of these problems in their proper perspective in a recent address before the Conservation Week banquet at Utah State University, Logan, Utah.

I ask unanimous consent to have his address printed at this point in the RECORD, and recommend it to the attention of my colleagues.

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

CONSERVATION AND POLITICS

A week ago today I spent a day on a university campus in Massachusetts, before a graduate seminar on our territorial programs and policies. I've savored the opportunities I've had over the past 3 years, at Lansing and Ann Arbor, Milwaukee and Chicago, at Princeton and Riverside and Boston, to discuss government in the university community.

I'm particularly proud to have been asked to be with you tonight. Your Conservation Week has become justly renowned, and the standards set by my predecessors are demanding indeed. I recall that you heard a most significant speech a year ago. Although your scheduled speaker, Chairman WAYNE ASPINALL, was unable to be here, you were able to hear his talk, and in it the main features of his bill for a Public Land Law Review Commission, and of associated legislative items. In the intervening year, his bills on the subjects discussed here have been introduced, hearings held, and they have passed the House of Representatives.

My subject, "Conservation and Politics," can be opened by amplifying the reference to the Public Land Law Review Commission. Here was a measure which at the House hearings received virtually unanimous support from the broadest possible spectrum of the public interested in the public lands, whether commercially, as with the timber, forage, and mining industries, or noncommercially, as with the wildlife organizations and recreationists, and public interest and governmental units, State, county, and local.

This measure passed the House 339 to 29. The bill was sponsored from both sides of the aisle, among others by a member of the Outdoor Recreation Resources Review Commission with unimpeachable conservation credentials, JOHN KYL, of Iowa.

The purpose of the Commission bill is clearly stated in it: It is to study the statutes, review the policies and practices of the Federal agencies, compile data on demands for the public lands, present and future, and to recommend legislation to the Congress.

Yet last week a newspaper columnist, with a radio program also, referred to this as a bill to turn the public lands over to the cattle and mining interests.

Such a charge is erroneous, irresponsible, and a calumny on the Congress. Yet, it is of such stuff that conservation politics is made.

This is the good guys against bad guys method of policy formulation. In the international field we're all aware of the attempt

to manipulate public attitudes with reference to some other country's policy—what they want, we oppose, and vice versa. In the resources field, it works the same way. If the lumber or cattle or mining people want a public land law review commission, then to some groups it must be bad; if the Sierra Club or the Wilderness Society or some other public group agrees, however reluctantly, to a modified version of the wilderness bill, then those who had demanded the modifications are likely to take a second look.

A related, or refined version of this, is the epithet method of manipulating policy formulation.

Even experienced and sophisticated veterans of public resource management react in a conditioned way to verbal stimuli which are a part of our political tradition. Take the word "exploit" in reference to economic development needs. This is ordinarily a bad word in the conservation lexicon—not for any etymological or philological reason, for words are neutral. But this one exudes the colorful symbolism of our political environment. "Exploit" means "spoil"; "conserve" means "save." In this context, one doesn't even need to write down the moral propositions that create the differences. Generations of holy crusade have produced the glandular reaction—"exploiter," evil; "conservationist," virtuous.

This Pavlovian reference illustrates how deeply conservation issues have cut into national thinking. Some will say: "Isn't this good? Shouldn't people react righteously without having to ponder? Let's not equivocate with evil." This begs the question, for it assumes that the labels and catch phrases, the campaign slogans, have been correctly assigned; that there is some divine guidance, some intuitive gift, that permits ready identification of an infidel or heathen cause. For the purist, there are no gradations of virtue—no compromises between ideal and reality.

A few days ago an experienced and seemingly sophisticated Government servant said to me, "Why doesn't the Department create a special board for the sole purpose of identifying the public interest?"

A good question. Yet in the 3 years and almost a half I've been in the Department, I can't recall any one of the innumerable controversies where each side of the issue wasn't framed plausibly in terms of the public interest. I've known no decision made by Secretary Udall which hasn't been made in the public interest. Yet the controversies have been deep and vigorous, and many have reverberated in the Halls of Congress or the columns of the press long after they were made. In all of them both sides of the controversy are stated in terms of the public interest, and in most of them both sides are in the public interest. But choices have to be made and the job of making choices cannot be delegated by the Secretary to a board.

Let's look at a couple of specific cases. The development plan for the Potomac presents one controversy now active; the development of the Colorado another. Those who would build dams (in one case the dam builders are in another Department, in the other case in our own), and those who oppose in favor of the existing values, such as parks or private improvements each states a public interest case.

Electric energy for a rapidly growing population and burgeoning economy must be planned for. Both sides agree, but opponents of the dam assert that account has not been taken of alternatives like nuclear power.

Recreation opportunities are laudable side benefits of dams—but does this kind of recreation outweigh the damage to natural features?

Listen to the language of the two sides:

From the dam builders:

"Water-based outdoor recreation is one of the most popular leisure-time activities in

the Pacific Southwest region. The capacity of many existing recreation facilities is already strained. Coincident with the anticipated population growth of the region will be an increased demand for water-oriented outdoor recreation uses. Thus, new basic facilities are included in the plan of development wherever appropriate.

"The basic facilities that would be provided at the reservoirs include access roads, parking areas, beaches, boat launching ramps, picnic and campground areas, public utilities, comfort stations, and related items. The new reservoirs would create new large water areas for boating, fishing, swimming, and water skiing and, additionally, would provide new access to some of the most spectacular scenery in the Nation."

From the opponents:

"The construction of a reservoir in this reach of the canyon (at Bridge) would inevitably result in the loss of park values of national significance.

"The river, with its ever changing currents, pools and rapids, would be blotted out by the slack water of the reservoir.

"The existing natural streambank ecology would be drastically changed throughout the extent of the reservoir. The existing plant and animal habitats would be drowned out, and colonization by exotic species would be expected. In the uppermost regions of the reservoir, silt deposition and debris accumulation would be inevitable.

"The most obvious change in the recreational use would be the limitation of the traditional and exhilarating experience of wild river boating."

Controversies like these are incapable of resolution by the application of rhetoric or slogan—something far more fundamental is expected of Government than that.

And something far more fundamental ought to be expected of the public.

Conservation issues are public issues. Success in the task of conservation requires mastery of the workings of politics, both internal and external. Conservation presents elemental conflicts of values.

If the politics of conservation are to be worthy, if it is to be recognized that resource managers must communicate to the public and to the legislatures a sense of ethical urgency rooted in a felt philosophy, then history must be studied, our society comprehended, our governmental system mastered.

Slogans are not substitutes for celebration; and the field of conservation isn't open to be staked as the exclusive domain of any group, however well intentioned.

Many in this room will participate in making the social decisions that must be made to meet the demands of 300 million people for living space, food and fiber, and all of the other resource requirements of an almost unimaginable technology. Conservation and resources promise to become the most critical domestic political issue as we approach that social milestone. Any attempt to answer the challenge with clichés must fail—and with it our basic values, quite possibly our whole political system and our existence as a democratic society.

Professional resource managers have their own sophisticated phrases. The appeal of "sustained yield" has been sufficient to turn many a tide. And "multiple use" comes close to being the universal solution to all demands, even though it provides no effective assistance in adjudicating incompatible demands. The mere suggestion of "give-away" is enough to stop any resource transaction in its tracks—at least temporarily. Such slogans are high-powered weapons of the political arsenal.

It helps to recognize that these are the current manifestations of a long tradition. Resource issues have been political issues since the earliest days of the Republic. Jefferson and Hamilton's ideological struggle

had as one of its ingredients the policies which should govern in settling western lands.

The Mississippi bubble was the major political issue of its decade. John Wesley Powell made the settlement of arid lands a bloody battleground long before those lands had any real value. In the last decade, Al Sarena held center stage while the pressures for more open space, better recreation facilities, more and purer water piled up. This accumulation is our political inheritance, the unfinished agenda of our generation.

The techniques of achieving political goals for conservation were never more effectively exhibited than they were at the hands of the first Roosevelt and his chief lieutenant, Gifford Pinchot. Roosevelt made his name synonymous with conservation, as he met both the interests and their legislative spokesmen head on.

By a pen's stroke, he set aside public lands for forest purposes while enrolled enactments of Congress prohibiting such executive action sat out the constitutional waiting period on his desk. Forestry, reclamation and wildlife protection became main functions of the Federal Government under his tutelage.

Teddy Roosevelt took the conservation movement out of the polite conversation of drawing rooms and off the platforms of the lecture circuit. An ideal, clothed with Victorian respectability, became an objective of public policy—of Government activity. Conservation was made an object of political contest—where it has been ever since, not only at the Federal level but in the States as well.

Pinchot presents an even more interesting case study in the development of political conservation and conservation politics, which is equally significant. Pinchot is something of a rarity among all public figures: a pioneer in an emerging profession and respected for that in itself; masterful politician, good enough to quarterback many of Roosevelt's most daring forays, and to be elected Governor of Pennsylvania twice; but above all, superlative bureaucrat. With a singleness of purpose that would have been disastrous in one of lesser ideals, Pinchot used a small and ineffectual office in the Department of Agriculture as the nucleus for concentrating most of the Federal forestry activities into one of the largest and most powerful of all Federal bureaus—one that could dominate Cabinet officers and challenge a President of the United States.

Pinchot's zeal to become the dictator of conservation values and morals led, of course, to his split with Taft and his accusations against Secretary of the Interior Richard K. Ballinger, whom Taft appointed to replace Pinchot's friend and collaborator, James Garfield. The congressional hearings on these accusations marked one of the bitterest episodes in the history of conservation politics. The stakes were high—the office of the President becoming eventually involved. Ballinger was eventually exonerated of any intentional wrong-doing, but it was found that certain of the evidence submitted in his behalf had been misrepresented as to time of preparation. Press and public alike remembered only this tarnishing fact—Ballinger was publicly guilty, though innocent.

This incident in one man's bureaucratic war on those who opposed him did lasting harm to a major conservation department of the Government. Pinchot—although out of office—never lost an opportunity to remind the country of Interior's faults, as if Ballinger had been found guilty. Not until Harold Ickes took over a quarter century later did the Department retrieve the public respect so necessary to discharge its conservation mission.

The politics of the conservation movement itself, including both the internal manipulation of organizations and the interplay of powerful forces among those who have a

rightful claim to be called conservationists, took shape in Roosevelt's time, too.

Theodore Roosevelt's task in establishing the conservation ideal ran across the grain of traditional thinking. He had to first establish waste as something close to immoral—and then work on the public conscience to see that it reacted accordingly. The substantive issues of his day were, however, relatively uncomplicated. Techniques of forest protection were direct, elementary and easily comprehended; power generation and transmission had potential for the future, but comparatively little current relevance; demands upon land and water resources were confined to single uses, uncomplicated by competing needs incompatible with each other.

Now our population has almost doubled and its mobility multiplied fivefold or tenfold. A disturbing percentage of our land area must be devoted to concrete ribbons strung with the beads of metropolis, suburb, and town. Technology has made possible and created forms of land use which were impossible a half century or even a decade ago. The protective barriers to the wilderness have been breached.

Hetch Hetchy was the early warning of what is today a truism—that one conservationist's ideal could be another's desecration, that the recriminations among friends under stress match those that draw blood from sworn enemies.

The cities of central California and the bay area were outstripping readily available supplies of water; a similar situation in power could be foreseen due to their great distance from conventional energy sources. To those who were thoroughly steeped in Theodore Roosevelt's premise that "conservation is the great fundamental basis for national efficiency," it was elemental that the rivers of the Sierras should be harnessed to provide the water and power requirements for a growing prosperity. From almost every standpoint of economy, efficiency, and engineering convenience, the ideal site for dam construction was in the Hetch Hetchy Valley of the Tuolumne River. Heated opposition immediately developed from two quarters; from private utility interests, because the project was to be constructed and operated by the city of San Francisco, and from an important segment of the conservation movement itself, because the site was deep in the Yosemite National Park, consecrated in the eyes of parks purists.

Hetch Hetchy became a national issue primarily because of its public power aspects, but the contention between conservation values was also very much in the public eye. Labels became mixed and the identity of friend and foe became complicated. If you can conceive of it, John Muir was actually cast in the role of advocate for Pacific Gas & Electric Co., was called a mouthpiece of "the interests." To those who recount this story from the public power viewpoint, the term "conservationist" is reserved for Hetch Hetchy's proponents—all others fall in the category of "nature lovers" or "power interests." In this, the first clear instance of conflict among national conservation objectives, the charge was also made by one element of the conservation front that their erstwhile friends were being exploited by those having diametrically opposite social values. "Save Yosemite From Destruction" was a rallying cry among dedicated conservationists; it was equally available to those who would use every possible device to defeat the reservation of any further lands for park purposes.

Any number of parallel situations may be cited to demonstrate the increasing conflict between and among interests within the conservation family in its broad expanse. The Steamboat Springs project, dear to the hearts of the reclamation branch of the family, foundered upon the unavoidable con-

sequence of flooding a part of Dinosaur National Monument. The Glen Canyon reservoir is already beginning to fill, but the bitterness over failure to protect Rainbow Bridge against water intrusion is readily evident in our daily mail. Issues such as these find their outlet in the exercise of highly developed techniques of political pressure.

The issues upon which the conservation community finds itself divided will increase as demands for scarce land increase. The political dimension of conservation has expanded in ever-widening circles as our society and our technology have become increasingly complex. The simple "for" or "against" issue of 1900 now has overtones of the bureaucratic contest for policy supremacy. "Multiple use" becomes a slogan to block the preservation of critically needed recreation values; freedom to locate mineral claims argues against inclusion of a public domain tract in either a forest or a park. Parks supporters are accused of "locking up" resources because they regard public hunting incompatible with park objectives. The pluralism of modern life makes extremely complicated the simple faith which motivated Thoreau, Muir, Powell, and the other prophets of the good life.

Let us now look to the future prospects for conservation as a political issue. Will it drop out of the field because other problems of modern life demand all of our attention? I am convinced that the exact opposite will be the case. Science and technology can change and multiply and stretch the limits of such resources as food and fiber and energy sources. But eventually we get back to the fundamental elements of land and water. Living space for twice our present population will demonstrate the inelasticity of the land surface. Water problems, both qualitative and quantitative, must be attacked promptly and with every scrap of our imagination—for wars have been fought and civilizations have died for its lack. We face a century of intense competition for these elemental resources. Government must inevitably enter as the arbiter. Conservation issues may, therefore, become the dominant ones in public affairs, therefore in politics, in our own generation.

The stewardship of Stewart Udall as Secretary of the Interior has seen a truly remarkable elevation of the level of conservation politics.

First and foremost, he has penetrated the American consciousness of the land and water, and has made conservation a felt philosophy, in and out of Government. President Kennedy's White House Conference on Conservation in 1962 was the first since Teddy Roosevelt, and it caught the public's attention and interest. So did that memorable conservation tour in the beautiful autumn of 1963. Mr. Udall's book "The Quiet Crisis" is thoughtful and deep, and its influence widens month by month.

It takes a great Secretary to be able to manage both the programs for water development and the programs for park and natural value protection, and the public does not even begin to understand how well he has mastered the fundamentals of each, thus freeing himself from the shackles of slogans and rhetoric.

The Secretary sees the relationship of conservation to other social objectives and other Government programs, as witness the conservationist cast of the Job Corps segment of President Johnson's war on poverty.

And he sees beyond the horizon. The land and water conservation fund bill, landmark conservation legislation which must be enacted, will rationalize the hit-or-miss, stop-and-start progress in meeting the national demand for parks and recreation opportunities.

The Pacific Southwest water plan, too, represents statesmanship of a most demanding order.

I commend to you the field of conservation, and the field of politics—separately and together. I love them both.

SALVATION ARMY WEEK

Mr. KEATING. Madam President, 84 years have passed since Commissioner George Scott Railton and his seven "Hallelujah Lassies," as they were called, marched into New York and "opened fire" on America. Today the Salvation Army includes 5,000 officers in the United States, 1,300 evangelical centers, and more than 800 institutions and services. Its workers have become known for their selfless devotion, their endless patience, and their consistent optimism.

The Salvation Army, which first won fame in this country by providing the "doughboys" with doughnuts in World War I, and had a major hand in the USO clubs during World War II, does not limit itself to work with the distressed. Army services range from missing persons bureaus and correctional services for prisoners to marital counseling, from rooms for evicted slum dwellers and nurseries for children of working mothers to free soup kitchens and medical and dental care.

The Salvation Army began as a unique adventure in evangelism. The founder of the Army, William Booth, believed in providing "soup and soap" before trying to convert the thousands of forgotten human beings—the alcoholics, the street-walkers, and the criminals—who were not wanted by organized religion of the time.

This year, while we are ourselves trying to change the face of the "other America," it is particularly appropriate to salute the work of the Salvation Army.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

The Chair lays before the Senate the unfinished business.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. Long] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE] for himself and other Senators, relating to jury trials in criminal contempt cases.

CALL OF THE ROLL

Mr. CHURCH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

	[No. 249 Leg.]	
Aiken	Douglas	Miller
Allott	Ellender	Monroney
Anderson	Fong	Morse
Bartlett	Gruening	Mundt
Bayh	Hickenlooper	Neuberger
Beall	Humphrey	Pearson
Bennett	Inouye	Pell
Bible	Jackson	Proxmire
Burdick	Javits	Ribicoff
Carlson	Jordan, Idaho	Saltonstall
Case	Keating	Simpson
Church	Long, Mo.	Smith
Clark	Mansfield	Sparkman
Cotton	McCarthy	Stennis
Curtis	McGovern	Talmadge
Dirksen	McIntyre	Yarborough
Dodd	Metcalf	Young, N. Dak.

The PRESIDING OFFICER. A quorum is present.

The Chair recognizes the Senator from Georgia.

Mr. TALMADGE. Madam President, I ask unanimous consent that I may yield to the distinguished Senator from Alaska [Mr. GRUENING] with the understanding that my doing so will not affect my right to the floor in any way whatsoever or cause the resumption of my speech to be counted as a second speech.

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

BRING WAR IN SOUTH VIETNAM ALSO TO CONFERENCE TABLE

Mr. GRUENING. Madam President, President Johnson and Ambassador Stevenson are to be highly congratulated for taking a portion of the southeast Asian mess to the United Nations. That is precisely where it belongs. I have so urged ever since March 10, 1964, when I spoke in the Senate and stated that the United States should get out of South Vietnam and immediately pull our troops back from the fighting front.

While the administration's action in the United Nations yesterday was an entering wedge, it has not gone far enough. However, it does mean that the administration which inherited the Vietnam mess from previous administrations has now realized that in southeast Asia we cannot and should not go it alone. It might have done this immediately on taking office, but it is not easy overnight to shake off established—even if mistaken—policy, especially if the same policymaking personnel continues in office.

The solution of the serious problems existing in southeast Asia lies in strict adherence to the Charter of the United Nations calling for collective action by the signatories to the charter and not by individual action. I congratulate President Johnson in having come at least this far.

As James Reston writes in today's New York Times:

None of this removes the need for defending the principle of collective action. That need is just as great now as it was when the U.N. Charter was written, or when the fighting broke out in Korea or the Congo.

The administration's actions in the United Nations yesterday was hailed to-

day by Max Frankel in the New York Times in these words:

For the first time, also, the United States indicated that it was prepared at any time at least to debate the entire southeast Asia situation, including its own actions, in the world organization.

So far so good. It is high time the United States stopped sabre rattling and resorted to peaceable measures. Why not this procedure for all southeast Asia? Why not stop the killing in South Vietnam now?

The situation—as I have said repeatedly—in South Vietnam is such that it is now threatening the peace of all southeast Asia. Ambassador Stevenson should have gone further. He should have offered solutions along the same lines to end the fighting in South Vietnam where brother is fighting brother and father is fighting son.

It is also a situation where American boys are dying in battle.

It is also a situation that cries out for international solution for the problem which will not be resolved in battle but around a conference table. The United Nations offers such a conference table for us and before the situation deteriorates further we should seize upon this opportunity and lay the matter before the Security Council of the United Nations. If we are thwarted there we should go further and invoke the powers of the General Assembly.

As we go it alone in South Vietnam the situation continues to deteriorate.

The New York Times, in a leading editorial on Thursday, May 21, 1964, occupying more than half its editorial columns, analyzes the deteriorating situation in Indochina and comes to the conclusion that:

We must confront the Communists with options short of unacceptable defeat, options to which they can turn, once some of their leaders begin to conclude that victory may be unattainable or too expensive. In brief, we must define our peace aims.

According to the New York Times editorial, "total victory is beyond our grasp."

This conclusion is reaffirmed by the sombre statement contained in Joseph Alsop's column in the Washington Post and Times Herald on May 20, 1963, to the effect that:

Like a muffled thief in the night, slipping from shadow to deceptive shadow, a great national disaster is creeping up on the United States—and on this poor country [South Vietnam] too. In one night, almost before we know it, we may be overtaken by the disaster that is creeping up on us.

It is heartening to have the New York Times finally take a good hard look at the facts in southeast Asia. Such a reappraisal of our tenuous position in South Vietnam by one of the Nation's leading newspapers is long overdue. I would hope that in the days ahead such reappraisals will take place in our newspapers from coast to coast.

As I have been saying for months now on the floor of the Senate, the problem in South Vietnam is a political and not a military one. The United States cannot impose by military force alone a victory upon South Vietnam. By the same token, the United States cannot achieve

peace in Vietnam by interposing bodies of U.S. military men between the Vietnamese and the Vietcong. The lives of American soldiers cannot be used as a substitute for a will to win on the part of the Vietnamese.

The time has long since come to negotiate an honorable way out of our involvement in South Vietnam—in which we are alone involved and in which our so-called allies have given us at most only moral, if any, but no material assistance.

The New York Times states in its editorial:

But an increased military effort alone, without an offer to negotiate, would simply compound the errors of the past.

With this statement, I am in hearty accord. But I would add to it.

In the first place, I would add the suggestion that our military strength should henceforth be maintained only through the South Vietnamese fighting men and our military material. There is no earthly reason for the loss of a single additional American military man on the fighting front in South Vietnam. We have needlessly lost too many American military personnel in battle already. Our so-called advisers should be withdrawn at once from the fighting lines.

In the second place, I would add that negotiations should be begun immediately and that the United States should make it abundantly clear that it is not attempting to make South Vietnam a U.S. colony. I care not whether the immediate negotiations for a peaceful settlement in South Vietnam are begun in the United Nations which, because of Cambodia's complaint against the United States, is already seized with part of the problem in southeast Asia, or through SEATO, which was involved in the 1954 settlement. The medium of negotiations is relatively unimportant. The important point is that we begin negotiations.

In the third place, I would add that there is a definite need for an investigation of why the people of the United States have not been given the facts and why it has been necessary, in the words of the New York Times, for the "harsh facts" of the war in South Vietnam to be "brought to public notice through the enterprise of American newspapermen on the spot." In recent years there has, in my opinion, not been a more flagrant violation of the American people's right to know. The investigation I am calling for should be two pronged.

First, it should investigate to find out whether the true facts of the situation in South Vietnam over the years have been withheld from the American people not for security reasons but to cover up bureaucratic bungling.

Second, and even more important—it should investigate to determine whether there has been a serious failure on the part of our intelligence apparatus to find out and evaluate accurately the true facts.

In that connection, consider the on-again, off-again type of statements issued by Secretary McNamara after each of his trips to South Vietnam.

On Secretary McNamara's first trip, Homer Bigart cabled to the New York Times on May 11, 1962, from Saigon as follows:

After 48 hours in South Vietnam, Mr. McNamara said he was "tremendously encouraged" by developments. He said the Vietnamese people had more security. He was pleased by the quality of assistance given by the American military and civilian personnel.

His visit left Americans and South Vietnamese with these impressions:

First, the Kennedy administration still is rigidly following its "sink or swim with Diem line."

Second, the administration regards President Ngo Dinh Diem as a remarkable national leader whose loss would be a great setback to the anti-Communist cause in south-east Asia.

Third, the administration believes the American correspondents here are giving a distorted picture to Congress of American involvement in the shooting war.

That was after Secretary McNamara's first visit to South Vietnam.

The official statement on October 3, 1963, from the White House after Secretary McNamara's return from his second visit stated in part:

Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel.

They reported that by the end of this year the U.S. program for training Vietnamese should have progressed to the point where 1,000 U.S. military personnel assigned to South Vietnam can be withdrawn.

The New York Times story by Tad Szulc at that time was headed "Vietnam Victory by the End of 1965 Envisaged by United States; Officials Say War May Be Won if Political Crisis Does Not Hamstring Effort."

Within 3 months Secretary McNamara was back in Saigon, on his third visit, and this time the New York Times story by Hedrick Smith on December 21, 1963, was headed: "United States Drops Plans for 1965 Recall of Vietnam Force."

In the story there appears this significant paragraph:

Some diplomatic observers maintained that the goal, announced by the White House early in October, was never meant as an inflexible commitment. They suggested that it was intended primarily for domestic political purposes.

And now we come to Secretary McNamara's latest excursion, his fourth, to South Vietnam earlier this month. This time the New York Times story by Jack Raymond on May 15, 1964, was headed: "McNamara Urges Further U.S. Aid for Vietnam War; Back From Saigon, He Gives President a Plan To Send More Money and Men."

It is obvious from these accounts that the American people have been misled. Whether this was deliberate or whether those issuing the statements were not given accurate appraisals of the situation is a question the answer to which the American public has a right to know.

Following this latest visit to South Vietnam, and Secretary McNamara's recommendations, President Johnson last Monday sent to the Congress a special message requesting an increase of \$125

million in the amount to be authorized to be appropriated for economic and military assistance to South Vietnam for the 1965 fiscal year beginning July 1, 1964. Both Secretary Rusk and Secretary McNamara, testifying before the House Committee on Foreign Affairs, urged the speedy approval of this request. That committee approved the request last Wednesday.

The President's message is even more puzzling when put in the context of reports recently emanating from Saigon.

In a news story by the Associated Press from Saigon dated May 7, 1964, printed the next day in the New York Times, Premier Khanh is reported as saying:

But he (Khanh) said American aid—which involves 16,000 men and money at the rate of \$500 million a year—was adequate at this stage and he had no plans to ask Defense Secretary Robert S. McNamara for more when he visits Saigon again next week.

The New York Times, in a story from Washington by Jack Raymond dated May 14—10 days after Khanh's statement—starts off as follows:

Secretary of Defense Robert S. McNamara laid before President Johnson today a new plan for increased military and economic support for South Vietnam.

Four days later the President sent to the Congress a message requesting the authorization of an additional \$125 million in economic and military aid for South Vietnam.

Who wants this aid: Secretary McNamara or Premier Khanh?

I am still more puzzled by other implications of the President's message.

It can have three possible purposes.

As the New York Times characterizes it, it could have as its purpose that of giving the morale of the South Vietnamese a psychological boost.

It could also have as its purpose the attempt to create the myth that the foreign aid budget for fiscal year 1965 is irreducible. If this is so, then it will not stand up to objective scrutiny.

In the first place, the amount requested to be authorized to be appropriated—\$3.4 billion—is larger by \$400 million than the amount appropriated for the foreign aid program for the current fiscal year. Which new programs included in the \$400 million increase—and in what countries—are so very important that they cannot be cut by the \$70 million additional assistance which the President says South Vietnam needs for its economic development?

As anyone who has studied the foreign aid program knows—and as has been repeatedly brought out here on the floor of the Senate—the foreign aid budget submission for fiscal year 1965—as it has been in the past—is only an illustrative budget and not a firm budget as is submitted with respect to domestic programs. This means that the AID administrators are saying to the Congress, for example, that with the money given them they will carry out projects A, B, C, and D in countries W, X, Y, and Z. This statement, however, is preceded by a big caveat. The AID administrators tell the Congress repeatedly, firmly, and unmistakably that they are not to be held to these illustrations. During the year

we may find it more advantageous to do projects E, F, G, and H in an entirely different group of countries.

This is known as the illustrative budget.

It is not permitted for domestic programs.

The AID administrators have resisted for years all attempts to require them to submit firm budgets to which they would be held accountable. The reasons given by these administrators for resisting the submission of firm budgets to Congress is their claim that in an ever-changing world it is impossible for them to tell the Congress with reliable certainty in May for what purposes they will have to spend the appropriated foreign aid money in the following May or even November.

So, on the one hand, the AID administrators are saying to the Congress that they cannot submit firm budgets to the Congress because they need flexibility—maneuverability—and the ability to react instantly to events anywhere in the world.

Meanwhile, on the other hand, the President is telling the Congress that every penny of the \$3.4 billion requested of the Congress for the next fiscal year cannot be decreased a few million from one country's program and a few million from another country's program to accumulate \$125 million he says is vitally needed for South Vietnam.

The AID administrators cannot have it both ways. And also the timetable is all wrong.

Why the rush with this \$125 million authorization?

We are dealing with a foreign aid authorization request for fiscal year 1965. With the parliamentary situation in the Senate being what it is, there is no possibility of early action on the authorization for some little time yet. And then there will have to come the appropriations. But meanwhile, there will probably be a continuing authorization enabling aid to go forward at not to exceed the rate for fiscal year 1964, \$3 billion. What early advantage is to be gained by rushing the House Committee on Foreign Affairs to approve an authorization bill for \$3.525 billion instead of \$3.4 billion?

One advantage would be to create the myth of the irreducible foreign aid budget.

Another advantage is to get Congress to sign on the dotted line a blank check approval for an escalated war in South Vietnam.

This disturbs me greatly. I object strenuously if this message signals a decision to escalate the intensity of McNamara's war in South Vietnam—a war which cannot be won by military fighting in the steaming jungles of South Vietnam or by burning alive with napalm bombs inhabitants of entire villages in the hope that some of them may be Communist Vietcong fighters—a war in which all too many U.S. fighting men have been maimed or killed—a war which is not worth the life of a single additional American soldier—a war which all impartial students of the problem agree can only be settled at the conference table and not on the battlefield.

I repeat, Madam President, the time has come to withdraw our fighting men from the frontlines in South Vietnam and to begin at once to settle the problem of South Vietnam and of southeast Asia at the conference table where we have a chance to achieve peace in that area of the world rather than to escalate our military efforts which can at best achieve only a military stalemate, but which will in any event cost us dearly in lives of our servicemen.

Since making my first major speech in the Senate on the March 10, 1964, my mail has been heavy on the subject of Vietnam running about 100 to 1 in favor of my position. What are the American people saying about the U.S. position in Vietnam?

This is an excerpt from a letter from a couple in Webster, N.Y.:

We hope you will continue to use your influence in changing the present southeast Asian policy away from support of this senseless and brutal war. It is our hope that Government leaders might at least consider negotiation and possible neutralization of the area. We deplore the present sterile and unrealistic position.

A professor at the University of Pennsylvania writes:

I deeply admire your stand on Vietnam, and believe it would be supported by most Americans if they truly understood the situation there. Against tremendous numerical and material odds, the guerrillas have been fighting, suffering, and dying in steadily increasing numbers. People do not behave in this way, year in and year out, simply at the behest of some outside master, whether Communist or otherwise. We can understand what is happening in Vietnam today only if we recognize the basic fact that the guerrillas are not opportunists, are not mercenaries for an outside power, but are willing to endure enormous sacrifice and suffering because they themselves believe firmly in the rightness of what they are doing.

From the secretary of a Farmers Union local in Minnesota comes the following plea:

For the last 2 years the Minnesota Farmers Union has in its bylaws that any issues endangering peace should immediately be brought before the United Nations. In the interests of world peace, and with the recognition of the right of all nations to develop their own resources and form of government, we urge that the United Nations be called on to supervise a cease fire so as to enable our forces to return home.

Another professor at the University of Pennsylvania writes:

I think it is one more dangerous myth that we are in Vietnam to uphold a vital part of the "free world." The truth about Vietnam—about its origins, its political composition, and our own role—have too long been buried.

From a noted anti-Communist South Vietnamese author, now living in Paris—Tran-Van-Tung—comes a thoughtful analysis of the problems, in part, reading:

For my part, I am convinced that if America is genuinely interested in helping Vietnam defend her freedom and independence against the Communist menace, she must help us to install a representative civilian government with the participation of all the foremost Nationalist leaders in the very shortest time possible. With genuine representation embodied in government

under the leaders who have earned real popular support by their long and dedicated struggle against communism, dictatorship and feudalism, we can assure a renaissance of the national spirit. A Nationalist government can create the atmosphere of purpose and dedication—so sorely lacking today—that can turn the tide against the Communist aggressors.

I could go on at great length reading from the hundreds of letters I have received in the same vein from almost every State in the Union. In the interests of time these brief excerpts must serve as illustrative of the views of thinking Americans in various parts of the country who are genuinely concerned over our being in South Vietnam at all and anxious that the war there not be escalated.

In the various newspaper accounts, I find the repeated use of the word "fragile" as applied to the situation in southeast Asia. That is probably an appropriately descriptive adjective. It is "fragile" which means easy to break, or likely to break. Our policymakers should hasten to get the problems to the United Nations conference table lest what is fragile be irreparably shattered. Every day lost may well mean the loss of more American lives.

Madam President, I ask unanimous consent to have the editorial published in the New York Times of Wednesday, May 20, 1964, as well as various articles, newspaper reports, and telegrams on the crisis in South Vietnam, and the letter from Tran-Van-Tung, printed in the RECORD.

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

[From the New York Times, May 20, 1964]

NEW PHASE IN VIETNAM

The crisis in Laos, Cambodia's arraignment of the United States in the Security Council and President Johnson's request for sharply increased aid to South Vietnam are all coincidental; but they are also interrelated.

In Laos, Washington has no alternative but to try to save what remains of the 1962 settlement. The trouble with that settlement has not been that it neutralized Laos, but that it failed to neutralize it completely. Laos has remained a source of East-West conflict because of its lengthy common border with Vietnam and its use by the Communists as a protected military highway for the Vietcong. It always has been clear that the 1962 cease-fire in Laos would remain fragile as long as the war in Vietnam continued.

The Cambodian problem also stems primarily from the Vietnamese war. The recent border incidents now under debate in the United Nations are only part of the problem. The real difficulty with Prince Sihanouk—who has canceled American aid and sought better relations with Peiping—is that he has become pessimistic about halting the Communist advance in neighboring South Vietnam.

The past year has thus seen a steady deterioration in all three of the non-Communist successor states which the United States, since the 1954 collapse of French hegemony in Indochina, has sought to preserve from Communist absorption. But the core of the problem is Vietnam. And that problem now is entering a new phase.

Only a year ago high American officials still regarded the military outlook in South Vietnam with optimism—or said they did. The war, we were told, was being "won."

As late as October, it was officially predicted that the Vietcong could be largely "suppressed" by the end of 1965. And it was announced that all but a handful of American troops would be home by then.

We do not say that there was deliberate deception of the American people in these announcements; but it is clear that the harsh facts of the war in South Vietnam were only brought to public notice through the enterprise of American newspapermen on the spot. Within only the limits of military security, the American people are entitled to know frankly from their own Government what goes on in Vietnam.

In any event, there has been quite a different tone in recent weeks. Secretary McNamara now predicts "a long, hard, difficult war" and correctly points out that "there can be no such thing as a purely 'military' solution of the war in South Vietnam." The American objective now, as stated by the White House, is "to bring Communist aggression and terrorism under control."

In these circumstances, it is of great importance that we frankly recognize limited, realistic objectives. Total victory is beyond our grasp; but it is within our capability to deny victory to the Communists—and to increase their costs and difficulties. If we demonstrate that we will make whatever military and political effort that requires, the Communists sooner or later will also recognize reality.

President Johnson's plan for \$125 million of additional American military and economic support for Saigon is as important for psychological as for military effect. We may have to do considerably more, as well as to keep open our option to punish North Vietnam directly if the war intensifies. But it would be a mistake to enlarge the war further without establishing a reasonable, limited objective for its settlement.

From its beginning in 1961, the program of American military intervention on the Asian mainland in Vietnam has been designed to help the South Vietnamese fight their own war, rather than to fight it for them. But American intervention was followed by an increased Communist effort. The result so far has been merely to enlarge the guerrilla war without changing the real balance of forces. Further increase in American aid could simply mean another frustrating spin around this vicious circle—unless, at the very same time, we begin to open the way toward a peaceful settlement.

We must confront the Communists with options short of unacceptable defeat, options to which they can turn, once some of their leaders begin to conclude that victory may be unattainable or too expensive. In brief, we must define our peace aims.

Secretary McNamara has already made it clear that the United States seeks neither to establish bases in South Vietnam nor to enroll Saigon in any Western alliance. He has also said that "we have no objection in principle to neutrality in the sense of non-alignment." And Secretaries McNamara and Rusk both have indicated that the United States is prepared to abide by the Geneva accords of 1954, which neutralized all the Indochina states, including Communist North Vietnam. As a result of these accords, French troops and 120,000 Communist guerrillas were withdrawn from South Vietnam. While neutralization can hardly be said to have been a roaring success in Laos, the story might be different if neutralization could ultimately be applied to all of what was formerly French Indochina.

It would be wise to hold forth, as well, the prospect of normal trade for North Vietnam both with South Vietnam and with the West. North Vietnam cannot feed itself. The war has been accompanied by critical food shortages, an economic crisis, and increasing dependence on the Chinese—whom all Vietnamese traditionally fear. The pos-

sibility of a peace that would reverse this trend could well be a serious incentive to the Hanoi hierarchy.

To suggest this does not mean that we can afford, in the meanwhile, to lessen our military effort in South Vietnam. Quite the contrary: we must make it clear to the world that we are willing and able to wage war as well as to negotiate for peace.

Whether in waging war or negotiating peace, the United States would benefit from additional allied support in Vietnam; and attempts are being made to obtain it. But such attempts will not get very far if our allies suspect our purposes is to prolong or expand the war in search of an unattainable victory. We must make clear our willingness at the proper moment to seek a political settlement based, of course, on a non-Communist South Vietnam, independent, neutral—free of Communist guerrillas as well as of foreign troops and bases—and guaranteed by the Great Powers. We must make it clear that we are fighting to get out of, not to stay in, South Vietnam. The aim should be a return to the Geneva settlement of 1954, an objective that might even be supported by the French. In a little-noticed statement a few weeks ago, Foreign Minister Couve de Murville indicated that this is really what President de Gaulle has in mind.

American willingness to negotiate on this basis will not necessarily bring peace quickly, or even a negotiation. Military force is essential if the Communists are to be brought to the conference table and a reasonable settlement extracted. But an increased military effort alone, without an offer to negotiate, would simply compound the errors of the past.

[From the New York Times, May 12, 1962]
McNAMARA TERMS SAIGON AID AMPLE: SAYS IT IS AT PEAK AND WILL LEVEL OFF—DIEM'S FIGHT AGAINST REDS HAILED

(By Homer Bigart)

SAIGON, VIETNAM, May 11.—U.S. aid to South Vietnam has reached a peak and will start to level off, Robert S. McNamara, Defense Secretary, disclosed today.

Before departing for Washington, Mr. McNamara said he doubted whether U.S. military personnel assigned to South Vietnam would be increased above the present levels of strength.

There are more than 6,000 American servicemen advising, training and supporting South Vietnamese forces in the struggle against the Communist guerrillas. An additional 1,000 or more American servicemen are believed to be either en route or destined for shipment.

The flow of war materiel will not be increased, barring unexpected setbacks in the domestic struggle or overt aggression from the Communist bloc, Mr. McNamara indicated.

After 48 hours in South Vietnam, Mr. McNamara said he was "tremendously encouraged" by developments. He said the Vietnamese people had more security. He was pleased by the quality of assistance given by the American military and civilian personnel.

He had visited some strategic hamlets and training areas for the civil guard and self-defense corps and had found "nothing but progress and hope for the future."

His visit left Americans and South Vietnamese with these impressions:

First, the Kennedy administration still is rigidly following its "sink or swim with Diem line."

Second, the administration regards President Ngo Dinh Diem as a remarkable national leader whose loss would be a great setback to the anti-Communist cause in southeast Asia.

Third, the administration believes the American correspondents here are giving a

distorted picture to Congress of American involvement in the shooting war. The administration feels the reporters are magnifying incidents where American servicemen find themselves in combat situations and are writing too much about American casualties.

DELAYS IN NEWS CHARGED

The correspondents petitioned Mr. McNamara to ease the U.S. information policy. They are convinced information on American casualties is being withheld or at least subjected to unnecessary delays.

They complained that South Vietnamese officers had intervened successfully to prevent the correspondents from riding on U.S. helicopters engaged in transporting combat units to battlefields.

Mr. McNamara listened sympathetically. At an airport news conference, he said his optimism over the security situation was based on the effectiveness of the strategic villages that are springing up all over South Vietnam and on the improved training of the Civil Guard and Self-Defense Corps.

Other Americans here are impatient for a comprehensive plan for the pacification of the Mekong Delta provinces. But Mr. McNamara seemed content with the small re-settlement operation he visited in An Xuyen Province. There 11,000 South Vietnamese in a Communist-controlled area had been moved forcibly or voluntarily into a military zone controlled by the 31st Regiment.

GUERRILLA ACTIVITY OFF

Mr. McNamara was told there had been a sharp falloff in guerrilla activity in the area.

Despite his cheerful assessment, Mr. McNamara is reported to hold realistic views on the probable length of the war. He is said to feel that years will pass before South Vietnam is secure.

Asked if he had evidence of infiltration from Communist North Vietnam by way of Laos, Mr. McNamara replied:

"Without qualifications, the answer is yes. I have seen during my visit here munitions which were manufactured in Communist China and brought into South Vietnam, presumably through the Laotian border. I have seen other evidence of infiltration, some of it gathered by U.S. personnel."

Gen. Lyman L. Lemnitzer, Chairman of the U.S. Joint Chiefs of Staff, who accompanied Mr. McNamara, said he had detected a greater feeling of self-confidence among the Civil Guard and Self-Defense units. They are getting improved training and are losing fewer weapons under attack, he said.

[From the New York Times, Dec. 21, 1963]
UNITED STATES DROPS PLANS FOR 1965 RECALL OF VIETNAM FORCE: McNAMARA ASSURES JUNTA TROOPS WILL STAY AS LONG AS WANTED AND NEEDED—JOHNSON SENDS PLEDGE

(By Hendrick Smith)

SAIGON, SOUTH VIETNAM, December 20.—Secretary of Defense Robert S. McNamara gave South Vietnam's leaders a pledge of support from President Johnson today. The United States will back the war against Communist guerrillas as long as its help is needed and wanted, the Vietnamese leaders were told.

According to reliable sources, the message did not specifically mention any date for the withdrawal of American forces, but in effect it eliminated the previously announced goal of withdrawing most of them by the end of 1965.

Secretary McNamara also sought to allay Vietnamese fears that the United States might permit proposals for neutralizing Vietnam to become the subject of a possible international conference on Cambodian neutrality.

SAIGON FEARS CONFERENCE

Vietnamese leaders have feared that if such a conference were held, it would seriously

undercut the morale of the Vietnamese Army and help fan support here for a neutral Vietnam.

Mr. McNamara delivered President Johnson's assurances orally in a closed session with Maj. Gen. Duong Van Minh, Chairman of the Military Revolutionary Council, and other leaders of the ruling junta.

Even before today, key U.S. officials were saying privately that with a recent sharp deterioration in the war effort, the 1965 troop withdrawal goal was unrealistic.

Some diplomatic observers maintained that the goal, announced by the White House early in October, was never meant as an inflexible commitment. They suggested that it was intended primarily for domestic political purposes.

In today's meeting the generals were reported to have asked Mr. McNamara about an editorial in the New York Times December 8, suggesting discussions on Vietnamese neutrality.

The generals wanted to know whether this represented Washington's policy, and they were given assurances that it did not. U.S. officials were reported to have said that if a conference about Cambodia were held, Washington would insist that it be limited to Cambodia and that the conference would not mean any change in the U.S. commitment to the war here.

But these assurances were understood to have fallen short of a categorical declaration that the United States would not under any circumstances back or attend a conference on Cambodian neutrality.

THREE MEETINGS ARE HELD

Mr. McNamara met three times with the junta leaders last night and today. The sessions were also attended by Henry Cabot Lodge, the U.S. Ambassador; John A. McCone, Director of the Central Intelligence Agency; William P. Bundy, Assistant Secretary of Defense for International Security Affairs; and Gen. Paul D. Harkins, commander of the U.S. forces in South Vietnam.

In the final session at General Minh's office, Mr. McNamara, Mr. McCone, and Mr. Lodge met privately with General Minh and two other junta leaders—Maj. Gen. Tran Van Don, the Defense Minister, and Maj. Gen. Le Van Kim, secretary general of the junta, who is considered General Minh's right-hand man. Nguyen Ngoc Tho, Premier of the provisional Government, also attended.

Earlier, most of the junta—15 generals—attended a 2-hour session of free give and take.

After the final meeting, which lasted an hour, Mr. McNamara held a closing strategy conference with U.S. officials at their military command headquarters. In the evening he left on an Air Force jet for Honolulu.

Before boarding his plane, Mr. McNamara issued a terse statement that was considered reserved and cautious in its comments about the course of the war.

OPTIMISM IS QUALIFIED

Mr. McNamara said he had thoroughly discussed with U.S. officials the American program for "providing training and logistical support to the South Vietnamese war effort" and had heard the Vietnamese generals "explain in detail their program for 1964."

Although Mr. McNamara said he was "optimistic as to the progress that can be made during the coming year," he carefully qualified his optimism and avoided expressing confidence that the war situation would improve.

STUDENTS JEER FRANCE

The issue of Vietnamese neutrality also aroused a demonstration in Saigon today. Several thousand Vietnamese students, in a light-hearted mood, marched on the French Embassy to demonstrate against President de Gaulle's proposals for neutrality and unification with Communist North Vietnam.

One student said, "We'd like to do a Jakarta," a reference to the recent sacking and burning of the British Embassy in Jakarta by Indonesian demonstrators opposed to Malaysia. But there was no violence.

The crowd, composed of boys and girls from the Government-run high schools and Saigon University students, was shouting, cheering, and laughing as it trooped along the sunny boulevards, first to the Embassy and then to the French Cultural Center.

STATEMENTS PRESENTED

After about an hour three student leaders, escorted by four Vietnamese soldiers and two police commissioners, went to the Embassy gate and asked to present a statement to French officials. They saw the chargé d'affaires, Georges Ferruche.

BATTLE PACE ACCELERATED

SAIGON, December 20.—Secretary McNamara will confer in Honolulu with Adm. Harry D. Felt, commander of U.S. forces in the Pacific, and will then return to Washington.

During his visit here, South Vietnamese forces stepped up their activity against the Vietcong guerrillas. An American spokesman said that there had been no significant contact, but that "with major operations in the Mekong Delta and north of Saigon, we can expect fireworks in the near future."

There are reports that the ruling junta, which has been accused by some U.S. officials of concentrating on politics at the expense of the war, is planning now to change its tactics and concentrate striking power in key regions until they are fully pacified.

Some regions—particularly the Mekong Delta and the country's southern tip, where the Communist hold is strongest—would be left temporarily under the control of the Vietcong.

"But this won't be for long," a Vietnamese officer said. "As we pacify the key regions, we will move out and get them."

Although Secretary McNamara, after a visit 3 months ago, said he believed the Vietnamese could handle the Communists without the present massive U.S. help, American officials now express concern.

"If things don't get moving in 90 days we are lost," one American official said.

A U.S. spokesman put the American combat-death toll at 89 after an unsuccessful search for the pilot of a fighter-bomber that crashed on a dive-bombing run early in October.

[From the New York Times, Oct. 3, 1963]

VIETNAM VICTORY BY THE END OF 1965 ENVISAGED BY UNITED STATES: OFFICIALS SAY WAR MAY BE WON IF POLITICAL CRISIS DOES NOT HAMSTRING EFFORT—WARN ON REPRESSION: McNAMARA AND TAYLOR TELL THE PRESIDENT AND SECURITY COUNCIL OF THEIR MISSION

(By Tad Szulc)

WASHINGTON, October 2.—The United States said tonight that the war in South Vietnam might be won by the end of 1965 if the political crisis there did not significantly affect the military effort.

A formal statement of U.S. policy, approved by President Kennedy after a National Security Council meeting at the White House, warned that while repressive actions by the Saigon regime had not yet "significantly affected" the war effort, "they could do so in the future."

It said that under the present conditions most of the 14,000 U.S. military personnel could be withdrawn from Vietnam by the end of 1965 and that 1,000 men might be able to leave by the end of this year.

"The political situation in South Vietnam remains deeply serious," the statement said.

BASED ON RECOMMENDATIONS

The policy statement was approved on the basis of recommendations from Secretary of Defense Robert S. McNamara, Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, and Henry Cabot Lodge, Ambassador to South Vietnam.

Mr. McNamara and General Taylor returned here early today from a week-long factfinding mission in Vietnam on President Kennedy's orders.

The mission was designed to evaluate the military and political situations in the southeast Asian country, with particular emphasis on whether the political crisis, stemming from the regime's repression of its Buddhist and other opponents, is affecting the 8-year-old war against the Communist Vietcong guerrillas.

POLICY MAY BE REVIEWED

Essentially, the object of the mission was to try to resolve the profound differences within the administration over the state of affairs in South Vietnam and the future course of U.S. policy there.

The statement, which was read to newsmen by Pierre Salinger, White House press secretary, after the 50-minute meeting of the National Security Council, deliberately avoided committing the United States to a frozen position toward the regime of President Ngo Dinh Diem.

Administration quarters said later that while the present decision was to maintain military and economic aid to South Vietnam at its present levels, this policy would come under review at any time if it became clear that, indeed, the political crisis was seriously damaging the conduct of the war.

In that sense, it was acknowledged, the United States was, in effect, placing the Diem regime on notice that it might have to reconsider its support for South Vietnam if adequate measures were not taken to redress the political situation.

Officials said that although the policy statement deliberately avoided making a formal judgment that the war could not be won without a meaningful political change in Saigon, the implication was there for President Diem to see.

The statement said that U.S. policy remained one of "working with the people and Government of South Vietnam to deny this country to communism," but added significantly that "effective performance in this undertaking is the central object of our policy in South Vietnam."

It said that the United States sought to support Vietnamese efforts to defeat "aggression" as well as "to build a peaceful and free society."

"The United States has made clear its continuing opposition to any repressive actions in South Vietnam," it said.

Up to now, the statement said, the McNamara-Taylor mission found that "the military program in South Vietnam has made progress and is sound in principle, though improvements are being energetically sought."

It said that "major U.S. assistance" was needed only until the Communist insurgency had been suppressed or until Vietnamese forces "are capable of suppressing it."

Mr. McNamara and General Taylor were reported to believe that "the major part" of the U.S. military task could be completed by the end of 1965, although a limited number of training personnel might still be required.

By the end of this year, the statement said, the training program for the South Vietnamese forces should have progressed to the point where 1,000 U.S. personnel can be withdrawn from the country, in the opinion of Mr. McNamara and General Taylor.

U.S. military strength in South Vietnam has risen from 685 men in early 1961 to more

than 14,000 men at this time. The buildup began after General Taylor's first mission to Vietnam in 1961.

Mr. McNamara and General Taylor went into a top-secret White House meeting shortly after 6 p.m., about 12 hours after their return here from a weeklong factfinding mission in Vietnam.

They had given Mr. Kennedy a preliminary briefing at a morning conference. The President then called the Council meeting for the early evening.

WHITE HOUSE STATEMENT ON VIETNAM

(Following is the text of a statement read by the White House press secretary, Pierre Salinger, after a meeting of the National Security Council today.)

WASHINGTON, October 2.—"Secretary McNamara and General Taylor reported to the President this morning and to the National Security Council this afternoon. Their report included a number of classified findings and recommendations which will be the subject of further review and action.

"Their basic presentation was endorsed by all members of the Security Council and the following statement of U.S. policy was approved by the President on the basis of recommendations received from them and from Ambassador Lodge.

"The security of South Vietnam is a major interest of the United States as of other free nations. We will adhere to our policy of working with the people and Government of South Vietnam to deny this country to communism and to suppress the externally stimulated and supported insurgency of the Vietcong as promptly as possible. Effective performance in this undertaking is the central object of our policy in South Vietnam.

"The military program in South Vietnam has made progress and is sound in principle, though improvements are being energetically sought.

"Major U.S. assistance in support of this military effort is needed only until the insurgency has been suppressed or until the national security forces of the Government of South Vietnam are capable of suppressing it.

"Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel.

"They reported that by the end of this year the U.S. program for training Vietnamese should have progressed to the point where 1,000 U.S. military personnel assigned to South Vietnam can be withdrawn.

"The political situation in South Vietnam remains deeply serious. The United States has made clear its continuing opposition to any repressive actions in South Vietnam. While such actions have not yet significantly affected the military effort, they could do so in the future.

"It remains the policy of the United States in South Vietnam, as in other parts of the world, to support the efforts of the people of that country to defeat aggression and to build a peaceful and free society."

[From the New York Times, May 15, 1964]

McNAMARA URGES FURTHER U.S. AID FOR VIETNAM WAR: BACK FROM SAIGON, HE GIVES PRESIDENT A PLAN TO SEND MORE MONEY AND MEN—DEFENSE CHIEF SAYS VIETCONG CAN UNDERMINE REGIME IF COUNTERATTACK IS WEAK

(By Jack Raymond)

WASHINGTON, May 14.—Secretary of Defense Robert S. McNamara laid before President Johnson today a new plan for increased military and economic support for South Vietnam.

Accelerated Communist activity will require expanded U.S. support, particularly to increase the size of the South Vietnamese

Air Force, Mr. McNamara said at a news conference after reporting to the President. This may require modest increases in the number of U.S. training personnel in South Vietnam, he added.

The Defense Secretary repeated earlier predictions of ultimate victory against the Communist insurgency.

"But I want to emphasize it is not going to come soon," he said. "This is not that kind of war. This is a war for the confidence of the people and the security of those people, and that kind of war is a long, hard war."

TALKS LAST HOUR AND HALF

The Defense Secretary and Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, reported to President Johnson and his aids for 1½ hours, shortly after returning from their Saigon mission. It was Mr. McNamara's fifth trip to Vietnam.

Mr. McNamara, with General Taylor by his side, afterward met reporters in the Fish Room of the White House. He said that the Communists in Vietnam had increased their terrorist activities in recent weeks, and explained that his proposals for increased support to the government of Nguyen Khanh were being considered.

He noted that this might involve sending more American troops.

Additional meetings with the President on the topic have been scheduled for tomorrow and the next day, Mr. McNamara said.

POLICE UNITS WILL RETURN

The United States withdrew 1,000 men from South Vietnam at the end of last year, leaving 15,500. Two military police units are due to be returned, however, in addition to more training personnel for the Air Force.

The role of U.S. military forces in South Vietnam is officially characterized as the providing of training and logistical support. U.S. pilots and ground soldiers go into the combat zones, however, and are authorized to fire when fired upon.

According to the latest official estimates, 128 Americans have been killed by hostile action in South Vietnam since January 1, 1961. In addition, 87 casualties have been suffered in actions not attributed to the enemy. The number of wounded is officially estimated at 854 and 9 persons are missing.

In funds, the American effort in South Vietnam is costing \$500 million a year.

The Defense Secretary also disclosed that he had been summoned to appear before the House Armed Services Committee at a closed hearing next Tuesday.

The committee has made known that it wishes to question Mr. McNamara on charges that the U.S. propeller-driven airplanes in South Vietnam are obsolescent and have caused the deaths of American pilots.

The Secretary of the Air Force, Eugene M. Zuckert, denied the charges yesterday. Mr. McNamara himself said at the airport, when he arrived this morning, that the aircraft being used in South Vietnam were "well chosen for the purpose in hand."

"I think it is necessary again to emphasize that this is an antiguerrilla war," he said.

The Secretary's comment was in answer to remarks on the fact that the United States does not use modern jet fighter aircraft in South Vietnam.

The United States is not a signatory to the Geneva agreements of 1954 that ended the French-Indochina war. The agreements provide that no modern jet aircraft be introduced into the area.

Washington has, however, indicated its intention to abide by the agreement. In recent days, nevertheless, the official position has stressed not the Geneva agreements but the tactical requirements of the terrain.

It was announced yesterday that 75 Douglas Skyraiders, designated A-1H and

A-1E, were being sent to South Vietnam to replace the B-26 fighter-bombers that were recently withdrawn and the T-28 trainers still in use. The Skyraider is a propeller plane.

The United States does, however, have two types of jet aircraft in South Vietnam. A few RF-101 reconnaissance jets have been flying photo missions. In addition, U-2 planes have used South Vietnamese airfields for mapping missions that presumably cover much of southeast Asia.

Secretary McNamara, discussing the accelerated Vietcong attacks, said that they were directed primarily at the rural population to erode confidence in the protective effort of the Saigon government.

With the rate of kidnappings, murders, and ambushes increasing "very substantially" in recent weeks, the Secretary said, it is "absolutely essential" for the Government of South Vietnam to increase its counterattacking activity. He said it was also vital "that we consider ways and means through increased economic assistance, increased military support to assist the Government of Vietnam."

Asked whether the plan to step up U.S. support made "obsolete" the previously announced plan to withdraw most U.S. forces by 1965, Secretary McNamara answered, as he has in the past, that "our primary function is one of training, support, and logistical assistance."

As the U.S. units complete their training work, they will be withdrawn, he said.

"It may be necessary, in order to expand the training, particularly for the increases in the regular and paramilitary forces of South Vietnam, to send over certain additional U.S. personnel," he said. "If that becomes necessary, they will be sent for that purpose."

The Secretary thus again made clear that the United States was no longer bound by the earlier forecast.

KHANH HONORS AMERICANS

SAIGON, SOUTH VIETNAM, May 14.—Maj. Gen. Nguyen Khanh paid formal tribute today to the Americans who have died defending South Vietnam from the Communist guerrillas.

He awarded the medal of the Commander of the National Order of Vietnam to Maj. Gen. Charles J. Timmes, retiring chief of the Military Assistance Advisory Group in South Vietnam.

The citation to General Timmes said he had showed "a praiseworthy spirit of cooperation."

Turning to the American officers present, Premier Khanh said, "If the task is difficult on the Vietnamese side, it is much more so for you, our American friends, who have come to fight on our side.

"I want to say here how much we appreciate your many sacrifices. More than 300 American heroes have given their lives to this land. Be proud of them. They have died so that millions of Vietnamese remain free."

HARKINS ATTENDS CEREMONY

The award ceremony for General Timmes was attended by Gen. Paul D. Harkins, outgoing commanding general of the American Military Assistance Command, which was recently enlarged to include the functions of the Military Assistance Advisory Group.

Meanwhile, in a move aimed at tempering religious conflicts between Buddhists and Roman Catholics in central Vietnam, the Justice Ministry today announced the postponement of the trial of former Maj. Dang Sy, commander of troops that fired upon Buddhist demonstrators in Hue a year ago.

The Government said the trial would be postponed from Monday until after the Buddhist celebrations set for May 26.

[From the New York Times, May 15, 1964]

TEXT OF THE McNAMARA-TAYLOR NEWS CONFERENCE

WASHINGTON, May 14.—Following is the text of the remarks about Vietnam by Secretary of Defense Robert S. McNamara and Gen. Maxwell D. Taylor, Chairman of Joint Chiefs of Staff, at a news conference in the White House today:

Mr. McNAMARA. Good morning, ladies and gentlemen. Perhaps General Taylor and I can give you a few words of comment of what we found during our recent visit to Saigon and then respond to a few of your questions.

There is no question in our minds but what the Communists have stepped up their rate of attack in recent weeks in South Vietnam primarily against the rural population and primarily in the form of tactics designed to harass the rural population, to instill terror in them, to erode away their confidence in the ability of their Government to provide for their physical security.

These attacks have taken the forms of kidnappings, ambushes, murders—terrors of every form. They have been directed particularly against the leaders of the provincial governments, the district governments, the villages. They have kidnaped district chiefs, for example, and literally cut off their heads. They have ambushed the officials of the districts and the provinces. One of these ambushes took place while we were there.

The rate of kidnappings, murders, ambushes has increased very substantially in recent weeks. It is absolutely essential, therefore that the Government of Vietnam increase its activity to counter these attacks and that we consider ways and means through increased economic assistance, increased military support to assist the Government of Vietnam in that activity.

INCREASE IN FORCES SOUGHT

We have agreed with them that their regular military forces and their paramilitary forces must be increased in size very substantially and very soon. We have agreed that the number of aircraft in the Vietnamese Air Force must be increased.

While General Taylor and I were there in early March, we agreed we should have added 75 A-1 type aircraft to the Vietnamese Air Force. Yesterday, we considered it desirable to increase by 100 percent the number of Vietnamese pilots and to further strengthen that air force, and this will be done very promptly.

Other steps that will add to the ability to effectively protect the rural population have also been agreed upon and will be undertaken soon.

Perhaps I can respond to some of your questions and General Taylor as well.

EXTENSION OF WAR DISCUSSED

Question. Mr. Secretary, you say it is absolutely essential for the Government to counter these attacks. Does this or does this not argue that maybe the war ought to be carried across into North Vietnam from which the logistics and other suppliers come?

Answer. I think you would agree that to counter effective terror tactics of the type that are being directed against the rural population requires action on the soil of South Vietnam, and a proper response to these terror tactics directed against that rural population would not be reliance upon military pressure upon the north. This is not to exclude that as a possible action. Whether or not such action is undertaken however, it can only be considered a supplement to and not a substitute for effective action on the soil of South Vietnam.

Question. Mr. Secretary, does this step up in the war and the need for putting more men and planes in make obsolete the Kennedy plan for U.S. withdrawal by 1965?

Answer. I think we should recognize that our primary function is one of training, support, and logistical assistance. As the U.S. units in South Vietnam complete their training functions, I am sure you would all agree that they should be withdrawn. It may be necessary in order to expand the training, particularly for the increases in the regular and paramilitary forces of South Vietnam, to send over certain additional U.S. personnel. If that becomes necessary, they will be sent for that purpose.

Question. Mr. Secretary, I understand you have been directed to come before the House Armed Services Committee to retell your findings on the Vietnamese war. When will you go?

Answer. I have been told this morning, although I have not actually checked it with the committee yet, that they would like me to come before them next Tuesday, and if that be the case, I will be delighted to do so.

Question. Mr. Secretary, there are reports that the South Vietnamese Government is in particular trouble because of many of the leaders in the area just south of Saigon having been shifted around by the new Government so extensively that they just can't seem to get themselves organized. Is this one of the things you have looked into and is it true?

Answer. There have been frequent changes of government and government leaders. Since the first of November, in 35 of the 41 Provinces, there have been changes in Province chiefs. In nine of the Provinces, I believe the Province chiefs have been changed three times since the first of November. This was to be expected as an aftermath of the two changes in the national government. The village, the district, and the Provincial levels however, are seeing a stabilization of personnel at the present time, and I have every reason to believe that the number of changes will decline substantially in the future.

CHANGES IN MILITARY CHIEFS

Question. Have there been similar changes with military leaders?

Answer. There have been changes in military leaders as well since the first of November, but the frequency of such changes is declining dramatically.

Question. Mr. Secretary, did the President approve any specific plan of step-up this morning?

Answer. The President is considering the suggestions made for increased economic and military support.

Question. When do you anticipate a decision?

Answer. We expect to meet again tomorrow and the next day on these questions.

Question. What would be your estimate, sir, of how many more U.S. training personnel would be needed in Vietnam?

Answer. I think, on balance, the number is not likely to increase substantially. There will be both increases and decreases associated with the strengthening of the Vietnamese forces.

Question. Is there any possibility that our returning personnel will be augmented by people from Taiwan and similar other allies?

Answer. I think it is highly desirable that other flags be represented particularly in such areas, for example, as the supply of medical personnel and the supply of training and advisory personnel. As you know, both Secretary Rusk and I have approached other governments requesting such assistance.

Question. Have there been any acceptances?

Answer. I have received a very sympathetic response to the requests I have made. I have not had a chance to discuss with Secretary Rusk the discussions he has held during the past week.

Question. Can you name some of the countries?

Answer. I think it would be better to wait until they themselves are ready to announce official action in response to our request.

Question. Mr. Secretary, how do you feel the war has been reported out there?

Answer. I think all of you are perhaps better qualified to discuss that than I. On balance, to answer your question specifically, I think the reporting has been very good. Recognizing the fact that in a very real sense we have 41 different wars, and it is extremely difficult for any one man, any one reporter to intimately be acquainted with all of the variations in the military actions and guerrilla actions that are occurring particularly when you recognize the character of those actions.

As I stressed a moment ago, these are terror tactics, terror operations directed against individuals, and you can well imagine the difficulty of reporting that kind of war in 41 different provinces.

COMPARISON SOUGHT

Question. Mr. Secretary, would you compare the conduct of the war now with your last visit as only making progress?

Answer. I think we are, and I remain personally convinced—and I would like to have General Taylor who is far better qualified than I to speak to this—that persistent execution of the political-military plans of General Khanh's government, plans that they have developed and that we have concurred in and have agreed to provide assistance, will lead to successful conclusion war. But I want to emphasize it is not going to come soon. This is not that kind of war. This is a war for the confidence of the people and the security of those people, and that kind of war is a long, hard war.

Question. What measures do you recommend?

Answer. Let me suggest that General Taylor comment on this same question.

General TAYLOR. I could add very little more except to say that General Khanh impresses me as a very energetic military leader. He thoroughly comprehends this complicated war—that it is not purely military by any manner of means but involves political and economic facets as well.

I think [that] it is very encouraging and perhaps surprising to find in a young man who has so quickly pulled together the many facets of this problem. However, as the Secretary has said, this is not something that can be done overnight. The programs being executed are involved, they are complicated, and I think they would test any government.

Question. General, how do you find the young officers in the South Vietnamese military forces?

Answer. Somewhat like the young officers in Korea, whom I know much better. They try hard. They are generally courageous. They have very little professional background, however. They make the mistakes of relatively untrained officers. However, the officer corps is growing and maturing every month and with time, of course, will be constantly better and more effective.

Question. General, do we know why the Communists have changed their tactics recently?

Answer. I don't think they have changed it in quantity so much as they have in quality. They have taken very heavy losses, as you know, in recent weeks. This cannot be pleasant for them especially when one considers that a wounded man for them is very frequently a fatality. Hence, it is quite understandable that they have shifted now, making the populace more the target rather than the formed bodies of troops.

THE ADVERSARY IN VIETNAM

(By Bernard B. Fall)

As the analysis published in the April issue of War/Peace Report clearly showed, there

is some room for debate as to who exactly the adversary is in what many already call the "Second Indochina War." Some see the National Liberation Front of South Vietnam (NLF) as a genuinely local insurrection created out of despair in the face of the late Diem regime's absurd policies. Others (and this is the official view) consider the NLF solely an extension, for use in South Vietnam, of the North Vietnamese regime or even of Peiping. Each side adduces its own evidence to prove its case: on one hand it is contended that even the NLF "regulars" are indeed "southerners" (which is true) and on the other, one points to the captured Communist bloc weapons to substantiate outside Communist support (also true). Obviously, the actual facts lie somewhere in between.

In my view, and on the basis of my own experience in underground warfare in Nazi-occupied France and later in Indochina, it is possible to lead an insurrection politically and militarily even under guerrilla conditions. That such a fairly centralized direction exists in the south, and has existed at least since 1957, if not earlier, can be fully substantiated. When the killing of village officials began on a large scale in 1957 (an officially admitted total of 472 were killed that year), significant clusterings of the killings occurred in three Vietnamese provinces south of the Mekong River. That obviously did not happen simply because the village officials were more oppressive there than anywhere else, but simply because the guerrilla command had decided to clear those areas for the purpose of making them the permanent resistance bases they have since become. And the deliberate shift last year of Vietcong operations from the Vietnamese highlands to the Mekong Delta was another magnificently executed military tactic, with regular units slipping through the network of U.S.-advised South Vietnamese units with almost impunity.

Unbelievably, that deliberate Vietcong move into the Mekong Delta was officially explained away by the United States as part of "our strategy to sweep them steadily southward and finally corner them"; i.e., sweep the Vietcong out of an area where recruits and food were hard to get and into an area where food and recruits are plentiful and where all of Vietnam's most sensitive targets lay, including Saigon, with its industries, airports and Government installations.

True, there has been a great deal of exaggerated propaganda in Washington and elsewhere about Chinese and Russian help to the insurgents in view of the presence in South Vietnam of some Soviet- or Chinese-made antitank weapons and automatic rifles. As Arthur Dommen correctly assumes, the bulk of this ordnance comes from Laos. And the fact, for example, that some excellent Madsen submachineguns—produced in Denmark, a NATO ally—have been found among the Vietcong does not ipso facto prove that Denmark backs the Communists in Vietnam; it simply means that arms merchants have no national loyalties. Soviet-made guns (captured by the Israelis in Egypt and resold by them on the world's arms market) can be bought within a mile of the Pentagon on the Alexandria, Va., docks—and quite legally, too. The unfortunate fact is that nine-tenths of all modern weapons in Vietcong hands are standard American weapons captured from the South Vietnamese military and paramilitary forces. Officially, the loss of over 12,000 such weapons in 1963 is acknowledged. What the South Vietnamese may have lost but not reported to their own higher commanders or the U.S. military advisory command, may run much higher. It is obviously far better and easier for the Vietcong to capture matching ammunition for their American weapons from "our" Vietnamese than to get Soviet or Chinese ammunition from Hanoi.

But aid in the form of political and military cadres does come from the North, as

well as some fully constituted regular units composed of southern Vietnamese and mountain tribal soldiers. The presence in the South of the 120th, 126th, and 803d Vietcong regiments has been well known for the past 2 years and, according to the New York Times of April 13, 1964, the 108th Regiment has recently been identified in central Vietnam. If that is true, then the Vietcong has reconstituted in central Vietnam all the regular regiments which I knew there during the French-Indochinese war. The 803d and the 108th were particularly dreaded for their jungle-going capability; in June 1954, they mercilessly destroyed a French regimental combat team equipped with tanks and artillery whose core units had successfully fought the Chinese and North Koreans while with the U.N. forces in Korea. Those regiments left South Vietnam in 1954 for the North. Their presence now inside South Vietnam certainly constitutes what the International Control Commission for the maintenance of the 1954 cease-fire provisions has called (with the vote of its Indian and Canadian members overruling the objections of its Polish member) "evidence that armed and unarmed personnel, arms, munitions and other supplies have been sent from the zone in the North to the zone in the South with the object of supporting, organizing and carrying out hostile activities."

NO LEGAL REDRESS

It is true, as my compatriot Philippe Devillers said in his article written in 1961 (i.e., long before the NLF developed to its present importance), that many simple farmers and even urban politicians and intellectuals chose to fight with the Vietcong rather than face the certitude of an indefinite stay in one of Diem's infamous concentration camps. That will always be the case when men with real grievances are put into a position where no legal redress is offered them. The same situation occurred in 1946 when the French, still hellbent upon rebuilding their colonial empire, offered no honorable way out to the nationalist Vietnamese opposition. The most active opposition members joined the Vietminh in its armed struggle against the French—not for the purpose of making Vietnam Communist, but to make it free.

This history does not mean, however, that the Vietminh was not Communist-controlled nor that it did not end by creating a wholly Communist-dominated state in the zone of Vietnam under its control. The same error, I fear, is being made in evaluating the NLF. The fact that its program does not at present contain Communist objectives offers little guarantee as to its future intentions. I defy anyone to find a single Communist inflection in Ho Chi Minh's 1946 Vietminh constitution. It was a document designed to win maximum support among the broad population, and it did that most effectively. And the reason offered quite openly by North Vietnam in 1960 for the abrogation of the 1946 document and its replacement by a tough, Communist-line constitution was that the old constitution "no longer was in accordance with Socialist realities." That is in all likelihood what would happen to the present NLF program the day that Front comes to power in Saigon.

This does not mean, however, that I agree with those who believe that the only way out of the present Vietnamese dilemma is a 20-year counterinsurgency operation. Here again, the historical precedents show various possibilities:

1. Communist guerrillas do not always win and the Soviet bloc does not always support them to the bitter end. The Communists abandoned their guerrillas in Greece, Azerbaijan, Malaya, and the Philippines—and in South Korea, where there was for a long time a serious guerrilla problem. Milovan Djilas' "Conversations With Stalin" has a magnificent passage on Stalin's cold-

blooded decision to let the Greek Communist ELAS partisans die for nothing because he did not want to get war-exhausted Russia entangled in a conflict with the United States.

2. On the other hand, to negotiate with a Communist opponent when one's original war aims are no longer attainable does not automatically mean that one has to lose his shirt; or that native forces being supported will therefore be totally demoralized. In Korea some of the toughest fighting went on while American and Communist negotiators sat at Panmunjom for 2 years. The Republic of Korea forces were not demoralized by the negotiations. My own experience has been that one fights harder if a reasonable end is in sight and one knows his side needs a victory to strengthen its negotiating position.

To be sure, the Laotian "sellout" of 1962 is usually dragged in at this point of the argument to prove how badly the West usually fares in such a situation. It was the late Gen. Walter Bedell Smith, a soldier-diplomat of the first rank, who said during the 1954 Geneva conference that it was "difficult to regain at the conference table what has already been lost on the battlefield." In Laos, thanks to a set of incredible illusions (now amply matched in Vietnam), it was believed that the Laotian rightwing forces could be made to fight. The hard fact is that had the military war in Laos continued for 1 more month, all of Laos would have been Communist. But as a result of the negotiations a wobbly neutralist government has, for the past 2 years, kept the Communist Pathet Lao away from the sensitive Mekong Valley which borders on Thailand. Considering the panic that gripped Bangkok in 1962 when it was erroneously announced that Communist forces had broken through to the Mekong near Ban Houei Sai, that surely is an achievement. A Communist advance there could never have been halted without at least very sizable American ground forces being committed at fantastic cost.

3. The North Vietnamese stand to lose at least as much (if not more) than the South Vietnamese if the present second Indochina war "escalates." North Vietnam has not had a shot fired at it in anger in 10 years. One stands an awful lot of dictatorship (look at Franco's Spain) just for the sake of not being at war. A single American saturation raid on North Vietnam may do away with 10 years of backbreaking "Socialist construction" as well as with that feeling of peace. It would not (contrary to what some great oversimplifiers believe) bring an end to the insurgency in South Vietnam; on the contrary, with the gloves being off, North Vietnam would then throw her fearsome (and now unemployed) regular divisions into the fight—and who can say what Red China might throw in. That would "Koreanize"—or shall we say: "MacArthurize?"—the South Vietnamese conflict with all the unforeseeable international consequences (in 1950, the nuclear age was in its infancy and the U.N. still white dominated) that might follow.

SOLE LOGICAL EXIT

It is my feeling that some sort of a mutually acceptable accommodation will eventually ensue from a more realistic appreciation of what the three above-cited factors really mean. It is understandable that Washington does not wish to negotiate with the NLF or Hanoi (one might well wonder whether this might not be more embarrassing in a *tete-a-tete* than at a multipower conference which is now being heatedly rejected) with as badly a deteriorated military situation as exists now—and just before a presidential election. And it is likewise obvious that General Khanh's regime in Saigon, whose rise to power was favored precisely because he violently rejects any thought of negotiation, would view such contacts as a sellout. There is, after all, in neighboring Laos the example of the rightist General

Phoumi, who was first encouraged to overthrow neutralist Prince Souvanna Phouma, only to be pressured 1 year later into accepting (and, in fact, supporting) the same Souvanna Phouma as premier of a *troika* regime. Khanh would understandably resent being placed in the same kind of predicament.

But signs of a military stalemate—harder to perceive in Vietnam where there is no battleline to draw on maps, as there was in Korea—are nevertheless apparent. And the sole logical exit from such a situation is sooner or later a confrontation at the conference table.

[From the National Guardian, May 21, 1964]
BURCHETT IN VIETNAM: U.S. TAXPAYERS ARM
GUERRILLAS

(By Wilfred G. Burchett)

FROM A LIBERATION FRONT BASE IN SOUTH VIETNAM.—If a delegation of U.S. taxpayers could have made the sort of journey I made they would have been scandalized. On one occasion, along a road in Tay Ninh Province which had been built with U.S. equipment in 1961 and had now been reduced by the guerrillas to a serpentine track just wide enough for bicycles and foot soldiers, we overtook a long line of National Liberation Front troops who were shifting their base. From behind the first impression was of an endless undulating line of white triangles, but as we grew closer, the white triangles turned out to be flour-bag haversacks, each bearing the clasped hands of friendship above the U.S. flag and the printed words: "Gift of the American people."

As seen from behind, the typical Vietcong or Gial Phong Quan (liberation army) soldier, as they call themselves, is an interesting study. Attached to his webbing belt, from left to right, is first a tiny ingenious bottle lamp. It is made from French perfume bottles, with the top bored through to take a metal-encased wick which pops out automatically when the brass cap is removed. Cap and wick casing are made from U.S. cartridges. It is this tiny lamp that lights the way along jungle paths for night attacks. Next to the lamp hangs a bunch of hand grenades, made in NLF jungle arsenals; one I visited was turning out 5,000 grenades a month, and there are many such.

Alongside the grenades is another "secret weapon" of the guerrillas, the nylon hammock which is standard equipment. Usually made from parachute nylon, it folds up into the space of a handkerchief; slung by parachute cords between trees, it is the perfect guerrilla bed. I slept in nothing else for almost 5 months and—with a mosquito net slung above and tucked in all around—I found it the most admirable sleeping equipment for jungle travel. It can be slung and unslung in a matter of seconds, just the time necessary to pull the cords at each end—a vital factor in guerrilla conditions which demand shifting camp at a moment's notice.

Alongside the hammock is a water canteen, mostly with a big "U.S." on the cloth container, but some hammered out from U.S. plane remnants and covered with NLF containers made in a jungle uniform factory. Finally, there is what looks like a sizable round bomb, wrapped in parachute cloth—in fact, the day's ration of 750 grams of cooked rice. (During the war against the French, the standard for Vietminh troops was 250 grams daily, and I noticed how robust were the front soldiers of 1964 compared with the lean troops I had seen 10 years earlier at the time of Dienbienphu).

The standard arm is the U.S. carbine, with a fair sprinkling of the much appreciated Garands. Of course, the front soldier, like the Vietminh soldier before him, marches on the famous Ho Chi Minh sandals. The only difference is that Michelin has been replaced by Goodyear. The soles are from auto tires, the four thongs which keep them

in place being strips of inner tubes. They are by far the most comfortable form of footwear ever devised for heat and jungle conditions. With such equipment, a front battalion can march 15 miles after dark to attack and destroy a post, and march back to its base with the booty before sunup. (In tropical South Vietnam, there are at least 12 hours of darkness every day of the year).

In Cu Chi district, which starts at about 7 miles north of Saigon, I was shown a battered old U.S. carbine, introduced to me as "our mother carbine." After a large seizure of arms at Tua Hai near Tay Ninh, in February 1960, Cu Chi and the five other districts of Gia Dinh, the province in which Saigon is situated, each received one carbine. "Each carbine has had many litters of children since," a local front leader explained with a grin. "With that one carbine and lots of dummy wooden guns and explosions produced from carbide for bicycle lamps, we very soon attacked our first post, and replaced our dummy guns with real ones."

In many other places I visited, I was told that their first weapons had come from the Tua Hai booty. Later, I tracked down Quyet Thang, the commander of the Tua Hai action a rawboned peasant who had been a guerrilla leader in the anti-French war. As this was the first large-scale military act in the Nambo (Cochin-China), I was interested in the details. The Liberation Front had not officially been set up in February 1960, when the Tua Hai action took place, but Quyet Thang explained that local committees existed and that "the word had gone around" to set up self-defense units to resist the armed raids of the Diemist troops.

"Some of us who had taken part in the anti-French war got together secretly and we agreed that we had to start armed resistance—but first we must have arms. The Diemists just then were conducting a sweep through Tay Ninh province with two divisions. Our plan was to set up a battalion of guerrillas and then attack the Tua Hai fortress, where we knew there was a large stock of arms."

Over the next few months they combed the whole province for all weapons, no matter how old, that existed. This was an area to which the armed sects, Hoa Hoa, Cao Dai, and Binh Xuyen, had withdrawn in 1955, after having been crushed by Diem troops. Altogether Quyet Thang was able to muster 260 men, a few former resistance fighters like himself, but the majority youngsters who had fled to the forest to escape Diem's conscription gangs. "We also had 170 weapons, an ill-assorted lot, many of them archaic, and a strictly limited number of cartridges," Quyet Thang said. "Through some former resistance fighters who had been conscripted and were garrisoned at Tua Hai, we managed to smuggle scouts inside and examine the whole layout."

Tua Hai was—and still is—a formidable, square fortress built by the French. At the time Quyet Thang's men attacked, it was the garrison headquarters for the 32d Regiment of Diem's 21st Division, situated only about 2 miles north of Tay Ninh. "Our aim was to obtain 300 weapons and explain to the troops why we were fighting. We had prepared some leaflets signed by the Peoples' Self-Defense Forces.

Scouts managed to infiltrate in the small hours of the morning and placed mines all around the main barracks. The explosion of the mines was the signal for a general assault: "Within seconds the barracks were ablaze, panic-stricken troops were racing for shelter, and our men had poured over the ramparts to wipe out the command post and seize the arms depots," Quyet Thang said. When I asked where the mines came from, he said some mine-making experts from the anti-French war had fashioned them from TNT from unexploded U.S. bombs and shells.

Timed for the moment of the assault was the arrival of 500 porters to carry off the booty.

"In the arms depot there were thousands of weapons, the regimental stock and lots of spares. We piled them up and our fighters threw away their old weapons, grabbed the new ones and rushed off to continue the fight. The enemy rushed out of the fortress, then reformed and tried to assault us, but by then all the watchtowers were in our hands and their machineguns also. After almost 2 hours of fighting it was all over, and more than 800 rifles, and scores of pistols and machineguns were in our hands. We carried off about 1,000 weapons in all, and could have had many more had we been able to transport them. There were lots of 578 mm. recoil-less cannon. I didn't know what they were, but we took five along anyway. Later they were very useful against blockhouses and amphibious tanks."

The guerrillas, outnumbered by about 10 to 1, lost 10 dead and 12 wounded in the action. About 300 weapons were kept for the battalion, and the others were distributed to virtually every district in Cochinchina, and became the mother weapons which quickly started the process of rapid reproduction.

Historians may later set the Tua Hai action as the beginning of the war in South Vietnam, though this would not be accurate. Nonetheless, it was the first large-scale action by the people's self-defense forces that were later organized under a unified command into today's liberation army. The Tua Hai action set the pattern for the innumerable attacks on posts which still today remain the principal suppliers of arms and ammunition.

"As a matter of fact," concluded Quyet Thang with a grin, "we were a bit worried as to what our people would say after the attack. The line at that time was to use arms only in self-defense. Only after the front was officially formed 10 months later was this changed. But we figured that as most places had no arms at all even for self-defense, we had to get arms. So we decided to call this a self-defense action."

If the American taxpayers' delegation would be scandalized to see all these fine arms in the hands of the guerrillas, they would have apoplexy if they were to visit the jungle arms factories where carbines, light automatics, imitation Colt revolvers, mountains of hand grenades, and an incredible variety of special-purpose mines are being made—almost exclusively with U.S. equipment. Here are U.S. lathes, drills, spot welders, everything from the generators that power them down to delicate balances for measuring detonator charges—all U.S. made and most of them with the clasped hands of friendship and the sign: "Gift of the American people." This legend was also stamped on the many different bicycles I rode and on the outboard motors which powered the many sampans I traveled in.

[From the Washington Post, May 20, 1964]

THE NIGHT THIEF GIVES WARNING

(By Joseph Alsop)

SAIGON.—Like a thief in the night, with muffled foot slipping from shadow to deceptive shadow, a great national disaster is creeping up on the United States—and on this poor country, too.

The disaster is a final Communist triumph in South Vietnam. What is happening in Laos is peripheral, for the future of Laos will eventually be settled by the outcome here in Vietnam.

What is happening in Laos is a clear warning that the Communist timetable is much shorter than the Washington policymakers seem to suppose.

Even if the Communist advance proceeds no further and an immediate crisis show-down is thereby avoided, the aims—and gains—of the enemy are obvious. To begin with, they have gained elbow room in

Laos, the corridor country, which will be very useful in a future crisis of the war in Vietnam.

They have gained in Vietnam, too, since unpunished Communist successes in Laos naturally cause Vietnamese doubts about America's strength of will. And finally, the Communist policymakers in Hanoi must also be concluding that they have made an important test of this American strength of will, with delightfully encouraging results.

Hence the Laotian warning is dangerous to ignore. Yet it is far more dangerous to ignore or misread what is happening here in South Vietnam. In a nutshell, the war effort here is approaching a breaking point.

There are three solid reasons for believing that the breaking point may not be far off—unless the United States begins to take preventive action. The first reason is simply the growth of war weariness, the loss of patience and endurance. These have been the most striking consequences of the successive coups d'etat, beginning with the fall of President Ngo Dinh Diem.

The psychological climate is therefore unhealthy, as the desertion rates in the army and civil guard units clearly attest. The hope of creating a healthier psychological climate is all too slim, in turn, because of the unhealthy military situation.

President Johnson has asked for more aid for South Vietnam, and he has told Congress that the new, more vigorous leadership of Gen. Nguyen Khanh is a very hopeful factor. He is dead right on both points. But he might better have told Congress that even the efforts of General Khanh, vigorously aided by the United States, are most unlikely to turn the tide here. By doing more of the usual things, we can at best hold on.

The enemy is attacking in heavier and heavier strength, often with disturbing success. To turn the tide, General Khanh needs to find another 150,000 men, to fill up his existing units and to create the additional forces planned with Secretary of Defense Robert McNamara. Without these added men, Khanh has no margin of advantage. But as the alarming desertion rate too plainly suggests, recruiting this many more soldiers will be a slow business if not an impossible task.

Meanwhile, in some Provinces in the delta, and in Quang Nai in the center of the country, the South Vietnamese Regular Army has already lost the upper hand in the contest with the Communist forces. In sum, the situation already exists that General Giap classically seeks to create.

The defending forces are at stretch, and they have no large, easily mobilizable reserves. Thus, South Vietnam resembles a bowl of water, or rather a bowl of poison, which has just reached the brimming-over point. Put more into the bowl and there will be the devil of a mess.

Finally, the third reason for intense alarm is General Giap's obvious preparation to put a lot more into the bowl. This is the real meaning of the battalions of North Vietnamese Communist regulars which are now deployed just across the Vietnamese border, in Laos.

To this must be added a grim probability. The probability is that the U.S. military leadership out here is wrong in its belief that our continuing superiority in firepower and mobility will overcome any crisis the enemy can create.

Firepower and mobility cannot be exploited to win a battle begun by surprise at dusk, and over and finished before sunrise. Yet a night's battle, ending in capture or destruction by the Communists of no more than a thousand or two thousand Vietnamese Regulars, might well cause the kind of paroxysm of alarm and defeatism that would bring this war to an end.

This is the crucial point. The position in Vietnam today is—above all—fragile. To

shatter this fragile position for good and all, the enemy need not plan anything as ambitious as the fight at Dienbienphu—a small battle but one that went on for a long time.

In one night, almost before we know it, we may be overtaken by the disaster that is creeping up on us.

[From the Washington Post, May 21, 1964]

ADDITIONAL \$125 MILLION VIET AID VOTED BY HOUSE GROUP

(By John G. Norris)

The administration won strong congressional support for its program of stepped-up aid for South Vietnam yesterday, as the House Foreign Affairs Committee voted an additional \$125 million for that southeast Asian country.

Both the Foreign Affairs Committee, with its quick and unanimous approval of the added assistance, and the House Armed Services Committee, through its chairman, Representative CARL VINSON, Democrat, of Georgia, expressed their confidence in the administration's plans.

"I am satisfied with what the (Defense) Department is doing and with what this Government is doing," said VINSON, after receiving a 2-hour report from Defense Secretary Robert S. McNamara. "I am behind the position of the Secretary in the prosecution of the war."

Members of both groups are gloomy over the deteriorating situation in southeast Asia, but few see any alternative to continued full support of South Vietnamese forces fighting the Communist guerrillas.

FIGURES RELEASED

As the House committee approved the additional \$55 million in military aid and \$70 million in economic aid for South Vietnam, the Defense Department declassified heretofore secret figures showing the scope of military assistance to that country.

Now budgeted for Vietnamese military aid in the fiscal year beginning July 1 is \$205.8 million, compared to \$209.8 million this year and \$211.5 million in fiscal year 1963.

Including economic aid, but not the cost of maintaining 15,500 American troops there, the total assistance now contemplated for South Vietnam during the coming year is \$477.8 million, compared to \$432.5 million this year and \$408.7 million in 1963.

This makes it evident that, until the recent decision to ask for an additional \$125 million, President Johnson's economy budget actually called for a cutback to \$352.8 million in aid for South Vietnam in the coming year.

The House Armed Services Committee's closed session was called to inquire into recent press criticism that obsolescent planes employed in South Vietnam had caused the death of two U.S. fliers. In refuting such charges, McNamara told the committee that American and Vietnamese forces "are receiving the best equipment available for the unique task at hand."

McNAMARA TO RETURN

He told newsmen afterward that the equipment assigned to Vietnam was chosen with regard to, first, the "enemy threat"; second, "the capability of the Vietnamese to operate it"; and third, "the effectiveness of (the equipment) in relation to the operational requirements."

High-performance jet warplanes would not meet these requirements of the guerrilla war, officials noted.

Most of yesterday's session of the House Armed Services Committee dealt with the broader aspects of the Vietnamese war, and members did not get down to questions about the obsolescent T-28 and B-26 planes. McNamara will return Monday, with Air Force Secretary Eugene M. Zuckert, to go into this aspect of the war.

Under questioning by newsmen, McNamara commented on reports that Americans are

flying most of the air missions there. He said "scores" of Vietnamese have been trained as pilots; that they flew 1,300 sorties in April, and that the amount of their combat flying has increased 800 percent since January 1962.

In his prepared statement to the committee, McNamara said "the road ahead will be long and hard" but "it is not in our tradition to back off when the going gets tough."

Mentioning Kosciusko, Von Steuben, and Pulaski, McNamara said; "The mission of our men in South Vietnam is the same as the mission of those Europeans who came to this country to train and assist us in our fight for liberty."

[From the New York Times, May 8, 1964]

KHANH IN FAVOR OF BROADER HELP; BUT SAIGON PREMIER ASSERTS U.S. AID IS SUFFICIENT NOW

SAIGON, SOUTH VIETNAM, May 7.—Premier Nguyen Khanh said today that U.S. aid was sufficient but he would welcome help of any kind from other nations in the war against the Communist guerrillas.

The Premier was commenting on efforts by the Johnson administration to get assistance from members of the North Atlantic Treaty Organization and the Southeast Asia Treaty Organization.

President Johnson said at a news conference in Washington yesterday:

"I think a good many countries are giving serious consideration to making contributions in that area to keep communism from enveloping that part of the world. And we welcome that help, and we expect to receive it."

Premier Khanh commented:

"We are involved in a war with many problems, military, social, and economic, and we would welcome any help we could have from the free nations."

FINDS PRESENT AID ADEQUATE

But he said American aid—which involves 16,000 men and money at the rate of \$500 million a year—was adequate at this stage and he had no plans to ask Defense Secretary Robert S. McNamara for more when he visits Saigon again next week.

The Premier described the impending visit—Mr. McNamara's fifth to Vietnam and second in 2 months—as routine.

"We have no special problems to solve," he said. "We simply want to push our efforts in the war against the Vietcong."

Premier Khanh repeated today, the 10th anniversary of the fall of Dienbienphu, the symbol of France's loss of Indochina, that he opposed the defensive concept of warfare.

"That sort of philosophy is very bad and would eventually lead to defeat," he said.

U.S. AIDES SOMBER

Elsewhere, U.S. officials took a somber view of two aspects of the war—the "clear and hold" program that impressed Mr. McNamara on his visit in March and Communist operations across the Cambodian-Vietnamese frontier.

A high American source said the pacification program, under which troops move out from a secure base to clear and then hold an adjoining district, is moving more slowly than U.S. authorities would like. But there is hope for an improvement soon, he said.

U.S. advisers on the Mekong River at Sadek, the Vietnamese 9th Division's headquarters, said Vietcong units had started using Cambodia openly as a sanctuary. They reported 15 Communist incidents and attacks on Vietnamese frontier posts in 1 day.

[From the New York Times, May 22, 1964]

NEW U.S. IDEAS ON ASIA—TENTATIVE STEP TOWARD INVOLVING U.N. IN AREA IS BREAK IN 10-YEAR PATTERN

(By Max Frankel)

WASHINGTON, May 21.—In its move at the United Nations today, the United States in-

jected several new features into its policy for southeast Asia. In effect, officials acknowledged, they were taking a small and tentative step toward involving the United Nations in that threatened region, thus breaking a 10-year-old pattern of Washington thinking about the problem. For the first time, the United States proposed an international peace-keeping operation on the border between Cambodia and South Vietnam.

The response of other nations will determine whether Washington would also contemplate a more extensive form of United Nations observation of South Vietnam's borders with Laos and North Vietnam.

For the first time, also, the United States indicated that it was prepared at any time at least to debate the entire southeast Asia situation, including its own actions, in the world organization. Hitherto, Washington has feared the interference of other nations, mistrusted the United Nations and accounted only to the 14 nations that signed the Geneva agreement on former French Indochina in 1954.

And for the first time, the United States denounced as basically unworkable the system of having three-nation commissions supervise the Indochina accords. Though Washington is still trying to get action from the commissions of Canadian, Indian, and Polish officials, it virtually wrote off the three-nation format because decisions under it could be reached only by unanimous vote.

Officials pointed out that recourse to the United Nations, at least at this stage, certainly did not imply reliance upon the world organization. That is why the statement by the U.S. representative at the United Nations, Adlai E. Stevenson, to the Security Council was coupled with a pledge that the United States would continue to do what it felt it must do to support non-Communist regimes in southeast Asia.

Separate demonstrations of force, it is felt, must accompany diplomatic efforts to emphasize that point. Today's announcement of American reconnaissance flights over the Plaines des Jarres in Laos was only the first of several direct warnings of U.S. action, officials said.

One difficulty of bringing Asian problems into the United Nations has been the feeling here that such action would only dramatize the absence of Communist China from the world organization. Washington dealt with Peiping, among others, at the 1962 Geneva Conference on Laos, without facing the embarrassing membership question.

FACING MOSCOW'S CHALLENGE

Another difficulty has been the fear that an appeal to the United Nations would be interpreted in South Vietnam and in United States political discussions as defeatist. But because the current debate was initiated by the Soviet Union and at a time when Washington was vowing resistance, officials seized the opportunity offered by Moscow's challenge.

Thus far, the U.S. offer of support for United Nations actions extends only to the problem of securing Cambodia's frontier with South Vietnam. Washington decided for tactical reasons to let the Secretary General, U Thant, and other members take the lead in evolving a specific proposal.

Such international action, it is thought, would not only help the Cambodians, but also frustrate in some measure the movements of Communist guerrillas. Some officials are already thinking beyond this proposal to a time when the United Nations might receive or even gather reconnaissance information about violations of South Vietnam's other frontiers.

The significant step, officials explained, despite Mr. Stevenson's cautious language, lay in the breaking of a 10-year policy that was developed before the United Nations

learned to function as a peace-keeping agency notably in the Congo, the Middle East and most recently in Cyprus.

[From the New York Times, May 22, 1964]

THE UNDERLYING PRINCIPLE IN VIETNAM

(By James Reston)

WASHINGTON, May 21.—In the present crisis over Vietnam, it is not only the United States that is being tested, but the United Nations and the whole postwar system of keeping the peace.

No doubt Washington has made many mistakes in Vietnam over the last few years, but at least they were made in defense of honorable promises and in keeping with the basic principles of the United Nations Charter.

The United States did not agree at San Francisco in 1945 to oppose aggression only when it was easy or only close to home where its power was predominant, but to try to maintain order anywhere in the world.

This is the underlying principle in Vietnam, and the Charter of the U.N. is quite specific about it. It obliges all members to unite their strength to maintain international peace and security. It states in article 1 that the member states shall "take effective collective measures for the prevention and removal of threats to the peace and for suppression of acts of aggression. * * * And it insists that this be done with the minimum of force necessary.

THE HARD REALITIES

This is precisely what the United States has been doing in southeast Asia. It has intervened to halt aggression, not to expand it, to help the South Vietnamese, not to replace them. It has been trying to take effective collective measures for the suppression of acts of aggression, and its measures would have been more effective if the allies had made them more collective.

On purely selfish national grounds, there was a good case to be made against any U.S. intervention in Vietnam. It was over 7,000 miles from our shores. It was rough country to defend against guerrilla action. It could not be sealed off from its arms source without attacking China. And that was not all.

The Communist troops in North Vietnam had helped defeat a French army of 400,000 and even now are regarded by many people in South Vietnam not as aggressors but as tough soldiers who helped liberate the peninsula from the white French colonialists. Nor was it ever clear that the people of South Vietnam were as determined to defend the principle of self-help as the United States was to defend the principle of collective security.

Accordingly, the adventure was always dubious militarily and is now hazardous in the extreme. The desertions from the South Vietnamese Army were admitted by Secretary of State Rusk on Capitol Hill today to be much greater than most observers here had believed, and fear of assassination is helping paralyze the war effort of the South Vietnamese Government.

Gen. Nguyen Khanh, the South Vietnamese Premier, lives in such fear for his life that he sleeps one place one night and another the next. The Communist attacks have increased and their terrorist tactics have spread right into Saigon.

Nevertheless, none of this removes the need for defending the principle of collective action. That need is just as great now as it was when the U.N. Charter was written, or when the fighting broke out in Korea or the Congo. And even the French, who want to neutralize Vietnam but cannot tell us how it is to be done, concede that only by continued collective action in Vietnam—by which they mean American action—will the whole of southeast Asia be saved from conquest by the Communists.

THE NEUTRALITY DANGER

Meanwhile, in the midst of all the present recriminations about the present mess in Vietnam and Laos, it may be useful to define what the immediate danger is. It is not that South Vietnam is about to be overrun by the Communists. It is not that the United States is preparing to attack North Vietnam or even order its own troops into the South Vietnamese units. It is that the South Vietnamese Government will be overthrown by a neutralist coup and that the United States will then be invited to leave.

In this fragile situation, even casual talk of ideal solutions or neutralization can be dangerous. There are no ideal solutions and even to reach the point of an honorable settlement means suppression of the Communist aggression. It means, above all, keeping in mind the collective security principle of the U.N., and urging other member nations to do the same.

[From the New York Times, May 22, 1964]

THE INDOCHINA PROBLEM

In his speech at the United Nations yesterday, dramatized by his sudden recall from Europe, Adlai E. Stevenson emphasized American support for a U.N. role in helping end the friction on the ill-marked frontier between South Vietnam and Cambodia. He effectively refuted the baseless charges about American "aggression" made by Soviet Ambassador Fedorenko earlier this week when the latter relapsed into language reminiscent of the worst days of the cold war. And Ambassador Stevenson made clear that the United States will abandon neither the people of South Vietnam nor our military effort there.

The basic problem of American policy in what was once French Indochina also emerged clearly from the Stevenson speech. The United States would like to have a return to the political solutions agreed upon in the two Geneva conferences in 1954 and 1962. How is that to be accomplished, especially now when the Communist forces in South Vietnam and Laos alike believe they have the upper hand militarily?

As we suggested on this page yesterday, the United States may have to intensify its military support of the South Vietnamese before a peaceful settlement can be envisaged. But it would be futile to pursue the will-o'-the-wisp of a total victory in southeast Asia, short of embarking on an all-out war that under present circumstances the people of the United States would neither want nor accept. And if we cannot win a clear-cut military victory in this area, the power of the United States is such that the Communists must realize that they cannot either and that they, as well as we, will ultimately have to accept a political solution arrived at through negotiation.

President de Gaulle is presumably aiming for such a political solution in calling for an international conference on Laos, but events have already shown that the individual parts of Indochina cannot be considered in isolation. If there is to be serious negotiation, it must consider the total situation in all four states: the two Vietnams, Laos and Cambodia. The objective must be restoration of peace on the basis of the Geneva accords of 1954.

The purpose of any intensified American military effort in Indochina—should that be necessary—must be to make clear to Hanoi, Peiping, and Moscow that they are running unacceptable risks if they persist in their present policy. But at the same time we have the obligation—and are under the necessity—of holding forward the possibility of a political negotiation that could bring lasting peace to the area and make it possible eventually to get our troops out of this part of southeast Asia.

[From the New York Times, May 22, 1964]

TEXT OF STEVENSON'S SPEECH AT U.N. AND EXCERPTS FROM FEDORENKO'S REPLY

ADDRESS BY MR. STEVENSON

The facts about the incidents at issue are relatively simple and clear.

The Government of the Republic of Vietnam did in fact mistakenly cross the ill-marked frontier between their country and Cambodia in pursuit of armed terrorists on May 7 and May 8 and on earlier occasions.

That has been repeated and acknowledged here again today by the representative of Vietnam.

The Government of Vietnam has expressed its regrets of the tragic consequences. It has endeavored to initiate bilateral discussions with the Cambodian Government in order to remove the cause of these incidents.

But these efforts have not yet produced any useful results.

These incidents, Mr. President can only be assessed intelligently in the light of the surrounding facts; namely, the armed conspiracy which seeks to destroy the Government of Vietnam and the very society of Vietnam itself.

Mr. President, members of the Council, it is the people of the Republic of Vietnam who are the major victims of armed aggression.

They suffer from terror

It is they who are fighting for their independence against violence directed from outside their borders. It is they who suffer day and night from the terror of the so-called Vietcong.

The prime targets of the Vietcong for kidnaping, for torture and for murder have been local officials, schoolteachers, medical workers, priests, agricultural specialists, and any others whose position, profession, or other talent qualified them for service to the people of Vietnam, plus of course, the relatives and children of citizens loyal to their Government.

The chosen military objectives of the Vietcong for gunfire, or arson or pillage, have been hospitals, schoolhouses, agricultural stations, and various improvement projects by which the Government of Vietnam for many years has been raising the living standards of the people.

The Government and the people of Vietnam have been struggling for survival—struggling for years—in a war which has been as wicked, as wanton and as dirty as any waged against an innocent and peaceful people in the whole cruel history of warfare.

It seems to me that there is something both grotesque and ironic in the fact that the victims of this incessant terror are the accused before this Council and are defending themselves in daylight, while terrorists perform their dark and dirty work by night throughout their land.

I cannot ignore the fact that at the meeting of this Council 2 days ago Ambassador Fedorenko, the distinguished representative of the Soviet Union, digressed at great length from the subject before the Council to accuse the U.S. Government of organizing direct military action against the people of the Indochinese peninsula.

For years—too many years—we have heard these bold and unsupported accusations in the halls of the United Nations.

Malicious tales decried

I had hoped that such malicious fairytales would be heard no more. But since another fanciful accusation against my country has been made by the Soviet representative, I am sure that the members of the Council will permit me to set him straight on my Government's policy with respect to southeast Asia.

First, the United States has no—and I repeat, no—national military objective anywhere in southeast Asia.

U.S. policy for southeast Asia is very simple: It is the restoration of peace so that the peoples of that area can go about their own independent business in whatever associations they may freely choose for themselves without interference from the outside.

I trust my words have been clear enough on this point.

Second, the U.S. Government is currently involved in the affairs of the Republic of Vietnam for one reason and one reason only—because the Republic of Vietnam requested the help of the United States and of other governments to defend itself against armed attack fomented, equipped, and directed from the outside.

Earlier U.S. role recalled

This is not the first time that the U.S. Government has come to the aid of peoples prepared to fight for their freedom and their independence against armed aggression sponsored from outside their borders. Nor will it be the last time, unless aggressors learn once and for all that armed aggression does not pay, that it no longer works, that it can no longer be tolerated in the nuclear age.

The record of the past two decades makes it clear that a nation with the will for self-preservation can outlast and defeat overt or clandestine aggression even when that internal aggression is heavily supported from the outside and even after significant early successes by the aggressors.

I will remind the members of the Council that in 1947 after the aggressors had gained control of most of the country many people felt that the cause of independent Greece was hopelessly lost. But as long as the people of Greece were prepared to fight for the life of their own country, the United States was not prepared to stand by while Greece was overrun.

This principle, Mr. Chairman, does not change with the geographical setting. Aggression is aggression. Organized violence is organized violence. Only the scale and the scenery change. The point is the same in Vietnam today as it was in Greece in 1947 and in Korea in 1950.

The Indochinese Communist Party, the parent of the present Communist Party in North Vietnam, made it abundantly clear as early as 1951 that the aim of the Vietnamese Communist leadership is to take control of all of Indochina.

This goal has not changed. It is still clearly the objective of the Vietnamese Communist leadership in Hanoi. Hanoi seeks to accomplish this purpose in South Vietnam through subversive guerrilla warfare directed, controlled and supplied by North Vietnam.

The Communist leadership in Hanoi has sought to pretend that the insurgency in South Vietnam is a civil war. But Hanoi's hand shows very clearly. Public statements by the Communist Party in North Vietnam and its leaders have repeatedly demonstrated Hanoi's direction of the struggle in South Vietnam.

First Secretary quoted

For example, De Du Dan, First Secretary of the party, stated on September 5, 1960, and I quote: "At present our party is facing a momentous task—to strive to complete the revolution throughout the country." He also said this: "The North is the common revolutionary base of the whole country." Three months after the Communist Party Congress in Hanoi, in September 1960, the so-called National Front for the Liberation of South Vietnam was set up pursuant to plans outlined publicly at that congress.

The International Control Commission in Vietnam, established by the Geneva accords of 1954, stated in a special report which it

issued in June 1962, that there is sufficient evidence to show that North Vietnam has violated various articles of the Geneva accords by its introduction of armed personnel, arms, munitions, and other supplies from North Vietnam into South Vietnam with the object of supporting, organizing, and carrying out hostile activities against the Government and armed forces of South Vietnam.

Supplies move from north

Infiltration of military personnel and supplies from North Vietnam to South Vietnam has been carried out steadily over the past several years. The total number of military cadre sent into South Vietnam via infiltration routes runs into the thousands. Such infiltration is well documented on the basis of numerous defectors and prisoners taken by the armed forces of Vietnam.

Introduction of Communist weapons into South Vietnam has also grown steadily. An increasing amount of weapons and ammunition captured from the Vietcong has been proven to be of Chinese Communist manufacture or origin.

For example: In December 1963, a large cache of Vietcong equipment captured in one of the Mekong Delta provinces in South Vietnam included recoilless rifles, rocket launchers, carbines, and ammunition of Chinese Communist manufacture.

The United States cannot stand by while southeast Asia is overrun by armed aggressors. As long as the peoples of that area are determined to preserve their own independence and ask for our help in preserving it we will extend it. This, of course, is the meaning of President Johnson's request a few days ago for additional funds for more economic as well as military assistance for Vietnam.

Continued support pledged

And if anyone has the illusion, Mr. Chairman, that my Government will abandon the people of Vietnam, or that we shall weary of the burden of support that we are rendering these people, it will be only due to ignorance of the strength and the conviction of the American people.

We all know that southeast Asia has been the victim of almost incessant violence for more than a decade and a half. Yet, despite this fact, it has been suggested that we should give up helping the people of Vietnam to defend themselves and seek only a political solution.

But a political solution is just what we have already had and it is in defense—in support—of that political solution that Vietnam is fighting today.

The United States has never been against political solutions. Indeed, we have faithfully supported the political solutions that were agreed upon at Geneva in 1954 and again in 1962.

The threat to peace in the area stems from the fact that others have not done likewise. The Geneva accords of 1954 and 1962 were precisely political agreements to stop the fighting, to restore the peace, to secure the independence of Vietnam and Laos and Cambodia, to guarantee the integrity of their frontiers and to permit these much-abused people to go about their own business in their own way.

United States not a signatory

The United States, though not a signatory to the 1954 accord, has sought to honor these agreements in the hope that they would permit these people to live in peace and independence from outside interference from any quarter and for all time.

To this day, there is only one major trouble with the political agreements reached at Geneva with respect to Vietnam, Cambodia and Laos in 1954 and again with respect to Laos in 1962. It is this:

The ink was hardly dry on the Geneva accord in 1954 before North Vietnam began to

violate them systematically, with comradely assistance from the regime in Peiping.

Nearly a million people, as you will recall, living in North Vietnam in 1954 exercised the rights given to them under the Geneva agreement to move south to the Republic of Vietnam.

Even while this was going on, units of the Vietminh were hiding their arms and settling down within the frontiers of the republic to form the nucleus of today's so-called Vietcong to await the signal from outside in order to rise and strike.

In the meanwhile, they have been trained and supplied in considerable measure from North Vietnam in violation of the Geneva agreement—the political settlement.

They have been reinforced by guerrilla forces moved in to the Republic of Vietnam through Laos in violation of the Geneva agreement—the political settlement.

This is the reason—and the only reason—why there is fighting in Vietnam today. There is fighting in Vietnam today only because the political settlement for Vietnam reached at Geneva in 1954 has been deliberately and flagrantly and systematically violated.

As I say, Mr. President, this is the reason why my Government and, to a lesser extent, other governments, have come to the aid of the Government of the Republic of Vietnam as it fights for its life against armed aggression, directed from outside its frontiers in contemptuous violation of binding agreements.

If the Government of the Republic of Vietnam is fighting today, it is fighting to defend the Geneva agreement, which has proved undefendable by any other means. If arms are being used in Vietnam today, it is only because a political solution has been violated cynically for years.

The same disregard for the political settlement reached at Geneva has been demonstrated by the same parties in Laos. Violation has been followed by a period of quiet and then another violation follows. Limited aggression has been followed by a period of calm and then another limited aggression.

Throughout the period since July 1962, when the Lao settlement was concluded, the Prime Minister of Laos, Prince Souvanna Phouma, has with great patience and fortitude sought to maintain the neutrality and independence of his country. He has made every effort to bring about Pathet Lao cooperation in the Government of national union.

Now, in the past few days, we have seen a massive, deliberate armed attack against the forces of the coalition Government of Prime Minister Souvanna Phouma.

The attack was mounted by a member of that coalition Government with the military assistance of one of the signatories of the Geneva accord. These violations are obviously aimed at increasing the amount of Lao territory under Communist control.

Outright attempt

The military offensive of recent days must be seen as an outright attempt to destroy by violence what the whole structure of the Geneva accord was intended to preserve.

Hanoi has persistently refused to withdraw the Vietnamese Communist forces from Laos despite repeated demands by the Lao Prime Minister.

Hanoi has also consistently continued the use of Laos as a corridor for infiltration of men and supplies from North Vietnam into South Vietnam.

It is quite clear that the Communists regard the Geneva accords of 1962 as an instrument which in no way restrains the Communists from pursuing their objectives of taking over Laos as well as South Vietnam.

The recent attempt to overthrow the constitutional Government headed by Prime

Minister Souvanna Phouma was in large part attributable to the failure of the machinery set up by the Geneva accords to function in response to urgent requests by the Government of Laos.

This machinery has been persistently sabotaged by the Communist member of the International Control Commission, who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area and thereby undermining support for the Souvanna government.

Today, however, that government which was created under the Geneva agreements, remains in full exercise of its authority as the legitimate government of a neutralized Laos.

The other Geneva signatories must live up to their solemn commitments and support Prime Minister Souvanna in his efforts to preserve the independence and the neutrality which the world thought had been won at Geneva.

These solemn obligations, we submit, must not be betrayed.

Mr. President, my Government takes a very grave view of these events. Those who are responsible have set foot on an exceedingly dangerous path.

As we look at world affairs in recent years, we have reason to hope that this lesson has at last been learned by all but those fanatics who cling to the doctrine that they could further their ambitions by armed force.

Chairman Khrushchev said it well and clearly in his New Year's Day message to other heads of government around the world. In that letter he asked for—and I quote—"recognition of the fact that territories of states must not even temporarily be the target of any kind of invasion, attack, military occupation or other coercive measures directly or indirectly undertaken by other states for any political, economic, strategic boundary or other considerations whatsoever."

There is not a member of this Council, Mr. President, or a member of this organization which does not share a common interest in a final and total renunciation, except in self-defense, of the use of force as a means of pursuing national aims.

The doctrine of militant violence has been rendered null and void by the technology of modern weapons and the vulnerability of a world in which the peace cannot be ruptured anywhere without endangering the peace everywhere.

Way to restore order

Finally, Mr. President, with respect to southeast Asia in general, let me say this: There is a very easy way to restore order in southeast Asia. There is a very simple, safe way to bring about the end of U.S. military aid to the Republic of Vietnam.

Let all foreign troops withdraw from Laos. Let all states in that area make and abide by the simple decision to leave their neighbors alone. Stop the secret subversion of other people's independence. Stop the clandestine and illegal transit of national frontiers. Stop the export of revolution and the doctrine of violence. Stop the violations of political agreements reached at Geneva for the future of southeast Asia.

The people of Laos want to be left alone. The people of Vietnam want to be left alone. The people of Cambodia want to be left alone.

When their neighbors decide to leave them alone, as they must, there will be no fighting in southeast Asia and no need for American advisers to leave their homes to help these people resist aggression.

Any time that that decision can be put in enforceable terms, my Government will be only too happy to put down the burden that we have been sharing with those determined to preserve their independence. Until

such assurances are forthcoming, we shall stand for the independence of free peoples in southeast Asia as we have elsewhere.

And now, Mr. President, if we can return to the more limited issue before this Council today—the security of the frontier between Cambodia and the Republic of Vietnam.

Cambodian stand upheld

My Government—if there is any misunderstanding about it, let me put it straight—is in complete sympathy with the concern of the Government of Cambodia for the sanctity of its borders and the security of its people. Indeed, we have been guided for nearly a decade in this respect by the words of the final declaration of the Geneva Conference of July 21, 1954, which says:

"In their relations with Cambodia, with Laos and Vietnam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states and to refrain from any interference in their internal affairs."

With respect to the allegations now made against my country, I shall do no more than reiterate what Ambassador Yost, the U.S. delegate, said to this Council on Tuesday morning: The United States has expressed regret officially for the tragic results of the border incidents in which an American adviser was present. Our careful investigations have failed to produce evidence that any Americans were present in the crossing of the Cambodian frontier on May 7 and May 8 and there is, of course, no question whatever of either aggression or aggressive intent against Cambodia on the part of my country.

Let me emphasize that my Government has the greatest regard for Cambodia and its people and its chief of state—Prince Sihanouk, whom I have the privilege of knowing. We believe he has done a great deal for his people and for the independence of his country. We have demonstrated our regard for his effort on behalf of his people in very practical ways over the past decade. We have no doubt that he wants to assure conditions in which his people can live in peace and security.

My Government associates itself explicitly with this aim. If the people of Cambodia wish to live in peace and security and independence and free from alinement if they so choose, then we want for them precisely what they want for themselves.

We have no quarrel whatsoever with the desire of Cambodia to go its own way in peace and security.

Cambodia not left alone

The difficulty, Mr. President, has been that Cambodia has not been in a position to carry out with its own unaided strength its own desire to live in peace and tranquillity.

Others in the area have not been prepared to leave the people of Cambodia free to pursue their own ends independently and peacefully.

The recent difficulties along the frontier which we have been discussing here in the Council are only superficially and accidentally related to the Republic of Vietnam. They are deeply and directly related to the fact that the leaders and armed forces of North Vietnam, supported by Communist China, have abused the right of Cambodia to live in peace by using Cambodian territory as a passageway, a source of supply, and a sanctuary from counterattack by the forces of South Vietnam, which is also trying to maintain its right to live in peace and go its way.

Obviously Cambodia cannot be secure. Here territorial integrity cannot be assured. Here independence cannot be certain as long as outsiders direct massive violence within the frontiers of her neighboring states.

This is the real reason for troubles on the Cambodian border and this is the real reason that we are here today.

Now it is suggested that the way to restore security on the Cambodian-Vietnamese border is to reconvene the Geneva Conference which 10 years ago reached the solemn agreement which I have read to you.

While I hesitate and dislike to differ with my distinguished friend from Cambodia, I submit, Mr. President, that we can surely do better than that—that there is no need for another such conference. A Geneva Conference on Cambodia could not be expected to produce an agreement any more effective than the agreements we already have.

Complaint discussed

This Council is seized with a specific issue. The Cambodians have brought a specific complaint to this table. Let us then deal with it.

There is no need to look elsewhere. We can make here and now a constructive decision to help meet the problem that has been laid before us by the Government of Cambodia to help keep order on her frontier with Vietnam and thus to help eliminate at least one of the sources of tension and violence which afflict the area as a whole.

Let me say, Mr. President, that my Government endorses the statement made by the distinguished representative of Cambodia to the Council on Tuesday when he pointed out that states which are not members of the United Nations are not thereby relieved of responsibility for conducting their affairs in line with the principles of the charter of this organization.

We could not agree more fully that the regimes of Peiping and Hanoi, which are not members of this organization, are employing or supporting the use of force against their neighbor.

This is why the borders of Cambodia have seen violence. And this is why we are here today and that is why the United States has a duty to do what it can to maintain order—the United Nations, I beg your pardon—has the duty to do what it can to maintain order along the frontier between Cambodia and Vietnam to help uphold the principles of the charter in southeast Asia.

As for the exact action which this Council might take, Mr. President, my Government is prepared to consider several possibilities.

We are prepared to discuss any practical and constructive steps to meet the problem before us. One cannot blame the Vietnamese for concluding that the International Control Commission cannot do an effective job of maintaining frontier security.

Unanimous vote required

The composition—the tripartite composition—of the International Control Commission which under the Geneva agreements on Vietnam and Cambodia requires that decisions dealing with violations which might lead to a resumption of hostilities can be taken only by unanimous agreement has contributed to the frustration of the ICC.

The fact that the situation in South Vietnam has reached the crisis stage is itself dramatic testimony of the frustrations to which the International Control Commission has been reduced.

With the exception of the special report on June 2, 1962, to which I referred, condemning Communist violation of the Geneva accords, the Commission has taken no action with respect to the Communist campaign of aggression and guerrilla warfare against South Vietnam.

The representative of Cambodia has suggested that a commission of inquiry investigate whether the Vietcong has used Cambodian territory.

We have no fundamental objection to a committee of inquiry. But we do not believe it addresses itself to the basic problem that exists along the Vietnam-Cambodian border.

More is needed in order to assure that problems do not continue to arise.

Several practical steps for restoring stability to the frontier have been suggested, and I shall make brief and preliminary general remarks about them.

I wish to reiterate what Ambassador Yost said the other day—that we have never rejected any proposal for inspection of Cambodian territory.

Now one suggestion is that the Council request the two parties directly concerned to establish a substantial military force on a bilateral basis to observe and patrol the frontier and to report to the Secretary General.

U.N. observers suggested

Another suggestion is that such a bilateral force be augmented by the addition of United Nations observers and possibly be placed under United Nations command in order to provide an impartial third-party element representative of the world community.

We also could see much merit in this idea. Now, if I am correctly informed, a third suggestion is to make it an all-United Nations force. This might also be effective. It would involve somewhat larger United Nations expenditures than the other alternatives, but if this method should prove desirable to the members of the Council the United States will be prepared to contribute.

We would suggest, Mr. President, that whether one of these or some other practical solution is agreed, that it would be useful to ask the Secretary General of the United Nations to offer assistance to Cambodia and to the Republic of Vietnam in clearly marking the frontiers between the two countries.

One of the difficulties is that there are places where one does not know whether he stands on one side of the frontier or the other. Certainly it would help to reduce the possibility of further incidents if this uncertainty could be removed.

And now in conclusion, Mr. President, with my apologies for detaining the members so long, let me repeat that I am prepared to discuss the policy and the performance of my Government throughout southeast Asia, but that the issue before us is the security of Cambodia and the Cambodian-Vietnam border.

I have expressed my Government's views on that subject. I hope other members of the Council also will express their views on that subject, and that the Council, which is the primary world agency for peace and security, can quickly take effective steps to remedy a situation which could threaten peace and security.

Thank you, Mr. President.

REPLY BY MR. FEDORENKO

From that noisy and rather sensational show of American advertising techniques, which was used today in the statement made by our U.S. colleague, one might have thought that he was making some really important and substantive statement.

Even the most optimistic observer would have supposed that the United States, having heeded the voice of reason, finally was declaring that it was going to withdraw its troops from South Vietnam, and in particular from the regions which are contiguous to Cambodia.

Others might have expected that the United States would at least have declared its intention to fulfill the Geneva agreements of 1954, which, as you know, have been stubbornly violated by it and whose violation, in the case of Cambodia, has led to this meeting of the Security Council.

Travels recalled

Of course, it is necessary to bear in mind the fact that the representative of the United States has been overtaken, as it were, by events when he was traveling overseas. He is obviously still under the impression of

his recent Rome meetings and his negotiations and his talks with the NATO bloc where, as we know, it is normal to make speeches regularly under the old tattered flag of anticommunism.

But let me remind our American colleague that he is no longer at secret meetings with his military allies; that he is now at a meeting of the Security Council and that he should not here speak from the platform of the protagonists of militarism, accusing others of all sins possible.

The representative of the United States was, in fact, playing a definite role today; he was speaking from the dock as the accused. And I would remind Ambassador Stevenson that on the agenda of the Security Council for today we have the question of the aggression carried out by the United States and South Vietnam against Cambodia, and that this is what we should be talking about today.

U.S. stand challenged

But meanwhile the representative of the United States has attempted to represent matters in such a way as to seem to be speaking in defense of the peoples of southeast Asia, who, according to him, have become the victims of Communist aggression, and he continues to make statements that correspond not at all to the actual state of affairs.

It is indeed strange what can sometimes be done with logic. From Mr. Stevenson's very figurative speech, it would seem that when the United States sends 16,000 soldiers to South Vietnam for the purpose of waging a very cruel and dirty war, to put to the sword and to the flame the people of Vietnam who are struggling for the liberation and independence of their country, the United States, according to their way of thinking, is in some way contributing to an international detente by these actions.

It turns out that by organizing aggression against Cambodia, the American military are in some way making a contribution to the cause of peace.

He charges turnabout

This attempt to accuse others in a case of the pot calling the kettle black, and in their search for a scapegoat they have been led to wage a war thousands of miles from their own shores, obviously financed out of their own funds.

The representatives of the United States try to present the affair as if American troops, guns, and money were being used simply in order to guarantee for the population of South Vietnam the right to live under the social system they prefer.

This is a very striking affirmation which, I feel, we must not overlook since it completely distorts the real state of affairs. In South Vietnam the United States has installed, and is maintaining in power by all the means at its disposal, including military means, a puppet regime which is contrary to the wishes of the people.

The extent to which that regime has been foisted on South Vietnam and is not enjoying any popularity in the country may be seen in the simple fact that over the last 6 months the United States has been obliged to replace three governments there.

Question of rules raised

When, at the beginning of the discussion of this item, the Soviet delegation spoke in opposition to the participation of those who pretend to represent South Vietnam, we had in mind particularly the mandate of those rulers.

What mandate do the South Vietnam rulers have? Who gave it to them? From whom did they receive the right to lord it in that region? From the dead or from the living? From Ngo Dinh Diem, the puppet who was set up because of a foreign occupation, whereafter, for the same reason and

at the behest of the same people, one usurper was replaced by another henchman?

But, as they say, a monkey with a crown on its head still remains a monkey. The puppets are being changed and are replacing each other—Ngo Dinh Diem, Syngman Rhee and their like. This is part of the policy.

The Eastern peoples are famous for their wisdom, as expressed in the saying that a snake does not become straight if it is put through a bamboo tube.

In order to maintain its puppets in power and to preserve its beachhead for aggression against the peace-loving peoples in southeast Asia, the United States is waging an undeclared war against the people of South Vietnam.

There is a tremendous armed force there which is carrying out a punitive war against the South Vietnamese population. Who, at this present time, would be bold enough to say that those who have taken over from the Foreign Legion, as it were, have now become advisers, friends of the people, and so on?

I shall simply confine myself to a reference to the appeal of a very well-known compatriot of Mr. Stevenson, Senator WAYNE MORSE. I refer to a statement which he made in the Senate on May 18 of this year on the question of the McNamara war in South Vietnam. This appears in the CONGRESSIONAL RECORD, pages 11214-11221. This is what Senator MORSE said:

"We support the totalitarian, military, tyrannical puppet government in South Vietnam. If anybody believes that in South Vietnam people are free, they can hardly be more mistaken.

"We have already been caught red handed when we carried out acts of aggression against Cambodia and Prince (Norodom) Sihanouk threw us out of there. This has put an end to the complex theory which was held by John Foster Dulles, Cambodia and Burma have turned away from us and, as we all know, the theory of John Foster Dulles has nothing left except in Thailand and South Vietnam."

Morse letter quoted

In conclusion, I cannot fail to refer to the letter of Senator MORSE to Mr. Stevenson on May 14 of this year. I hope that the members of the Council are familiar with this letter but, to refresh their memories, I should like to give a brief quotation from it:

"As you know, I consider that the unilateral military action which the United States is carrying out in South Vietnam is not in accordance with international law and is by no means justified under it, as well as being irreconcilable with our obligations under the Charter of the United Nations.

"I realize the delicate position you are in. Nevertheless, I consider that the American people have a right to know whether you are in accord with the policy of sending American lads to die in South Vietnam, where war has not been declared.

"Finally, I am much concerned about the fact that, as I see it, we are subverting and undermining the United Nations. I am very much afraid that we are weakening the United Nations."

These opinions fill us with considerable concern and anxiety. We share the concern and alarm expressed by Senator MORSE. And are we not justified in expecting from a member state of the United Nations—a permanent member of the Security Council—some objectivity in assessing the situation which has become the subject of discussion in the Security Council?

Are we not entitled to expect an acknowledgment of the very grave crimes which have been committed against an independent state, Cambodia, a member state of the United Nations?

I feel that it is hardly necessary to have an interpretation of my remarks. Do you

not, think, Mr. President, that it would be well, to refrain from any interpretation in view of the extreme clarity of my position?

[From the New York Times, May 22, 1964]

**UNITED STATES PUTS A JET WATCH OVER LAOS—
AIR AID REQUESTED—PLANES SCOUTING REDS
BECAUSE TRUCE UNIT CANNOT FUNCTION**

(By Hedrick Smith)

WASHINGTON, May 21.—The Government disclosed today that unarmed U.S. jetplanes piloted by Americans had been flying reconnaissance missions over the Plaine des Jarres, in central Laos, to gather information on Communist forces.

A State Department spokesman said the missions had been undertaken at the request of the Government of Laos because of "the current inability of the International Control Commission to obtain adequate information" on recent attacks on neutralist and rightwing forces in Laos.

The commission, made up of representatives of India, Canada, and Poland, is assigned to supervise the numerous truces in the fighting between pro-Communist and anti-Communist forces in Laos.

Coupled with the disclosure of the reconnaissance flights was a report by qualified sources that the United States had provided the bombs being used by the Laotian Air Force for raids against the pro-Communist positions in the embattled Plaine des Jarres.

These sources indicated that the bombs were supplied some time ago at the request of the Laotian Government under the July 1962, Geneva agreements between East and West. Under these accords Laos was to be unified and neutralized, with a government to consist of neutralist, rightist, and pro-Communist factions. The current raids were the first in which the bombs were used.

FIRST OFFICIAL ADMISSION

The announcement of the reconnaissance flights was the first official acknowledgment since the signing of the Geneva accords that the United States was taking a military role in Laos.

The disclosure came in the wake of reports from Tokyo quoting the Peiping radio to the effect that pro-Communist Pathet Lao troops had fired on American planes over Laos. Officials here could not confirm that any planes had been fired upon.

The State Department's acknowledgement of the flights was viewed by observers here as having as much importance as the flights themselves or even more.

It was interpreted as part of a carefully developed plan by the Johnson administration to demonstrate that it was prepared to go beyond traditional diplomatic gestures of showing its concern over military attacks against the neutralist forces in Laos.

The announcement was also viewed as a parallel move to a speech in the United Nations Security Council today by Adlai E. Stevenson, the U.S. delegate, in which he denounced aggression in Laos and South Vietnam.

ORIGIN NOT DISCLOSED

Officials did not disclose where the reconnaissance flights originated but they left the impression that the planes flew from and landed outside Laos, presumably neighboring Thailand. The type of planes being used was also not disclosed.

Officials turned aside suggestions that the reconnaissance flights might be a violation of the 1962 Geneva accords on Laos by noting that the accords make no mention of reconnaissance flights.

Washington also argued that continued violations of the accords by the Pathet Lao and North Vietnamese forces and their refusal to permit the International Control Commission to inspect their areas made the flights necessary to preserve the accords.

Officials repeatedly emphasized that the United States considered that the 1962 agreements, which are the basis for Premier Souvanna Phouma's Government, were still in force and that the reconnaissance flights would certainly not cause them to be scrapped.

The agreements, signed by the United States and 13 other powers, including North Vietnam and Communist China, forbid "the introduction of foreign regular and irregular troops, foreign paramilitary formations and foreign military personnel into Laos."

Officials here maintained that since the flights presumably started and ended outside Laotian territory and airspace, the aircraft and personnel were not being "introduced" into Laos.

Another provision of the agreements permits the introduction of "quantities of conventional armaments as the Royal Government of Laos may consider necessary for the national defense of Laos."

The officials indicated that Premier Souvanna Phouma, who has accused the Pathet Lao and North Vietnamese forces of violating the accords during the current fighting, had orally requested U.S. support under this provision.

The flights began a few days ago and are continuing, the officials said. They were authorized by high administration officials with President Johnson's approval.

TO ASSIST IN EVERY WAY

In a prepared statement on the reconnaissance flights, the State Department said:

"We are working with the Royal Lao Government in response to its request to assist in every way possible in supplementing its information on the intention and dispositions of attacking forces.

"For this purpose, certain U.S. reconnaissance flights have been authorized in view of the current inability of the International Control Commission to obtain adequate information. Information obtained will be turned over as rapidly as possible to the ICC."

Officials said the planes were surveying troops, supply depots, and positions for photographs that could conceivably be used to document further charges of aggression against the North Vietnamese and the Pathet Lao forces before the United Nations. It was indicated that copies of the photographs would be flown back to Washington as well as being turned over to truce commission representatives in Vientiane.

Officials maintained that the flights were the first American jet reconnaissance missions over the Plaine des Jarres in central Laos in the last 2 years.

There have been reports that the United States was using high-flying U-2 jets on reconnaissance missions over southeast Asia. There has also been speculation that reconnaissance planes based in Thailand or South Vietnam have periodically flown photographing missions over the Ho Chi Minh Trail in eastern Laos to watch for North Vietnamese troop movements toward South Vietnam.

On the diplomatic side of the Laos issue, qualified sources said Secretary of State Dean Rusk had strenuously objected to the French Ambassador, Hervé Alphand, over a French proposal yesterday for a new international conference on Laos.

Officials here were both shocked and irritated that Paris had put forth the proposal without having consulted its allies.

In response, the United States and Britain have decided to turn aside the French suggestion by throwing their support to a separate proposal for consultations in Vientiane among the 14 nations that signed the 1962 agreements.

Robert J. McCloskey, State Department spokesman, reiterated that the United States was "agreeable to consultations in Vientiane, as suggested by the Prime Minister." He

refrained from commenting directly on the French proposal.

Washington is fearful that any formal international conference would provide Communist China and North Vietnam with a forum for propaganda demands calling for neutralization of all the Indochinese Peninsula.

Officials here also believe that it would be a mistake to have Prince Souvanna Phouma leave Laos at a time when his forces are beleaguered and the Communists have been trying to undermine his position.

Washington also contends that to hold an international conference now would be to "reward the aggressor," as one official put it, referring to the military attacks on neutralists and rightwing forces.

Nonetheless the French proposal drew support from Senator MIKE MANSFIELD, the majority leader, who has often been at odds with the administration on southeast Asia policy.

[From the New York Times, May 22, 1964]

BRITISH GOAL: CONSULTATIONS

(By Sydney Gruson)

LONDON, May 21.—Britain concentrated her diplomatic efforts today on trying to bring about "consultations" on Laos among the countries that worked out a solution for the Asian kingdom's political problems in Geneva in 1962.

Such consultations, which were requested Tuesday by Prince Souvanna Phouma, the neutralist Premier of Laos, would have the effect of shelving France's proposal last night for a more formal 14-nation conference.

Prince Souvanna Phouma suggested that representatives of the 14 countries "consult" in Vientiane, the Laotian administrative capital, where all except Burma have diplomatic missions.

The 14 are Britain, the Soviet Union, the United States, France, Communist China, India, Canada, Poland, Burma, Thailand, Cambodia, North Vietnam, South Vietnam, and Laos.

The French proposal, made to Britain and the Soviet Union as cochairmen of the 1962 conference, was brief. It said a new session was necessary to solve the problems of Laos, which have been complicated by the pro-Communist Pathet Lao forces recent military victories and the merger of the kingdom's rightwing and neutralist factions.

The United States had asked France and Britain, among other countries with diplomatic representation in Peiping, to seek Communist China's help to end the fighting in Laos. Britain acted promptly to do so, though without results so far, but the French refused, according to reliable sources here.

The French stand was reliably reported to be that it would be useless to seek China's assistance.

PROPOSALS CALLED SIMILAR

The British Foreign Office took pains to explain that it was not "knocking down" the French proposal in issuing a statement today expressing support for Prince Souvanna Phouma's "efforts to promote consultations in Vientiane."

Asked if the statement meant that Britain ruled out the idea of convening a formal conference, Michael Hadow, Foreign Office spokesman, said "No."

"We are considering that and consulting about it," he added. He said the French proposal and the proposal by the Laotian Premier were "on very similar lines."

British officials conceded that the situation in Laos might come to the point where a conference was inevitable. But it was clear to observers that Washington and London would do everything possible to keep any consultations or conference at the lowest possible diplomatic level.

British officials indicated that renewed representations would be made soon to the

Soviet Union and Communist China. For the moment, there was little hope that the Chinese would be amenable immediately to restoring the situation in Laos.

At best, it is felt here, a halt might be called in the Pathet Lao offensive. At worst, it is feared, the Chinese will encourage the Pathet Lao forces to sweep to the Mekong River and provoke a serious military confrontation with the United States, which is committed to assist in the defense of Thailand, which borders on the Mekong.

[From the New York Times, May 22, 1964]

PARIS WIDENING PROPOSAL

(By Drew Middleton)

PARIS, May 21.—President de Gaulle's government declared anew today that the guaranteed neutrality it seeks for Laos should be extended to neighboring nations.

A statement to this effect by Foreign Minister Maurice Couve de Murville after a Cabinet meeting apparently widened the latest French diplomatic initiative to include the southeast Asian states of North and South Vietnam and Cambodia. But France, like the other governments involved, insisted that the situation in Laos take priority.

Cambodia's ruler, Prince Norodom Sihanouk, has already asked for a conference to guarantee his country's neutrality. The French have supported his request.

General de Gaulle, who presided over the Cabinet meeting, believes that North and South Vietnam should be united in independence and their neutrality guaranteed.

Because of the urgency of the military situation in Laos, the French Government is concentrating on assembling a conference to deal with that problem.

Mr. Couve de Murville, in letters to Britain and the Soviet Union, did not specify the level or site of the session he proposed. Qualified French sources said the Government did not believe that a conference at the ambassadorial level in Vientiane, as proposed by Prince Souvanna Phouma, would be high-powered enough.

The French are apparently thinking of a conference attended by deputy foreign ministers. Geneva now seems the most likely site, but the French will not insist on it.

As reported by Information Minister Alain Peyrefitte, Mr. Couve de Murville told the Cabinet:

"There is no other solution to the problem of Laos than neutralization guaranteed by the (interested) powers. A true and sincere solution of neutralization must extend to all of southeast Asia. It is the sole guarantee of the peace and independence of the states."

PARIS, April 2, 1964.

HON. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: Vietnamese problems have given rise to numerous controversies in your country. I know that, despite your many duties you have taken an active interest in the sad drama of my country and for this reason I am writing to you to give you my points of view on the problems which face us.

As I wrote to Senator FULBRIGHT and Secretary of State Dean Rusk last February 25, neither the neutralization of Vietnam, as supported by both the Communist bloc and General de Gaulle, nor an "escalation of the war" are solutions acceptable to the Vietnamese people.

The only truly viable solution is to help the Vietnamese people attain a position of political, ideological, economic, and military strength which will make it possible for us to carry on and win what has so often been called "a Vietnamese war." This increased capability can only be attained by means of sweeping political and social reforms including a change from military dictatorship to representative nationalist government.

The policy of the Johnson administration, like that of its predecessor, is basically sound. The commitment to aid Vietnam until final victory over the Communists has been achieved is a stance worthy of a great nation and the leader of the free world. But why has this policy—so good in itself, so just and so heavily supported—been so completely frustrated during these past 10 years? The answer is simply that American aid has been misdirected. The wrong leaders and the wrong groups have received and abused American support while the Vietnamese people and their legitimate nationalist leadership have been virtually ignored.

American support for Diem's regime, justified and successful for so long as Diem had the support of the Vietnamese people and the nationalist leadership, became untenable when he and his family began to abuse their power, thereby divorcing themselves from popular support. After that point, neither massive American aid in money, material, and manpower, nor the frequent declarations of wholehearted support from certain American officials could save our mandarin from catastrophe.

Diem's downfall was the clear refutation of all policies involving the support of dictatorships without regard to the will of the people. In revolutionary Asia, such tactics are outdated; they simply cannot work. America's hasty rush to support the new military strong man Gen. Nguyen Khanh following his unpopular coup d'etat and the subsequent American campaigns describing the general as a man who enjoys the admiration, respect, and complete support of the United States, indicate that we are in for another round of the disastrous brand of pragmatism which prescribes any kind of government so long as it is not good government, any kind of leaders so long as they are unpopular and dictatorial. * * * The same mistakes which led to the catastrophe of Dienbienphu and later to the bloody fall of Ngo Dinh Diem are starting all over again.

The Vietnamese people, one of the most courageous and persevering in Asia, have known thousands of years of colonialism under the Mongols, Chinese, and French. We are currently in the midst of a guerrilla war which has gone on almost uninterruptedly for two decades. Through all this time we have suffered under governments and leaders chosen not by ourselves, but imposed by force from the outside. When America entered the scene of our struggles, we hoped—and we still hope—that with the friendship and support of your great nation—leader and champion of the free world—we could finally realize our centuries-old aspiration to be a free and independent people with a responsible government devoted to the national interest and serving the popular will. We did not foresee new dictatorships, new police-state methods, and new oppression. We could not have expected the same errors, the same insults, and the same disregard for Vietnam's legitimate interests and leadership that characterized the French involvement in Indochina.

For my part, I am convinced that if America is genuinely interested in helping Vietnam defend her freedom and independence against the Communist menace, she must help us to install a representative civilian government with the participation of all the foremost nationalist leaders in the very shortest time possible. With genuine representation embodied in government under the leaders who have earned real popular support by their long and dedicated struggle against communism, dictatorship, and feudalism, we can assure a renaissance of the national spirit. A nationalist government can create the atmosphere of purpose and dedication—so sorely lacking today—that can turn the tide against the Communist aggressors.

I believe that if Khanh is really the great military genius he is claimed to be, he should

be named supreme commander of all Vietnamese forces and be given a year to "pacify South Vietnam." Then he could begin his triumphal march to Hanoi and realize the unification of the country as he has so often said he could. There is no point in wasting the time of this military wizard in diplomatic maneuvers with Sihanouk, Chiang Kai-shek, and De Gaulle or in parades and "barnstorming" tours. If he can win the support of the army and galvanize its will to fight, then the route to quick and total victory has been found.

Too much time, money, and prestige have been wasted during these last years in supporting the false doctrine of building up strong men in hopes of winning the war by strictly military means. Continued, obstinate adherence to this policy can only end at the bargaining tables of Geneva and a humiliating defeat for the free world and all it stands for.

I would like to draw your attention equally to the massive utilization of napalm and white phosphorus against defenseless cities and villages as reported in the New York Herald Tribune, April 2, 1964. Instead of killing Vietcong combatants, this tactic takes its greatest toll among innocent civilians including women, children, and the aged. These barbaric attacks are acts of reprisal and repression which succeed in little more than turning the peasant population against the United States which supplies the necessary bombs and aircraft. This is not the way to win the minds and hearts of men—rather it is the way to become known as the new colonialists. Because of tacit American support for these actions, there is a growing gulf between the Vietnamese and American peoples which has become a serious threat to the interests and prestige of your country. I hope that you will do everything in your power to limit these bombardments in favor of attacks on strictly military objectives which do not slaughter or alienate the civilian population.

I know perfectly well that Khanh and his regime are being launched even more strongly than was our mandarin and that consequently any change in America's Vietnam policy is unlikely for the near future. Duty, my friendship for your great Nation, and love of my own country nonetheless, compel me to continue my appeals for commonsense in this important struggle. The solution of Khanh and the sects is an unimaginative one. Followed too long, it will complete the destruction of your efforts, prestige, and interest in Vietnam. Only the nationalist program offers real prospects for an anti-Communist victory. Only a representative nationalist government can create a prosperous and powerful bulwark in the image of Japan and West Germany, to face the Communist threat and the neutralist conspiracy of Prince Sihanouk. Within the next few weeks I will be sending you a detailed program which can—if it is applied in time—save South Vietnam from what appears to be almost certain disaster. This nationalist program for unity and progress outlines a step-by-step procedure for establishing the fundamental conditions for victory in Vietnam. I hope that you will find this material both interesting and useful.

Please accept my deepest respects. I remain,

Sincerely,

TRAN-VAN-TUNG.

TRAN-VAN-TUNG

Tran-Van-Tung, renowned author of more than 12 books on the culture and traditions of his country, was born in 1915 in central Vietnam, the eighth child of a well-known and prosperous family. Constantly in search of new knowledge, he acquired a Chinese classical education, and then supplemented it by studies in Paris.

By the end of World War II, he was already an acclaimed writer and journalist, several times Laureate of the Académie Française, and prizewinner of the Academy of Political Science in Paris for his farsighted and brilliantly written book, "Vietnam Faces Her Destiny." Many of his works, which include essays, poems, and tales of Vietnam, have been published by Mercure de France, Grasset, etc. His most recent books include "La Colline des Fantômes" (Editions du Parc, France), "Vietnam Against Communism" and "Vietnam" (La Baconnière, Switzerland). "Vietnam" has also been published in English by PRM publishers of London.

Although he represented his country on several important occasions, including the anniversary of the French Revolution in 1939, the Nationalist Asiatic Conference in India in 1950 (where he first met Nehru and other Asian leaders), and the Far East Conference held in New York in 1952, Tran-Van-Tung was primarily a man of letters, an historian, and a thinker. Because of his strong humanitarian principles and his firm belief in the ideals of liberty, he has always been an arch enemy of communism, colonialism, and the monarchy in Vietnam, and has written articles expounding his views in leading American newspapers, as well as in his books.

But it was only after disaster wiped out his family and his possessions that Mr. Tung began to take an active role in politics. Following the Communist invasion of central Vietnam, his mother died of hunger, his five brothers and seven sisters were assassinated or imprisoned, and all his property was confiscated. It is now 10 years since he has had any news of his family from Communist-controlled central Vietnam, and Tran-Van-Tung has dedicated his life to the struggle against the Communists who seek to conquer the rest of Vietnam.

In 1952, while he was representing Vietnam at the Far East Conference in New York City, Mr. Tung was summoned to visit Ngo-Dinh-Diem, who was then taking refuge at the Maryknoll Seminary in Ossining, N.Y. Mr. Tung met with Diem and urged him to return to Saigon to help in the struggle against communism. He continued to support Diem until 1956, despite his growing disillusionment with Diem's policies and dictatorial methods, and his inability to defeat the Communists. In 1955, the Democratic Party of Vietnam was formed to defend the liberty and independence of the young Republic. Mr. Tung is the guiding light of this party, whose aim is to establish a free and democratic government, and to achieve, through a concrete program, the best material, intellectual, moral and social conditions for the people of Vietnam. When, in 1957, Diem banned all national political parties and imprisoned all leaders opposed to him, Mr. Tung realized fully that Diem had betrayed the cause of liberty in Vietnam, replacing the principles in which Mr. Tung so strongly believes with a corrupt dictatorship and totalitarian methods similar to those employed by the Communists.

At present Mr. Tung continues to fight for liberty and to oppose communism and dictatorship with all the strength of his forceful personality. He represents the new generation of Vietnamese, and is the recipient of many messages of esteem from such world leaders as President John F. Kennedy, General de Gaulle, Ramon Magsaysay, etc. He leads a simple, ascetic life, reads voraciously, and works untiringly. A man of thought, to whom personal wealth is of no importance, Tran-Van-Tung is a fervent nationalist, and an anti-Communist by principle and idealism, as well as through personal tragedy. For 10 years he has been actively engaged in the struggle against communism, feudalism and dictatorship. His one passion is his country, and his only goal the liberty and welfare of his people.

[From the Washington Post, May 16, 1964]
VIETNAM STRATEGY—DOUBTS RAISED OVER McNAMARA PLAN

(By Warren Unna)

Secretary of Defense Robert S. McNamara's press announcement Thursday on the decision to beef up the South Vietnamese Air Force is causing considerable dismay among some official quarters in Washington.

They see McNamara's decision as a green light to those high officials in the U.S. Air Force and the South Vietnamese military who think they can win the war against the Communist Vietcong by dropping bombs.

The Air Force theory is that a bomb is the quickest, cleanest, and most effective way of wiping out the Communists—within South Vietnam as well as across the borders in Communist North Vietnam and neutral Cambodia.

But some State Department and U.S. Army officials argue that what the Air Force calls a "Vietcong base" may well contain many innocent Vietnamese farmers. They say bombing them will only alienate the Vietnamese people from both their own government and the United States, and force them to be more sympathetic toward the Vietcong.

McNamara, at his White House press conference Thursday, announced an agreement with the Vietnamese to increase the number of planes in the Vietnamese Air Force, as well as to double the present 200 South Vietnamese pilots.

On Wednesday, Air Force Secretary Eugene M. Zuckert announced that 75 Navy Skyraider bombers, capable of carrying three times the load of present U.S. planes in South Vietnam, now were en route to the war front.

Yesterday, Presidential Press Secretary George Reedy indicated Mr. Johnson soon may be sending up a special budget request to Congress to take care of increased U.S. military assistance to South Vietnam.

All this would be in line with the traditional American response to send in more men, equipment, and money whenever the going gets rough—and particularly when Congress begins heckling an administration for not producing victories.

But what is the current situation in South Vietnam?

Officially, the Pentagon lists the number of Vietcong infiltrators at 25,000.

Against these there are:

More than 16,000 U.S. military "advisers," 2,000 to 3,000 of them actually in the field. The rest, including some 14 to 15 generals—enough for an Army group headquarters used in the battle of Europe—sit in the capital of Saigon.

A regular Vietnamese Army of 250,000 plus some 200,000 paramilitary members of the Self-Defense Corps and the Civil Guard.

The rule of thumb ratio for fighting a guerrilla war is 10 to 1. South Vietnamese forces, exclusive of their American advisers, outnumber the official estimate of Vietcong by 18 to 1.

In addition, a highly placed U.S. military authority in Saigon is reported to have acknowledged that there hasn't been one casualty to a Vietnamese officer above the rank of captain in the past 2 years. He added that once a man gets to be a major he seeks a staff command back in Saigon, not a field command exposed to fire.

In the face of these statistics, indicating something is needed besides more men, equipment, and money, the U.S. Air Force and the Vietnamese military want more bombing raids, and by jets if possible.

Moreover a Joint Chiefs of Staff memo in January reportedly pushed by the Air Force over the reluctance of the Army deplores the diplomatic inhibitions being put upon the military. These restrictions confine bombing targets to within South Vietnam.

Now, with more planes and more pilots circling the skies over a Vietnamese guerrilla ground war significantly devoid of conventional bombing targets, critics of the Air Force think the temptation to bomb villages under the label of "Vietcong bases" may become overwhelming.

But will such bombing win the war?

Those in Washington who say it won't, and who oppose the U.S. Air Force and the Vietnamese bomb advocates, contend the answer is not more men, equipment, and money.

These critics are not sure the war can be won at all.

But if it can be, they argue that more attention be paid to getting Vietnamese as well as American brass out of Saigon, to decentralize the U.S. military advisers, to dispatching U.S. military to South Vietnam on a voluntary basis so they don't count the days until their return, and to seeing to it that U.S. aid gets out into the countryside where it is needed.

BERKELEY, CALIF.,
May 20, 1964.

Senator GRUENING,
Washington, D.C.:

Students urge an immediate end to war in Vietnam; withdrawal of U.S. troops and materials; abide by the 1954 Geneva agreement. (The above telegram was signed by the following students:)

Deborah Rossman, James Taylor, Margie Jacobsen, R. M. Hamilton, Carol Davenport, Carla McCabe, Ronald Slayen, Wendell Brunner, Edward Resenfeld, Dorothy Mith, Bruce Gale, Alice Large, Frank Andrews, Stanley Narrar, Denn S. Anderson, Stanley Fishkin, Romer Greene, Jeff Lustig, R. Farrell, Marsha Wick, Myrsan Wixman, Jack Kurzwil, Lin Jensen.

Judy Meyers, Eden Lipsom, Arnold Abrams, George Goldman, Jerry Weber, Thomas Miller, Patti Iiyama, Ken Cloke, Florence Yellin, Christopher Stantland, Christina Wren, Sheila Walsh, Matt Canon, Bill Rottenberg, Ron Borden, Douglas Hamilton, Mark Birnbaum, Peter Schaffer, Nicholas Jankowski, Allen Bortel, Margaret Koster, Judith Toben, Elsa Johnson, Carolyn Smith, Margarte Flanagan, Myran Warshaw.

Roslyn Tumen, F. Brunke, David Walls, Mark Davenport, Ellen Frank, Laurence Slayen, John Perlman, Thomas Smith, Kathleen Barta, Michael Kogan, Jan Cattoica, Gordon Willson, Susan Davis, Henry Lorenzvi, Michael Miller, Dave Minor, Bonnie Walters, Robert Cirese, Sandra Liuck, Alfred Walters, Susan Miller, Roy Torkington, Marian Moses, Allen Ren, Susan Garlock, Anita Levine, Carol Furst, Ann Higginbottom.

Sandor Fuchs, Richard Hoffmann, Leo Downey, Amelia Clemens, Barbara Whitt, Michael Whitt, Madge Strong, Thomas Weller, Sandra Nicholson, Peter Aborn, John Roererts, Art Goldberg, Leanne Tannenbaum, Steven Plageman, Armin Wright, Stephen Jacobsen, Hal Fretwell, Judith Baston, Ellen Horwitz, Tom Paine, Linda Murrell, Steven Crafts, Jean Rothman, Harvy Meyers, R. Faltenbaum, Bob Nakamura, Marie Holliday, Ronald Aikin.

Anita Pitz, Anne Boytin, Michael Galvin, James Ogden, Timothy Thomas, Roy Douglas, Janet Weltzner, Henry Weinstein, Libbe Hurvitz, Gerald Wick, Deborah Bartlett, Carol Lyons, Judith Stein, Jerry Fish, Arlene Cozano, Alice Schwartz, Robert Dietrich, Hugh Fowler, Paula Katz, George Higginbottom, John Williams, Elliot Costello, Thomas Dodd, Judy Winston, Peter Muldavin, Linda Smith, Penny Guy.

David Stein, Mary Kington, Priscilla Dudley, Petter Bissell, Edwin Wilson, Ronald Rohman, P. Sholund, Susanna Falc, Robert Johnson, Colleen Eldridge, Stephen Weinstein, Richard Gardner, Eva Havas, Donald Kelsey, Donna Launer, Arlene Blenne, Joe

Hacker, Jeannie Wald, Elaine Duncan, Eve Corey, Susan Swift, Joe Webb, Brude Boston, Robert Hayes, Bruce Cox, Jan Dash, David Heath, Michael Millman.

Stephanie Probst, Margaret Lima, Carl Clewlow, Robin Rosenoerg, Helen Fein, Marlene Licht, Craig Moody, Mike Smith, Harry Roberts, Carolyn Pardee, Rob Pierre, Rutham Corwin, Abraham Bahr, Stephanie Waxman, Sandra Breit, Claude Beagane, Bob Williams, Earl Lalo, Bruce Pohdron, Eugene Lavenger, Chip Weitzner, Margie Tette, Ben Crites, Maryanne Ses, P. Pharaelyn.

Mr. MORSE subsequently said: Mr. President, while I was serving as one of the hosts of a group of visiting Oregonians, I was not on the floor of the Senate when the Senator from Alaska [Mr. GRUENING] delivered his speech today on South Vietnam, which he entitled "Bring the War in South Vietnam Also to the Conference Table."

I read the speech, and I congratulate him again, as I have done repeatedly in recent months, as the courageous, dedicated Senator from Alaska has stood on the floor of the Senate and spoken out in righteous and rightful criticism of the foreign policy of the United States in southeast Asia.

His speech today is an additional chapter in criticism of American foreign policy in South Vietnam.

I think so highly of this series of speeches of the Senator from Alaska that I would at this time suggest that, with only the slightest of revision, they would be suitable for publication in a book.

It has been a matter of pride to me to stand shoulder to shoulder with the Senator from Alaska [Mr. GRUENING], the Senator from Louisiana [Mr. ELLENDER], and the other day the Senator from South Carolina [Mr. JOHNSTON], in criticizing American foreign policy in South Vietnam.

To the extent that he has suggested modifications in American foreign policy in South Vietnam, I have also been pleased to applaud the majority leader of the Senate [Mr. MANSFIELD]. I believe the statement that the majority leader made of recent date, suggesting that we ought to consider fully a proposal of the French for a change of policy in South Vietnam, is absolutely sound.

But I particularly wish to commend the Senator from Alaska for his speech today. In the news release it is stated that "the May 21 decision of the Johnson administration to place the Cambodia-South Vietnam border dispute in the hands of the United Nations Security Council has been praised by Senator ERNEST GRUENING today."

In the speech itself, the first paragraph reads as follows:

President Johnson and Ambassador Stevenson are to be highly congratulated for taking a portion of the Southeast Asian mess to the United Nations. That is precisely where it belongs. I have so urged ever since March 10, 1964, when I spoke in the Senate and stated that the United States should get out of South Vietnam and immediately pull our troops back from the fighting front.

I wish to say I am glad the President and Mr. Stevenson, our Ambassador to

the United Nations, at long last have apparently come to recognize that the United Nations has an interest in what goes on in South Vietnam. That is some progress.

The Senator from Alaska also points out in his speech that comments of various newspaper columnists and correspondents today indicate that this may be the beginning of a change of policy on the part of the United States, whereby we shall gradually take the South Vietnam matter to the United Nations. I not only hope so—I pray for it.

But the suggestion that the Cambodian dispute be handled by the United Nations will, of course, not solve the problem. As I pointed out in a long speech in the Senate last night, the entire southeast Asia issue should have been taken by the United States to the United Nations months ago. The United States should stop its illegal, unconstitutional course of action in South Vietnam, resulting in the unjustifiable killing of American boys.

This gesture on the part of the U.S. Government, through the lips of Adlai Stevenson yesterday that the Cambodian border dispute be taken to the United Nations is far from a satisfactory proposal for a solution of the South Vietnam crisis.

As I said last night, and as I repeat today, I think the speech of Adlai Stevenson yesterday was unfortunate, unsound, and inexcusable.

Adlai Stevenson knows better. He can never justify the use of his lips yesterday in uttering a speech in which he walked out time and time again from the glorious record of statesmanship that he has made in the past. That is behind us now. The question is whether or not this country is to make a recovery. It is a question of whether or not the United States is going, at long last, to reassert itself for the application of the rule of law in the settlement of disputes that threaten the peace of the world, rather than rattle the U.S. sabre and, behind the scenes, get ready to escalate the war into North Vietnam. For that is what is going on now. For what I said last night and what I say today and what I shall continue to say day by day, I shall have many castigations heaped upon my head, including those of yellow journalism, one of whose writers in a story today suggested that the Senator from Oregon talked as if he were speaking from the Kremlin.

None of those yellow journalists hate communism more than does the Senator from Oregon. But I obviously love my country more, because my country cries out for the application of the rule of law for the settlement of the dispute in southeast Asia. My country cries out for a return to the fulfilling of its obligations under the United Nations Charter.

Adlai Stevenson, in his speech of yesterday, in paragraph after paragraph, walked out on the very organization in which he sits as the Ambassador from the United States. He walked out on article 33, article 37, and article 51. He walked out on the pledges of the United

States, under the United Nations Charter, to resort to peaceful procedures, and not military might, for the settlement of disputes that threaten the peace of the world.

Of course it is not pleasant for me to say this—a longtime admirer of the great Stevenson. I resigned from the Republican Party in 1952, in the midst of a campaign, so I could campaign for Stevenson. I thought I had no ethical right to remain in the Republican Party and campaign for him as the Democratic candidate. But the Stevenson for whom I campaigned in 1952 and 1956 was not the Stevenson who talked in the Security Council of the United Nations yesterday. He never before made a speech consisting of such a chain of non sequiturs and rationalizations of unsound policies. But he was mouthing the policy of our Government.

An ambassadorship is not worth that price. So I am again raising my voice in plea today that this country go back into the United Nations in fact—in practice—rather than merely keep a membership in it.

I am raising my voice in plea again today that the United States lay the whole southeast Asia issue before the United Nations and put Russia on the spot. Let Russia dare to use the veto in the Security Council on the question of taking jurisdiction of the southeast Asia issue. If she does, the course of conduct of my Government should be clear. We should call for an extraordinary meeting of the General Assembly of the United Nations and lay the whole issue before it. Let the General Assembly of the United Nations determine whether the United Nations will attempt to maintain peace, which is its primary purpose. We support this type of procedure and program in the Middle East, in the Congo, in Cyprus, why not in southeast Asia? We should not limit a proposal for United Nations jurisdiction to South Vietnam. It involves North Vietnam. It involves Laos. It involves Cambodia. The whole area of Indochina should have United Nations jurisdiction extended to it and maintained in order to keep the peace.

I am aghast, Mr. President, at my Ambassador in the United Nations, Mr. Stevenson, suggesting as American policy our opposition to another conference called for by France of the Geneva accord membership. We did not even sign the Geneva accord of 1954. We are the last country to talk about not having a conference of the signatories to the Geneva accord of 1954. In my judgment, France should be applauded for suggesting the reconvening of the Geneva accord conference. This time, if it is reconvened, I hope that the United States will sit as a member, and a voting member, and, by way of peaceful procedures of international law, reach a settlement or a program for seeking to maintain peace in South Vietnam, and not to make war.

What a reflection on the United States that in southeast Asia today the United States is making war. What does that do to all the professions of our leaders about their desire to promote peace? We do not promote peace by making war.

We do not promote it by following a unilateral military course of action resulting in the loss of thousands of lives, and which is now beginning to result in the loss of several hundred American lives.

If we do not stop this holocaust, I warn again—as I have warned many times on the floor of the Senate in the past several weeks—that thousands of American boys will be killed in southeast Asia. For if this war is escalated into North Vietnam, a holocaust of major proportions will result.

I have no intention of sitting in the Senate and supporting a program which will kill American boys in the jungles of Indochina without any justification.

Mr. President, I hope that my Government will go much further than merely to suggest that a United Nations council or peacekeeping corps of some kind be set up to patrol the borders of South Vietnam and Cambodia. Along with the Senator from Alaska [Mr. GRUENING], I would welcome that, of course. It is better than nothing, but not much better than nothing. It could be the beginning of a full-scale program of returning to the United Nations in practice. That is what I hope it will lead to. But we do not have much time, for the situation can get out of hand.

We have been dragged before the United Nations by a complaint from Cambodia. As the Senate knows, for many weeks past I have been warning in my almost daily speeches that sooner or later we would be called to render an accounting before the United Nations on this issue. It was up to little Cambodia to file its complaint, after she had kicked us out of Cambodia.

If it were not so tragic, it would be amusing to read that part of Stevenson's speech yesterday which admitted violation of Cambodian borders in the incidents in which we were caught red-handed.

I have received many letters written by American servicemen in South Vietnam to the effect that violations of the borders of Cambodia have been frequent.

We must expect that to happen, Cambodia is a small territory. With all the air combat going on, it must be expected that violations of her borders will occur. That does not make it right. That does not excuse it. But that is a part of the warmaking business. What I wish to do is to get my country out of the warmaking business into the peacekeeping business. We are a member of a great organization known as the United Nations which has as its primary purpose—in fact, its objective—the maintenance of peace by resort to peaceful procedures of international law encompassed by reference in the United Nations Charter.

So I say to my President, to my Secretary of State, to my Secretary of Defense—and now to Adlai Stevenson: "Please bring to an end your illegal McNamara's war in South Vietnam. Stop it. Call upon the United Nations to take over and maintain a peacekeeping corps in southeast Asia which will bring an end to the killing that is going on."

I state once again the great tenet of a great Republican who was my best teach-

er in the field of foreign policy. I have cited it before, but it needs to be repeated again and again, because we have pretended that it was the basis of American foreign policy vis-a-vis the United Nations. I want to make it not a pretense but a reality. That great Republican from Michigan, Arthur Vandenberg, chairman of the Foreign Relations Committee of the Senate, one of the architects of the San Francisco Charter, at one time the leading isolationist in the Senate, to become, in my opinion, the leading internationalist of this body, left us the tenet which I should like to leave with the Senate again today, as I close my remarks:

There is no hope for permanent peace in the world, until all the nations of the world, not just those we like but all the nations of the world are willing to set up a system of international justice through law to the procedures of which will be submitted each and every dispute that threatens the peace of the world, for final and binding determination, to be enforced by an international organization such as the United Nations.

I recommend this tenet for reappraisal, review, and reconsideration by the heads of my Government, the President, the Secretary of State, and the Secretary of Defense—and I suggest that Adlai Stevenson reconsider it also.

I suggest that Adlai Stevenson, as the American Ambassador to the United Nations, who owes a trust not only to the United States but also to the United Nations itself, proceed to do what he can to implement that great principle of American foreign policy, at least as a first step to return on the long road of retreat from statesmanship which he made yesterday, when he delivered that unfortunate, unfounded, and fallacious speech before the Security Council of the United Nations.

[Applause from the galleries.]

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. TALMADGE. Madam President, throughout all of Anglo-Saxon history, from ancient England to the present time, the people have come to learn that the right to a trial by jury is of the utmost importance to the preservation of their life, liberty, and property.

History shows that this was a hard-learned lesson, and that often, in order to assure themselves this right, the people were compelled to resort to rebellion and even bloodshed, and revolution against rulers who would oppress them and attempt to make them mere chattels of the government.

It is a difficult thing, and this we all know, to take the power to oppress away from government once it has been given this power. Governments always are hungry and thirsty for power, and once it is placed within their grasp, it is next to impossible to ever take it away. So it has been throughout all of history, and so it is today.

We have liberty and freedom in America. We owe it to the courage, foresight, and the wisdom of our forefathers. It is a rich heritage that we enjoy as have no other people in history.

We are a free people because our system of government is based upon the sound philosophy that all power of the Government is derived from the consent of the governed. In this country, the actions of the Government is determined by the will of the people. The will of the people is not bent to the will of the state as it is in totalitarianism and communistic government.

However, we must ever be vigilant to protect our rights and freedoms and not to take them for granted. For history also has shown that when the people are unwary and not careful about the power they bestow upon their government, they have found themselves entwined in the tentacles of oppression.

One of the most basic of all of the rights of the American people is the right of a trial by jury in our courts of law in all criminal prosecutions. Without this right, we would soon lose all that we hold dear. It is interesting to trace the Anglo-Saxon history of jury trials and it is especially noteworthy to see how this right evolved from ancient history, to Magna Carta, to the Declaration of Independence, to the Constitution, and to the present day.

And when we see how people have struggled and fought and died to secure the right to a trial by jury, it underscores the amazement which I feel in finding myself compelled to stand in this Senate today to speak in its behalf, to defend it and to urge it.

To my mind, it is not a debatable issue. It is as basic and fundamental a right as any to be found in the Constitution.

I now wish to read a history of jury trial, with particular emphasis on efforts which have been made over the centuries to abrogate it, in the hope that the lessons of history will be heeded:

TRIAL BY JURY: OUTLINE OF ORIGINS AND EFFORTS TO ABROGATE

A. ENGLISH ORIGINS OF TRIAL BY JURY

Modern scholars agree that trial by jury as we know it today had its origins in medieval England in the first century and a half of Norman rule when William the Conqueror and his heirs sought to strengthen their hold upon the foreign land which they had conquered.

1. The Anglo-Saxon system of justice which William discovered in England at the time of the conquest had elements that foreshadowed the use of juries. The courts were presided over by a reeve (sheriff), and 12 senior thanes (lords) usually acted as the judges. According to a law of Ethelred (c. 981), they "swear on the relic that is given to them in hand, that they will accuse no innocent man, nor conceal any crime." The customary method of asserting innocence was for the accused to bring forward 12 compurgators, who would swear together on his sound char-

acter and good reputation. These two elements, combined with a reliance upon sworn witnesses and neighbors and upon openness in all dealings presented the legal background upon which the Normans built a formalized procedure.

2. The earliest clear use of the jury is found in the sworn inquest, originally a Frankish or perhaps even Roman practice whereby the ruler sent out his agents to question people throughout the kingdom on any matter of government or administration which interested him. William the Conqueror instructed his agents to summon a number of reliable, knowledgeable men in "every shire and hundred," put them on oath to tell the truth, and then ask about landholdings, property, previous tax assessments, and similar matters. These sworn inquests provided the material for the Domesday Book, which recorded the names and properties of all landholders. One of the most famous of these inquests was held during William's reign on Pennenden Heath where Lanfranc, Archbishop of Canterbury, reclaimed the lands which had been taken from the archbishopric by Williams' ruthless half brother, Odo of Bayeux. For 3 days all the important men of the county were heard, swearing that Lanfranc was the lawful holder of the lands in dispute.

3. The function of the jury as essentially a local factfinding board continued through the reign of Henry II in the inquest on sheriffs to inform the King about the conscientiousness of his representatives, and through the reign of Richard I in the assessment by local juries of the Saladin tithe of 1188, the first tax on income and personal property, needed to finance Richard's crusade.

4. The scope of the jury was greatly expanded by Henry II as a means of indicting those who had violated the King's peace by robbery, thievery, murder, arson, or counterfeiting. In these assizes, the itinerant justices were assigned definite schedules and areas in which they were to try in the King's name all men accused by their neighbors of these misdeeds. Henry II also initiated three new actions whereby the decision of a jury would determine whether anyone had been wrongfully ousted from possession (as distinct from title), and if so, would immediately reinstate him.

5. Thus the jury was originally developed not to give a verdict but to supply evidence on oath, as witnesses do today. Insofar as this evidence amounted to an indictment, the juries were parallel to modern grand juries. Until the 13th century, the indictment by jury was followed by a trial by ordeal, battle, or compurgation (in which the accused endeavored to produce as many men as possible to swear to his innocence). Only as the men came to doubt the validity of ordeals, as the church refused to preside over the ordeals, which thus could not be said to reflect God's will, and as men became willing to accept the opinion of a second, deciding jury (which might contain the same personnel as the indicting jury), did trial by jury become universal. Ironically, however, all men were still thought to be entitled to God's verdict through ordeal rather than to be forced to rely upon a mere human decision, and trial by battle was not formally abolished in England until the 19th century.

6. Trial by jury was always a privilege offered only by the king in his courts. The feudal lords were not permitted to offer jury trials but were themselves the judges in their own courts. As a result, since many cases involved alleged malpractices by the lords, litigants relied more and more on the king's courts with their relatively impartial juries. This increased appeal to the royal courts, caused almost entirely by the innovation of jury trials, was perhaps the greatest single factor in the development of a strong central administration in England, an administration which, moreover, was never wholly dependent upon the feudal classes for its

services nor ever wholly divorced from the middle classes who helped to administer its justice.

B. MAGNA CARTA AND TRIAL BY JURY

Clause 39 of Magna Carta provided: "No freeman shall be taken or [and] imprisoned or dissembled or exiled or in any way destroyed, nor will we go upon him, except by the lawful judgment of his peers or [and] by the law of the land." Modern scholars are agreed that this did not refer specifically to trial by jury at that time. Rather it was intended to put an end to rapacious King John's habit of taking hostages, levying exorbitant fines, and imprisoning nobles without even consulting his own council of barons. But both in its immediate effect and in its later interpretation, the clause did contribute to the idea that every man was entitled to a legal hearing before any penalty, detention, or dis-possession.

Madam President, I wish to repeat that this provision of Magna Carta provided that no person shall be deprived of his freedom or property "except by lawful judgment of his peers, or by the law of the land."

Are we now to go back on Magna Carta? Are we to go back on our Constitution, in which in four instances, there is provided a jury trial in the prosecution of criminal cases? Are we to turn our backs upon so fundamental a right as that of trial by jury?

Madam President, this is precisely what we would be doing if we were to enact this force legislation which, in at least five of its titles, would permit honest, hard-working, sincere, and law-abiding citizens to be hauled before a Federal tribunal by the Attorney General and summarily sent to jail without benefit of trial by jury, without having their guilt or innocence decided or passed upon by 12 men good and true from their own communities.

We cannot compromise this right by providing that some accused persons in some cases would be given a trial by jury if accused of criminal contempt of court under the harsh and punitive provision of this misnamed legislation.

Magna Carta provided that no man should suffer the loss of his freedom or belongings without a trial by jury; and I am wholeheartedly in agreement with this principle.

Our Constitution declares, in article III, section 2, paragraph 3, in no uncertain terms, and in the clearest language possible, that "the trial of all crimes, except in cases of impeachment, shall be by jury."

Furthermore, to reinforce this provision, to insure it for our people for all time, the right to a trial by jury was provided for in the Bill of Rights.

In the sixth amendment we are told so that no one could mistake its meaning, that accused persons shall enjoy the right to a speedy and public trial in all criminal prosecutions; not some criminal prosecutions, Madam President, but all criminal prosecutions; not only where a person may be sentenced for more than a certain number of days or fined more than a given number of dollars, but "in all criminal prosecutions."

I continue reading:

C. ATTAINT OF JURORS AND STAR CHAMBER

1. The greatest threat to jury trial in the Middle Ages was the decreasing strength of

the kings who controlled the royal justice. For whenever a weak king came to the throne, the feudal nobles did not hesitate to bribe or threaten jurors flagrantly. Many kings, often handicapped by the need of noble support for foreign wars, had not the power to check these mighty barons.

2. The process of attain, originally devised to provide extra protection to the defendant, constituted one royal weapon against the corruption of justice. It was really an extension of the original concept of the jury as a panel of witnesses rather than judges. When the jury gave a verdict that seemed to contradict the known facts, the jurors themselves could be tried or attainted for perjury, convicted, and imprisoned. This practice, although originally intended to remedy abuses, lent itself very easily to further abuse, since the feudal lords were also able to attain juries who decided against them. The result was that jurors occupied a very precarious position and that litigation often dragged on for as much as half a century. Actions for attain were not finally prohibited until the famous Bushell case of 1670 when a judge attempted to imprison a whole jury for a verdict with which he disagreed. By that time, juries were clearly recognized as decisionmaking rather than evidence-giving bodies, and therefore the charge of perjury was no longer applicable. Actually with the coming of the strong Tudor and Stuart governments the lengthy process of attain had fallen into disuse.

3. The Tudor and Stuart method of insuring fair juries was more direct, but perhaps also more repugnant to our own ideas of justice. The court of the star chamber which had gradually developed from the king's privy council and was comprised of certain privy councilors, bishops, and judges, was in 1487 given specific jurisdiction to hear and settle in closed session any disputes, legal, judicial, administrative, in which the interest of the king was involved.

Mr. LONG of Louisiana. Madam President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. LONG of Louisiana. Does the Senator's research on the subject indicate that the organization of the star chamber actually had a good and worthy purpose when it first started?

Mr. TALMADGE. The Senator is entirely correct. It was an improvement over the then existing system. But as the Senator is well aware the star chamber itself became very corrupt. Charles I, I believe it was, later lost his head because of the star chamber trials.

Mr. LONG of Louisiana. Is that not one more example of how the theory that "The end justifies the means" can go astray and do great harm by starting with a meritorious purpose, but with a method which denies people their fundamental freedoms, with the result that in the end it is a very horrible thing, practically a Frankenstein monster?

Mr. TALMADGE. The Senator is correct. The star chamber proceedings started out to correct abuses that then existed in England. But they became so horribly corrupt that the people rebelled, Charles the First lost his head, and the star chamber procedure was abolished.

Mr. LONG of Louisiana. Can the Senator tell me whether the star chamber trials were those in which the great liar, Titus Oates, would testify as a professional witness?

Mr. TALMADGE. I believe that was illustrated in my research.

Mr. LONG of Louisiana. Were the star chamber proceedings those in which a man did not have an opportunity to confront and cross-examine his accuser, or the witnesses who were called to testify against him?

Mr. TALMADGE. The Senator is entirely correct. That is the weakness of any system that does not have the protection of the devices that our forefathers devised—that is, indictment by a grand jury, the opportunity to cross-examine witnesses, to have a jury trial, to be represented by counsel, and all of the protections that have developed throughout history as being vitally necessary to insure a fair trial for the accused and to preserve liberty for all our people.

Mr. LONG of Louisiana. Does the Senator recognize the fact that under the terms of the bill, the Attorney General would be given the power not only to dispense with the jury trial—if the judge would go along with him—but he would also have the ability to have the case tried before a judge whom he, as a practical matter, had recommended for the Federal bench, and who perhaps hoped to obtain a promotion by means of the recommendation of the same Attorney General. Is it not true that the Attorney General would also have the power, in the event he thought that judge would not decide in his favor, to bring in two additional judges?

Mr. TALMADGE. The Senator is correct. The Senator has placed his finger on the weakness of the whole situation. Under the revised amendments that have been discovered somewhere by the ad hoc, unknown committee, and which have been circulating around the Chamber—from no Senate committee, incidentally—the Attorney General would even be authorized to determine in what areas of the country, in what cities, or in what towns certain laws would be applicable before bringing the defendants to trial before the judges he had appointed.

Mr. LONG of Louisiana. Is the Senator aware of the fact that it is in the fifth circuit that the bill is hoped to have its greatest impact?

Mr. TALMADGE. The Senator is correct.

Mr. LONG of Louisiana. Is the Senator aware that the presiding judge in the fifth circuit has had a way of being appointed on the three-judge courts when they prefer two judges who have a way of deciding against white people in certain cases?

Mr. TALMADGE. If the Attorney General wants to carry it a step further, he can select the stacked judges under all conditions.

Mr. LONG of Louisiana. Would it not be fair to say that when he asked for a three-judge court, it would be known what two judges he wanted to select for the three-judge court?

Mr. TALMADGE. That is correct. He would want to select judges who he knew had preconceived notions.

Mr. LONG of Louisiana. Would it not be fair to say that the effect of the bill would be that in the event the case were to be tried before a judge who had the respect of the community, the Attorney

General would want to be sure that he could bring in two additional judges who might be despised by the same community?

Mr. TALMADGE. The Senator has stated it correctly. A year or two ago, a judge from North Dakota was brought to Arkansas to try a case.

Mr. LONG of Louisiana. That was before they got John Minor Wisdom, and others of his caliber.

Mr. TALMADGE. That is correct. They try to deprive the defendants of a trial by jury, and then they permit the Attorney General to stack the court as he sees fit by going all over the country to select judges whom he prefers. I thank the Senator for his colloquy and for his penetrating questions, which have helped to demonstrate the evil that would destroy the freedom of all citizens in the country, whoever they are, wherever they may reside.

Mr. LONG of Louisiana. Would it not be fair to say that the result of this provision would be not only to deny a man the right to be tried before a jury, which the Constitution seeks to give him, but also to guarantee to the Justice Department that it can obtain two prejudiced judges to hold against the defendant?

Mr. TALMADGE. The Senator is correct. The entire proposal is devised on a "heads I win, tails you lose" basis. It was drafted with that end in view.

Mr. LONG of Louisiana. I thank the Senator.

Mr. TALMADGE. I continue to read from the history of jury trial:

Originally the Star Chamber performed a useful task, settling disputes between and punishing important barons who might otherwise have escaped through common law loopholes, looking into cases of alleged jury corruption, handling many administration matters equitably and efficiently, and in general reinforcing rather than competing with the other branches of royal justice.

4. But, as with many other institutions founded in the best of faith and very well equipped to handle certain immediate problems, the star chamber tried to extend its potentially unlimited power into fields where it should never have gone. Under Charles I the bishops on the court undertook to punish religious writers with whom they differed, to try to enforce a censorship on all printed matter, and to mete out cruel and unusual punishments for minor political offenses. The Star Chamber had clearly outlived its usefulness as a method of controlling rebellious barons and was becoming an instrument for religious and political persecution. The star chamber with its denial of the trial by jury which Englishmen had come to feel was their right constituted one of the main grievances against Charles I, and was an important element in his fall. One of the first acts of the Parliamentary Party after it had gained the upper hand was to abolish the star chamber in 1641, and to assert the right of every Englishman to a fair and open judgment by his peers.

5. Nevertheless, unscrupulous judges continued to use the threat of attaind and fines against jurors with whose verdicts they disagreed. In the famous trial of William Penn, the Quaker, in 1670, the judge and court officials threatened the jurors with starvation, fines, and other punishments if they did not declare the defendant guilty of speaking at an unlawful (that is, Quaker) meeting. When the jury absolutely refused to alter their verdict, the judge had them

all taken to Newgate prison, where they remained until the court of common pleas declared their commitment illegal.

6. Another instance of the power which judges could wield over juries fearing punishment themselves is shown by the bloody circuit of Judge Jeffreys in 1686. Jeffreys headed an ecclesiastical commission which set out to punish all nonconformist sympathizers of Monmouth's rebellion. He browbeat and threatened juries ruthlessly, with the result that over 300 people were killed and over 800 sold into slavery. This abuse of the right to a fair jury trial was an important contributory cause of the glorious revolution, which deposed James and his heirs from the throne forever.

D. TRIAL BY JURY IN ENGLAND DURING THE FRENCH WARS

During and after the French Revolution a panicked fear of revolutionary elements led to repressive censorship and severe curtailment of civil liberties in England. But fortunately there were also men like Charles James Fox who continued to place faith in the people and who eventually won several important victories for the principle of trial by jury.

1. In 1793 Parliament passed an act suspending habeas corpus for a year in certain cases. This act, renewed several times, abrogated the ancient privilege conferred by the writ, and therefore in effect denied the accused the right to a jury trial before detention. Although most of the upper classes accepted this as necessary protection against revolutionaries, Charles James Fox never ceased to protest this invasion of civil liberties and the denial of trial by jury. Fox himself was expelled from the Privy Council in 1798 for proposing the toast "Our sovereign—the people." But within a decade, the crisis abated, his words were heeded, and habeas corpus and the right to trial by jury were restored, never again to be suspended in England.

Mr. SPARKMAN. Mr. President, will the Senator from Georgia yield to me for a question?

The PRESIDING OFFICER (Mr. WALTERS in the chair). Does the Senator from Georgia yield to the Senator from Alabama?

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from Alabama for a question.

Mr. SPARKMAN. First, I commend the Senator from Georgia for his continuing and very able, clear, and lucid defense of the right of trial by jury.

Mr. TALMADGE. I thank the distinguished Senator from Alabama. I return the compliment, because he has made some of the most magnificent speeches it has been my pleasure to hear since I have been a Member of the Senate. I compliment him heartily.

Mr. SPARKMAN. I thank the Senator from Georgia.

By the way, I used the phrase "defense of the right of trial by jury." Did the Senator from Georgia ever believe he would be called upon to defend that right?

Mr. TALMADGE. Even before I entered law school, I used to go to court, occasionally, to watch my father try cases. Then I entered the University of Georgia, and studied civics and history; and later I entered law school. I learned that the greatest right free men and women have is the right of trial by jury. It took bloody revolutions and sacrifices over hundreds of years to achieve this greatest of human rights. I never

dreamed that at this late hour, in the year 1964, almost 1,000 years after Magna Carta, and almost 200 years after the Declaration of Independence and the Constitution of the United States, I would be standing on the floor of the U.S. Senate and would be defending and speaking to protect and preserve the right of the 190 million American people to trial by jury.

Mr. SPARKMAN. And pleading with other Senators of the United States to vote to preserve the right of trial by jury?

Mr. TALMADGE. The Senator from Alabama is correct.

How Senators could ever read the history of the right of trial by jury and the history of the Star Chamber trials and the history of Judge Jeffreys, and the history of similar developments, and then say the jury trial system is antiquated and that we need to strike it down and end the right of trial by jury, and that our forebears were all wrong, and that now we should turn the fate of our people over to handpicked judges appointed for life, not elected by the people, and let them determine all these things, is more than I can understand.

Mr. SPARKMAN. And not even have the cases tried by the judges regularly assigned to the areas where the cases arise.

Mr. TALMADGE. Oh, yes. The Attorney General would be authorized to "stack the deck."

Mr. SPARKMAN. And to assign to the cases the judges he picked.

Mr. TALMADGE. Yes.

Mr. SPARKMAN. By the way, under the amendment of the Senator from Georgia which calls for the right of trial by jury, his amendment would be complete, and would not necessitate any addition whatever, would it?

Mr. TALMADGE. That is correct. The amendment would apply to all criminal cases of every kind and character.

I point out that an identical amendment was adopted by the Senate in 1957, by a vote of 51 to 42. One of the co-authors of the amendments at that time was the late, martyred President John F. Kennedy. Another coauthor at that time was the distinguished majority leader of the U.S. Senate, the Senator from Montana [Mr. MANSFIELD]. Furthermore, the concluding speech made at that time on the floor of the Senate was made by the then distinguished majority leader of the Senate, Lyndon B. Johnson, now President of the United States.

Mr. SPARKMAN. By the way, that speech was in favor of the amendment, was it not?

Mr. TALMADGE. Indeed it was.

Furthermore, I point out that the Senator from Alabama and I are now standing for exactly what John F. Kennedy, MIKE MANSFIELD, and Lyndon B. Johnson stood for in 1957.

Mr. SPARKMAN. The Senator from Georgia submitted his amendment about 4 weeks ago, did he not?

Mr. TALMADGE. Yes, it was at about that time.

Mr. SPARKMAN. Since then, we have been served with notice—that is all, so far—that a brand new bill will be put

before us, probably some time next week. I have not counted the amendments, but I understand there are more than 70 amendments.

Mr. TALMADGE. I am sure the Senator's source of information is the same as mine. We read it in the press, and we hear rumors about it; and then we hear over the airwaves that this mysterious committee, which is unknown to the Senate, is going to bring in a bill, and that "that will be it," and that we will be gagged, and will have to knuckle under, and will have to take what that committee says.

Mr. SPARKMAN. The Senator has seen what purports to be the first draft of that bill, has he not?

Mr. TALMADGE. I have seen a memorandum that came to my desk. It was signed by a Senator, but it did not have the imprint of any legislative committee. It was not accompanied by any committee report. There was no explanation of it. It was not even on official paper. It came into my office in some way. Whether it blew in the window, whether a page brought it in, whether it came through the mail, or whether it fell out of the trashbasket, the Senator from Georgia has no way of knowing.

Mr. SPARKMAN. There was no name attached to it?

Mr. TALMADGE. There was a name attached to the piece of paper on the memorandum document, but there was no information attached to that.

Mr. SPARKMAN. On the document itself.

Mr. TALMADGE. There was no pride of authorship. No one claimed credit for it. It was a foundling. From whence it cometh no one knoweth.

Mr. SPARKMAN. What is that old saying about our friend the mule? "No pride of ancestry, no hope of posterity."

Mr. TALMADGE. The Senator is correct—"No pride of ancestry and no hope of posterity." Perhaps the document comes in that category. However, I wish to defend the mule. In my more youthful days I used to plow with a mule from time to time.

Mr. SPARKMAN. So did I. I rode the mule.

Mr. TALMADGE. It was a part of the economy of Georgia, Alabama, and much of our Nation. The worthy mule kept a good many of us from starving to death. I would not want the mule to be placed in the same category with this other foundling about which I have spoken.

Mr. SPARKMAN. I should like to say something else about the mule, because I join the Senator in paying high compliment to the mule. As the Senator said, the mule has meant a good deal to the economy of our country—not only our section of the United States, but also the entire Nation.

Mr. TALMADGE. The Nation and the world, for that matter.

Mr. SPARKMAN. I remember as a boy hearing people say, when they talked about putting out one's utmost and doing one's best, "I will do my best, and that is all a mule can do."

Mr. TALMADGE. That is correct.

Mr. SPARKMAN. That was a pretty good compliment to the mule, was it not?

Mr. TALMADGE. That is entirely correct. I agree.

Mr. SPARKMAN. We were speaking about the rumored report that has been going around that we shall be served with a bill some time next week, or perhaps not until after the California primary. Is it not rather strange that activities in faraway places affect the actions of the Senate?

Mr. TALMADGE. It is unthinkable to me that the Senate of the United States should even consider primaries in dealing with legislative subjects.

Mr. SPARKMAN. But the Senator has heard that rumor.

Mr. TALMADGE. I have heard the rumor. In fact, I read it in the press.

Mr. SPARKMAN. We have heard it over the radio.

Mr. TALMADGE. That is true.

Mr. SPARKMAN. The proponents of the measure talk about cloture and related subjects, but they say that there will be no move on the bill until after the California primary.

Mr. TALMADGE. Yes; I have seen such a report in the press several times.

Mr. SPARKMAN. I am not so sure that the proponents will offer that large package of amendments, which must be almost a half-inch thick—

Mr. TALMADGE. I have heard rumors that there were 70 amendments.

Mr. SPARKMAN. More than 70.

Mr. TALMADGE. I do not know that anyone has counted them. No one has reported exactly what they are. But I am sure that it will require considerable time to analyze in detail the contents of those amendments. For example, I understand that one of those amendments would authorize the Attorney General to determine at his own pleasure what laws of the Government would be applicable in certain areas of the country. He could say that a particular law would be applicable in a certain parish in Louisiana and would not be applicable in another parish in Louisiana, or that it would be applicable in Idaho, but not in Georgia.

Mr. SPARKMAN. Would it not be the other way around? Would it not be applicable in Georgia but not in Idaho?

Mr. TALMADGE. Very likely. I am talking about the discretion which would lie in the hands, the bosom, and the heart of the Attorney General.

Mr. SPARKMAN. The Senator knows as a matter of general information how it would operate.

Mr. TALMADGE. I have an idea, but the Senator from Georgia has always been under the impression that laws were made to affect all people at all times and in all places.

Mr. SPARKMAN. The Senator from Georgia does not make that statement about the pending bill.

Mr. TALMADGE. No; of course not.

Mr. SPARKMAN. I am talking about the bill. Does the Senator know of anything in the purported amendments, the rumored bill, that would change in any way the original provision with reference to trial by jury?

Mr. TALMADGE. Indeed not. All that I have been able to hear about the purported new bill is to the opposite effect. It would draw the noose even tighter. It would authorize the Attorney General to select his courts at will and to determine in what counties, parishes, and State the bill would be applicable, and in what areas it would not be applicable. Complete dictatorial powers would be vested in the Attorney General of the United States.

Mr. SPARKMAN. During the Senator's legislative career, either in the Congress or in his State, has he ever encountered legislation so discriminatory as the measure before the Senate?

Mr. TALMADGE. I never have, in all the history of our great Republic.

Mr. SPARKMAN. That point leads me to another subject. We must turn to newspaper reports to determine what the new bill, or the 70 amendments, would do.

Mr. TALMADGE. We must obtain our information from the newspapers or the airwaves, or some rumor that we pick up from someone who has received information from other sources.

Mr. SPARKMAN. Three days ago I was attracted by an article that appeared in the Washington Evening Star under the byline of J. A. O'Leary. The title of the article was "New Rights Bill Accord." Who accorded to it?

Mr. TALMADGE. The Senator from Georgia was not even invited to the meeting. He had no knowledge that any meeting was even occurring. He heard of no witnesses being invited. He knew of no testimony that was offered. There was no opportunity to cross-examine anyone. So far as the Senator from Georgia knows, the proponents might have met at a fortune teller's home and had her pass judgment on the document.

Mr. SPARKMAN. In any event, the Senator from Georgia is not privy to their meeting or to their counsel.

Mr. TALMADGE. The Senator from Georgia was kept in deep darkness about the whole subject; and, so far as I know, virtually every other Member of the Senate was also.

Mr. SPARKMAN. I should like to read the headline which I started to read: "New Rights Bill Accord Bans Busing of Pupils." Of course, we know that in the original bill the busing of pupils was banned.

Mr. TALMADGE. No; in the original bill the busing of pupils was not banned.

Mr. SPARKMAN. It was not banned, but it was not required.

Mr. TALMADGE. Yes.

Mr. SPARKMAN. It was not required. There was a provision in the bill specifically exempting the busing of pupils as a requirement.

Mr. TALMADGE. The Senator from Alabama has reached the second step of the evolution.

Mr. SPARKMAN. I did not mean in the original bill which was presented to the House, but I meant the bill as it came to the Senate.

Mr. TALMADGE. The bill authorized the hauling of schoolchildren to wherever they could be carried to achieve the greatest mixing effect.

Mr. SPARKMAN. The Senator is correct on that point. I meant the original

bill so far as we in the Senate are concerned.

Mr. TALMADGE. Then there was rebellion from certain areas of the country.

Mr. SPARKMAN. Including Westchester County. The Senator knows where that is, does he not?

Mr. TALMADGE. Oh, yes, indeed. There was rebellion in certain areas of the country.

Mr. SPARKMAN. There is no integration in Westchester County, N.Y.

Mr. TALMADGE. When the question arose, the provision was stricken from the bill on the floor of the House. Now the bill has come to us as a document designed to attain the maximum degree of mixing in southern areas and a minimum degree of mixing in other areas.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SPARKMAN. Will the Senator permit me to conclude?

Mr. TALMADGE. I yield to the Senator from Alabama until he concludes his colloquy.

Mr. SPARKMAN. The Civil Rights Commission is my authority for the statement which I am about to make. I call to the attention of the distinguished Senator from Illinois that the Civil Rights Commission, which the Senator has supported so well, pointed out that the most highly segregated city in the United States is Chicago.

Mr. DOUGLAS. Mr. President, will the Senator yield so that I may reply?

Mr. TALMADGE. Mr. President, I shall yield in a moment.

Mr. SPARKMAN. They get by, by saying that the segregation is not de jure but is de facto. The segregation exists just the same, and the bill makes certain that that segregation will not be interfered with. But I wish to call to the Senator's attention the new proposed amendments.

Mr. DOUGLAS. Mr. President, since the name of my city has been called in question—

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield at this point without affecting my rights in any way whatsoever to the floor briefly to the Senator from Illinois for a reply.

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

Mr. DOUGLAS. I thank the Senator from Georgia.

First let me say, on the question of voting rights, that Negroes have equal voting rights, and that is the practice in the city of Chicago. I wish they had this right in Alabama, in Georgia, and in other cities and States of the South.

Second, they have the legal right to attend schools which are mainly attended by whites; and a considerable number of the schools of the city are in fact desegregated.

It is true that schools are in the main constructed on neighborhood patterns, so young children will not have too far to walk to and from school. It is true that residences tend to be concentrated, but not entirely so, with Negroes in one section of the city and whites in another section, and that this of necessity results in a considerable number of schools

which are, as the Senator from Alabama has said, de facto segregated.

In the first place, this is not as bad as though they were legally segregated. In the second place, we in Chicago are trying to achieve a greater degree of actual desegregation.

A report has just been brought in by a committee headed by Prof. Philip Hauser, recommending that the school districts be enlarged so that they will include white neighborhoods as well as colored neighborhoods, and that in the elementary schools students be transported to the schools of their choice, at public expense, and that freedom of choice be given over the entire city so far as high schools are concerned, but that here each student would have to transport himself at his or his family's expense.

I read in this morning's Chicago newspapers that a committee of 20 has been established as recommended by the Hauser report to implement these recommendations and carry them out.

So we are trying in a positive way to overcome de facto segregation.

A third and very important feature of the bill relates to public accommodations, under title II. We have had in Illinois a State public accommodations law since 1885, which has been progressively amended and strengthened many times since then, and never with a backward step, always with a forward step. It includes not only the categories listed in the pending bill, but barbershops and a number of other categories which are not included in the pending bill.

There is no segregation so far as parks, playgrounds, and swimming beaches are concerned. Formerly there was de facto segregation on the swimming beaches, but that is not true now.

Finally, so far as a fair employment practices law is concerned, 2 years ago the State passed a State fair employment practices act. The city of Chicago had passed a fair employment practices ordinance years before that, and we are seeking to enforce it. The scope of coverage is the same as that in the proposed Federal act—ultimately a coverage of all firms with more than 25 workers.

We have many problems in the North, and we are certainly not perfect in the way we handle these issues. I wish to make that clear. We appreciate the greater problems which our friends in the South face, because they inherited the evil system of slavery, which we were fortunately spared, not necessarily because of superior character—

Mr. SPARKMAN. Because those in the North sold them to the South.

Mr. DOUGLAS. But because of facts of geography and climate. Those in the South unfortunately have been cursed with the results of the slavery system.

The point is that we are trying to improve. We have already gone a long way. We would like to see those in the South catch up with us. We will also go ahead more than we have.

Mr. TALMADGE. Would the Senator support an amendment to restore to the bill what it originally had in it—namely, a provision to provide for the busing of students in order to achieve perfect racial balance?

Mr. DOUGLAS. I do not think it was ever in the bill.

Mr. TALMADGE. It was, when it came to the floor of the House.

Mr. DOUGLAS. No. What happened in the House was that there was inserted in the bill a provision to the effect that the bill did not deal with racial imbalance inside a city. This is a matter for local and State action; and we are willing to let that question be decided locally. I do not think this is a matter for national legislation, because I do not personally think we should abolish the system of neighborhood schools; but I think we can broaden our neighborhoods.

Mr. TALMADGE. Was the Senator's answer in the negative or in the affirmative? Would he support such an amendment?

Mr. DOUGLAS. I do not think it would be appropriate to offer such an amendment.

Mr. TALMADGE. Is the Senator's answer in the affirmative or the negative?

Mr. DOUGLAS. I will wait until such an amendment is offered, but I am surprised that the Senator from Georgia, who claims to be such an apostle of States rights, should invade not only State but local and city rights. This is centralization gone mad.

Mr. TALMADGE. The Senator from Georgia is defending States rights, but the Senator from Illinois is now defending his own pattern of segregation.

Mr. DOUGLAS. No.

Mr. TALMADGE. I am asking the Senator if he would support an amendment to achieve perfect racial balance in Chicago; and the Senator will not answer my question.

Mr. DOUGLAS. I am supporting the Hauser plan for the city of Chicago, which provides for the widening of school districts and a much greater degree of desegregation in the schools, so that neighborhood schools would serve broader neighborhoods, so that both Negroes and whites, to a greater degree, could go to those schools than at present. Will the South accept the Hauser plan?

The statistical study which has been presented shows that there are a very large number of desegregated schools now. It so happens that my own area—Hyde Park Kenwood—is a desegregated neighborhood. We get along together very well. Our schools are desegregated, approximately 50 percent Negro and 50 percent white.

Would that the city of Atlanta and the city of Birmingham would do likewise.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TALMADGE. I desire first to respond to the Senator from Illinois.

Mr. DOUGLAS. And the city of New Orleans.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The statistics for the year 1960, which are the latest figures I have been able to obtain, show that unemployment among the whites in Illinois is 3.8 percent—less than 4 percent—while among the Negroes it is 11.5 percent.

Is it not hypocrisy to say that the Congress should enact a law in order to provide employment for Negroes, and end with unemployment among the Negroes three times as much as unemployment among the whites?

Mr. TALMADGE. We in Georgia would not want to wish that curse on Illinois if the situation were reversed.

Mr. LONG of Louisiana. These figures are based on the statistics. Consider the figures for Michigan. Unemployment among the whites is 6 percent, while it is 16.3 percent among the Negroes.

Look at the figures for Pennsylvania. For the whites unemployment is 5.8 percent, and for the Negroes it is 11.3 percent.

The ratio of Negro unemployment is 107 percent greater in the North, in the FEPC States, than it is in the South.

Would enactment of such a law as is proposed be the way to get a poor man a job?

Mr. TALMADGE. I do not believe so. I think it is the way to deny a man a job.

Mr. SPARKMAN. Mr. President, will the Senator yield at this point for a moment?

Mr. TALMADGE. I yield.

Mr. SPARKMAN. The Senator from Illinois said that segregation in Chicago was not legal. I suppose he means, it is not required by law.

Mr. DOUGLAS. Yes.

Mr. SPARKMAN. The Senator might be interested to know that Alabama has not had a single law requiring segregation in years.

Mr. DOUGLAS. It is enforced by the shotgun and by other methods as well.

Mr. SPARKMAN. The Senator was talking about Chicago and saying that segregation is de facto. In Alabama it is de facto.

Mr. DOUGLAS. I never thought the schools of Birmingham were desegregated.

Mr. SPARKMAN. It is not required. Furthermore, the reason the Senator has this integrated school in his neighborhood is that currently Negroes and whites live there together as they do in the South. We do not have great ghetto areas like those in Harlem, Chicago, Pittsburgh, Cleveland, Detroit, Philadelphia—almost any city one could wish to name.

The proponents were not content with the bill as it was originally presented to the House, not content even as it was amended in the House. A new amendment has been submitted, according to the press. I do not know this to be true, but it is quoted here. This is what it says regarding the transportation of students by bus. It does not say, "nothing in here shall be construed to require it." It provides:

Provided that nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school by the transportation of pupils or students from one school to another, or from one school district to another, in order to achieve such racial balance or otherwise enlarge the existing power of the court to insure compliance with the constitutional standards.

Mr. TALMADGE. They went a long way to prohibit anyone to make a ruling

like that, but as the Senator from Alabama knows, he and I have been watching the situation, looking at photographs, reading articles in the press, and watching television. There have been gigantic school strikes in New York City, Philadelphia, Cleveland, and Chicago, in order to achieve racial integration. Now a bill is brought in, the purpose of which is alleged to be to end discrimination which prohibits the opportunity to achieve a pure racial balance, if desired, in Chicago, in Cleveland, in New York, and other areas.

Mr. DOUGLAS. Just a moment—

Mr. TALMADGE. This might cause considerable consternation in many circles.

Mr. DOUGLAS. As a good Democrat, may I be allowed to participate in this discussion?

Mr. SPARKMAN. Is it not true that the language I have read even restrains—

Mr. TALMADGE. It dares the judge to even consider the question.

Mr. SPARKMAN. It takes it away from the courts.

Mr. TALMADGE. It dares the judge to enforce the order. It dares him to consider it.

Mr. SPARKMAN. Yes—to carry out constitutional standards.

Mr. TALMADGE. That is entirely correct. The Senator has pointed out a weakness in the particular measure.

Does the Senator from Alabama desire to ask a further question? If not, I shall yield at this time—

Mr. DOUGLAS. May I be heard?

Mr. SPARKMAN. If I may ask one further question, then I shall cease and desist.

Mr. DOUGLAS. I do not wish the Senator to do that. I do not wish him to leave the Chamber.

Mr. SPARKMAN. I was captivated by this quotation in the press of several days ago.

Mr. TALMADGE. It intrigued me, too. In fact, I never heard of that particular measure being retained in any act. It almost threatens any judge with impeachment if he dares to even consider a matter of this kind.

Mr. SPARKMAN. It is a great arm of the Congress, saying that the State could—

Mr. TALMADGE. The only power to remove a Federal judge would be through the U.S. Senate.

Mr. SPARKMAN. The Senator is correct. That would be the only way to do it constitutionally.

Mr. TALMADGE. That language points a finger at the judge and says, "If you dare even to consider such an issue as this, the Senate will 'defrock' you." That is the meaning of it.

Mr. SPARKMAN. The Senator is correct. The Senator also knows that many of us have thought from time to time that some restraints should be placed upon the courts.

Mr. TALMADGE. But that is not the proper way to go about it.

Mr. SPARKMAN. There should be a dividing line between the legislative and the judicial branches. We know that from the Constitution.

Mr. DOUGLAS. May I be permitted to get into this game of table tennis that is now going on?

Mr. SPARKMAN. An attempt is being made to tell the Supreme Court what it cannot do. This is aimed not only at the Supreme Court, but all the courts of the United States.

Mr. TALMADGE. All courts, and in the most brusque possible language—almost rude.

Mr. SPARKMAN. It is said, "Do not do it. Do not do anything otherwise than what is provided for under constitutional standards." Can anyone top that?

Mr. TALMADGE. The Senator from Alabama has put his finger on a very weak point.

Mr. SPARKMAN. Let me mention another point—

Mr. DOUGLAS. May I not be permitted to get into this game of shuttlecock? Apparently it is going to continue interminably. May not this hapless Senator be permitted to make a few comments?

Mr. SPARKMAN. I assure the Senator from Illinois—one day I mistakenly called him "the Senator from Chicago."

Mr. DOUGLAS. I am very proud to come from Chicago. I frequently refer to my good friend the Senator from Alabama as "the Senator from Huntsville."

Mr. SPARKMAN. I am proud of it. I am proud to come from Huntsville. Huntsville is my hometown.

Mr. TALMADGE. The Senator from Alabama has done a great deal of good work in Huntsville. I am sure that he is proud of Huntsville, as I am sure Huntsville is proud of him.

Mr. SPARKMAN. Huntsville orbited the first satellite the free world ever built—let us not forget that. It has played a great part in orbiting every other satellite since that time. But I am moving somewhat away from my subject now.

Mr. DOUGLAS. This seems like a movable time.

Mr. SPARKMAN. This is what I tried to move to a while ago when the Senator insisted on referring to shuttlecock, was it?

Mr. DOUGLAS. Battledore and shuttlecock.

Mr. SPARKMAN. I was intrigued by the quotation which I read in the newspaper some time ago. This is what we are talking about, in connection with the proposed civil rights bill. That was H.R. 7152, but I do not know what it will be if it has added to it several extra pounds of amendments—more than 70 of them; but this is what the speaker said:

But neither this law nor any law can be a solution. We must recognize that law can only provide orderly ground rules. It cannot play the game. It is easy for us in the North to patronize the South. It is so very much easier to see the morality of problems in Birmingham when you are sitting in Boston.

I might insert there, "Chicago," but the speaker said "Boston."

Whatever law is debated, whatever statute is enacted without public understanding—

Mr. TALMADGE. I certainly agree with that.

Mr. SPARKMAN. Does the Senator know who said that? This was in a

speech made by the Attorney General of the United States.

Mr. TALMADGE. I would agree with the Attorney General's comments at that time, and I would urge him to read and reread that same statement morning, noon, and evening.

Mr. SPARKMAN. I could continue indefinitely. I have enjoyed this colloquy very much. I would appreciate it if the Senator would allow my friend the distinguished Senator from Illinois to enter into this colloquy, inasmuch as I promised him that I would cease and desist.

Mr. TALMADGE. I appreciate very much the comments, the colloquy, and the words of wisdom of the distinguished and able Senator from Alabama. I agree with his conclusions wholeheartedly.

I am now glad to yield to the distinguished Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. I thank the Senator from Georgia. I am truly surprised that such able attorneys as the Senator from Georgia and the Senator from Alabama should be so carried away by sectional standards as to ignore the plain meaning of the revised bill which will shortly be presented to this body and have misinterpreted the decisions of the Supreme Court. It is painful but necessary to—

Mr. TALMADGE. I did not know that we had referred to any decisions of the Supreme Court.

Mr. DOUGLAS. It is my painful but necessary duty to—

Mr. TALMADGE. To what decision is the Senator from Illinois referring? Could he give me a specific example?

Mr. DOUGLAS. The section on transportation of pupils by bus.

Mr. TALMADGE. We are not talking about Supreme Court decisions, we are talking about a law which the Congress of the United States will write.

Mr. DOUGLAS. The provision in the proposed new title IV, to which the Senator from Alabama has called attention, merely reaffirms in statutory form the language in a recent decision of the Supreme Court, stating that in the absence of legislation or in the absence of a municipal ordinance, it is not—

Mr. TALMADGE. What the Senator is talking about is legislation.

Mr. DOUGLAS. It is not a violation of the 14th amendment to refrain from transporting students by bus from one section of the city to another; in other words, the 14th amendment does not carry with it the right to compel transfer from one neighborhood school to another by means of city-furnished transportation.

If the Senator from Alabama and the Senator from Georgia have some regard for the language—

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. I should like to read the language first.

Mr. TALMADGE. I should like to clear up that point before the Senator proceeds. The Senator from Georgia—and I feel certain the Senator from Alabama also—agree implicitly with what the Senator from Illinois is saying about the Supreme Court decision in the bus-

ing case. However, the Supreme Court has also said the same thing about public accommodations; yet the Senator from Illinois wants to ignore it. And at the same time he wants to hide behind the Supreme Court's decision, and keep his schools in Chicago segregated.

Mr. DOUGLAS. Does the Senator refer to the 1883 decision of the Supreme Court on the Federal public accommodations law of 1875?

Mr. TALMADGE. No; the decision of the Supreme Court in 1963. The Senator is a fine economist, but sometimes he is a little off base on his law.

Mr. DOUGLAS. There was a decision of the Supreme Court in 1883, declaring the Federal public accommodations law of 1875 to be unconstitutional.

Mr. TALMADGE. Yes.

Mr. DOUGLAS. But that has been long since reversed in the mind of the public.

Mr. TALMADGE. The Senator will find that the Howard Johnson decision, the one which originated in North Carolina, was passed upon by the Supreme Court as late as 1963. In that case the Court held that a private businessman had a right to select his customers. The Senator from Illinois wants to change that. He does not want to change the busing decision, but he wants to enact a law so there cannot be a pure mix of students in Chicago.

Mr. DOUGLAS. I should like to quote the passage in the proposed amendments which pertains to this point.

Mr. TALMADGE. I yield to the Senator for that purpose.

Mr. DOUGLAS. I thank the Senator. The passage reads:

Provided that nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

All this provides is that it is not proper to use the 14th amendment—to require the transportation of public school students from one school district to another in order to achieve a racial balance. That is precisely what the Supreme Court held in the recent case. I believe it was in the Gary case. This would permit States and localities to carry out this practice if they so desired.

Mr. TALMADGE. And Congress, if it so desired, by legislation.

Mr. DOUGLAS. We explicitly say that this is not our purpose. We would leave it up to the localities and the States for action. What we are trying to do is to have a minimum of Federal action and maximum of local action. But not to permit localities to violate the basic constitutional protections.

Mr. TALMADGE. That is what the Senator from Georgia desires. There is no difference between us in that respect, except that the Senator from Illinois wants to mix them in Georgia and segregate them in Illinois.

Mr. DOUGLAS. My friends from the South have never accepted the results of the Civil War. They have never ac-

cepted the 14th and 15th amendments to the Constitution as being part of our organic law.

Mr. TALMADGE. I have forgotten the Civil War. I hope the Senator from Illinois has forgotten it also. Sometimes I doubt it, because he fights it over and over again on the floor of the Senate, nearly every day.

Mr. DOUGLAS. I do not mean this to be a personal characterization of the Senator from Georgia. I simply refer to the section. As a result of the Civil War, the Nation decided that it would provide protection for all citizens against invasions, by the States of creatures of the States. In my judgment it must also do so against private persons who exercise State power. That is the constitutional basis for our proceeding under title IV. Public accommodations are something else again, because they involve the commerce clause as well as the 14th amendment.

I am becoming fed up with my dear friends for implying that we are hypocrites. We are not hypocrites. No one has ever heard from my lips any attack on the people of the South.

Mr. TALMADGE. I do not say the Senator from Illinois is a hypocrite. I have asked him if he would support an amendment to have a pure mix in the city of Chicago, and he would not give me an answer. He has not answered my question and he will not answer it.

Mr. DOUGLAS. I support the Hauser proposal. Will the Senator from Georgia pledge that he will support the Hauser plan for Atlanta and other cities of the South?

Mr. TALMADGE. I have asked the Senator a question about a pure mix in Illinois. The Senator from Illinois will not answer my question. He has consistently refused to do it. The Senator from Georgia does not know why, but he will not accuse the Senator from Illinois for being a hypocrite for not answering.

Mr. DOUGLAS. That is not the issue in the bill. The Senator from Georgia is trying to bring in extraneous matters.

Mr. TALMADGE. The Senator from Illinois brought in the Civil War. I did not do so.

Mr. DOUGLAS. The Civil War is unfortunately still with us. Sometimes I wonder who won it. I sometimes wonder if we should not have the Confederate flag flying from the Capitol, when I look at the committee chairmanships in the Congress. Perhaps it was not necessary for Lee to take Washington after all.

Mr. TALMADGE. I deeply regret that the Senator from Illinois does not recognize that the War Between the States ended 99 years ago. I hope that the Senator from Illinois one of these days will know and realize that that war ended 99 years ago, and quit fighting it every day on the floor of the Senate.

Mr. DOUGLAS. The war has ended, but the duration has just begun.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I ask the Senator if he is aware of the fact that

when the battleship *Missouri* sailed into Tokyo Bay—

Mr. TALMADGE. I was there on that day.

Mr. LONG of Louisiana. When the battleship *Missouri* sailed into Tokyo Bay to accept the surrender of the Japanese, a Confederate flag was flying from the mainmast. Perhaps the admiral did not know about it. However, it was indicative of the fact that southerners fought alongside with boys from all parts of the country, and even had a higher ratio of volunteers in the service of the country than any other section of the Nation.

Therefore I should like to say to the Senator that perhaps the South is the only part of the country which may have involuntarily become a part of the Nation. However, the South is not complaining about it. We have always proved ready to defend our great Nation.

Mr. TALMADGE. I agree with what the Senator from Louisiana has said. What he has said is true. The war ended in 1865. The Senator from Louisiana, being the able historian that he is, realizes that perhaps there never was such internecine bitterness and unhappiness as that which was the aftermath of the War Between the States. After the war the Southern States were occupied by invading armies.

State officials were dismissed from office. Military governors were appointed. The best citizens were disfranchised. The worst citizens were enfranchised. Graft and corruption and disaster were rampant everywhere for approximately 12 years.

There was no marshal economic program of any kind to help us. Our people almost starved to death. Never in the course of human history have a people been so completely subjugated and denied every aspect of human charity and dignity as was the people of the South.

Notwithstanding that fact, we were readmitted to the Union. We have made our contributions to the Union since that time. As the Senator from Louisiana is aware, southerners have fought valiantly in the war with Spain, in the First World War, in the Second World War, and again in the Korean war. Many of them are engaged in Vietnam right now.

We need not make any apologies for the South when it comes to questions of patriotism and loyalty to our country. I hope that every Member of the Senate will forget that unfortunate incident which happened almost 100 years ago. Unfortunately, the Senator from Illinois will not let a day go by without mentioning the War Between the States. Apparently what he wants to have is another military occupation of the South. The Senator from Louisiana and the Senator from Georgia are standing on the floor of the Senate trying to resist it. I hope the Senator from Illinois will desist.

I now yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, does the Senator from Georgia believe that the very eminent southern columnist, Mr. William S. White, is an accurate observer of the psychology of the South and the country?

Mr. TALMADGE. I should say that the eminent columnist to which the Senator from Illinois has referred is a more accurate observer than the Senator from Illinois.

Mr. DOUGLAS. Does the Senator know that in his book entitled "The Citadel" the southerner, Mr. William S. White, says that "the Senate is the South's undying revenge for Appomattox"? Out of their own mouths discerning and ardent southerners say that. I think it is true.

Mr. TALMADGE. I hope that the Senator from Illinois will not try to emulate William Tecumseh Sherman, who visited Atlanta on one occasion, and burn down the city again.

Mr. DOUGLAS. There is a question as to who first set fire to Atlanta. It might have been the Atlantans first, before Sherman. There is quite a dispute on that point.

Mr. TALMADGE. There is no dispute in my area of the country.

Mr. DOUGLAS. Oh, no. You feel very certain there.

Mr. TALMADGE. I hope the Senator from Illinois will not try to detract from the great military reputation and the accomplishments of William Tecumseh Sherman. He is given full credit for burning down Atlanta, and almost starving our people to death. Sherman himself said, "War is hell." And I believe him.

Mr. DOUGLAS. He believed in total war.

Mr. TALMADGE. He was one of the first generals who practiced total war. And he was very successful in his purpose. He broke the breadbasket of the South in his march through Georgia.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. Have we finished?

Mr. TALMADGE. If the Senator propounds another question, I shall be glad to answer it. The Senator from Louisiana was on his feet asking that I yield to him. I now yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Not all southerners have to apologize. And not all southerners should be punished because the South fought the Civil War. One of this Senator's forebears went to the convention and voted against seceding from the Union. My father told me that my great-grandfather not only said that we should refuse to fight, and should free the slaves, but when the sheriff came after him, he hid under the logs in the woodshed and would not have anything to do with it.

I am frank to say that we could do much more for the Negroes if certain people would quit stirring the resentment of the whites against the Negroes, and of the Negroes against the whites. It sets back the cause of the colored man.

During the time that my uncle was Governor of Louisiana, the colored registrations increased by 1,000 percent. But that was prior to the Supreme Court decision in the Brown case, and prior to the civil rights action that was going to get them the right to vote. All of the Federal compulsion has so stirred resentment among whites that now in

every parish there are people organized against it. If it were not for the resentment which has been aroused by the interference of the outsiders, and the strong arm of the Federal Government trying to make people do things that they resent, the Negro registration would have probably increased by 70 or 80 percent over what it is.

Mr. TALMADGE. I agree completely with the words of wisdom of the Senator from Louisiana. Of course, as the Senators know, he shares the view that most of us in the Senate have, and certainly the Senator from Georgia, that everyone is entitled to the respect which his merit, his character, and individual attainments entitle him to receive.

Every man ought to be treated in accordance with that fact, and that is the policy and the position of the Senator from Georgia. He knows many white people with whom he does not like to associate. He knows many Negroes that he does not like to associate with. There are probably some white people and Negroes who would not want to associate with the Senator from Georgia. That is their privilege. And I would defend their right to act accordingly. But man's relation to his fellow man is largely a matter of the heart, the mind, and the conscience. When Senators think they can pass coercive, jail sentence, Federal legislation and say to a little barber, "You must shave this man, whether you like it or not; you must shine his shoes, whether you like it or not; you must live in a boarding house with him whether you like it or not; you must eat in an eating place with him whether you like it or not," all such coercion as this can do is lead to discord, friction, and ill will.

I now yield to the Senator from Illinois. Mr. DOUGLAS. The Senator from Georgia is always very courteous.

Mr. TALMADGE. I thank the Senator. The feeling is mutual. I have had the privilege of serving with the Senator from Illinois on the Committee on Finance. I have never known a man whom I have enjoyed associating with to a greater degree than the able and distinguished Senator from Illinois.

Mr. DOUGLAS. I thank the Senator. I want to rise to a matter of personal privilege concerning the Senator from Virginia [Mr. ROBERTSON].

Mr. TALMADGE. Mr. President, I shall be delighted to yield if the Senator from Illinois desires me to do so. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois for a personal statement, without it affecting my rights to the floor in any way whatsoever, and without my subsequent remarks constituting a second speech.

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

(Mr. DOUGLAS made a personal statement, which will be found elsewhere, under an appropriate heading.)

Mr. TALMADGE. I return to my discussion of the history of jury trials in England:

2. Fox himself was responsible for the extension of the scope of jury trials in libel cases. Since the libel laws represented the principal restrictions upon freedom of speech in England, it had been customary for the judge in a libel case to decide himself wheth-

er a given publication was a libel and leave to the jury only the question of whether the accused had actually been responsible for its publication. Juries resented their inability to answer what usually was the most controversial question of the case, and in the case of the Dean of St. Asaph the jurors deliberately declared a man innocent of publication simply because they did not consider the material libelous. In 1792 Fox was responsible for a new libel law which extended the power of juries to decide the whole question, as to law as well as fact. In principle, it was a victory for democracy and trial by jury, although in practice the juries tended to be less tolerant in their interpretations of libel than the judges had been.

E. TRIAL BY JURY IN MODERN ENGLAND

Since the beginning of the 19th century, there has been no threat to the right of trial by jury in criminal cases. The grand or indicting jury was eliminated in some instances by the 1873 Judicature Act and almost entirely abolished by the 1933 Administration of Justice Act. In civil cases jury trial was no longer considered necessary as a rule, so that today less than 10 percent of civil cases in England are tried by jury. These changes, which came about during the 19th and 20th century judicial reforms, were made in the interests of economy, efficiency, and equity for all. On the whole, they have accomplished their purpose and have not been criticized. But the growth of so-called administrative law, that is, of legal decisions made by various boards or commissions upon disputes to which they themselves are a party, like income tax, community planning, and education, has led to widespread demands for a comprehensive administrative code, with more provision for appeals, and perhaps even some juries. Although nothing has yet been done, it is clear that the absence of jury trials in this ever-increasing area poses many threats to property, if not actually to life and liberty.

F. TRIAL BY JURY IN COLONIAL AMERICA

Although the same conditions on the whole held in colonial America as in 18th century England with respect to the administration of justice and trial by jury, the attitude of the colonists was from the first different. Being in no position to fear feudal exactions or exploitations, the colonists looked upon the King not as their protector but rather as himself the potential aggressor upon their rights. It was in this spirit that they protested every effort to limit trial by jury as an act of royal tyranny.

1. In 1696 Parliament had reorganized the admiralty courts so that they would be better able to cope with the flagrant smuggling in and out of all the colonies which was the American reaction to the navigation acts. The admiralty courts, which were not a part of the traditional common law system, did not provide for trial by jury, and as a result English or English-appointed judges frequently sentenced colonial merchants and seamen arbitrarily. The more effective the courts became, the more the colonists resented them, and the more they came to insist upon trial by jury as a fundamental right.

Another way of putting this is that the more abusive and tyrannical the admiralty courts became, the more men desired the right to live and work in freedom. They felt the wrath of the English judges whose primary aim was to keep them under the heavy thumb of English rule, without trial by jury. Persons accused of crimes against the Crown were tried powerless and at the mercy of a single judge who was the prosecutor, the judge, the jury, and the one who sentenced the defendant, all at the same time.

I would point out that in the so-called civil rights bill which is pending before the Senate, we have 55 pages, 11 different titles affecting every area of human relations from the cradle to the grave. The bill purports to regulate every hotel in America, every motel in America, every cafe in America, every hamburger stand in America, every hotdog stand in America, a high percentage of the barbershops in America, a high percentage of the shoeshine shops in America, and every place of business that has 25 or more employees.

It would extend the broad power of the Government of the United States into the most intimate of human relations. The bill would deny the right of a trial by jury. It would authorize the Attorney General to file suits at will against virtually any citizen in America in the name of the U.S. Government, at the expense of the taxpayers. And it would further authorize the Attorney General to select the judges before whom he would prosecute the case. And it would deny to the defendant the right of a trial by jury.

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

Mr. TALMADGE. I yield.

Mr. STENNIS. Mr. President, I am impressed with the enumeration of the things that the bill would do. I ask the Senator if it is not always true throughout the history of our Government that once power—ordinarily reposed in the people or the State—is picked up, so to speak, by the Federal Government through the far-reaching operations of a bill, brought to Washington, made a Federal function, a bureau is set up, people are employed to implement those bureaus, agencies, and activities that they have all over the Nation, is it not invariably true that that power grows and grows through successive legislative enactments, or by custom, and that it feeds on itself and never is returned to the people, or to the States? Has that been true in legislative history?

Mr. TALMADGE. The Senator is so correct. I do not recall any government, wherever it may be located, municipal, State, or Federal, that has ever voluntarily relinquished any power that has ever been delegated to it. That is particularly true of the Federal Government. The Senator knows that Congress has on a number of occasions passed acts that were supposed to be temporary in their nature and in their scope. Those acts have a way of being extended and extended year after year. For instance, as the Senator knows, the so-called excise taxes were imposed during the war years to raise money with which to fight the war and to prevent inflation. Yet, a high percentage of those same excise taxes have been renewed year after year. They expire on June 30 this year. Congress will no doubt have the burden of extending them again. I am sure that that action will be recommended.

The Senator knows that several years ago the so-called Civil Rights Commission was created. It was said to be purely temporary in scope. It has been extended twice, I believe, since that time. And this bill now, I believe, would make

it permanent, or it started out to make it permanent.

I am sure the Senator has read, as I have, several of the fine books written by Dr. Northport Parkinson, in which he illustrates the theory of government that if you create a bureau with two employees, the two employees will insist that their powers, their duties, their responsibilities, and their salaries be increased. What started out to be a bureau with two employees, in the due course of time will be several thousand employees.

During the war years, the Senator from Georgia had the privilege of serving as flag secretary and aide to the commandant of naval forces for a time in New Zealand. We were directly under Admiral Halsey's command. We received a secret dispatch requesting us to make recommendations as to what personnel could be released in New Zealand for duty in combat areas in forward stations. By that time, Guadalcanal had been secured. We were winning victories at sea almost daily. General MacArthur was advancing with his armies in New Guinea. And New Zealand at that time was truly a remote station. The principal service that it rendered was for rest, relief, and recreation for combat forces in the area, and also for food supplies, and things of that nature for the forces that were fighting in the Pacific.

The commodore sent for me when he received that dispatch. He said, "TALMADGE, I wish you would work on this and see what we can do about making officers and men available for forward duty." The Senator from Georgia at that time was an officer in the Naval Reserve. And he realized the importance of the duty that had been assigned him by the commanding officer.

I worked on it day and night for about a week. I conferred with various department heads. I conferred with some of the New Zealand authorities. I worked out a plan where we could effectively demobilize about 75 or 85 percent of the naval and military personnel in New Zealand. When I worked out the plan, I brought it to the executive officer to obtain his approval. He studied it and said, "TALMADGE, that is fine." And he initialed his approval on it and said, "Take it to the commodore."

I took it to the commodore. He looked it over and said he thought it was all right. But then he said, "TALMADGE, I want to talk with the public relations officer and with the legal officer about this. He kept it in his basket until he could confer with those two individuals. About that time, the Senator from Georgia received his orders to come back for assignment to duty at another station. His assignment was as the executive officer on the attack transport, APA-97.

After our ship was commissioned and we returned to the South Pacific, I ran into some of my associates with whom I had served in New Zealand. I said to them, "By the way, whatever happened to the dispatch Admiral Halsey sent to the commodore, about making personnel available for forward duty?"

They said, "Well, after he got through talking with the legal office and the pub-

lic relations officer, they decided they could not spare any personnel in New Zealand, and that they needed additional personnel, instead of making some they already had available for forward stations in combat areas."

I said, "What happened when Halsey received that word?"

They said, "He shipped about 95 percent of those folks out of there, in one fell swoop, and assigned them to duty in forward stations."

I refer to that incident to illustrate the point that unless an iron hand is used in situations of this type, such developments tend to grow and grow and grow. That is particularly true when civilian authority is in command, because such civilians get good jobs, get promotions, are given administrative charge, and obtain seniority rights and retirement benefits; and the lust for office and for power is such that they continue to serve in such capacities and their power grows and grows.

That development bears out what Lord Acton said about the corruption which comes from absolute power. He said "absolute power corrupts absolutely." I think that is true in connection with this bill, too—that such power would corrupt absolutely.

Mr. STENNIS. I thank the Senator from Georgia. He has given a fine illustration from practical life.

I believe he was Governor of Georgia longer than any other Governor of his State.

Mr. TALMADGE. I thank the Senator from Mississippi; but one of the Governors of my State served in that position longer than I did; Joseph E. Brown served as Governor of Georgia from 1860 to 1868. That was in the period of the War Between the States and immediately thereafter. I do not know whether he was elected following 1865, or whether he just obtained the office by appointment by some occupying Yankee general.

I had the honor to serve as Governor for some 6 years and 2 months; and I considered it a great compliment and honor to serve my people.

Mr. STENNIS. The Senator from Georgia served them very well.

During the time he was Governor of the great State of Georgia, did the Federal Government return to his State any of the power the Federal Government had taken away from it?

Mr. TALMADGE. No. On the contrary, the Federal Government made repeated and incessant demands for more and more power. As a matter of fact, while I was a member of the Governors' conference, we established a commission to study Federal-State relations, with a view to trying to cede back to the State governments some of the power the Federal Government had taken from them, and particularly to try to outline some method of taxation whereby the States and the Federal Government would not be taxing the same things—because, as the Senator from Mississippi knows, in the income tax field, for example, prior to our recent tax reduction, the individual income tax rates under the Federal law went as high as 92 percent. When State income taxes were imposed in addition to the 92-percent tax the Federal

Government imposed, the result was a virtually impossible situation. In fact, the Federal Government would milk the tax cow dry before the State governments had an opportunity to impose their taxes.

But we were never able to do anything in that field, because, as the Senator from Mississippi knows, the expansion of Federal power is such that it increases year after year.

In the short period of time that I have served in the Senate—I came here in 1957—the Federal budget has increased, if my memory serves me correctly, from approximately \$60 billion a year in 1957 to approximately \$100 billion a year at the present time. That is the way it grows year after year.

But to answer the Senator: If any of these provisions were enacted into law, the only way they could ever be changed would be by revolution. Of course I think that if some of these provisions were written into law, we would well nigh have a revolution in some of the areas of our country, because the people would be bitterly disappointed. They have been told repeatedly that this bill is a kind of "do good" bill to give everyone his rights. I am sure the Senator from Mississippi agrees with me that every citizen is entitled to have, and should have, his constitutional rights.

Mr. STENNIS. Absolutely.

Mr. TALMADGE. But, as the able Senator from Mississippi also knows, they are adequately enforceable in the courts at the present time, if any are denied their rights.

This bill would do nothing except expand Federal power; it would delegate additional authority to Federal officials, to permit them to harass and annoy citizens in every area of their private life. The bill is not a civil rights bill; it is a bill to regulate the 190 million Americans.

Mr. STENNIS. The Senator from Georgia has stated the matter very well.

In connection with his statement that this trend will continue unless it is stopped by the people, let me recount, before I ask a question, I wish to do this to refresh the Senator's recollection in regard to some of the actions taken by the people in the last few months, although I am sure the Senator from Georgia will recall this—that in the State of Washington two elections were held with reference to proposed city ordinances relating to civil rights and the regulation of the people.

Mr. TALMADGE. Yes; I am sure the Senator from Mississippi is referring to proposed ordinances of the city of Tacoma, Wash., and the city of Seattle, Wash.

Mr. STENNIS. That is correct. One of those proposals was defeated by a vote of 2 to 1; the other was defeated by a vote of 3 to 1.

Mr. TALMADGE. Yes. The proposed ordinance in Seattle was defeated by a vote of 2 to 1; and the proposed ordinance in the city of Tacoma, Wash., was defeated by a vote of 3 to 1. They were in regard to the subject matter of title II of the pending bill, and only that title; they did not relate to the subject matters dealt with in the other 10 titles of the bill.

Mr. STENNIS. There was also a vote in the House of Representatives of the State of Rhode Island; was there not?

Mr. TALMADGE. Yes; the House of Representatives of the State of Rhode Island also defeated what would be the equivalent of title II of this bill.

Mr. STENNIS. The House of Representatives of the State of Rhode Island defeated it by a vote of approximately 2 to 1; did it not?

Mr. TALMADGE. Yes; approximately 2 to 1. I believe the distinguished Senator from Rhode Island confirmed that on the floor of the Senate; and it is in the RECORD.

Mr. STENNIS. There were also two elections—one in New York and one in Massachusetts—on the question of busing children. Such a provision was at one time included in the bill. In the elections to which I have reference, the trustees there who stood against busing the children from one part of the city to another were reelected by overwhelming votes; were they not?

Mr. TALMADGE. Yes. As I recall, the lady in Massachusetts who was a member of the school board, and who vigorously opposed the busing of school-children, led the ticket in that election.

Mr. STENNIS. Yes.

Of course, we recall, too, the more recent votes taken when the matter of having the States have control over these questions was the sole issue raised by Governor Wallace, who went a thousand miles from his home State to an area where he was a stranger—Wisconsin, an area far removed from his home State. In Wisconsin, he was without a political ally of any kind; and, as the record shows, he was without a personal friend there, unless it happened that he had two or three friends there. Nevertheless, he received a sizable proportion of the total vote cast there, to the amazement of the people of his home State. He achieved that result in the face of the severest kind of opposition, both political and otherwise; did he not?

Mr. TALMADGE. Yes; I agree with the Senator from Mississippi.

In my judgment, the 43 percent of the total vote in Maryland that Governor Wallace received was cast for him solely because of a grassroots citizens revolt against legislation of the type now before us, and also because of the rabid conduct of some citizens who were depriving other citizens of their rights, by lying on the streets or lying on the sidewalks, and blocking doors, blocking driveways, and so forth.

Mr. STENNIS. Yes; and that situation in Maryland, as well as in the other States in which elections have recently been held, shows unmistakably that this stranger, who received such a large vote, received it because the people of these States do not like the idea of being regulated and controlled by the Federal Government, instead of by their State governments, and do not like the attempts to have all the power taken from the States and lodged in bureaucrats in Washington, D.C.

Mr. TALMADGE. The Senator from Mississippi is eminently correct. I am sure that the Senator from Mississippi is familiar with the effort to enforce the

prohibition laws. The Senator will recall that there was a great moral crusade throughout the country to stop people from drinking whisky. Of course, drinking whisky is an evil. I am sure the Senator from Mississippi will agree with that.

Mr. STENNIS. Yes.

Mr. TALMADGE. But our experience has been that it could not be regulated by law. Notwithstanding that fact, preachers and many fine citizens insisted that a national prohibition law be passed. The 18th amendment was written into the Constitution of the United States. I remember that when I was a small boy down in Telfair County, Ga., we employed a county policeman to assist the sheriff in enforcing the prohibition laws. There was one county policeman who had shot down nine people whom he had apprehended making whisky back in the remote swamp areas. The method that he used to enforce the prohibition laws would be to arm himself with at least two pistols, at least one rifle, and a sawed off shotgun. He would find a man making illegal whiskey somewhere and he would draw his rifle and shoot him down just as if he were hunting deer or other game.

That was the type of enforcement that was carried on.

The people rebelled. They demanded that the 18th amendment be repealed, which was done in 1933.

My judgment is that if the type of legislation which is proposed is written on the statute books, the reaction will be far more violent than was the reaction to the 18th amendment, because the proposed legislation does not purport to regulate merely what a man drinks, but also where he lives, where he eats, where he sleeps, where he works, and every other area of human conduct. The strong arm of the Federal Government would be brought in to make decisions that normally have been left to the private individual and each man's good judgment and good sense.

Mr. STENNIS. In the opinion of the Senator from Mississippi, it is not known to the people generally that the bill would actually empower the Federal Government, through its agencies, to go out from Washington and invade the premises of people. Agents of the Government could even invade the home of a lady who had as many as six roomers. The bill would regulate whom she could take into her house and whom she could feed. It would regulate whom she could permit to sleep there. As the Senator has said, the bill would actually empower all such actions as the Senator has enumerated, would it not?

Mr. TALMADGE. Of course it would.

Mr. STENNIS. It would give the power to the Attorney General and then make it his duty to carry out those provisions of the bill.

Mr. TALMADGE. The bill would authorize the Attorney General of the United States to say to any widow in America who had a house with six rooms, some of which she rented to boarders, whom she shall have sleep in her own house.

I point out to the able Senator from Mississippi that the third amendment

provides that the Government cannot even quarter troops in private homes in time of war without a special act of Congress, and at no time in time of peace. It is inconceivable to the Senator from Georgia that our Founding Fathers, who framed the Constitution, should say that troops could not be quartered in private homes, and yet we would now turn that around and, under the provisions of a bill which is now brought before the Senate, authorize the Attorney General to quarter private citizens in private homes and jail the widow without the right of trial by jury if she refused.

Mr. STENNIS. The Senator has not overstated in the least the purpose of the bill and the power that would flow from it. Under the provisions of the bill as it is now written, an agent of the Government could enter a little business, a small factory, or a store, if it had 25 or more employees, and tell the proprietor whom he might employ, whom he might discharge, and even whom he might promote in operating that private business. Is that not true?

Mr. TALMADGE. That is true. The Senator from Mississippi did not cover it all. The agents could assign jobs within a business. They could determine whom the employer could hire and promote. They could determine whom the employer could assign to various jobs in the business, and whom he could discharge. The bill would affect every area of employment in businesses having 25 or more employees, and it would divest the employer of his free right to employ whomever he saw fit to employ, and to decide who could best assist in the operation of his business. It would deprive the prospective employee of the right to choose his own associates and decide where he wanted to work. It would deny the rights of labor unions to make collective bargaining agreements and to have their own business agent fill jobs when vacancies arose.

Imagine a situation involving a small business in which 25 people might be employed. Suppose a vacancy arose in that business and five people applied for the job. Suppose, further, that one of the applicants was Chinese, another was Japanese, still another was a Baptist, one a Jew, and one a Negro. One of those people would have to be employed. If the manager of such a business employed one of them, he would be letting himself in for a lawsuit brought by any of the other four, because everyone of them would have a right to contend that he had been discriminated against under the terms of the bill. Such action would authorize the Attorney General to file suit against the proprietor, and the businessman could be put in jail without the right of a jury trial for discriminating against someone. One hundred mindreaders would be required to determine whether or not the employer had discriminated against anyone, because no one but the man who hired the successful applicant would know what his motivation was in employing any particular individual.

Mr. STENNIS. And in all of that process, what the owner of the business might think was best for his business—

Mr. TALMADGE. He would not have anything to do with it.

Mr. STENNIS. He would be lost in the shuffle.

Mr. TALMADGE. The Government would take charge. The owner of the business, the employer, would be merely a bystander, hoping that he would not be run over by the Government in the process.

Mr. STENNIS. Before the Senator concludes his speech, since he is the author of the pending amendment, which would guarantee the right of trial by jury to anyone who might be charged with criminal contempt in connection with the enforcement of the proposed legislation, I wish to ask him one particular question with reference to his amendment. The argument is often made against the Senator's amendment that the court must have ample power to require obedience to its writs, its summonses, its mandates, and its orders. Did not the Senator amply provide full protection to every court under all those circumstances when he wrote into his amendment the following language which I shall read in order to make the point clear in the Record and also to call it to the attention of the Senate? I read from page 3 of the Senator's amendment No. 513, beginning at line 17:

This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.

Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

That is the Senator's language. Will the Senator explain that provision of his amendment in his own fine and clear way so that Senators may know what it is and what the intentions of the Senator were, and so that the provisions may be unmistakably and clearly known so that there can be no question about them? I understand that is settled law. Will the Senator answer that inquiry?

Mr. TALMADGE. The Senator from Mississippi is eminently correct. He is a cosponsor of the amendment, and was a distinguished jurist before he came to the U.S. Senate, as well as a distinguished lawyer. So he is completely aware of the powers of courts of equity. There is a distinction between civil contempt and criminal contempt.

When a judge orders something to be done, if the individual does not carry out his order, it is within the power of the court to imprison him or take such action as is necessary to compel the defendant to comply with the order of the court. That is known as civil contempt.

The most common practice, of course, arises in situations in which a judge orders the defendant imprisoned until he carries out the order of the judge. The defendant would remain in prison until he executed the order of the court. When he executed the order of the court,

he would be released from prison, a free man. He could be detained in jail as long as the judge thought necessary to insure compliance with his particular order.

Criminal contempt is entirely different. Criminal contempt is a judge-ordained, judge-made, judge-prosecuted, and judge-executed crime. It occurs when a judge hauls a man up before him and says, "You disobeyed my court order. I am going to put you in jail for 2 years." He is put in prison. The judge can impose such sentence as he sees fit, so long as it does not violate the eighth amendment, which prohibits cruel and unusual punishment.

As the able Senator knows, the Constitution of the United States guarantees the right of trial by jury in four different places for all crimes. The language does not read "some crimes," or "big crimes," or "intermediate crimes." It says "all crimes." Criminal contempt is a crime defined by a judge to be a crime. A judge can put a man in jail for criminal contempt. The prisoner can have a prison record for the remainder of his life. A judge can impose a fine. He can dispossess a defendant of his worldly goods.

In my judgment, it is within the meaning of the Constitution that, if a person can be tried for a crime, he should have the right of trial by jury. The Senate, by a vote of 51 to 42 in 1957, sustained that same amendment, paragraph for paragraph, line for line, word for word.

The late President John F. Kennedy was one of its sponsors. Our distinguished majority leader [Mr. MANSFIELD], who now sits in the chair in front of the distinguished Senator from Mississippi, was one of the sponsors. The then majority leader of the Senate, Lyndon B. Johnson, now President of the United States, vigorously supported it and made the concluding speech for it.

It was good law then. It was good sense then. It is good law now. It is good sense now. I hope the Senate will uphold the greatest civil liberty mankind has ever known, which is the right of trial by a jury of one's peers.

It is a travesty indeed that the Senate should even be considering a so-called civil rights bill which in five different titles would deny the people the right of trial by jury. It is unthinkable to the Senator from Georgia that in this enlightened day, we should turn the clock back to star chamber trials, trial by inquisition and torture, as once practiced in England, as the Senator from Georgia has said this afternoon.

Mr. STENNIS. Would this bill not deny the greatest civil right that has developed under our system, namely, the right of trial by jury in criminal cases?

Mr. TALMADGE. The Senator is entirely correct. As the great Winston Churchill said, the right of trial by jury is the difference between freedom and slavery. And it is.

Mr. STENNIS. The Senator's amendment would not restrict the court in any way in its power to demand the carrying out of its commands and orders and the power to keep a man in jail until he obeys. No jury trial is involved in

such cases, and the power of the court is plenary. Is that correct?

Mr. TALMADGE. The Senator is entirely correct.

Mr. STENNIS. I thank the Senator for yielding. He is making a fine presentation.

Mr. TALMADGE. I thank the Senator for his penetrating questions, which will shed light on the issue before the Senate at the present time.

Mr. President, I have attempted this afternoon to trace some of the history of the right of trial by jury.

Freedom did not blossom overnight. Its growth has been a long and tortuous struggle. I have recited this afternoon some of the problems the people had in England, leading up to the Magna Carta, and to some of the problems that led to the Declaration of Independence and the Constitution of the United States.

After the struggle of thousands of years to obtain liberty, I hope the Senate will not now say that the need for liberty has passed; that we are about to vest all the power in a Federal judge, appointed for life, to say that he does not need a jury, that he knows best, that he and the Attorney General can handle all our problems. I hope it will not be said, "Let us strike down Magna Carta. Let us strike down Thomas Jefferson's Declaration of Independence. Let us strike down the Constitution of the United States. Let us now vest this power in a Federal judge, appointed for life. He and a wise Attorney General can handle the problems of the people better than all the great leaders in human history, who sacrificed their nations and the blood of patriots for hundreds of years to achieve the greatest human right that mankind has ever achieved—the right of trial by jury."

THE CIVIL RIGHTS BILL AND SOUTH DAKOTA

Mr. McGOVERN. Mr. President, congressional mail is sometimes a valuable indication of the depth of feeling on national issues of the people we represent in the Congress.

No issue in recent years has called forth the volume of mail that now descends on Washington both praising and condemning the civil rights bill.

I would not claim to speak for other States, but the mail from South Dakota has been running 2½ to 1 in favor of the bill. Furthermore, the proportion of favorable mail has been increasing steadily in recent weeks.

Considering the natural tendency of people to write when they oppose a measure and remain silent when they are in favor, I consider this an overwhelming endorsement of the civil rights bill by the people of my State. Those who favor the bill seem to be motivated primarily by religious or moral conviction.

Those who fear the consequences of passage of the civil rights bill very often are misinformed about the contents of the bill. They have often been misled by organized propaganda efforts. Through newspaper advertisements and circulars,

the opponents of the bill have created a picture of a monstrous Federal power eagerly awaiting the chance to swoop down on the hapless citizen and snatch away his rights.

As a matter of fact, the civil rights bill now before the Senate would have very little impact in South Dakota, for two very good reasons:

First. The number of Negroes in South Dakota is small. Discrimination against our Indian minority has long since been widely condemned and State action taken to eliminate its remnants.

Second. South Dakota already has a law on the books covering the most sensitive portion of the proposed civil rights bill—the right of all persons, regardless of race, to free access to public accommodations. The South Dakota law is far more sweeping than the bill before Congress and provides much stiffer penalties for violations. The South Dakota law has not brought disaster to the State—indeed, I would venture to guess that most people in the State are totally unaware of its existence. Neither would the civil rights bill now before Congress create any serious difficulty.

Chapter 58 of the 1963 Sessions Laws of South Dakota states:

No person shall be excluded on account of race, color, religion, or national origin from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other public places of amusement, or by hotels, motels, barbershops, saloons, restaurants, or other places of refreshment, entertainment, or accommodation.

The South Dakota law covers many places that are excluded from coverage under the Federal bill, such as barber-shops, bowling alleys, and small motels. Moreover, while the Federal bill provides only civil remedies in the form of injunctive relief, the South Dakota statute is enforceable by criminal sanctions, with fines up to \$200.

I would like to go through the proposed Federal civil rights bill title by title to demonstrate the constructive and restrained character of the legislation, and to quiet the unjustified fears held by some people in my State and across the Nation:

Title I of the Federal bill deals with voting rights and eliminates the opportunities that now exist in some States for discrimination in voting. South Dakota has no literacy test for voting and in fact there has never been any indication of discriminatory voting practices in the State. Therefore, title I would have no impact in South Dakota.

Title II would prevent discrimination in certain places of public accommodation. Since South Dakota already has a law far broader than the proposed Federal statute, and since the South Dakota law would take precedence in all cases, title II would not have any effect in South Dakota.

Title III provides new tools by which the Attorney General can prevent discriminatory treatment at facilities owned by State and local governments, such as public parks, libraries, and municipal golf courses. Since there are no known in-

stances in South Dakota in which use of publicly owned or operated facilities has been denied because of race, color, or religion, title III would have no meaningful application in our State.

Title IV provides new tools for eliminating unconstitutional segregation in public schools. Since there is no unconstitutional segregation in South Dakota schools, title IV would not be relevant in South Dakota.

Title V would extend the life of the Federal Civil Rights Commission for another 4 years. This Commission has no enforcement powers but is simply an information-gathering organization. Title V will therefore have no specific application within South Dakota.

Title VI would withhold Federal funds from programs which are segregated. Agricultural subsidies and other farm benefits would not be subject to termination because of any discriminatory employment practices by farmers. Neither would the law affect social security or veterans' pensions, FHA or VA mortgage insurance or guarantee programs, or Federal insurance of bank and savings and loan deposits. Since there is no known discrimination in federally assisted programs in South Dakota, title VI would have no effect in South Dakota.

Title VII seeks to eliminate discrimination in employment because of race or color. It would create a Federal Equal Employment Opportunity Commission with power only to seek voluntary compliance with its orders. Court suits could be filed only after voluntary efforts failed. The Federal Civil Rights Commission has found virtually no instances of employment discrimination against Negroes in South Dakota. It has found evidence of some discrimination against Indians, but the State commission on Indian affairs has been working on this problem for some time. Since South Dakota is already taking action to eliminate what little employment discrimination exists in the State, title VII will have very little practical effect in South Dakota.

Titles VIII, IX, X, and XI of the civil rights bill are procedural only. They relate to the compiling of statistics on voting registration, to the removal of civil rights cases from State to Federal courts, to the establishing of a Community Relations Service, to help solve racial disputes on a voluntary basis, and to the express provision that State laws shall take precedence when they cover a particular situation.

This is all there is to the civil rights bill. The horrendous powers claimed for it by its opponents simply do not exist.

The bill does not affect homes or apartments or small boarding houses.

The bill does not take away anyone's right to jury trial. To the extent it deals with jury trial at all, the bill gives a right to jury trial where it would not otherwise exist.

The bill does not tell businessmen that they must serve, or hire or fire any particular individual; retailers remain wholly free to refuse to serve the drunk, the disorderly, the unkempt, and so forth, and employers remain wholly free

to hire, fire, and promote on the basis of ability and qualifications. All that is prohibited is discrimination on grounds of race, religion, or national origin.

The bill does not cover all retailers. It applies only to certain designated places—hotels, motels, restaurants, lunch counters, gasoline stations, movie theaters, concert halls, and the like—all public commercial establishments which are established to serve, and invite the patronage of, the general public.

The bill does not cover private clubs, professions, or service establishments. The practice of doctors, lawyers, and realtors is not affected by the bill.

The bill does not create any hiring quotas.

The bill does not affect union seniority. The bill does not require the firing of whites in order to hire Negroes.

The bill does not affect social security or veterans' pensions or bank deposit insurance.

The bill does not permit massive or wholesale cutoffs of Federal assistance.

The bill does not give the Attorney General any unusual powers; he is authorized merely to sue in the Federal courts to enforce constitutional and other basic rights.

The bill does not give great powers to the Federal Government—in every instance, first reliance is placed on State and local authorities to deal with illegal discriminatory practices.

In short, all the bill actually does do, even in areas in which discrimination is most prevalent, is to try to assure for all of our citizens the rights and opportunities which most of us take for granted.

Why is this legislation necessary? Because in this country we believe that every man is entitled to the same opportunities, the same rights, and the same privileges that are accorded each of his fellow Americans. For many Negro citizens today this is not the case. It is still true that a Negro cannot always choose his hotel and restaurant the way a white person can, he cannot always go to the church he would like to attend, or send his children to the schools he would like to see them attend, or live where he would like to live, or get a job when he is qualified for that job. White persons have these rights, and unless we grant them to our Negro citizens also, this Nation cannot in good conscience call itself free and democratic.

In South Dakota, thanks to the good will of the vast majority of its citizens, instances of discrimination are rare. Some problems still exist regarding our Indian citizens, but steps are being taken, with the overwhelming support of South Dakotans, to solve them.

The civil rights law will not be the final answer to problems in this country. The treatment of our fellow citizens is primarily a moral question, and years of education and soul searching remain before this Nation is truly a land of opportunity for all, regardless of race. But the passage of this law will give us new tools with which to pursue our goal of equal dignity for all men. We have delayed too long already. Let us delay no longer.

VISIT TO THE SENATE BY THE MELLO-MACS OF PORTLAND, OREG.

Mr. MORSE. Mr. President, today the Oregon delegation of Congress is being visited by a group of wonderful songsters from Portland, Oreg., known as the Mello-Macs. It is a wonderful chorus from the Multnomah Athletic Club under the direction and leadership of one of our outstanding song directors in the Northwest, Bruce Kelly. During the noon period this group of 60 lovely women singers presented a program at the rotunda of the Old Senate Office Building. I wish to say in behalf of the Oregon delegation that we have always been very proud of our State, but today the Mello-Macs made us boastfully proud, for they presented a concert that was enjoyed by all of those who were fortunate enough to be privileged to hear it.

Mr. President, they sang yesterday and the day before at the World's Fair. They also sang at the State Department. Today, as I said, we were privileged to hear them in the Old Senate Office Building. In behalf of the delegation I wish to thank them for their visit to Washington and for the privilege that they have given to us to express our pride in our State symbolized by these lovely women singers.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, throughout this week I have inserted in the RECORD evidence of the public demand that the Senate get on with the job it needs to do in the aftermath of the Bobby Baker case. Again today I ask unanimous consent that more editorials and commentaries in support of this position be printed in the RECORD at this point.

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

"EDWARD P. MORGAN AND THE NEWS": RADIO BROADCAST, AMERICAN BROADCASTING CO., MAY 12, 1964

PORTLAND, OREG.—Whether or not the Bobby Baker case figures as a cutting issue in the 1964 presidential campaign remains to be seen. The hinterland does not seem to be excited or even avidly interested now in its sordid scenario. The Senate Rules committee, which reluctantly investigated the amazing financial and other machinations of the former secretary to the Democratic majority, is expected to issue a report—possibly in the next fortnight—sternly condemning such practices but this won't be enough to prevent their repetition or materially bolster the sagging standards of congressional morality. The trouble is that Congress is not about to correct its own sins, present or future, let alone atone for past ones. After all, as North Carolina's Senator JORDAN, chairman of the Baker inquiry, said with ingenuous candor early in the proceedings, "We are not investigating Senators."

Some Senators, however, think the time has come to do just that. Today as a matter of fact Senator CLIFFORD CASE, Republican, of New Jersey, in a stormy session of the Rules Committee, declared no investigation of Baker "can have any real meaning without an investigation of relations" of Members of the Senate with him.

Several months ago, Oregon's Senator MAURINE NEUBERGER, a Democrat, joined CASE and Democratic Senator JOSEPH CLARK, of Pennsylvania, in introducing legislation aimed at correcting the double standard in Washington on conflicts of interest.

"Congress," Mrs. NEUBERGER writes with obvious feeling in the May issue of Pageant magazine, "has long demanded full disclosure of financial holdings from the other two branches of Government while winking at the questionable practices of its own Members. Congress needs a code of ethics backed by law to protect the public from the few dishonest legislators and to protect honest legislators from public suspicion or unjust allegations from political rivals."

Senator NEUBERGER impatiently rejects the standard defense of the status quo in congressional morality which argues that when a legislator gets out of line the voters can turn the rascal out. "The weakness of this argument," she says, "is that the public is at a distinct disadvantage. * * * Voters have little or no knowledge, as a rule, of the nature of their Congressman's financial interests. A Senator might sit on the Agriculture Committee which writes farm legislation involving billions in crop subsidies, but the public would be completely unaware of whether or not he is speculating in commodity futures. Nor would it know if a member of the Finance Committee attached a rider to a tax bill to benefit a private enterprise in which he had gambled his financial life."

So the Neuberger-Case-Clark bill, while not preventing a lawmaker from making private investments or using his personal influence with a Federal regulatory body, would require him to report publicly what his holdings are and to keep a record of his contacts with Government agencies. This annual requirement would extend to top congressional staff aids (Baker was one of these) and to the executive branch. After all, Senator NEUBERGER pointedly recalls, a Secretary of the Air Force in the Eisenhower administration and a Secretary of the Navy in the Kennedy administration developed clouded conflicts of interest between their Pentagon assignments and their private businesses.

Additionally, the bill would modernize the Corrupt Practices Act to require full reporting of congressional campaign expenses. Senator NEUBERGER was astonished and chagrined to find her meticulous report of expenses for her reelection in 1960 returned to her with a note from the Senate secretary's office saying it was not necessary. A loophole in the law allows candidates' committees to handle such finances and committees operating within a State are not required to report campaign expenditures.

This brought the lady from Oregon back to one of her major concerns in politics: How to finance campaigns so candidates are "less dependent upon large business interests and labor unions for their contributions." Mrs. NEUBERGER has introduced what she calls a "first-step" bill in this direction. "It provides that the Government match every private contribution of \$10 or less (from a voter). Both the private and Federal contribution would be held by the Treasury Department and applied to certain designated campaign bills submitted by the candidates. The hope is that the Federal matching provision would stimulate political campaign committees to go after more small contributions and less large ones."

"Congress," her Pageant magazine article concludes, "must act not only to protect the general public, but to protect its own integrity and to preserve public confidence in its capacity to function freely and wisely amidst the manifold pressures of an untidy world."

The maddening trouble of it is that the manifold pressures of an untidy Congress have kept the mild reform legislation of

Senators NEUBERGER, CASE, CLARK and others locked up in committee pigeonholes where they will probably stay unless and until the electorate becomes sufficiently aroused to demand action.

This is Edward P. Morgan saying good night from Portland, Oreg.

[From the Madison (Wis.) Capital Times, May 13, 1964]

Senator CLIFFORD CASE, an outstanding liberal Republican from New Jersey, spotlighted the weaknesses of the investigation in his appearance before the committee Tuesday.

He charged a whitewash and a failure to get the facts.

"No investigation of Bobby Baker can have any real meaning without an investigation of the relations of Members of the Senate with Bobby Baker," he said.

He was immediately set upon by CLARK and other Democrats.

This has been one of the patterns of the investigation. Any witness who gave testimony that embarrassed the Democrats and urged that the truth be pursued becomes a target of attack.

This was particularly true of the witness who told of the insurance deal with Lyndon Johnson—Don Reynolds.

There was something else in the case testimony that was according to pattern.

Senator CASE asked for an opportunity to make a statement before the committee a month ago. His request was ignored until a newspaper columnist, Roscoe Drummond, reported that the request was being ignored. The following day CASE was told he could appear.

This has been typical of virtually everything important uncovered in the Baker investigation. The press has forced the committee all along the line.

The Lyndon Johnson involvement was made public only after Clark Mollenhoff of the Cowles paper reported the incident. And so it has gone, with the committee ignoring much of the evidence which has been carried in the public press.

[From the Memphis (Tenn.) Commercial Appeal, May 15, 1964]

UNFINISHED BAKER CASE

No man would accept an unjust accusation, whether it is made directly or by innuendo. He would protest.

So it is not surprising that a number of Members of the U.S. Senate have risen to their feet to deplore the demand of some Republicans that the Bobby Baker case be expanded to cover the conduct of Senators.

Senator JOHN J. WILLIAMS, Republican, of Delaware, one of the prime movers of the investigation into the affairs of former Senate aid Baker, has been roundly denounced for not naming names, if he thinks some Senators are being less than honest.

Senator B. EVERETT JORDAN, Democrat, of North Carolina, chairman of the Rules Committee which has made a mild effort to uncover something of Baker's unusual rise to wealth, jumped on Senator CLIFFORD CASE, Republican, of New Jersey—another proponent of a broad gaze at the affairs of all Senators—with a cry of "demagoguery."

In what is supposed to be the world's most exclusive gentlemen's club, this is vehement language.

Well, it is understandable that men of good repute would object to indiscriminate smearing of not only their personal integrity but also the good name of the Senate itself.

But where are the voices that must also object to the failure to clear the Senate's reputation of the shadow cast over it by Bobby Baker? The books on that case are not closed. Delays are only deepening the mystery.

The Senate owes it to itself to push ahead in this inquiry, and to step on whatever toes are in the way.

[From the La Crosse (Wis.) Tribune, May 15, 1964]

"DEAD CAT" BAKER CASE ISN'T BURIED

Last month, Senator JOHN J. WILLIAMS, Republican, of Delaware, gave it as his opinion that "you don't get rid of the smell of the dead cat until you bury it" and added that he didn't think the Bobby Baker case had yet been buried.

This week (perhaps it's getting warmer in Washington) the stench of the Bobby Baker case became evident again. And while a few members of the Senate Rules Committee (charged with investigating the financial wizardry of the onetime Senate page boy) seemed ready to order out a shovel detail, their colleagues had other thoughts.

Senator CLIFFORD CASE, Republican, of New Jersey, demanded at an open meeting of the Rules Committee that each Senator be asked if he had ever had any business or financial dealings with Baker, or had received campaign contributions "or anything else of value" from him. Senator EVERETT JORDAN, North Carolina Democrat and the committee chairman, called CASE's request the "height of demagogery," and said such questions would be "an insult to Senators."

The next day, WILLIAMS, author of the original resolution directing the investigation, offered an amendment which would make it clear that Senators were included.

The scattered reports and affidavits made so far in the probe, reluctant as it has been, show that Baker was a party to dozens of different deals that involved the use of his Senate friendships, with the implication that people he sought special favors from could benefit legislatively or otherwise.

This has had a wide range: A charter for a new District of Columbia bank, the vending machine business in several defense plants, stock deals, a fancy motel, expensive gifts, and a report that he was distributing campaign contributions for several Senators.

Far from being an insult to the Senators to get to the bottom of the Baker case, the refusal to do so constitutes damage to their character. Until a Senate committee—and the American public—learns which Senators, if any, were involved in shady deals with Bobby Baker, all of whom are under a cloud.

The way to clear up these suspicions obviously is to go ahead and investigate. It is what the committee should have done, with the gloves off, months ago.

[From the Spokane (Wash.) Spokesman-Review, May 16, 1964]

CASE MAKES STRONG BAKER PROBE PLEA

Senator CLIFFORD P. CASE, of New Jersey, deserves commendation for following up on his intention to get a thorough inquiry into the relations of Bobby Baker with Members of the U.S. Senate.

He has now publicly told the Senate Rules Committee that it has neglected its responsibility in this investigation and that the integrity of every Member of the Senate is subject to question because of this neglect.

Months ago the committee was authorized to probe into the outside relations of Mr. Baker, onetime protege of Lyndon B. Johnson and longtime secretary of the Senate Democratic majority. The committee uncovered a few facts about Mr. Baker's activities, but it has never tried to do a complete job. It has specifically ignored what business or financial dealings Mr. Baker had with the Senators themselves.

Senator CASE should be encouraged to press forward with his demands for a complete inquiry. Those Senators who have had

a clear record with respect to the Baker dealings cannot be hurt by a thorough investigation. Yet the implications of a cover-up are damaging to all who served during the Baker era.

[From the Moline (Ill.) Dispatch, May 16, 1964]

TO THE BITTER END

Partisan politics may be lurking in the wings as Senator CASE, of New Jersey, occupies the stage with his demands that all Senators be questioned about any dealings they may have had with Bobby Baker. CASE is a Republican. Because Baker was close to high Democratic figures and was secretary to the Senate majority before resigning under fire, the scandal is an embarrassment to Democrats.

Partisan or not, Senator CASE is right in his insistence that the Senate has an obligation to pursue this matter to its quite possibly bitter end. Reasons given in his testimony before the Senate Rules Committee—at his request, and at a public hearing even though a majority of the committee at first sought to keep the hearing secret—are most persuasive.

CASE wants the Rules Committee to ask all Members of the Senate whether they had any business or financial dealings with Baker, and whether they received anything of value from him. He correctly believes that this is the only way the Senate can get to the bottom of a sordid matter, and that until this is done the public will not be satisfied and the Senate's image will be badly stained.

There have been persistent rumors about Baker's hold on certain Senators. CASE referred to them thus: "When I hear of an employee of the Senate boasting that he has 10 Members of this body in the palm of his hand, I do a slow burn. It is difficult for me to contain my anger when I hear the talk, which everyone has heard, of Bobby Baker's dealings in committee assignments—granting or withholding his favor to persons elected by sovereign States to the greatest deliberative body in the world." He went into even greater detail, but this is enough to suggest that such rumors cannot be ignored. The Senate would be wise to follow CASE's advice.

[From the East St. Louis (Ill.) Journal, May 17, 1964]

U.S. SENATE TAKES FIFTH AMENDMENT

The rough edges of the Bobby Baker case frayed tempers in the U.S. Senate Friday. The result was one of the most unlikely of spectacles: a shouting match between mild-mannered Majority Leader MIKE MANSFIELD, of Montana, and the generally urbane CLIFFORD P. CASE, Republican, of New Jersey.

The matter at hand was a resolution authorizing the Senate Rules Committee to include the activities of Senators in its investigation of Bobby Baker's affairs. Mr. Baker, it has been shown, became quite a wealthy young man in his job as secretary to the Democratic majority in the Senate, allegedly through the price he could command whenever he wanted to peddle some of his Capitol Hill influence to interested buyers.

Majority Leader MANSFIELD moved to table this resolution, which Senator CASE had backed strongly earlier in the week. Senator MANSFIELD characterized the resolution as politically inspired and as "impugning the integrity of the whole Senate with sly innuendo."

This brought Senator CASE scrambling back with the charge that the Montanan was accusing him of improper conduct.

Out of all the uproar that ensued, it seems that neither Senator CASE nor Senator MANSFIELD had the last word. Indeed, the last word on this particular phase of the Bobby Baker investigation was uttered some months back when the chairman of the Sen-

ate Rules Committee, Democratic Senator B. EVERETT JORDAN, of North Carolina, blandly said his committee "is not investigating Senators."

It certainly isn't. Senator MANSFIELD's motion carried 42 to 33.

[From the Rockford (Ill.) Star, May 17, 1964]

SENATE COVERUP

Senator CLIFFORD CASE, Republican, of New Jersey, went down fighting when the Senate Democratic majority abruptly put an end to the investigation of the Bobby Baker scandal. CASE lost his fight to have the probe include Members of the Senate when Senator EDWARD KENNEDY, Democrat, of Massachusetts, who was presiding, repeatedly gavelled him out of order.

The Senate locked the door on the Baker probe after the Senate Rules Committee had closed it by suspending its investigation. The floor fight came in debate over a resolution by Senator JOHN WILLIAMS, Republican, of Delaware, which would have kept the probe alive and broadened it to make all Senators subject to investigation.

The great concern of the Democratic majority in voting down the resolution was to prevent Walter Jenkins, President Johnson's top confidential aid, from being called to testify. Republican members of the Rules Committee were eager to question Jenkins. They want to know who told the truth, Jenkins or Insurance Agent Don B. Reynolds, about the latter's claim that he was pressured into buying \$1,280 worth of advertising over the TV station in Austin, Tex., owned by the Johnson family. Reynolds testified in the Baker probe that he sold a \$100,000 life insurance policy to Mr. Johnson and that Jenkins then suggested the agent purchase the advertising. Jenkins has said he knows nothing of the advertising sale, but not under oath.

Why is it that the Democratic majority in the Senate doesn't want Jenkins questioned? That question will continue in the public mind.

[From the New York (N.Y.) Post, May 17, 1964]

THE BAKER CASE

(By William V. Shannon)

WASHINGTON.—The investigation by the Senate Rules Committee is scheduled to end May 31. But the Bobby Baker case will not die.

Although the Republicans can naturally be expected to talk about it between now and November, mere partisan clamor would not be enough to keep Baker on the front pages. Senator WILLIAMS, Republican, of Delaware, however, the Senate's extraordinary amateur sleuth, has hinted broadly in recent weeks that he has additional undisclosed information that could be highly important.

WILLIAMS had urged the Senate to extend the Rules Committee inquiry for another 3 months and to spell out clearly that it had the authority to cross-examine every Senator on his relations with Baker. Senator CASE, Republican, of New Jersey, was a cosponsor of this resolution.

WILLIAMS emphasized that he preferred the committee to investigate his undisclosed information since it could cross-examine witnesses, bring together the accusers and the accused, and better protect everyone's rights. But he warned that if the committee refused to act, he would make his charges in a speech to the Senate and review the Baker story "in all its dirty details."

The Delaware Senator enjoys playing detective, but he is not a scandalmonger or a sensation seeker. If he does make a major speech about the Baker case, he probably has evidence worth considering.

Since Baker, the former page boy who rose to be secretary to the Senate majority and

amassed a fortune on paper of \$2 million while on the public payroll, was a protegee and confidential agent of President Johnson during the latter's years as Senate leader, the Democrats have been absolutely determined to restrict and kill off the investigation.

Baker, like most wheeler-dealers, had friends in both parties which may account for the discernible lack of zeal for this inquiry on the part of Senate Minority Leader DIRKSEN, Republican, of Illinois, and other GOP figures. Naturally, however, DIRKSEN gave the Williams-Case motion formal support. Senator MANSFIELD, Democrat, of Montana, the majority floor leader, and his fellow Democrats had to bear the responsibility for defeating it.

MANSFIELD, normally a soft-spoken, pipe-smoking, gentle man, showed the strain of performing an ungenial chore. Having obtained an agreement to interrupt the civil rights debate for 20 minutes to dispose of the Williams-Case resolution he moved to table the resolution. His language was uncharacteristically emotional.

The resolution, he said, would impugn the integrity of every Senator. No Member should cast reflections on his colleagues on the basis of any suspicion or rumors—one of the biggest businesses of this city.

"Name your Senators," he cried. "Name them now—tomorrow—within the next 48 hours—name them on the floor—state your charges—be specific."

When MANSFIELD went on to say he wanted an end to sly innuendos, CASE rose to a point of personal privilege, contending as a sponsor of the resolution that he was entitled to deny he was engaging in slander or innuendo. Ordinarily, a Senator claiming personal privilege is automatically recognized. MANSFIELD refused to yield the floor because of the time limit. Senator KENNEDY, Democrat, of Massachusetts, who was presiding, refused to recognize CASE after receiving contradictory advice from the Senate Parliamentarian.

KENNEDY ordered an immediate vote which the Democrats won 42 to 33. Nine Democrats joined with 24 Republicans in the minority. The effect of the vote was to kill the Williams-Case resolution and allow the investigation of the Baker case to end as scheduled on May 31. But the abrupt manner in which MANSFIELD and the majority steamrollered the opposition caused excitement and aroused sympathy for CASE.

It was subsequently agreed that when the Senate meets on Monday, the Parliamentarian will present a memorandum explaining the precedents for the unusual advice he gave the Presiding Officer. CASE will also have the opportunity to present his views which was denied him Thursday. There is an outside possibility that the vote on tabling will be rescheduled.

The furor has worked to CASE's advantage. His aim is not to pursue Baker as an individual. Baker is primarily the symbol of what is wrong with the Senate establishment. His career dramatizes what has long been gossiped around the Capitol about the interconnections among certain Senators, staff employees, and lobbyists and the trading of Senators' votes and influence in exchange for preferred committee assignments and under-the-table campaign contributions. CASE has been crusading for several years to reform the establishment. The Baker case, if it continues to develop, may yet enable him to carry his crusade to success.

Mr. TALMADGE. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

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

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. JORDAN of North Carolina. Mr. President, it has been several weeks now since the jury trial amendment by the Senator from Georgia [Mr. TALMADGE] and several other Senators was offered for consideration by the Senate.

A great deal has transpired since the Talmadge amendment was first offered.

This period of time has been a period of great enlightenment by a great many people throughout the Nation.

I believe that the debate is serving a very good purpose, in that it brings to a clear point and in terms everyone can understand the far-reaching effects this bill would have if it were enacted as originally presented.

A great deal of the legislation which is considered by the Senate and the Congress is highly complicated and, in many cases, very technical.

The bill we are now considering, H.R. 7152, is a very complicated bill. It has many, many provisions and it is difficult for a layman to read the bill and realize its full impact.

I have gone over the bill numerous times myself, and each time I read it I find something new in it.

But there is one thing certain: The American people understand what we are talking about when we say the bill as now written would deny the citizens of this country the basic right to trial by jury.

The American people understand what this right means. They know that when the right to trial by jury is tampered with and compromised, then the basic foundations of our system of government are in deep trouble.

The American people do not want any part of a bill that would empower a judge to haul them before him, try them, convict them, and send them to jail without having the basic right of a trial by a jury of their peers.

At that point, I should like to add that they would wish the peers to live in the same locality they do, or in their own county—certainly within the boundaries of their own land, because that is what the Constitution set out unmistakably in the beginning.

As time passes and this measure, H.R. 7152, is examined and analyzed, we are

seeing a tremendous change in public opinion about the entire question of civil rights.

We are seeing a nation being shocked when it realizes that under the name of civil rights a bill is being considered which, if enacted into law as now written, would do grave damage to many of the basic human rights our Government was formed to protect and preserve.

We are seeing a great effort made by those who originally supported this bill to rewrite it and somehow "compromise" on a new so-called package.

I wish them well, because I am certain that anything on which they agree could not be worse than the measure we have before us now. That would be impossible. I would also say to those who are trying to agree on a compromise that the American people should not be asked to compromise their right to a trial by jury.

The American people will not stand for this basic right to be damaged or destroyed.

At the time H.R. 7152 came to the Senate from the House of Representatives, there was a great clamor throughout the Nation to enact the bill very hastily as originally written.

But as time goes on we are seeing a great change come about. I think we are seeing a change in direct proportion to the amount of knowledge the public gains about this bill.

I have been greatly pleased with the way the newspapers and other news media have reacted to the question of trial by jury.

A good example of this is an editorial which appeared in the Charlotte, N.C., Observer on May 6, 1964. This editorial was published shortly after Senator TALMADGE's amendment was offered, and I would like to read it into the RECORD at this point. It is entitled: "A Vote for Talmadge's Amendment," and it reads as follows:

A VOTE FOR TALMADGE'S AMENDMENT

The Senate filibuster on the civil rights bill will probably come to a temporary halt today so that Senators can deal with an issue that poses a delicate and serious question.

Assuming that a hitch doesn't develop in current plans, the Senate will take up consideration of several amendments to the civil rights bill. Each amendment proposed would, if enacted along with the bill, have an important impact on two serious issues affecting the country:

It would affect the enforcement of the bill, and hence the pace of social change, particularly but not exclusively in the South.

It would affect the rights of individuals and to some degree the effectiveness of the American court system.

This method of enforcement for the 1964 bill, as it has been for previous civil rights law, is through the injunction process. If an elections official or an innkeeper or an employer should violate a provision of the law, a court can issue an injunction ordering him to comply with it. If he refuses to do so, then he can be brought to trial on a charge of contempt of court. The main trend of Anglo-Saxon law and the tradition in the United States has been to deny jury trials in such cases.

Each of the Senate amendments would make some provisions for jury trials in civil rights cases and one would go beyond that. They are raised in the foreground of a recent

Supreme Court ruling that was to some extent a departure from the past.

On April 6 the Court held that Gov. Ross Barnett and then-Lt. Gov. Paul B. Johnson, Jr., of Mississippi, who had been cited for criminal contempt in the Ole Miss eruption, were not necessarily entitled to a jury trial. This had the effect of tossing the final decision back to a lower court. But the Supreme Court added in a significant footnote:

"Some members of the court are of the view that, without regard to the seriousness of the offense, punishment by summary trial without a jury would be constitutionally limited to that penalty provided for petty offenses."

With this in mind, Majority Leader MIKE MANSFIELD and Minority Leader EVERETT DIRKSEN introduced an amendment to the civil rights bill which would limit punishment under the act to 30 days in jail or a \$300 fine if no jury trial was held. If the defendant was found guilty by a jury, the sentence could be more severe.

Earlier, Senator HERMAN TALMADGE, of Georgia, introduced an amendment which would require a jury trial in all criminal contempt cases except those where the violation occurred in the presence of the court.

The Mansfield-Dirksen amendment appears to be a neat compromise, written in the spirit of the Supreme Court's decision, which was another compromise. But it draws a strange and, in our view, unjustifiable line by extending a new right to persons who are before the court on a petty issue while withholding that right from a defendant in a more serious case.

The Talmadge amendment is the most far-reaching in its effects, but it is also the most meritorious. It would extend the right of trial by jury, so sacred in other areas of the law, to all kinds of criminal contempt cases except those where the violation occurs in or near the presence of the court.

Senator TALMADGE'S motives may well be to "water down" the civil rights bill in the hope that southern juries will not uphold the courts in their efforts to enforce the civil rights law. Many northern liberals and the Johnson administration are afraid this is exactly what will happen, and they favor either no jury trial provisions at all or only the limited provisions contained in the Mansfield-Dirksen proposal.

Yet there is another dimension to this issue which takes it out of the customary pro- and anti-civil rights battleground. Supporting the Talmadge position is that most liberal of organizations, the American Civil Liberties Union. Also, the most liberal members of the Supreme Court—Chief Justice Earl Warren and Justices William O. Douglas and Hugo Black.

Lined up against the mandatory extension of jury trials to this field are the National Association for the Advancement of Colored People and the most conservative members of the Supreme Court.

Although southern Federal judges would seem to have recourse in some circumstances to civil contempt procedures to enforce their orders—and no one has suggested jury trials in this area—there is some danger that the amendments in question would weaken both the dignity and the effectiveness of the courts in civil rights cases. It will be no happy thing for American justice if juries in Mississippi, Alabama, or any part of the South consistently set free persons who are guilty of criminal contempt.

Despite the dangers, we have come to believe that extension of the right of trial by jury to this field is long overdue and will have a healthy effect on the Nation's jurisprudence in the years to come.

Finally, we believe with Justice Black that it is fundamentally wrong when "one person has concentrated within himself the power to charge a man with a crime, prosecute him

for it, conduct his trial, and then find him guilty."

Justice for the American Negro and justice for all Americans are not irreconcilable, and the first should not be sought at the expense of the second.

It is interesting to note, Mr. President, that there is a definite sense in the Senate that we are dealing with a most sensitive and delicate situation when we begin tampering with the question of our basic right to a trial by jury.

If nothing else, I think the discussions we have had on this one question will serve a good purpose in not only bringing about a new appreciation for our right to a trial by jury but also they will point out some of the far-reaching aspects of this bill in general.

Mr. RUSSELL. Mr. President, will the Senator yield with the understanding that it does not affect his right to the floor, and that when he resumes his remarks it will not constitute another speech?

Mr. JORDAN of North Carolina. I yield.

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

Mr. RUSSELL. Mr. President, I am proud of the many outstanding arguments that have been made on the paramount issue of the right of freemen to be tried by a jury of their peers before they can be punished. One does not need to be a lawyer to understand that right. It is taught to our children in the schools, even in the sixth grade, when they begin studying civics.

A few days ago I happened to come across in a newspaper I was reading a verse from Kipling's poem, "What Say the Reeds at Runnymede?"

In the poem, Kipling has the Reeds reply in this vein:

At Runnymede, at Runnymede,
Your rights were won at Runnymede!
No freeman shall be fined or bound,
Or dispossessed of freehold ground,
Except by lawful judgment found
And passed upon him by his peers!—
Forget not, after all these years, The charter
signed at Runnymede.

I say to the distinguished Senator from North Carolina that we shall forget the charter if we defeat the amendment that assures a trial by jury in cases of criminal contempt. That is really a criminal charge. I can imagine what the Reeds at Runnymede would say in the event this great deliberative body, which is supposed to be representative of the freest people on earth, were to turn back the clock and start marching back down the hill to the bogs of tyranny.

If the Senator will indulge me, I shall read my version of Kipling's poem.

Mr. JORDAN of North Carolina. I shall be delighted to hear it.

Mr. RUSSELL. It reads:

Ah, Runnymede! Ah, Runnymede!
Shame on cowardly seed of a braver breed!
Men there made free, now fined and bound
And dispossessed of freehold ground,
At whim or fancy of life-tenure judge,
Who, to please benefactor politically bent
Or fear-ridden by sound of demonstrators'
chant,
Now consigns to perdition, with hypocritical
cant,
The charter signed at Runnymede!

Mr. President, the newspaper article which contained Kipling's verse dealt with the fact that the British were setting aside a plot of ground on the plains at Runnymede in order that we might build a marker or memorial to our martyred President, John Fitzgerald Kennedy. It seems to me that it would be a mockery for the Senate to participate in building a memorial to John Kennedy at Runnymede if the Senate defeats this prime symbol of free men everywhere—the right of a trial by jury.

No man was more courageous than John Fitzgerald Kennedy when he stood in this Chamber and spoke for the right of a trial by jury. It would be a great tragedy if now we were to deny this right—to retreat from the high ground to which man has climbed, and from whence he aspires to even higher reaches.

It is a great tragedy that in all this emotional whirl, what four or five seminarians or preachers may say will receive more attention throughout the Nation than the fact that the Senate is about to put to a test the question of whether Senators really believe in the things that have made the American people a free people, and whether Senators are going to vote to deny to the American people this right that is the primary right of all free men—namely, the right of trial by jury.

I regret that I have impinged on the time of the Senator from North Carolina; and if he wishes to have me do so, I shall be glad to ask that my comments be printed in the RECORD at the conclusion of his remarks.

Mr. JORDAN of North Carolina. Oh, no; I am delighted to have the Senator's remarks printed at this point in the RECORD; I think that will be most appropriate.

If the Senator from Georgia will permit me to do so, I should like to ask him a question.

Mr. RUSSELL. Certainly.

Mr. JORDAN of North Carolina. Does not the Senator from Georgia believe that the Founding Fathers, who wrote the Constitution and the Bill of Rights, would be astounded to learn that at this time the Senate of the United States is discussing a proposal to do away with such fundamental rights of the people? It required approximately 1,000 years or more to provide these rights by law, did it not?

Mr. RUSSELL. Yes; it required a thousand years, along a bloody road, with violent fighting by brave men, to provide us with the rights we have today—our great structure of freedom, by which a few men moved civilization farther forward in those few years than it had gone in a thousand years prior to their time. Not only would it be a reflection on them; but certainly those who sacrificed so greatly, in order that we might enjoy these rights, could not rest in peace if they realized that the Senate of the United States would carelessly disregard this greatest of all memorials and symbols of freedom—the thing that Churchill says is the distinction between bond and free on this globe.

Such a development is inconceivable to me; and I have been saddened to see this issue treated as if it were a minor matter. I cannot understand how such an attitude has developed among Senators to such an extent that the Senate is considering the question of whether we are to have in our country a process of control of the rights of the people by means of injunctions, under a system by which the Attorney General would not only be the custodian of the rights of the people of the country, but also would regulate this private lives; under this system we would have government by injunction, and a citizen would be denied the opportunity to go before a jury of his peers and submit to them his complaint. Instead, we are told now that "In this new day, we do not have time for those things"; and we are told that the Attorney General should be allowed to go before judges of his own choice, whom he may have selected for lifetime appointment to the bench, and have those judges determine the fate of citizens and the disposition of their rights and of their property for which they may have worked for years.

Mr. JORDAN of North Carolina. I thank the Senator from Georgia for his remarks.

Mr. STENNIS. Mr. President, will the Senator from North Carolina yield to me?

Mr. JORDAN of North Carolina. I am glad to yield to the Senator from Mississippi, provided I may do so under the terms heretofore stated.

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

Mr. STENNIS. I am impressed very much by the remarks of the Senator from Georgia.

I wish to ask him this question: Is not what he has said augmented and compounded in importance and effect by the fact that the pending bill would make discrimination a crime, but does not define the word "discrimination," but still would snatch from a citizen his right of trial by jury?

Mr. RUSSELL. Yes. It would permit the Attorney General to decide what would be a crime or an offense against the law now proposed; and the pending bill would permit the Attorney General to define it after the law had been passed, without having any standards implicitly stated or spelled out in the bill; and the bill would permit the Attorney General to define the crime or offense after the citizen had committed the act—thereby assailing the Constitution in still another respect, and making this proposed law really an ex post facto law, because when the citizen committed the act, he would not know that such a law was going to be imposed. Under the pending bill, the Attorney General could go into court and could secure an injunction; and under the injunction the Attorney General could proceed to regulate the life of that citizen and his business; and if the citizen resisted or cried out against the injustice of not having a jury trial, and if the citizen refused to obey, he would be tried before a judge whom the Attorney General had selected in the first instance. The Attorney General would

submit to him the petition for an injunction; and the citizen would wind up in duration vile, and possibly also with a heavy fine imposed upon him, but without any opportunity whatever to appear before a jury.

It is indeed sad that an issue of this sort should be pending before the U.S. Senate. Some of us have been endeavoring to discuss it and to let the American people understand what is proposed to be taken from them.

Some persons say this issue is only a southern issue. Mr. President, I would be proud to have it considered a southern issue, and I am proud to be associated with southern Senators in struggling to preserve this right.

But I say it is a great tragedy that Senators from other parts of the country are driven to support what they must know in their heart of hearts would be a clear violation of a fundamental American principle of freedom.

Nevertheless, some say this is only a southern issue. How sad it is that that feeling has been whipped up by the organs of propaganda in this country, to the point where many Senators would be willing to legislate blindly, merely because it is said that southerners propose to save these fundamental rights of freedom of the people of the United States.

Mr. President, why should we not seek to save them? Men of the South wrote most of the Constitution, in which these rights have been embedded. However, these rights have been enjoyed, not alone by the people of the South, but by the people of the entire country—by those of the East, the West, and the North, as well as by the people of the South.

Mr. LONG of Louisiana. Mr. President, will the Senator from Georgia yield briefly to me?

Mr. RUSSELL. I yield.

Mr. LONG of Louisiana. Is the Senator from Georgia aware of the fact that in the Court of Appeals of the Fifth Circuit, which includes Georgia, Louisiana, and most of the other Southern States, there has been very severe criticism because the senior judge has developed the habit of consistently appointing to the three-judge courts a majority of judges who very consistently agree with the Attorney General?

Mr. RUSSELL. Yes, I have heard that criticism, and I believe it is justified.

Mr. LONG of Louisiana. John Minor Wisdom is one who has repeatedly been appointed to such three-judge courts.

Is it not adding insult to injury when a citizen not only is denied a trial by a jury, but also is faced with a situation in which the Attorney General is given the right to use, in that connection, a judge whom he selected and had nominated by the President, and whose nominations were confirmed by the Senate—and not only to have that judge used, but also to use two other biased and prejudiced judges, who would be selected to rule on the charge the Attorney General himself had made?

Mr. RUSSELL. Certainly. I have already stated that the Attorney General would define the crime and would

describe it and would fix the standards, and he could do that after the commission of the act, and then could go before a judge whom he had selected, and who had been appointed on his recommendation, and could obtain an injunction.

The purpose of the bill is to change completely the course of the adjudication of cases and the regulation of our people by law. It would change our system from that of a self-governing people who have the right to a jury trial to a people who would be pawns in the hands of Federal judges and the Attorney General. This bill would give the Attorney General of the United States far greater powers than any President has ever had to regulate the lives and businesses of our people.

Someday we may have a very bad Attorney General. Some people criticize the one we have at the present time. But no man, particularly an appointed officer, is entitled to have the vast powers over the lives, property, the welfare, and the happiness of the American people that is proposed to be vested in the Attorney General of the United States.

I thank the distinguished Senator from North Carolina.

Mr. JORDAN of North Carolina. Following up the discourse of the Senator from Georgia, I point out that if the bill were passed in its present form, since it does not define what discrimination would be, the Attorney General could define the term in any order that he might make. If he wished to win a case badly enough the Attorney General could define the term in such a way that he could be sure to win the case. He could state anything he wished. I do not think that there could be an ultimate agreement on the meaning of the term "discrimination."

Mr. RUSSELL. If it were an offense which might cause a man to go to jail or pay a fine, there ought to be some way at least to spell out a part of the meaning of the term so that the American people could know how to avoid violating the law.

The other day I read in the RECORD a statement of the distinguished Senator from Louisiana [Mr. Long] in which he referred to the fact that the Attorney General had never tried a case before a jury. It may be that he does not wish to go before a jury, and therefore is attempting to put through the three-judge provision so that he will never have the experience of trying a case before a jury.

Mr. JORDAN of North Carolina. Is it not a fact that even in our courts today thievery is defined in different stages? Petty thievery is defined in the law, and the different degrees of thievery following that are subsequently defined. The crime of murder is placed in two or three different categories. There is first degree murder, second degree murder, and manslaughter. The terms are defined. A person knows under what law he will be prosecuted if he commits such a crime. But the provision of the bill to which the Senator has referred is no way in which to set up the proposed crime.

Mr. RUSSELL. The bill is designed to eliminate all difficulties that the prosecuting officer might confront. Of

course, the Constitution requires that a man be apprised of the crime with which he is charged. Moreover, he must be confronted by the witnesses against him, and he is entitled to a trial by jury.

The bill would reverse that whole system. The law provides that a man is presumed to be innocent until he is found guilty, or at least until substantial evidence has been presented and proved. In my State the evidence must be sufficient to convince a jury beyond a reasonable doubt of the defendant's guilt before he can be fined or imprisoned.

But the bill does not establish any standards. It does not provide that a judge must find this, that, or the other, or that a particular rule of evidence is to apply.

Under the bill the Attorney General would in many cases be in the same position in which Edgar Bergen is with Charlie McCarthy: He will talk with Charlie, and then he will tell Charlie what to say. On that flimsy basis American citizens would be confined to jail or fined.

Mr. JORDAN of North Carolina. Will the Senator from Georgia answer a question for me? In the judgment of the Senator would it be safe to give to the Attorney General under the bill the authority to determine what discrimination is?

Mr. RUSSELL. Of course, the Attorney General might make his definition as he goes along and change it from time to time. There is no provision in the bill that if he were in error, the defendant would have a right to correct the error.

Mr. JORDAN of North Carolina. It is almost ridiculous. If the bill were enacted in its present form, the law would be almost ridiculous.

Mr. RUSSELL. It is a very sad commentary on our civilization that the American people have not protested more than they have. When they have understood what this bill actually provides, they have spoken in no uncertain terms.

Maryland has been called the Free State. At one time I thought that the title was a memento of the Revolutionary War period or something of that kind. But evidently there must be a great desire for freedom still in the State of Maryland, because in the recent Maryland election a man who did not know more than a handful of people there came into the State only a couple of weeks before the primary. He engaged in a campaign against the most popular political figure in the State, and he received a majority of the white votes in the State. So there is some freedom in this land. If we continue to discuss the bill from now until fall, I believe we shall get the truth across to the American people, and they will know the issues that are involved. When the voice of the American people finally resounds in this Chamber, the Senate will reject this proposal.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. JORDAN of North Carolina. I am delighted to yield to the Senator from

Louisiana on the same terms upon which I have yielded to Senators previously.

Mr. LONG of Louisiana. The Senator, as a successful businessman, knows that in order to succeed in business, a businessman must make decisions as to what commodities he will buy, whom he will hire, to whom he will sell his product, and what firm he will employ to move his commodities. I ask the Senator if the average successful businessman does not have to make innumerable decisions—as to whom he will trade with, whom he will buy from and sell to, and what transportation he will use; and if all of those decisions do not involve careful discrimination.

Mr. JORDAN of North Carolina. The Senator is correct. There is no doubt about it.

The Senator has spoken about trucking lines and transportation. As the Senator knows, since he lives in the city, the city of New Orleans is a point of origin of dozens of trucking lines and other forms of transportation. There are numerous trucking lines that ship from New Orleans to Baltimore, New York, and other cities. A man has a perfect right to select whatever line he wishes to choose. If the freight rate is the same—and it is usually set by the Interstate Commerce Commission—a businessman is privileged to select whatever line he wishes.

Mr. LONG of Louisiana. Is it not correct that oftentimes a man finds that he wishes to use a fast mode of transportation even if it is more expensive, or vice versa?

Mr. JORDAN of North Carolina. Certainly. There is no reason why he should not if he wishes to do so. He is using his own money. He has a right to select the company that he wishes to haul his goods, the kind of equipment he wants to haul it, and everything about it.

The bill could lead to a situation in which the businessman could not make such selection.

Mr. LONG of Louisiana. If a person were completely denied the right to discriminate, and he found that he could not do business, would we not have a system of government similar to that which the Communists have?

Mr. JORDAN of North Carolina. I believe we would approach pretty close to it.

Mr. LONG of Louisiana. Is it not correct that a person in his ordinary daily life discriminates 100 times a day without ever thinking about it? When a person decides whom he shall visit he discriminates. When he decides whom he shall marry he discriminates. He discriminates if he decides to buy a present for one daughter instead of another. He discriminates when he decides that he will place a long distance call to Aunt Susie instead of Uncle John. His communications with his neighbors in one fashion or another involve some sort of discrimination. If he says "hello" to one person and does not say "hello" to another he discriminates. Is it not a fact that in ordinary living a person engages in a thousand acts of discrimination every day without thinking about it?

Mr. JORDAN of North Carolina. There is no question about it. A person selects what he wants out of what there is to be had, and that is discrimination.

Mr. LONG of Louisiana. In many instances do not the laws of the country require a person to discriminate? For example, suppose an employer wishes to hire someone. The law requires that the employer give the job to the person who makes the best grade on an examination.

Mr. JORDAN of North Carolina. The Senator is now talking about civil service?

Mr. LONG of Louisiana. Is that not correct?

Mr. JORDAN of North Carolina. It is supposed to be that way. I hope the rule is still in effect.

Mr. LONG of Louisiana. Does not that involve discrimination in favor of the person who has had a better education?

Mr. JORDAN of North Carolina. It certainly does. There is no question about it. That would be through no fault of the employer.

Mr. LONG of Louisiana. Is it not often true that the person who has not had an equal education finds himself less educated through no fault of his own?

Mr. JORDAN of North Carolina. Certainly. Although the schoolhouse was provided, perhaps he could not get there. That is no fault of the schoolhouse.

Mr. LONG of Louisiana. Is not that discrimination which the law requires?

Mr. JORDAN of North Carolina. That is correct.

Mr. LONG of Louisiana. As the Senator knows, a veteran gets a preference of 10 points in a Civil Service examination if he was perhaps only scratched by a C-ration can. The 10 points are added to what he obtains in an examination so that, in competition with another person who may have received a higher mark the veteran would get the preference for the job. Is the Senator aware of that veterans preference in the law?

Mr. JORDAN of North Carolina. That is correct. It is also a fact that, even if he were not wounded, he would get 5 points extra.

Mr. LONG of Louisiana. Yes, but if he were a 10-point veteran, he would get that preference, even though he might have received a mere scratch or a mere brush or no more than stubbed his toe. I could give the Senator examples that are even more ridiculous than that. But the veteran who has become a 10-point veteran gets a job in preference to someone who may be better qualified. Is that not fantastic discrimination?

Mr. JORDAN of North Carolina. And that discrimination was established by law in this very body. Is that not correct?

Mr. LONG of Louisiana. That is correct. That is the law. It requires discrimination in favor of all veterans, whether they fought or not. If he did not do anything but curry an old gray mule, and the mule kicked him, the veteran gets a 10-point preference.

In view of that type of discrimination required by law, can the Senator say it is evil for a person to discriminate?

Mr. JORDAN of North Carolina. I have no criticism of the law which was enacted by Congress, granting privileges that would help wounded veterans. I have never been. But, at the same time, it does discriminate against a person who probably did not get a chance to go in the Army.

Mr. LONG of Louisiana. I ask the Senator from North Carolina if his mother taught him as a boy that he should try to go with the right kind of people and avoid those who had bad morals and tended to be lawless and were not the best kind of folks. Did his mother suggest that to the Senator from North Carolina when he was growing up as a young man?

Mr. JORDAN of North Carolina. She did more than suggest it—she insisted on it.

Mr. LONG of Louisiana. Was that not discriminating against persons who did not have polite manners, those who perhaps spat on the floor, and who did all kinds of things like that? Was that not discrimination?

Mr. JORDAN of North Carolina. It certainly should be so classified.

Mr. LONG of Louisiana. When the Senator from North Carolina went with certain company, was he not discriminating against other folks?

Mr. JORDAN of North Carolina. I think it could be put in that class.

I thank the Senator for his comments. I think they fit into my remarks.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may make a comment without prejudice to the rights of the Senator from North Carolina.

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

Mr. LONG of Louisiana. This situation reminds me of a story my father used to tell at the time his uncle was recommended to be on the board of deacons of the Baptist Church. His uncle had been a kind of rough and tumble type around the community, and his reputation was not everything to be desired. The board of deacons spoke about the fact that he had been crude and unruly and had done things that were not approved of in the community. After they had run him down a bit, the preacher came to his defense and said, "Don't you think, after all, the rougher element is entitled to some representation on this board of deacons?"

All these activities involve discrimination. It is ridiculous to try to enact a law that provides that it is evil to discriminate in ways people normally do, and fails to define what the nature of the crime, and to try to force conformity on all, contrary to a person's moral judgment. It seems a fantastic violation of a person's rights, particularly when it is coupled with a denial of a right to jury trial when a person is faced with such charges.

PRAYER IN PUBLIC SCHOOLS

Mr. PEARSON. Mr. President, will the Senator yield for an insertion in the RECORD without losing his rights to the

floor or his resumption being counted as a second speech?

Mr. JORDAN of North Carolina. I yield with that understanding.

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

Mr. PEARSON. Mr. President, occasionally someone is able to deal with a complex and controversial subject such as the issue of prayer in the public schools in such a way as to make the facts stand out above debate and emotions.

Such an effort is an editorial in the May 18, 1964, Wichita Eagle entitled "Let's Not Tamper With the First."

For the benefit of those who would reflect upon this subject, I ask unanimous consent that this editorial be made a part of the RECORD.

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

LET'S NOT TAMPER WITH THE FIRST

Three weeks of hearings by the U.S. House Judiciary Committee on proposed constitutional amendments to permit prayer and Bible-reading in public schools have not altered our view that Congress should leave the matter alone.

What the hearings have demonstrated are these points:

That much of the resentment against the 1962 and 1963 decisions by the Supreme Court is based on misunderstanding. The Court did not forbid singing of the national anthem, nor did it foreclose use of the motto, "In God We Trust"; most of all, it has not "outlawed God," nor the Bible, nor the Lord's Prayer; and it has not made the United States a "godless society."

That leading members of all faiths are divided on the amendments, but that most of them counsel against Congress entering the "religious thicket"; they fear that this would do more to endanger our religious liberty than protect it.

That the difficulty of marking out the proper boundaries between church and state is great; that any prayer in a classroom can hardly be termed voluntary when children are under pressure to conform; that no pat answers are available on how a community would decide what religion's prayers would be recited or which version of the Bible would be read.

We feel that thoughtful Americans will agree with such prominent religious leaders as Catholic Bishop Fulton J. Sheen and Presbyterian Dr. Eugene Carson Blake that the first amendment should remain "undisturbed." It has served us well as it is. Let's not tamper with it.

DEPRESSED BEEF PRICES

Mr. PEARSON. Mr. President, one of the major beef packers in Kansas is Excel Packing Co. of Wichita. Recently, I received an extremely interesting letter from its president, Sam H. Marcus, regarding the very troublesome problem of depressed cattle prices.

Here is a man who is gravely concerned with the price of cattle. The very sensitive relationship of beef prices to consumer demand makes it essential that he buy and sell at as low a price as possible. In many respects, he benefits from low prices because they tend to expand his market.

Mr. Marcus, however, has not confined his interest solely to buying, pack-

ing, and selling. His interest extends to a deep concern for the health of the livestock industry in its entirety. His statements in the letter I received reflect his concern and his fear as to where present administration policies are taking the country and the livestock industry.

Mr. Marcus' comments are both interesting and enlightening. I therefore ask unanimous consent that excerpts from Mr. Marcus' letter be included at this point in the RECORD.

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

Senator JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: The causes [depressed beef prices] one must admit are multiple, but that the beef imports in large quantities is a major force there can be no question.

Permit me to again review quickly the part the imports have had in the buildup that created the problem at hand. The imported boneless beef has been and is still being sold at a penny or 2 cents per pound under domestic beef. A penny or two does not sound like much, but it is the difference between profit or loss for the independent domestic cow beef boners and has almost put them out of business, thus destroying part of the market for our cows. Coincidentally, it created a ceiling price on cows that made it uneconomical for the farmer to liquidate cows that rightfully should have been culled from his herd. Feeder calf prices being what they were, he could do better raising another calf with that cow. Had our own supply and demand factors been allowed to function, cow prices would have risen and cows would have been marketed. Thus, we would not have had the buildup in cow herds and calves that has caused the present depressed price condition in the industry.

The Government is at present spending something like \$80 million on a giveaway beef program. About 200 million pounds of beef will be given away in one form or another. As a nation we produce over 450 million pounds of meat and meat products per week, not including poultry. You can readily see that the program will only dispose of about 1 percent or less of our annual production of red meat. We are presently overproducing about 10 to 12 percent in beef due to the imbalance I have described above.

How much good will the \$80 million do to solve the problem? Would it not be better and cheaper to give the industry the balance that it needs by restoring the balance of supply and demand? It worked well for us before the Pandora box of foreign meat supplies was allowed to be opened.

I realize the political implications, but if something is not done soon, animal agriculture problems could very easily throw our whole economy into a depression that might make the thirties look tame. You can't break the farmer and have prosperity.

Very truly yours,

SAM MARCUS.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney

General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. STENNIS. Mr. President, will the Senator from North Carolina yield to me without losing his rights to the floor?

Mr. JORDAN of North Carolina. I yield to the Senator from Mississippi.

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

Mr. STENNIS. Mr. President, the Senator from Minnesota [Mr. HUMPHREY], who is the manager of the civil rights bill, has inserted in the RECORD a special civil rights newsletter of May 1964 in which he and the Representative from Ohio [Mr. McCULLOCH] discussed H.R. 7152. This newsletter confirms what many of the opponents of the civil rights bill have attempted to explain on the floor of the Senate and in other statements in which we discussed what the bill is designed to do and also what it will not do.

One of the objectionable aspects of the bill which has been repeated many times by the opponents is that its provisions would apply to some States but would not apply to others. It would allow certain States to continue to operate their affairs in the same manner in which they are accustomed, while imposing a completely different and more rigid set of standards on other States, particularly in the South. This was confirmed in the special civil rights newsletter by the following language:

This authority is weaker than that granted to 25 State commissions under State law. And, where a State commission is doing its job the Federal Commission may not interfere.

The special newsletter said further:

A majority of the States have enacted legislation which is as strong or stronger than the major provisions of the civil rights bill. Nothing in the bill interferes with the effective enforcement of these State laws. And, where these laws are being effectively enforced, there is no reason for the Federal Government to interfere in State's rights.

It is now perfectly clear, by the admission of those who are managing the bill on the floor of the Senate, that there is no intention of imposing the terms of the civil rights bill now under consideration upon the 25 or so States who have some form of State civil rights measures. They will have one set of standards, the South will have another.

No doubt if this bill is enacted into law, Mississippi, Alabama, and Georgia and other southern States will be forced to adhere to every single letter and paragraph of the new law. But it will not change things in a State such as New York.

In order that this difference may be fully understood, it is only necessary to examine the experience of the State of New York. The State of New York has passed an FEPC-type law. Apparently, the New York Legislature felt it was needed in that State. I would not pre-

sume to tell the State of New York what laws should or should not be passed. That is the prerogative of the citizens and the elected officials of New York. They can best determine what measures are good or bad for their State, and it is proper that they should determine their own course of action in this matter. It is equally proper that Mississippi should be granted the same right and privilege. I object to the people of New York, or any other State, seeking to impose a Federal law on the people of Mississippi and then have that law carry a provision that will, in effect, exempt them from the operation of that Federal law.

I am not acquainted with the specific reasons why such a law was passed in New York, but the fact is that New York was the first State to enact an FEPC law.

In hearings before the House Committee on Education and Labor, the former chairman of the New York State Commission for Human Rights testified as to the experience of the State of New York in administering the law. He reviewed the administration of the New York law from its passage in 1945 to December 1962. According to his testimony, over 73 percent of the complaints filed before the State Commission were found to have no probable cause of action on the grounds given by the complainant. Of the 7,725 complaints filed, only 37 were ordered for public hearing, and hearing was completed in only 7 of the more than 7,700 complaints.

It was pointed out in the testimony that, although almost three-fourths of the complaints were determined to have no cause of action and that only 7 of 7,700 were heard by the Commission, the Commission had been successful in resolving the problems of equal employment opportunity through various methods of conciliation.

Again, I do not attempt to pass judgment upon the kind of law the State of New York should have, or how it should be administered, or whether it should have a law at all. It seems, however, that measured by comparing the number of orders issued after hearing to the number of complaints filed, the standard of enforcement—which the State of New York has a perfect right to determine for itself—is rather low.

It was further pointed out that a large number of the complaints were settled by agreement through conference and conciliation.

The point is that the State of New York, under title VII, could agree with the Federal Government that it would handle its own equal employment opportunity problem. Past experience shows that the State of New York issues an order after hearing on the average of only once in every 3 years.

Under present circumstances, Mississippi, Alabama, Georgia, Louisiana, and many other States, would not be afforded the same opportunity as New York. These States do not have an FEPC law. The people of these States have the same right to determine that there is no need for such a law in their particular State as the citizens of New York have to

determine there is a need for such a law in their State.

Mr. President, the Census Bureau table which was placed in the RECORD and discussed more than once, shows that nonwhite unemployment in New York City is higher than it is for the Nation's average, that in Mississippi nonwhite unemployment is lower than it is for the national average, although the State that I have the honor to represent has the highest number, percentage-wise, of colored people than any State in the Union.

But even if Mississippi, or any of the other States not now having such a law, enacted an FEPC law, there would be no assurance that the Federal Commission would agree to stand aside and let Mississippi or the other States handle equal employment opportunity problems on the same standard as New York. As a practical matter, it is probable that exactly the contrary would be true. The pressure that is now being exerted on Mississippi and other Southern States in this and other civil rights fields will not be lessened with the passage of this bill, or this title. It will be increased.

Suppose Mississippi should pass an equal employment law. No person who has made any knowledgeable assessment of present circumstances existing in the Nation could really believe that in the practical application of title VII Mississippi would be allowed the right to dismiss almost three-fourths of all claims as having no ground of complaint, as New York has done. This would be branded as a complete breakdown in the operation of the law.

I point out again that even though there is no FEPC law in the State of Mississippi, even though we have the highest percentage of nonwhites of any State in the Nation, our unemployment rate for nonwhites is less than that of the State of New York.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana. His State is similarly involved. The Senator is well versed in the problem and is seeking to find its solution.

Mr. LONG of Louisiana. I hold a table of figures in my hand, the latest information I could get, which shows the percentage of unemployed whites in all the States of the Union compared with the percentage of unemployed nonwhites.

The fantastic thing about this table is that it shows in the FEPC States, compared to Southern States, the average is 4.9 percent of unemployed whites as against 10.1 percent of unemployed nonwhites. That is a ratio of 107 percent on the discrimination index.

On the other hand, in the South, 4.4 percent of whites are unemployed compared to 7.4 percent of nonwhites unemployed. That gives a ratio of 67 percent higher than for unemployed whites.

Mr. President, I ask unanimous consent to have this table printed in the RECORD, so that it may be available to other Senators.

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

Unemployment as percent of civilian labor force, by color, by States, April 1960

State	Total	White	Nonwhite
United States.....	5.1	4.7	8.7
Alabama ¹	5.7	4.7	8.4
Alaska ²	12.8	10.5	25.4
Arizona.....	5.3	4.7	13.2
Arkansas ¹	6.0	5.3	9.1
California ²	6.1	5.8	10.0
Colorado ²	4.0	3.9	6.6
Connecticut ²	4.6	4.4	8.9
Delaware ²	4.6	3.8	9.2
District of Columbia.....	4.1	2.5	5.7
Florida ¹	5.0	4.6	6.7
Georgia ¹	4.5	3.8	6.3
Hawaii.....	4.2	4.8	4.0
Idaho ²	5.7	5.6	8.6
Illinois ²	4.5	3.8	11.5
Indiana ²	4.2	4.0	8.5
Iowa.....	3.2	3.1	9.3
Kansas ¹	3.7	3.4	8.5
Kentucky ¹	6.0	5.9	8.1
Louisiana ¹	6.1	4.7	9.5
Maine.....	6.5	6.4	17.8
Maryland.....	4.8	3.8	9.5
Massachusetts ²	4.2	4.1	7.8
Michigan ²	6.9	6.0	16.3
Minnesota ²	5.0	5.0	12.8
Mississippi ¹	5.4	4.5	7.1
Missouri ²	4.1	3.7	8.6
Montana.....	6.8	6.4	24.8
Nebraska.....	3.1	3.0	7.7
Nevada ²	6.2	5.9	10.1
New Hampshire.....	4.3	4.2	10.2
New Jersey ²	4.6	4.1	9.5
New Mexico ²	5.9	5.5	13.6
New York ²	5.2	4.9	7.4
North Carolina ¹	4.5	3.6	7.4
North Dakota.....	5.6	5.4	25.2
Ohio ²	5.5	4.9	11.9
Oklahoma ²	4.4	4.0	9.0
Oregon ²	6.0	5.9	9.5
Pennsylvania ²	6.2	5.8	11.3
Rhode Island ²	5.3	5.2	10.0
South Carolina ¹	4.1	3.4	5.7
South Dakota.....	4.1	3.7	23.8
Tennessee ¹	5.2	5.0	6.5
Texas ¹	4.5	4.1	7.1
Utah.....	4.1	4.1	5.7
Vermont ²	4.5	4.5	10.6
Virginia.....	4.2	3.5	7.1
Washington ²	6.6	6.4	13.4
West Virginia ²	8.3	8.2	11.4
Wisconsin ²	3.9	3.7	11.4
Wyoming.....	5.1	5.0	10.1

¹ Southern States.

² States with effective fair employment practice commission laws in 1960, as classified by the U.S. Department of Labor.

³ States with FEPC laws.

Source: U.S. Bureau of the Census, 1960 Census of Population, PC(1)C series table 53, 83.

	White	Non-white	Percent
FEPC.....	4.9	10.1	107
South.....	4.4	7.4	67

Mr. LONG of Louisiana. Mr. President, the cold blooded record shows that discrimination against Negroes in employment is much worse in the North, in States which have FEPC laws, where at least they have the laws to prohibit discrimination, than in the South where there are no such laws.

There are a number of reasons for that. One reason is that because of the FEPC laws, an employer is afraid that if he hires a person of the Negro race who turns out to be not qualified, he might not be able to discharge him because of being hauled before the FEPC Commission on a charge of discrimination. So the employer tries various ways to maneuver around to avoid the law.

As one example, a businessman from a northern State told me that in those

FEPC States one should never answer an ad in the newspaper, because it is likely to be a trap set by either CORE or the NAACP. If an employer finds the kind of person he wishes to employ and he is white, it would be safer to hire him, because if he turned out to be not qualified, he could be fired with no possibility of the charge of discrimination being placed against him.

It has been found that discrimination in FEPC States is worse against the poor colored man than it is in the South. I should like to see the colored man receive a better break everywhere, North and South, but I should like to inquire of the Senator whether this table does not amply demonstrate that discrimination in the FEPC States?

Mr. STENNIS. It certainly does; and I join the Senator from Louisiana in asking unanimous consent that the table be printed in the RECORD.

Mr. LONG of Louisiana. Discrimination is worse in the States that already have FEPC laws; is that not correct?

Mr. STENNIS. The Senator is correct. Those figures are not the compilation of a group, opposing this bill, but they are census figures; is that not correct?

Mr. LONG of Louisiana. These are administration figures. They show that, nationwide, 4.7 percent of whites are unemployed, and 8.7 percent of nonwhites are unemployed.

Why is it so bad? How could it be so awful? We find that the law is bad in the States which already have FEPC laws. They are the ones which make it so bad.

For example, the great State of Michigan—which has two Senators who hope to impose their Michigan-type of FEPC law on us—probably heads the list in discrimination against Negroes. In Michigan, 6 percent of whites are unemployed and 16.3 percent of Negroes are unemployed.

One would think that the State of Illinois, so ably represented by two outstanding Senators in this body, two fine persons from that State, would have made some headway in helping the colored man to advance himself. However, the State of Illinois stands out above all other States as one which has discriminated against Negroes—for example, not the State, but the way it works out under their law.

The figures show 3.8 percent white unemployment and 11.8 percent nonwhite unemployment. That is a ratio of almost 3 to 1 in discrimination against Negroes. It is a discrimination index, one might say, of 100 for the North and 67 for the South.

Pennsylvania shows 5.8 for white and 11.3 for nonwhite.

Cannot the Senator understand why Negroes demonstrate in demanding a quota system, and thereby show up the hypocrisy of the FEPC laws?

Mr. STENNIS. The Senator has shed additional light on this subject. These groups show in their demands for a quota system, that the FEPC law as administered by those States is not effective

or necessary. Even so, Senators from those FEPC States, with all due deference to them personally, are trying to write an FEPC provision into the pending bill. They know that the Federal law would not apply in their States.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. It is obvious that a colored man is worse off in those States, so far as getting a job is concerned, than he is in the South. Is that not correct?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. One would think that if they wanted a law to help the colored man, they would want the Federal Government to do the job if the State cannot do it. Yet they are now trying to exempt themselves from the application of the Federal law.

Mr. STENNIS. The opposition to the proposed Federal law applying within a State has come from the people of those States. That is why their Senators are trying to exempt their States from application of the Federal law. It is only commonsense for them to want to do that. I can understand their position. I do not blame them personally. But it seems to me that they ought to go as far with us. They should say to us, "We are willing to be bound by the law that we are proposing to have apply to you."

Mr. LONG of Louisiana. Does it not seem strange to the Senator that Senators who propose a Federal law in this field do not wish it to be applicable to their States?

Mr. STENNIS. I do not know why they should wish to exempt themselves from a law they are trying to have apply to us.

I made reference to the tables presented by the Senator from Louisiana. I did not have them before me at the time. I now have these tables and point out that in Mississippi the unemployment rate among nonwhites is 7.1 percent, which is below the national average. The national average at the time the table was made up was 8.7 percent. These figures were furnished by the U.S. Census Bureau. The rate of nonwhite unemployment in Mississippi is less than in New York, as the Senator has already mentioned. Mississippi's unemployment rate of nonwhites—and there is no FEPC law in Mississippi—was less than in 24 of the 25 States which have a FEPC law.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for one further question?

Mr. STENNIS. I am glad to yield.

Mr. LONG of Louisiana. If we put a law on the books which would have the effect of telling an employer that if he hires a colored man who is not qualified and lays him off or fires him, he can be hauled into court and tried before a judge without a jury and put in jail for 30 days, because he tried to get rid of an unqualified employee, would it not stand to reason that the employer would prefer to hire a white person and would be afraid to hire a colored man, because he knew that if he hired the white man who

turned out to be unqualified, he could fire him?

Mr. STENNIS. Yes.

If Mississippi or any other Southern State completed only one FEPC hearing in 3 years, as the record shows has been done in New York, there would be marches, sit-ins, lie-ins, riotous demonstrations, endless political oratory, and it would create pandemonium in the Attorney General's office. All the forces of the Justice Department would be ordered into action, and its biggest legal guns would not only be aimed at the South in threat, they would be fired with the most potent legislative and executive warheads available.

The Federal Equal Opportunity Commission created under this title, as a practical matter, would never make an agreement to let Mississippi or any other Southern State handle its own problems in this area. If, by some miracle, such an agreement was made, and the enforcement record in any of these States was of the same level or standard as that in New York, it would be rescinded by the Commission just as quickly as it could write an order doing so.

Now, it is not intended to make an example of New York. Other States have similar records. Between the time the law was passed in the State and December 31, 1961, California had only 2 hearings in over 1,000 cases filed. Massachusetts had only 2 hearings in over 3,500 cases filed. Pennsylvania had only 19 hearings in over 1,200 cases filed. In 13 of the first States to pass an FEPC law, of the total 19,000 cases filed in those States, only 62 hearings were held, and just 26 cease and desist orders were issued. Only 18 court actions were taken.

What would be the reaction if this same situation occurred in any Southern State or in the Southern States collectively? The South would be descended upon with all the force that could be found in title VII of H.R. 7152. This bill and this title may sound good in theory to some people, but, as a practical matter, the effect would be to set up one standard with strongly enforced radical requirements in the South while, at the same time, other States are allowed to set their own standards.

Mr. President, as a result of the debate in the Senate, in which we have exposed the details of this bill, the proponents of the bill, in response to our criticism and criticism from home, have rewritten the bill. They have taken out many of the provisions which would apply to them and to their States, many of whom have FEPC laws, but they did not change any of the provisions which affect other parts of the country.

That same memorandum inserted in the RECORD by the Senator from Minnesota, which I have previously mentioned, referred to an opinion by "22 of the Nation's most distinguished lawyers" in which it was reminded that these distinguished lawyers stated that "titles II and VII—those dealing with public accommodations and fair employment practices—are 'within the framework of the powers granted under the Constitution.'"

This memorandum has been referred to several times during the course of the

debate on civil rights. The memorandum was prepared some weeks ago pursuant to a joint request by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from California [Mr. KUCHEL].

It is immediately obvious from a study of the complete memorandum that either: first, the conclusion that the memorandum unqualifiedly supports the constitutionality of title VII is erroneous or, second, the conclusion reached by the distinguished attorneys and the resulting memorandum opinion was rendered with no evidence whatever upon which to base their finding and is therefore invalid.

My remarks now are directed to title VII. The proponents of title VII have gone to great lengths to establish the fact that Congress has the right to regulate interstate commerce and also to regulate matters of intrastate commerce which have an effect upon interstate commerce. Although the proponents of H.R. 7152 might have hoped it goes further, so far as title VII is concerned, that is what this memorandum has advised. That is all the memorandum has advised.

The Senator from Mississippi, and I am sure every other opponent of title VII who is a lawyer, understands that Congress has the right to regulate interstate commerce and to regulate matters of intrastate commerce which affect interstate commerce. The Senator from Mississippi feels in many instances the regulation has gone too far, but the right of the Congress, generally, to establish such regulation is quite clear.

But that is not the question before us at all.

The question is whether in the case of the conditions anticipated under title VII there is sufficient proof that discrimination in employment has such a substantial and close effect upon commerce and that this effect is of such magnitude that it threatens to obstruct or unduly to burden the freedom of commerce so that the Congress is authorized under the commerce clause to enact corrective legislation.

This question was not discussed in the memorandum. It was impossible for its authors to discuss it because no evidence of discrimination or its effect upon commerce has been offered.

Its authors could not discuss something that did not exist. Consequently, a conclusion that the memorandum supports the contention that title VII of H.R. 7152 can, without qualification, be based upon the commerce clause, is without foundation.

The 22 lawyers cited *NLRB v. Jones & Laughlin Steel Corp.*, 301 U.S. 1 (1943), and stated:

The National Labor Relations Act is an example of the type of Federal legislation upheld by the courts against the charge of interference with property rights.

There is no disagreement with that statement. As I have said, it is conceded the Congress has authority to enact the type of legislation involving regulation of interstate commerce, but, again, that is not the question. The question is whether or not Congress has

the authority to enact this legislation—title VII.

Whether that authority exists depends upon the facts surrounding this legislation and whether these facts—pertaining to this title—are such that it can be concluded that this title can be enacted as a type of regulation which the Congress is authorized to enact.

There have been no committee hearings on this title either in the House or Senate. No evidence has been offered. Therefore, we cannot know what conclusion the facts would establish.

However, the Supreme Court has laid down rather clearly the circumstances which the facts must establish in order to base the type regulation of an activity upon the commerce clause.

In *NLRB against Jones & Laughlin Steel Corp.*, which the proponents cite as authority for passing this type of regulation, the Court held:

The scope of the power of Congress over interstate commerce may not be so extended as to embrace effects upon interstate commerce so indirect and remote that to embrace them would effectively obliterate the distinction between what is national and what is local and create a completely centralized government.

It said further:

If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by suzerainty to the Federal Government. Indeed, on such a theory, even the development of the State's commercial facilities would be subject to Federal control.

Mr. President, that is exactly what the bill has done in many of its major provisions.

The Court said further:

Whatever amounts to more or less constant practice and threatens to obstruct or unduly to burden the freedom of interstate commerce is within the regulatory power of Congress under the commerce clause and it is primarily for Congress to consider and decide the fact of the danger and meet it.

In *NLRB against Jones & Laughlin Steel Corp.*, the Court acted only after it found there was very stringent and urgent necessity to act in order to remove a burden from commerce. In fact, the Court in that case found:

Giving full weight to respondent's contention with respect to a break in the complete continuity of the "stream of commerce" by reason of respondent's manufacturing operations, the fact remains that the stoppage of those operations by industrial strife would have a most serious effect upon interstate commerce. In view of respondent's farflung activities, it is idle to say that the effect would be indirect or remote. It is obvious that it would be immediate and might be catastrophic.

In order to conclude that this proposed legislation—title VII—can be founded upon the commerce clause, the requirements laid down in *NLRB against Jones & Laughlin Steel Corp.*, which is cited in the memorandum as authority for its enactment, must be met.

No hearings were held on this title, no witnesses were examined, and no evi-

dence offered from which it could be determined whether the conditions title VII seeks to correct are such that the requirements of the NLRB case are met. No evidence having been offered, it is only logical to assume none exists. If none exists, obviously the requirement cannot be met.

The memorandum opinion ignores the fact that there is no evidence before the Senate on which to base a conclusion.

What evidence has been submitted that there is, in fact, discrimination in employment? The answer is "None." What showing has been made that discrimination, if in fact it does exist, has a "most serious effect upon interstate commerce"? There is none.

What showing has been made that discrimination if it exists is a "more or less constant practice"? None whatever. What evidence has been offered that shows discrimination in employment, if in fact it does exist, "threatens to obstruct or unduly to burden the freedom of interstate commerce"? There has not even been an attempt to do so.

The proponents of title VII have not shown even the remotest effect discrimination, if it in fact does exist, has had, has now, or will ever have upon interstate commerce. Surely they have fallen far short of the conditions present in NLRB against Jones & Laughlin Steel Corp. case which the court determined had a "most serious effect upon interstate commerce" and that effect was "immediate and might be catastrophic."

There has been no showing whatever that would give any support to the contention that conditions as they exist in relation to discrimination and interstate commerce would authorize enactment of the so-called remedial legislation advocated in title VII.

With all deference to the distinguished lawyers who concurred in the memorandum opinion, they have not reached a sound conclusion if they intend to say without qualification that title VII is constitutional. They have rendered judgment without evidence. They have reached a verdict without facts.

If they intended to convey the conclusion that it is within the power of Congress to enact the type of legislation which regulates commerce, they are imminently correct.

But the type of regulation which Congress can regulate and that legislation contained in title VII are two completely different things.

Title VII reaches much further than any legislation of that type ever enacted by Congress.

It is doubtful that there would ever be circumstances and public necessity which would justify passage of legislation so far reaching and encompassing that further relaxation of the Constitution would be necessary.

Certainly such circumstances do not exist now.

Mr. President, I yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I thank the Senator from Mississippi for his characteristic courtesy.

I have merely a brief statement to make, with the permission of the Senator from Mississippi.

REQUEST TO APPROPRIATE REMAINING FUNDS FOR 1964 FOR THE MANPOWER DEVELOPMENT TRAINING ACT

Mr. DOUGLAS. Mr. President, I have written to the chairman of the Senate Appropriations Committee urging that the remaining \$55 million which was authorized for the Manpower Development Training Act program, as administered by the Department of Labor and the Department of Health, Education, and Welfare, be appropriated as quickly as possible. The original authorization allowed \$165 million to be made available during the fiscal year of 1964. Of that amount, only \$110 million was actually appropriated. Of this amount practically all of it was allocated by January of this year. Since then, what few additional projects have been able to get started did so with funds which had been turned back from previously approved training projects.

Few of us will doubt the effectiveness and value of the Manpower Development Training Act retraining programs. Its retrained workers have been removed from the relief rolls in almost every State of the Nation, and have taken their place on the positive side of our economy. However, there will not be many more retrainees receiving this help unless the remaining funds authorized are made available. I hope other Senators will join with me in urging this action. I ask that a copy of my letter be printed at this point in the CONGRESSIONAL RECORD.

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

MAY 22, 1964.

HON. CARL HAYDEN,
Chairman, Senate Appropriations Committee,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HAYDEN: I am writing to urge favorable consideration of a supplemental appropriation of \$55 million for the Manpower Development Training Act. The deficiency appropriations bill, H.R. 11201, is now before your committee, and I hope that in your action on that bill, you will include this sum, already authorized, in order to enable the Manpower Development Training Act program to continue.

For all practical purposes, the \$110 million originally appropriated was used up last January, and what new programs have been inaugurated since then have been possible only through canceled out funds returned from previously approved projects. Congress had authorized \$165 million during the fiscal year of 1964, and to date, only a total of \$110 million has been appropriated.

While I believe in a careful scrutiny of possible economies, I am impressed with the success of the Manpower Development Training Act program and the benefits which it has brought to retrained workers and to their families and communities. We should not let this valuable program expire, but we should rather provide the funds necessary to continue and expand it. At present, there are Manpower Development Training Act programs which have been approved by the State of Illinois and the Department of Labor.

These programs would require \$3,347,504 and would retrain 1,248 people. However, these are being held up because there are no funds left under Manpower Development Training Act. More and more Illinois programs are being put on the shelf every day, and this is also the case in other States.

The Manpower Development Training Act has proved itself capable of retraining workers displaced by automation and other technological advances, and I believe it deserves our full support.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

RECESS TO MONDAY, AT NOON

Mr. STENNIS. Mr. President, in accordance with the previous order, I move that the Senate take a recess until 12 o'clock noon, on Monday next.

The motion was agreed to; and (at 5 o'clock and 54 minutes p.m.), under the previous order, the Senate took a recess until Monday, May 25, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 22 (legislative day of March 30), 1964:

IN THE MARINE CORPS

The following-named (platoon leaders class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Barba, Richard D.	Paulson, Jon W.
Buchanan, William L.	Ramsdell, Jeffrey K.
Buse, Henry W. III	Secret, James E.
Juil, John F.	Stevens, John L. III
Kelly, Thomas W.	Tucker, Phillip E.
Olivas, George S.	Vankat, William J.

The following-named (Army Reserve Officers' Training Corps) candidates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Neubauer, Ronald S.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Allen, Russell L.	Flannery, Raymond J., Jr.
Corbett, Lawrence P., Jr.	Goetz, Philip T.
Keane, John F., Jr.	Gordon, James T.
Murphy, Douglas G.	Harper, Richard O.
Younger, Alvin M.	Kizer, James P.
Alexander, Richard E.	Levan, Robert L.
Anderson, Dennis N.	Loney, Edward H.
Ayres, Albert B.	Martin, Bruce A.
Beavers, Freddy W.	Marvel, Jerry W.
Bolton, James L.	Nolan, John L.
Collins, Billy D.	Palmateer, Homer R.
Downer, John R.	Spars, Early W.
Doyle, Charles M.	Wagener, Paul H.
Dryden, Ralph M., Jr.	Walsh, John F.
Etter, William R.	Zilka, Lewis J.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Dempsey, Daniel G.	Castagnetti, Gene E.
Eklund, Richard M.	Collins, Melville W., Jr.
Archie, Arrington W.	Ciaccimino, James A.
Baggette, John C.	Connor, Richard A.
Barton, Thomas Y., Jr.	Conway, Jack L.
Beekman, Frederick W., III	Davidson, Douglas M.
Britt, James E.	Ender, Roger F.
Bryan, James R.	Esslinger, Arden A.
Campbell, Thomas E.	File, Gerald B.

Frakes, Bernard E.
Hamilton, Francis X, Jr.
Hancock, David
Hand, Donald L.
Hempel, Edward S.
Huebner, Ray E.
Johnson, Harry N.
Kilb, Roger E.
Kirchner, Francis J.
Kowalewski, Anthony J., Jr.
Leshner, Charles E.
Lowrey, John J.
Lucas, Richard J.
Manning, Anthony E.
Marcantel, William E.
McDanal, Charles E.
Miller, David R.
Moriarty, John B.
Nelson, Jimmie C.
Ortiz, Naval A.
Phelan, Harold J.
Reilly, Edmund W.
Rieker, Thomas J.
Sambito, William J.
Snowden, Robert J.
Spencer, John F.
Tavis, Augustus T.
Toomey, Cornelius R., II
Vann, Hugh M., III
Vargas, Manuel S., Jr.
Venator, Raymond L.
Adams, Merrel F., Jr.
Amelse, Lawrence T.
Baker, Barrie T.
Brown, Gene A.
Burns, Orval L.
Butler, Dallas E.
Carroll, Theodore D.
Connor, Charles R.
Cunningham, James I.
Dennison, Raymond E.
Dicke, Gary D.
Diehl, James R., Jr.
Edwards, Roy T.
Evans, Donnie C.
Franklin, George E.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Egloff, James E.
Brennan, Patrick J.
Criche, Richard H.
Nelson, David A.
Anderson, Donald F.
Camp, Richard D., Jr.

IN THE ARMY

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Kermit Levell Davis, [REDACTED] U.S. Army.
Brig. Gen. Woodrow Wilson Stromberg, [REDACTED] U.S. Army.
Brig. Gen. David Bennett Parker, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. Frank Wade Norris, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. George Edward Pickett, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Brig. Gen. John Martin Cone, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. John Henry Chiles, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. William Nels Redling, [REDACTED] Army of the United States (colonel, U.S. Army).

French, Guy B.
Gibson, Jon R.
Gilsrud, Gary C.
Green, Thomas W.
Haag, Myron L.
Hubbard, Donald E.
Inderrieden, Richard L.
Johnson, William D., Jr.
Johnson, William E.
Jones, Edwin A.
Kelly, Gordon K.
Kline, Joseph F.
Kuranowicz, Paul M.
Lee, Gregory W.
Lowe, Darrell M.
Mack, Peter M.
Marshall, Robert C.
McGaha, Dayle O.
Ogline, Fred E.
Perlin, Stephen J.
Perryman, Webb E.
Polhamont, Richard M.
Prevost, Albert M.
Rengel, Gregory A.
Rischer, Ernest L.
Roman, Joseph G.
Ross, Daniel C.
Scharar, Frederick S.
Sharp, Harry F., Jr.
Spath, James A.
Sperry, Burton P., III
Stansfield, Floyd F.
Stocking, Roy J., Jr.
Terry, David C., Jr.
Tripp, Alfred L.
Vermilyea, Clyde L.
Visconti, Francis
Westbrook, Dan
Wilder, Charles L.
Williams, Thomas, Jr.
Wilson, William B.
Lyman, Thomas J., Jr.
Davis, James M.
Dorsett, Earl H., Jr.
Butler, John C.
Ray, Carol A.
Halliday, Bartholomew G., III

Brig. Gen. Chester Lee Johnson, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. Delk McCorkle Oden, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. William Raymond Peers, [REDACTED] Army of the United States (colonel, U.S. Army).
Brig. Gen. Gines Perez, [REDACTED] U.S. Army.
Brig. Gen. Walter Brown Richardson, [REDACTED] U.S. Army.

To be brigadier generals

Col. Wendell John Coats, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Theodore Henderson Andrews, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Walter Martin Higgins, Jr., [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Burton Robert Brown, [REDACTED] U.S. Army.
Col. John Joseph Hayes, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Richard Henry Free, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Wilbur Eugene Showalter, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Walter Ferrell Winton, Jr., [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. William Merle Fondren, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Lloyd Brinkley Ramsey, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Charles Morgan Prosser, [REDACTED] U.S. Army.
Col. Osmund Alfred Leahy, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Phillip Buford Davidson, Jr., [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Charles Carmin Noble, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Robert Beirne Spragins, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).
Col. Leonard Burbank Taylor, [REDACTED] Army of the United States (major, U.S. Army).
Col. Donn Royce Pepke, [REDACTED] Army of the United States (lieutenant colonel, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. Victor James MacLaughlin, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Ellsworth Ingalls Davis, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Richard Davis Meyer, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. John Thomas Honeycutt, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Chester Arthur Dahlen, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Thomas Ralph Yancey, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Brig. Gen. Gines Perez, [REDACTED] U.S. Army.
Maj. Gen. John Joseph Lane, [REDACTED] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Frederick Thorlin, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Ethan Allen Chapman, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Richard John Meyer, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Carl Darnell, Jr., [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Harvey Julius Jablonsky, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. James Richard Winn, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Oliver Clark Harvey, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Julian Alexander Wilson, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Charles Wythe Gleaves Rich, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Walter August Jensen, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. George Thomas Powers 3d, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Elmer John Gibson, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Maj. Gen. Frank Joseph Sackton, [REDACTED] Army of the United States (brigadier general, U.S. Army).
Brig. Gen. Walter Brown Richardson, [REDACTED] U.S. Army.
Brig. Gen. Bruce Edward Kendall, [REDACTED] U.S. Army.

To be brigadier generals, Medical Corps

Brig. Gen. James Bowdoin Stapleton, [REDACTED] Army of the United States (colonel, Medical Corps, U.S. Army).
Brig. Gen. Byron Ludwig Steger, [REDACTED] Army of the United States (colonel, Medical Corps, U.S. Army).
Brig. Gen. Robert Estes Blount, [REDACTED] Army of the United States (colonel, Medical Corps, U.S. Army).
Brig. Gen. Joe Morris Blumberg, [REDACTED] Army of the United States (colonel, Medical Corps, U.S. Army).

IN THE NAVY

The following-named midshipmen (Naval Academy) to be permanent ensigns in the Supply Corps of the Navy, in lieu of ensigns in the line of the Navy, as previously nominated, subject to the qualifications therefor as provided by law:

Vincent T. Canale	Robert J. Mizer
Maxie S. Day	John A. Stanley
John E. Gordon	Peter M. Syrko
Gary P. Jones	Stephen D. Moore

The following-named (Naval Reserve Officer Training Corps) candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

George R. Armstrong	Philip B. Harper
Richard A. Bates	Christopher B. Harris
James W. Bell	Joseph J. Joerg, Jr.
Robert E. Bill	David O. Kauppi
Craig M. Brandt	David R. Laehn
James F. Byrne	Michael M. MacMurray
Ray L. Caldwell	Edward J. Mathias
Peter T. Chiodo	John F. McDonald
Ralph R. Davis	Frank J. Monahan
James T. Dewing, Jr.	Phillips S. Murray
Jerry M. Dunagan	Jack E. Olson
Julian D. Edge, Jr.	Bradford K. Perry
Donald W. Getts	James H. Perry, Jr.
Eugene H. Ginchereau	Walter E. Pollock III
Clarence H. Glover, Jr.	Ernest H. Pomerantz
Robert L. Gorham	Thomas L. Potter
Alan R. Greenwood	William P. Rebarick

Phillip F. Rehbock
John P. Ribka
Robert E. Robertson
III
Dexter R. Rowell
Thomas W. Sampson
Stuart O. Schmitt
Ivan "J" Snyder, Jr.

Richard P. Trumpler
Francis A. Walker
Francis D. Walker III
George T. Wasleski,
Jr.
Peter K. Watt
William R. Welch

The following-named (Naval Reserve Officers Training Corps) candidates to be permanent ensigns in the Civil Engineers Corps of the Navy, subject to the qualifications therefor as provided by law:

Theodore J. Bielen, Jr.	Terence A. McLaughlin
David L. Browne	Michael A. Merback
Donald D. DelManzo, Jr.	William R. Mitchum III
Jerry C. Ebersbaker	Charles P. O'Neill
Robert P. Dillman	Frederick "J" Osgood
Stephen A. Fausett	Dean A. Schofield
Thomas A. Gaither	Bradley W. Simmons
Robert M. Gallen	William G. Smither
Mark W. Hall	Floyd E. Swartz, Jr.
George P. Hibbard	William W. Talley
Frank J. Jerebek	Ronald E. Walkington
Warren H. Klink	William H. Williams, Jr.
John R. Lutz	
William D. Martin	

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Joseph O. Desrochers
William V. Smith

The following named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

John A. Anderson	Richard R. O'Reilly
David A. Austin	Theodore R. Whatley
Donald C. Gibson	

Timothy M. McCormick (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Ronald J. Amalong	Marvin Grossman
Dale W. Boyd	Donald J. Hayden
Andrew N. Cattano	

Ernest S. Kozma (Naval Reserve officer) to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

"G" "W" Allen	Walter P. Wither- spoon, Jr.
Arthur D. delaOssa	
Lawrence W. Gregory	

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Ralph A. Beck, Jr.	Jerry L. Lane
Lathe L. Bowen	David W. Sexton
Donald H. Donoho	Thomas H. Sugg
Dennis D. Flynn	Neil H. Waldow

The following-named officers of the U.S. Navy for temporary promotion to the grade of chief warrant officer, W-3, subject to qualification therefor as provided by law:

Abbott, John C., Jr.	Allen, Willie
Agdius, Theodore H.	Anderberg, Roy A.
Allen, Fred A.	Anderson, James B.

Andries, Justin J., Jr.	Hayter, Clifford C.
Angulo, Mike M.	Heafner, James E.
Ansley, William A.	Healy, Gordon R.
Avery, Harrison W.	Heckbert, Donald F.
Barger, Paul K.	Hedrick, Devoe E.
Barker, James D.	Hensler, William
Barnhart, Marvin R.	Hermesen, Gerald E.
Barter, William E.	Hinkle, James P.
Bartholomew, Cornelius R.	Holland, Andrew S.
Bean, John M. P.	Hollingsworth, William C.
Beatty, James M.	Hollis, James D.
Bender, Marjorie G.	Howard, Jack M.
Benton, George J.	Inscoc, Benjamin F.
Berce, Antone E.	Isselhardt, Francis X.
Bieber, Gustave W.	Jinnette, Richard H.
Bissen, Edward H.	Johnson, Benjamin M.
Blackwell, Lewis	Johnson, Donald R.
Blalock, Ralph T.	Johnson, Edward H.
Boardman, William B.	Johnson, Thomas M.
Bogart, Jerome F.	Johnston, Harvey C., Jr.
Bowser, Albert E.	Jones, Donald B.
Brett, Robert A.	Jones, Leonard F.
Bromley, Jack E.	Josefowski, Lawrence J.
Brooks, James D.	Kavanaugh, Thomas E.
Brooks, Orin A.	Kelly, James W.
Brown, Albert L., Jr.	Kelsay, Alfred O.
Brown, Joe W.	Kelso, Don A.
Bruno, Anthony	Killian, Walter E.
Buell, Benton E.	Klimkewicz, Paul
Bunnell, John D., Jr.	Kopek, Vincent J.
Burkhart, Russell L.	Kramer, Theodore
Byars, Frank	Lacombe, Calam M.
Cameron, Stanton W.	Lacy, Gene H.
Cannon, James G., Jr.	Lafave, Howard J.
Carroll, Thomas R.	Lafleur, Marshall J.
Collins, Richard S.	Laird, Harvey R.
Combs, Howard S.	Lash, Don L.
Conaway, Ralph H.	Lawrence, Thomas C.
Corvin, Julian P.	Layne, Harry
Coughlan, Maureen A.	Leamons, Forrest E.
Cowan, Bill F.	Learned, Donald D.
Cowell, Benjamin F.	Longo, Frank P.
Cranford, James F.	Magle, Harry
Cunniff, Thomas F.	Mandell, Floyd E.
Davis, Richard P.	Marbourg, Edgar F., Jr.
Devine, Cleo J.	Marlitt, Charles R.
Dillin, Ralph L.	Mason, Thomas C.
Dobranski, John	Maxwell, Charles F.
Dorey, Raymond M.	Maynes, Robert I.
Drucker, Charles F., Jr.	Mazzara, Philip C.
Dumann, Edward W.	McLeod, John B.
Duran, John B.	McMeins, Walter R.
Dyer, Otho E.	Mellencamp, Dale J.
Eaton, Bernard E.	Merrick, William V.
Edwards, Herman B.	Moe, Sigurd M.
Eggers, Walter E.	Monaghan, Jerome A.
Eliff, Robert E.	Morison, Philip A.
Emmerson, Vernon D.	Morrissey, Peter C., Jr.
Fagan, James F.	Mullins, Ray H.
Faircloth, George B., Jr.	Mundy, Bruce T.
Felts, Thomas W.	Munsen, Jack A.
Fenstermaker, Roy E.	Murray, Richard
Fitzgibbon, Joseph L.	Nelson, Vernon J.
Ford, Egbert A.	Nestor, Joseph L.
Furqueron, George W., Jr.	Nichols, Sanford M.
Gardner, Thomas H.	Noble, Robert W.
Garner, "J" "P"	Nolan, Willis R.
Gibbs, Jack D.	Nolting, Fred W.
Gibbs, Robert M.	Nordin, Everett L.
Gilliatt, Harold R.	Northrop, William T.
Godfrey, Joseph M.	O'Connor, James G.
Gossman, Richard G.	Odle, Charles P.
Gray, Harry L.	Olsen, Alfred E.
Gray, James E.	Olsen, Leon D.
Greenfield, William G.	Overly, Robert W. D.
Groah, Albert A.	Parkin, William V.
Grudt, Dale	Patterson, William M.
Hagen, James E.	Paul, George T.
Hamblen, George P.	Paulsen, Norman J.
Hammond, Lowell G., Jr.	Pennington, Frank H., Jr.
Harris, Jack L.	Peragine, Joseph V.
Harrison, Lawrence F.	Petersen, Richard J.
Hartman, George A.	Petro, Joseph
Havens, William F.	Petzold, Herbert H.
Hayes, Alan G.	
Hayes, John F.	

Phillips, Richard W.	Steward, John L.
Podbielski, Joseph M.	Storey, Jack W.
Proper, Gaylord L.	Stroberg, John E.
Ramsey, William T.	Strother, Roscoe S.
Rawlins, Billy J.	Strube, James L.
Reading, Warren E.	Surface, Cecil R.
Reames, John R.	Swenson, Albert F., Jr.
Reid, Neal S.	Taylor, Robert M.
Reis, Adam W.	Tether, Charles E.
Reische, John V.	Thorpe, Leslie F.
Rettig, Wayman B.	Tillis, James B.
Robinett, Homer E.	Timchak, Walter
Rodrigues, Leo L.	Toole, Cecil W.
Roehs, Frederick J.	Tyre, Clyde R.
Rose, James M.	Van Cleef, Jacques E.
Rupert, Frederick R.	Vautier, Byron C.
Sadler, Maurice E.	Wagoner, James L., Jr.
Sanchez, Ernest E.	Waldeck, Vernon L.
Schimpf, William J.	Wasson, Willard F.
Schmidt, Henry	Watson, George C.
Schrei, Robert C.	Wheeler, Norman E.
Seaton, Charles H.	White, Heber D.
Sessions, William M.	Whiteside, James M.
Shafner, Paul	Wildermuth, Aaron H. R.
Shannon, Harold A.	Wilkinson, Robert P.
Shoop, Welland T.	Williams, George E.
Smallwood, Frank W., Jr.	Williams, Lowell K.
Smith, George R.	Wilson, William H.
Soule, William C.	Woods, Kenneth W.
Sparks, Robert C.	Worrell, Harry R.
Stagg, Philip R.	Ziner, Joseph J.
Stanley, Edward A.	Zink, Donald J.
Stephens, Frank, Jr.	

The following-named officers of the U.S. Navy for temporary promotion to the grade of chief warrant officer, W-4 subject to qualification therefor as provided by law:

Acosta, Eugene J.	Cyr, Norman B.
Adams, Elton R., Jr.	Daniels, Robert F.
Albee, Donald F.	Darouze, Manuel J.
Allard, Wesley J.	Davis, Claude R.
Anderson, Ralph K.	Davison, Richard F.
Baglioni, Joseph J.	Delaney, Thomas P.
Baker, Eugene V.	Dennison, James W.
Ballou, Raleigh W.	Derocher, Paul J.
Ballweber, George R.	Diamond, Emil R.
Barchenger, Robert A.	Dillon, William B.
Barnett, Norman B.	Donnelly, William E.
Barnsdale, Everett K.	Dool, Wilbur S., Jr.
Barrett, Norman R.	Doty, William C.
Bates, Russell	Douglas, Daniel C.
Bates, William E.	Edwards, Richard M.
Bauer, Robert N.	Elden, John S.
Beckley, Morton H.	Eldred, Fred H.
Beeby, Francis L.	Endrizzzi, Emanuel J.
Begley, Eugene F.	Erlandson, Helge H., Jr.
Bell, Arthur R.	Evans, William A.
Bergman, Howard E.	Fant, William F.
Bly, David	Fender, George R.
Bodine, Allen D.	Fish, Philip V.
Bohm, Lawrence R.	Forman, Charles L., Jr.
Bonds, James D.	Fram, Cloris D., Jr.
Bonnette, George R.	Fuller, Ralph D.
Boone, Raymond E.	Fulton, Ralph W.
Brehm, Carl L.	Galling, Malcolm C.
Briggs, Lloyd C.	Gilbrook, Ralph W.
Broe, Gerald J. R.	Glass, Edward B.
Brothers, Harold F.	Goodman, Jack V.
Brown, Glen R.	Gorman, Tom B., Jr.
Brown, Quentin L.	Grant, Paul H.
Buch, Herbert W.	Green, Raymond J.
Buckingham, Thomas L., Jr.	Greenlees, Roy W.
Burke, Mary L.	Gregory, William E.
Cagle, Otis H.	Haines, Jesse M.
Campbell, Walton B.	Hale, Jack R.
Christner, Ray L.	Hamill, Joseph M.
Clement, Ralph J.	Hancock, Merle H.
Clyatt, Thomas L.	Harvey, Albert F.
Coan, Walter N., Jr.	Helms, Harold L.
Coates, James E.	Henking, Alfred M.
Coleman, Arthur J.	Hill, Keith B.
Conrardy, Robert H.	Hinson, Charles W.
Corn, Frank E.	Hoagland, Harold L.
Cornett, William	Hubka, Ervan C.
Crawford, Newton U.	Huppee, Raymond M.
Crowell, David F.	Huttig, William J.
Cunningham, Lester K.	Ikard, Drennen G.
	Ingright, Vincent J.

James, James R.
Jamison, Eugene F.
Jeffers, Homer A.
Johnson, Wilbur C.
Johnston, Earl M.
Jones, Barney T.
Jordan, William C.
Keating, John L.
Kemp, Douglas R., Jr.
Kerekesh, Michael
King, Clinton R.
Kirschner, Winstead B.
Klaas, Leverne L.
Kovacs, Michael
Kreahling, Leonard J.
Lacey, Louis P.
Lapham, Wesley E.
Lawrence, Harold K.
Lawrence, Thomas H.
Leatherman, James V.
Lee, Oliver E.
Leonard, Robert L.
Leone, Michael A.
Lichtman, Norman D.
Lorenz, Lee
Loselle, Dewey J., Jr.
Maccioli, Carmen
Mansfield, Bernell C.
Marit, Frank, Jr.
Marshall, William C.
Martindale, Walter, Jr.
Mastantuno, Joseph C.
Mathers, Ivan R.
Mazgay, Joseph A.
McCally, James D., Jr.
McCart, Paul G.
McDonald, Billy B.
McElvain, Melville E.
McGinnis, Samuel E.
McGuigan, John T.
McGuire, Dewitt T.
McKinney, Rex U.
McLeod, Junior D.
McNair, Douglas J.
McNeil, Edsel
McRoy, Billie L.
Mello, Alfred
Mendenhall, Bill
Midgett, Sumner K., Jr.
Miller, Jack S.
Minehan, Henry W.
Mittner, Jack E.
Modic, Frank
Mohan, Robert J.
Molen, Robert F.
Molnar, William A.
Mooney, James L.
Morris, Glenn J.
Newton, Gordon B.
Nolan, Donald N.
Noll, Gus, Jr.
Norris, John H.
Nowlan, Robert B.
O'Donnell, Charles P.
Ogley, Benjamin F.
Oliver, James R.
Orr, Charles T.
Palombo, Orlando L.
Park, John
Parsons, Thomas U.
Peckinpaugh, Paris E.
Peltier, Robert M.

The following-named officers for permanent promotion to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law:

Ace, Robert F.
Ayres, Gordon K.
Brooks, Frans O.
Carey, Kenneth C., Jr.
Davis, William H.
Gilmore, Francis L.
Harkins, Billy M.

The following-named officers for permanent promotion to the grade of chief war-

Perkins, David W.
Perry, Seth J.
Pinto, Joseph A.
Plaster, Coy T.
Putman, Alvin F.
Queel, Craig J.
Quertemous, Elmer
Rachford, Thoma J., Jr.
Rafalovich, Daniel S.
Ramet, Charles C.
Ramsey, Joseph D.
Rangus, Anthony P.
Rauenzahn, Richard P.
Rinehart, Forrest B.
Ripple, Elmer G.
Robards, Stanley D.
Robbins, Earl B.
Roberts, Leo B.
Robinson, Lee R.
Robinson, Steve H.
Robinson, Eugene
Roby, John P.
Sabota, Michael J.
Reed, Virgil L.
Rhoades, Donald M.
Richard, Louis H.
Richards, Lyle J.
Richardson, Carl W.
Riddle, Wendell
Riley, William E.
San Felippo, John J.
Sawin, Philip J.
Schuler, Russell L.
Schweers, Nelson
Scott, Robert M.
Sellers, Alben J.
Shelton, Warren L.
Simko, Frank M.
Simzisko, John
Singer, Frank W.
Smith, Leland R.
Smith, Luther W.
Snuffin, Royden O.
Sofranik, Julius A.
Soulard, George A.
Suggs, Cecil L. R.
Sullivan, John L.
Suomi, Sulo W.
Sweeney, George H.
Swenson, Wallace A.
Thomas, Warren D.
Travis, Eddie
Tripodi, Benjamin L.
Trotter, Edgar C.
Turney, Arthur D.
Unfried, Charles M.
Upchurch, Rober C., Jr.
Wallace, Marvin L.
Wallace, William H.
Warrick, Herbert B.
Weimar, Clarence W.
Welch, Claude W.
Westover, James R.
Wilgus, Edward E.
Williams, Henry P., Jr.
Wilson, Joseph H., Jr.
Winters, Raymond R.
Wolfe, Phillip P.
Young, Norman P.
Zachko, Peter G.
Zarr, Don W.

James, William B.
Kay, James R.
Mitchell, William J.
Norris, Francis C., Jr.
Perfinger, Allan C.
Peterson, James C.

rant officer, W-3, subject to qualification therefor as provided by law:

Benson, John H.
Beverly, Lynwood A.
Billington, John J.
Brayton, Gerald R.
Britton, Junior E.
Broome, Warren W.
Burger, Bernard E.
Carter, Hughie S.
Chesmore, Kenneth L.
Clark, Victor L.
Claude, Henry L.
Coffey, William A.
Cramer, Max L.
Creek, James C.
Dagdighan, Walter A.
Edwards, Harry M.
Elrod, William F.
Fellrath, Frank M., Jr.
Flores, Ernest
Frates, Norman C.
Fussell, Elbert R.
Gallagher, Hugh P.
Gerard, Charles J.
Glass, William W.
Greer, Maurice C.
Gross, John H.
Harvey, Leo Q.
Haubert, Earl W.
Hauser, Robert F.
Hilt, George T.
Hofmann, Jack J.
Hudock, Charles J.
James, Albert N.
Jensen, Lester P.
Johnson, Thomas F.
Kanicki, Joseph J.
Kelly, Harold A.

Alice F. Schalz, Nurse Corps, U.S. Navy, for permanent promotion to the grade of lieutenant (junior grade) in the Nurse Corps subject to qualification therefor as provided by law.

Lelah E. R. Spencer, Nurse Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Nurse Corps subject to qualification therefor as provided by law.

The following-named officers of the Navy for permanent promotion to the grade indicated:

To be commanders, line

Abbott, Edwin W., III
Absher, George W., Jr.
Adams, Emil J.
Adams, Frank M.
Adams, Fred I.
Adams, Lynn "W"
Adelman, Joseph L.
Adkisson, Hubert K.
Ahlstrom, Orin J.
Aicklen, William J., Jr.
Alexander, Aaron G.
Allen, Charles D., Jr.
Allen, James B.
Allred, Jimmie "B"
Althoff, William B.
Altz, Leroy V., Jr.
Amme, Richard D.
Anders, Samuel G., Jr.
Anderson, Arland T.
Anderson, Charles R.
Anderson, James R.
Anderson, James L.
Anderson, John M.
Anderson, Paul E.
Anderson, Raymond M., Jr.
Anderson, Richard W.
Andrus, Richard C.
Ansel, David D.
Appert, Edward P.
Apthorp, Grant B.
Arguelles, John R.
Armstrong, Frank D., Jr.
Ashford, Robert "L"

Kodger, Herbert E.
Lake, Oriel N.
Larson, Richard E.
Luke, Charles P.
Moore, Verne L.
Orner, Bernard
Partlow, George W.
Peak, Claude F.
Peebles, Albert P.
Peironnet, Joseph W., Jr.
Pellerin, Martin U.
Porter, Stanley
Preston, Leonard H.
Pursel, John J.
Rhatigan, Joseph T., Jr.
Rittgers, Harley M.
Rolland, William F.
Sandell, Ormond H.
Schroeder, Robert F.
Segler, Marvin L.
Shedd, John C.
Sheppard, John R.
Smith, James R.
Smith, Vernon G.
Swan, Aubrey E.
Swift, Thomas L.
Swirka, Edward D.
Timmons, Joel W.
Travis, Richard D.
Wilcox, Mack R.
Wilson, Joseph M.
Wilson, Theodore J.
Worrells, Albert M.
Wright, Benjamin W.

Barfield, Norwood R.
Barksdale, David A.
Barlow, John F.
Barnes, Alan F.
Barnes, Jerald D.
Barnes, Robert J.
Barnum, Ralph L.
Barr, Leon V.
Barr, Robert M., Jr.
Barry, James H.
Barry, William
Barteluce, John J.
Bartholomew, Barton W.
Barton, Charles A.
Barton, George E.
Bauman, Robert W.
Baxter, James A.
Baylis, John R.
Bayly, Donald C.
Beam, Jay K.
Beaubouef, James A.
Bebb, Kenneth N.
Beck, Charles E.
Beck, Lester H.
Beck, William, Jr.
Becken, Bradford A.
Becker, Karl E.
Becker, Terrill F.
Begley, Robert E.
Bellah, James C.
Bennett, Arthur K., Jr.
Bennett, Jack W.
Bennett, William O.
Benson, William D.
Bent, Jack
Bergner, Robert B.
Bergs, Robert A.
Bernstein, Fred J.
Berry, Henry M.
Bettis, Alfred M.
Beumer, Everett H.
Beutler, Albert G.
Beyer, Delbert A.
Bihl, Richard A.
Bjord, Rudolph V.
Bird, Comer H., Jr.
Bird, George B., Jr.
Bischof, William W.
Bivin, Homer R.
Bivins, William F.
Blackwelder, Buren L.
Blades, Jehu L.
Blair, James A.
Blair, Richard E.
Blake, John S.
Blanks, Alva L.
Blawusch, Dirck E.
Blevins, William D.
Blesener, Arthur B.
Blix, Melvin D.
Blount, Robert H.
Blumberg, David H.
Bodamer, Robert E.
Boger, Clarence E.
Boland, Paul
Boland, Robert I., Jr.
Boller, Jack W.
Bolstad, Daryl B.
Bolton, Jordan T.
Bond, John C., Jr.
Bonewits, Donald G.
Boniface, John G.
Booker, Thomas F.
Borgerding, Howard A.
Borgstedt, Forrest C.
Bothwell, John H.
Bott, Alan R.
Boulding, Austin L.
Boule, Arthur E., Jr.
Bouwman, Fredric G.
Bowden, Floyd D.
Bowen, Alva M., Jr.
Bowen, Edwin E.
Bowen, Lewellyn D.
Bowen, Thomas J.
Bowerman, Robert G.
Bowling, Roland A.
Boyack, Maurice R.

Boyd, Carl J.
Boyd, Paul C.
Boyle, Paul A.
Brabant, Robert J.
Bradshaw, Ray H.
Brady, Charles G., Jr.
Brady, Donald P.
Brady, Robert L., Jr.
Braid, Robert A.
Braly, Henry L., Jr.
Brand, Richard G.
Branton, Richard C.
Brazzell, Robert J.
Breen, Charles E., Jr.
Brenner, Thomas B.
Brett, Robert P.
Briggs, Winston D.
Brite, Murrel C.
Brittain, Thomas B., Jr.
Bromley, Frederick B.
Brooke, Rupert
Brooks, Richard S.
Brooks, Richard I., Jr.
Erotherton, William D., Jr.
Broughton, Walter T., II
Brower, Robert C.
Brown, Bryan B., Jr.
Brown, Floyd H.
Brown, Francis T.
Brown, Ian F.
Brown, John W.
Brown, Joseph W., Jr.
Brown, Kenneth
Brown, Keith F.
Brown, Lofton C.
Brown, Louis F., Jr.
Brown, Thomas D.
Brownlee, Robert E., Jr.
Brozo, John G.
Brtek, Frank C.
Brubaker, Donald E.
Brumbaugh, Dale C.
Brumsted, Robert B.
Bryan, George S., Jr.
Bryant, Bobby D.
Bryce, Thomas A.
Buchanan, Fillmore B.
Buck, Maurice D.
Bucknum, Jack E.
Burgesser, Charles B.
Burgin, Wilbur J.
Burhans, John H.
Burkart, John C.
Burke, Edwin J.
Burke, James A.
Burke, Robert E.
Burki, Arde A.
Burns, William L.
Burrell, Robert E.
Burrill, James T.
Burton, James B.
Burton, Lester H.
Bush, Philip R.
Bush, Ward A.
Butler, Frank J., Jr.
Butler, John E.
Byington, Ward G.
Caine, Arthur D.
Caldwell, George A., Jr.
Callaway, John D., Jr.
Camp, Herbert E.
Campbell, Joseph W.
Campbell, Richard D.
Campbell, William M.
Cannon, Herbert "B"
Cantwell, William P., Jr.
Cardillo, Robert J.
Carey, Edmond J.
Carl, John G.
Carlin, James
Carlin, Walter P.
Carlisle, Charles S.

- Carment, Frederick, Jr. Cummings, Charles W.
 Carnahan, Ralph H. Cummings, Donald E.
 Carneghi, Albert J. Cummins, Peter P.
 Carpenter, Harold L. Curtin, Lawrence J.
 Carroll, Eugene J., Jr. Cushman, Charles H., Jr.
 Carroll, Kent J.
 Carroll, Thomas F. Cutchall, Lee G.
 Carter, Jack L. Czerwenka, Adolph P.
 Cartwright, Harold J. Dahlby, Philip C.
 Casey, Robert M. Dale, Robert L.
 Casper, William F., Jr. Dallmann, Paul H.
 Casseday, Jack N. Damon, William Q.
 Casserly, Christopher J. Darr, James, Jr.
 Castillo, Edmund L. Daughtrey, Ezekiel H.
 Causey, Charles W., Jr. Davenport, Fred W.
 Chamberlain, Charles H. Davenport, Thomas T.
 Chamberlain, Raymond E., Jr. Davidson, Alan N.
 Chambers, Lloyd S., Jr. Davidson, James B.
 Chandler, Donald E. Davies, Henry E.
 Chapman, James H. Davis, Calvin R.
 Chapman, Kendall J. Davis, Hector W., Jr.
 Chattleton, William D. Davis, John A., Jr.
 Cheek, Glen R. Davis, Ray E.
 Chrisler, Robert P. Davis, Theodore F.
 Christensen, Morris A. Davis, William G.
 Christensen, Jack A. Dawson, Richard R.
 Chuilli, Ernest J. Dawson, John F.
 Chute, Charles L. Deacon, William, III
 Cisló, Louis De Camp, Dwight E.
 Clancy, George M. De Chow, Claude E.
 Clark, Angus-Kerr Decker, Edward A.
 Clark, Carroll D. de Ganahl, James A.
 Clark, Edmund T. Degler, Forrest R., Jr.
 Clark, Robert O. De Hart, Turner
 Clausen, Paul K. Dehn, Emerson C.
 Clegg, George B., III Deibler, Robert R.
 Cleland, William H. De Lorenzi, Robert M.
 Clement, Robert R. DeMayo, John J., Jr.
 Clifton, Autry W. De Ment, Henry F.
 Cobean, Warren R., Jr. Dente, Eugene
 Cockrell, Jack R. Denton, Jeremiah A., Jr.
 Cody, Harold R. DeVeas, Thomas E.
 Cohan, George M., Jr. Dew, Carlos, Jr.
 Cole, Kenneth J. Dickey, George L., Jr.
 Cole, Russell W. Dickson, John E.
 Collins, John T. Dietrichson, Warren D.
 Collins, Robert M. Diffendorfer, Jarl J.
 Collister, Louis J. DiMatteo, Dominic J.
 Colquhoun, Richard G. Dize, Robert L.
 Comet, Robert E. Ditzler, David D.
 Condon, Vernon W. Doak, William C.
 Cone, Warren M. Doescher, Walter W., Jr.
 Conn, Robert H. Constantine, James R.
 Cook, Harry W. Cooke, Edward W.
 Cooke, Robert S. Coppedge, John O.
 Corley, James W. Corley, James W.
 Coulter, Fred W. Counihan, Henry R.
 Coursin, Jack T. Covert, Lawrence W.
 Cowan, Paul G. Craig, Neil
 Crandall, Jack C. Crane, John W., Jr.
 Crane, John W., Jr. Crangle, Eugene V.
 Crangle, Eugene V. Craven, Phillip R.
 Craven, Leahmon A. Crawford, Bentley B.
 Crawford, Robert E. Creasman, Jesse C.
 Creighton, Bert H., Jr. Crockett, Charles B., Jr.
 Cronander, James H. Cronemiller, Carl F., Jr.
 Crosby, William H. Cross, Thomas J.
 Cross, William E. Crowe, William J., Jr.
 Crozier, Francis J. Cuccias, Robert F.
 Cummings, Arthur H., Jr.
- Eadie, Charles J. Eagan, Bryan R.
 Ebel, Stanley T. Eckhart, Myron, Jr.
 Edmondson, George H. Edwards, Harold L.
 Ekelund, Kenneth O., Jr.
 Elefante, Frank L. Elliott, Chester E.
 Elliott, Edward C. Elliott, Hollie H., Jr.
 Elliott, Thomas J. Ellis, Edmund H.
 Ellis, George W. Ellis, Samuel S.
 Ellis, William H. Endacott, Jack A.
 Engel, Wilson F., Jr. Enright, John P.
 Enright, Robert E. Enryart, John W.
 Estelmann, Hermann J. Ettner, Edward R.
 Evans, Jack R. Evans, Jack E.
 Evans, James G. Evans, Joseph D.
 Everett, James G. Ewald, Arden A., Jr.
 Ewing, Paul C. Exum, John D.
 Fagan, John F., Jr. Fagan, Phillip J.
 Fahrney, Robert H. Farley, James E.
 Farley, John W. Farley, Russell J.
 Farrington, Richard S. Farris, George W.
 Farshing, Donald D., Jr. Faughman, Franklin P.
 Faulders, Cyril T., Jr. Faul, Joe D.
 Fay, Robert J. Feher, Melvin J.
 Fenwick, Joseph E. Ferguson, James C.
 Ferrante, John M. Ferris, Wilbur G.
 Field, Francis E. Fife, Milton E.
 Filson, Paul L. Finlay, Robert W., Jr.
 Finneran, John G. Fischer, David W.
 Fischer, Richard H. Fisher, James R. M., II
 Fisher, Lee W. Fisher, William B., Jr.
 Fiske, Clarence O. Fiske, Samuel L.
 Fitchko, George W., Jr. Fitzgerald, Carl S.
 Fitzgerald, Carl S. Fitzgeral, John H., Jr.
 Fletcher, Gene C. Fluhart, James H.
 Folsenbee, Albert H. Folop, Albert A.
 Foote, Edward J. Ford, Frank W.
 Forgy, William J. Forsyth, Donald D.
 Forsyth, William D. Fortson, Thomas E.
 Fosdick, Theron D. Foster, William L.
 Foust, James W. Fowler, Earl B., Jr.
 Franch, Ardwin G. Francis, Samuel
 Franz, Donald A. Freeman, James
 Fridge, Herbert E. Friedman, Robert
 Fries, William D. Fritsch, Edward C., Jr.
- Fritz, Ernest S. Fromknecht, George W.
 Fuller, Richard, Jr. Furland, Frederick W.
 Gachler, Alfred H. Gainer, Richard D.
 Gallagher, John J. Gallagher, Joseph
 Gallagher, Cornelius R. Gallup, Frederick S., Jr.
 Gammill, James L. Garbee, Edwin T.
 Gardiner, Richard S. Gardner, James S.
 Garrison, Walter V. Gary, Stanley P.
 Gately, Donald E. Gatewood, Walter P.
 Gaul, Raymond A., Jr. Gaunt, Richard H.
 Gaunt, Wesley R. Gautier, Robert H.
 Gavitt, Kenneth W. Gay, William W.
 Geary, John T. Geary, Joseph R.
 Geary, Mervyn O. Geer, Jon R.
 George, Robert M. Georgen, William M.
 Gerecke, Thomas F. Gerhard, Harry "E", Jr.
 Gernert, Harold F. Gibbs, Howard B.
 Giedt, John G. Gilles, Donald A.
 Gilliam, Gail H. Gilliland, Frank
 Gilmore, Russell G. Ginn, Benjamin F.
 Ginn, John O. Girard, Jean L.
 Giab, Joseph T. Glaser, William R.
 Glauser, Clarence J. Gless, Richard D.
 Glindeman, Henry P., Jr.
 Glover, John W. Glowasky, William A.
 Gokey, Noah W., III Goldstein, David A.
 Goodpasture, Joseph H. Gorder, Merle H.
 Gordon, Jack G. Gorman, Donald V.
 Gortney, William M. Gott, Charles L.
 Gower, Harry T., Jr. Gower, Robert F.
 Graham, Thomas A. Grantham, Delbert D.
 Grantham, Robert D. Grause, Jerome E.
 Gravelly, Samuel L., Jr. Graves, Jack C.
 Graves, Luther J., Jr. Gray, Gordon L., Jr.
 Gray, Julian F. Greene, Ernest "G"
 Greene, Joseph M. Greene, Wallace A.
 Gregonis, Joseph P. Gregory, Grover K., Jr.
 Greig, Joseph E. Gremer, Charles E.
 Griffin, Harry J. Griffin, James W.
 Griffiths, Charles H. Griswold, Richard A.
 Grkovic, Nicholas Grojean, Charles D.
 Grove, George S. Groves, Thomas E.
 Guentz, Jack E.
- Guertin, Louis H. Gulick, Richard I.
 Gullette, John G. Gunter, Monchie M., Jr.
 Guthrie, Charles Gygax, Rex
 Haak, Frank S. Haecherl, Frank S.
 Hafner, Joseph J. Hahs, Orrie A.
 Haines, John B. Haizlip, John W., Jr.
 Hall, Ray E. Hall, Richard P.
 Hall, Walter D. Hallam, Orval K.
 Hallett, Oliver S. Hamaker, William R.
 Hamberg, Harold A. Hamilton, Joe
 Hamilton, Robert M. Hancock, David L.
 Haney, William E. Hankins, Wallace W., Jr.
 Hanks, Robert J. Hanna, Donald L.
 Hannah, Glyde B. Hansen, Hans P.
 Hansen, John E. Hanson, Edgar G.
 Harbottle, Lyman W. Hardy, Willis A.
 Harlan, Wick R., Jr. Harmer, Frank D., Jr.
 Harper, George A. Harper, John R.
 Harris, William C. Harris, William L., Jr.
 Hart, Harry S. Hart, Robert R.
 Hartley, Paul J., Jr. Hartman, Willard R.
 Harvey, Donald P. Haselton, Frederick R., Jr.
 Hattersley, Julian Haugen, Edward S.
 Hauser, William F. Haycraft, Logan, Jr.
 Hayes, Arthur M., Jr. Hayes, James W., Jr.
 Hays, Seymour T., Jr. Hayward, Thomas B.
 Hazelwood, James M. Hazen, Alan M.
 Heberling, Donald A. Hedgepeth, Charles H.
 Heekin, Robert P. Heesacker, Bernard A.
 Heiderer, Robert Heidorn, Lawrence H.
 Heile, Donald H. Heimbach, Hilton R., Jr.
 Heinberg, Wolf Heise, Frederick J.
 Heller, Lester M. Hemler, Frank T.
 Hemmer, Edgar H. Henderson, Jerome E.
 Henderson, James R. Henriques, David N., Jr.
 Henry, Eugene M. Herbert, Christopher A.
 Herbert, Edward D. Herman, Richard D.
 Herrick, Carl H. Herzog, James H.
 Herzog, John J. Hess, Charles M.
 Hess, John A. Hesse, Theodore S.
 Hessom, Robert C. Heuer, Edward H.
 Higgins, Robert T. High, John R.
- Higley, Warren A. Hihn, Don E.
 Hill, Charles C. Hill, Edward C.
 Hilton, Jack Hinchcliff, Lester G., Jr.
 Hinds, Charles D. Hinkle, William L.
 Hoffman, Paul J. Hoffman, Raymond L.
 Hoffmann, Roy F. Hoke, Charles H.
 Holden, William P. Hollier, Richard S.
 Holm, Kenneth C. Holmberg, Frank E.
 Holmes, Robert E. Holt, Albert T.
 Hooffstetter, William B. Hoover, Ralph A., Jr.
 Horn, Francis R. Horn, Maurice A.
 Horner, Walter R. Horton, William P.
 Houck, Donald F. Houck, John F., Jr.
 Hough, William L. Houston, Willard S., Jr.
 Howard, Donnell Howard, George D.
 Howard, John N. Howe, Thomas
 Howell, Raymond S., Jr. Hoy, Hugh A.
 Hubka, Verne R. Hubler, Vernon R.
 Hudner, Thomas J., Jr. Hudson, George D.
 Huff, Andrew F. Hughes, Arthur J.
 Hughes, Thomas J., Jr. Hugus, James E.
 Hulihan, John W. Huling, Harold E.
 Hume, David M. Hunter, Perry F., III
 Husty, Richard M. Hutches, Robert S.
 Hutchinson, Thomas H., Jr. Hutchinson, Harold R.
 Hutton, William L. Huval, Willard R.
 Hyland, Kenneth G. Ingraham, Mark W., Jr.
 Irish, Edelbert E. Irvine, Harry B.
 Irvine, James F., Jr. Irwin, Charles M., Jr.
 Iselin, Earl C., Jr. Iverson, Robert G.
 Ives, Thomas K. Jablonski, Felix J.
 Jackson, Laurence L., Jr. Jackson, Thomas E.
 Jacobs, Richard "B" Jennings, Verne H., Jr.
 Jensen, William G. Jewett, Frederick F., II
 Jex, Donald R. Johnson, Benjamin T.
 Johnson, Charles M., Jr. Johnson, Charles E.
 Johnson, Dean R. Johnson, Francis A.
 Johnson, John R. Johnson, John D., Jr.
 Johnson, Keith V. Johnson, Mortimer C.
 Johnson, Theodore R., Jr.

- Johnston, Frank S.
Johnston, John W.
Jones, Allen, Jr.
Jones, John M.
Jordan, Edward V.
Jorgensen, George D.
Joy, Harmon R.
Joynton, Harry D., Jr.
Junghans, Robert C.
Junod, Louis L.
Kaffer, Gerald H., Jr.
Kallies, Richard H.
Karlowicz, Mitchell J.
Karnagel, Donald T.
Karr, Kenneth R.
Karr, Walter G., Jr.
Kasner, Edmund B.
Kaufman, Robert Y.
Kaye, Alan J.
Kearns, John S.
Keegan, Earl W., Jr.
Keen, Timothy J.
Keiser, George R.
Keith, James
Kellam, Raymond O.
Keller, William F., Jr.
Kelley, Albert J.
Kelly, George R.
Kelly, James J.
Kelly, Leslie D., Jr.
Kelly, William F.
Kemp, Glenn E.
Kennedy, Alfred F.
Kennedy, Clarence L.
Kennedy, James R.
Kent, John "L."
Kenyon, Eugene C., Jr.
Keough, Raymond F.
Kern, Francis X., III
Kessing, Oliver O., Jr.
Kidd, Robert A.
Kiehl, Elmer H.
Kiley, Donald W.
Kilgore, Frank J.
Killefer, William, Jr.
Killingbeck, William E.
Kilpatrick, David D.
Kimble, Elbert D.
Kimmons, George W.
Kinzey, Ord, Jr.
King, Franklin T.
King, Herbert T.
King, Ogden D., Jr.
King, William D.
King, William L., Jr.
Kingsbury, Edward J., Jr.
Kingsbury, Chester E.
Kington, Joseph E., Jr.
Kinney, Donald E.
Kirch, George G. E.
Kirklighter, James F., Jr.
Kirkpatrick, James
Klser, Charles A.
Kleczewski, Marlon J.
Klein, Melvin E.
Kline, Edward C., Jr.
Klingberg, Franklin N.
Klug, George J.
Kneuen, William H.
Koch, Ferdinand B.
Kochis, Peter C.
Koenig, William H.
Komorowski, Raymond A.
Koons, Jack L.
Korb, Frank J.
Kosnik, Joseph T.
Kovanic, Francis J.
Kranz, Arthur C.
Krebs, Edward C., Jr.
Kreutz, Arthur R.
Kriss, John
Kuehn, Walter J.
Kulik, Adam P.
Lackore, Raymond C., Jr.
Lademan, Dixon
La Hays, James D.
Lahey, Keith G.
- Lambert, Carl R.
Lambert, Joel, Jr.
Lammers, Lorin R.
Lane, Dwight A., Jr.
Lang, Hugh E.
Langford, John D.
Langille, Justin E., III
Languedoc, Arthur J.
Lanzit, Jerome R.
Larcombe, Howard N., Jr.
Larsen, Bertrand O.
Lasseter, Joe F., Jr.
Lassiter, "A" "C", Jr.
Last, Frank J., Jr.
Lauver, George I.
Lavelle, Francis M.
Layser, Richard G.
Layton, Donald M.
LeBreton, Guy J., Jr.
Ledbetter, Robert L., Jr.
Leddick, Roth S.
Lee, Earl B.
Lee, Robert E.
Leib, James M.
Leldholdt, Edwin M.
Leisk, William H., Jr.
Lemeschewsky, Andrew A.
Lemmon, Donal D.
Lenihan, Jeremiah E.
Lennon, Gerard T.
Lenson, Robert H., Jr.
Lessmann, Walter G.
Leuschner, Robert J.
Leutz, Leon H.
Levi, Burna D., Jr.
Lewis, George H.
Lewis, John C.
Liles, Percy L.
Lilly, Creighton D.
Lindberg, Charles H.
Linder, Isham W.
Lindgren, George B.
Lindsay, John R.
Linville, James C.
Long, David A.
Longley, Wilbur E.
Longo, Charles R.
Lonnquest, Theodore C., Jr.
Loranger, Donald
Lowans, Warren H.
Lowell, John E.
Lowell, Percival D., Jr.
Lowen, Ernest E.
Lucas, Burke D., Jr.
Lund, Howard R.
Lynch, Robert E.
Lyon, Harvey E.
Lyon, Henry J.
Lyon, James O.
Lyons, Kenneth H.
Lyons, Richard T.
Mac Millan, Harold R.
Macomber, Mark M.
Macon, Benjamin H.
Macon, Glen G.
Madill, William G., Jr.
Magee, William C.
Maginnis, Hayden R.
Mahinske, Edmund B.
Maier, Arthur R., Jr.
Malan, Max E.
Malone, Walter J.
Mann, Philip L.
Manning, Alvin B.
Maragos, George
March, George P.
Marsh, John C.
Marshall, Leo J., Jr.
Marshall, Robert C., Jr.
Martin, Barney
Martin, Claude F., Jr.
Martin, Frederick V.
Martin, James W.
Martin, Reginald E., Jr.
Martin, Samuel A.
- Martz, David J.
Marvin, Stephen D.
Matejcek, John F.
Matewesh, John M.
Matthews, Howard L., Jr.
Matthews, Walter L., III
Matthews, William R.
Mattson, Kenneth B.
Matula, Valentin G.
Maulden, Hoyt P.
Maupin, Elwin C.
Mawhiney, William T.
Maxwell, Raymond C., Jr.
May, Robert C.
Mayer, William S.
Mayes, Luther E., Jr.
Maynard, Allison L.
McAdams, Lee T.
McCabe, Robert E.
McCall, Robert E.
McCandless, Arlin R.
McCauley, Henry B.
McClagherty, Bernard M.
McCracken, William H.
McCrary, Robert D.
McDaniel, William O.
McDonald, Nathan F.
McDonald, Wesley L.
McDonnell, James L.
McDonnell, John C.
McElroy, Robert L., Jr.
McElwain, Richard S.
McFarland, Earle T.
McGill, John C., Jr.
McGovern, William
McGrane, Clarence V., Jr.
McGrath, Charles J.
McGrath, Herman G., Jr.
McGrath, John J., Jr.
McGraw, Donald L.
McIntyre, Douglas E.
McKee, David A.
McKeever, Elmer V.
McKenzie, Robert P.
McKenzie, William W., Jr.
McLaughlin, Norman H.
McMahon, James P.
McMullen, Frank D., Jr.
McMurray, Samuel F.
McNeil, Robert K.
McNett, Edgar L.
McOmie, Donald B.
McRostie, Richard J.
McVey, Don C.
Meek, Orville M., Jr.
Meginniss, Walter M.
Meisenheimer, John L.
Melander, Vincent E.
Melick, Roger E.
Mentzer, Howard D.
Merrill, Chandler V.
Metzel, Jeffrey C., Jr.
Metzger, Robert L.
Meyer, Joseph J., Jr.
Meyer, Wayne E.
Midgette, Oliver F.
Mikhailovsky, Nicholas
Miller, David W.
Miller, John "X", Jr.
Miller, John W.
Miller, Kirk C., Jr.
Miller, William O.
Mills, Herbert D., Jr.
Mills, Jack O.
Mills, Ralph B., Jr.
Mills, William P.
Millsaps, Lewis M.
Mingo, John J.
Minton, Don R.
Mitchell, Eugene B.
Mone, James V.
Mongilardi, Peter, Jr.
- Montgomery, Marvin D.
Monthan, George R.
Mooney, Rodney T.
Moore, Harry R.
Moore, James A.
Moore, James I.
Moore, Ralph L., Jr.
Moore, Robert E.
Moore, William V.
Moorhead, Kenneth W.
Moran, Thomas L.
Moreland, Herbert A., Jr.
Morgan, Horace H.
Morgan, Newton H.
Morgan, Robert L.
Morgan, Walter N.
Morgan, William H.
Morgiewicz, Daniel J.
Moro, Albert J.
Morris, James W.
Morrison, Joseph B.
Morse, Kenneth L.
Morton, William W.
Moseley, Richard E.
Moses, Carl W.
Moss, James L.
Mount, Harold W.
Mouton, Edison E.
Mulholland, William P.
Mullen, Theodore W.
Muncie, Maurice O.
Muncie, Wendell B.
Munnikhuysen, Henry F.
Muns, David L.
Murline, Robert A. H.
Murphy, Francis J.
Murphy, James J.
Murray, Harrison C.
Murrill, Robert L.
Mussetto, Bruno
Nagler, Gordon R.
Naegele, John H., Jr.
Nelson, Albert N., Jr.
Nelson, Clifford
Nelson, Gerard L.
Nelson, Perry W.
Nemoff, Alfred J.
Nevins, John D.
Nevitt, Fred M., Jr.
Newbern, Robert O.
Newkirk, Kenneth H.
Newsome, William R.
Ney, Kenneth C.
Nichols, Robert L.
Nicholson, John H.
Nicholson, Robert H.
Nicklas, William C., Jr.
Niehaus, Herbert H.
Nienberg, Robert J.
Nimitz, Charles E. C.
Nivison, William
Noble, Guy E.
Nockold, Louis W.
Noesen, Harold
Nolta, Cornelius V., Jr.
Norberg, Delbert W.
Norin, Robert A.
Norris, Crockett J.
Norton, James C.
Nott, Hugh G.
Nourse, James A.
Nugent, Corliss R.
Nuss, Jerry J.
Ober, Owen H.
O'Brien, Edward F., Jr.
O'Callaghan, Edmund W.
Oddo, Phillip W.
Odell, Robert L.
Oechslein, Robert E.
Offermatt, Wilbur F.
Ogle, Robert J.
O'Grady, John P.
- Ohsiek, Robert R.
Ohvari, Louis
Oliver, Stephen
O'Neal, Alfred C.
O'Neill, Timothy R.
O'Neill, Thomas H. R.
Orbeton, Maurice C., Jr.
Orton, Robert D.
O'Shaughnessy, James D.
Ostertag, Carl J., Jr.
Overn, John A.
Owen, Howard J.
Owens, Haydn, Jr.
Owens, John D.
Pace, Robert D., Jr.
Packer, Duncan
Packer, Samuel H., II
Paddock, Richard A.
Page, Robert A.
Palkovic, Richard M.
Palmer, Frederick F.
Panther, James E.
Parker, Edwin J.
Parks, Larry G.
Parrish, Harvey S., Jr.
Parry, Loren C.
Pavelle, John J., Jr.
Pavis, George P.
Paxson, Roy H., Jr.
Pearson, Douglas C.
Pearson, Francis E., III
Pedneault, Henry R.
Peebles, George C., Jr.
Peeler, James C.
Pell, Isaac N., Jr.
Peniston, Robert "C"
Penny, Harmon C.
Peopler, George F.
Perez, Raul B.
Perry, William J.
Perszyk, Joseph S., Jr.
Peters, Bernard
Peterson, Richard L.
Peterson, John P.
Peterson, William S.
Phepels, Henry E.
Phillips, Alva L., Jr.
Phillips, Billy
Phillips, Chester G.
Phillips, George W., Jr.
Phillips, Harvey R.
Piatek, John A.
Pickert, Aloysius J., Jr.
Pickrell, Robert M.
Pierozzi, Constantino N.
Pierucki, Ervin J.
Pietrowski, Edward L. F.
Pinkepank, Merrill C.
Pirro, John J.
Pittman, Shelly B.
Pitz, Marcellus T.
Ploetz, John D.
Plummer, Philip F.
Plunkett, Robert D.
Pomeroy, Leslie K., Jr.
Pond, Robert B.
Pope, John E.
Poplin, Glenn O.
Porter, Edward M., Jr.
Porter, William R.
Porter, William W.
Posch, Frank M.
Postlethwaite, Charles W.
Potter, Eugene W.
Potter, Horace S.
Prassinis, George
Presgrove, Charles K., Jr.
Presson, Herman W.
Price, Charles H.
Price, Harold B.
Pringle, Robert C.
Probyn, Robert W.
Prum, Bruce E.
- Pullen, Boyd M., Jr.
Purcell, Stephen E., Jr.
Putnam, Earl B.
Putman, Orlin N.
Quellen, Obed R.
Quisenberry, William R.
Rae, William C., Jr.
Ragsdale, Homer C., Jr.
Randall, Craig E.
Rank, Cyrus "A"
Ranzau, Walter W.
Rasko, Robert V.
Rasmussen, Merwin E.
Ratte, Paul W.
Ray, Charles E.
Ray, Troy G.
Rayner, Donald E.
Readdy, Francis J.
Reardon, Francis P.
Reaves, George A., III
Redden, Lawrence E.
Redgrave, DeWitt C., III
Reed, Robert F.
Reese, Walter "H"
Regan, William F.
Reich, Charles A.
Reider, Richard K.
Reilly, Jeremiah D., Jr.
Reilly, Joseph L., Jr.
Renn, John E.
Renz, Louis T.
Rex, James F.
Reynolds, George R.
Reynolds, Milton L.
Rezzarday, Joseph, Jr.
Rich, Harold G.
Richardson, James P.
Richelieu, Charles F.
Riddick, John C.
Riehl, Julian W., Jr.
Rieke, Norbert A.
Riggs, Wallace M.
Riley, Edward E.
Risley, Clayton E., Jr.
Robb, William H.
Robcke, Jack H.
Roberts, John
Robertson, Horace B., Jr.
Robertson, Bruce W.
Robeson, Robert H., Jr.
Robinson, William H., Jr.
Robinson, Winthrop P.
Roche, Robert F.
Rock, Clifford "T"
Rodgers, Hollis "T"
Rodgers, Lawrence G.
Rodler, Richard L.
Roetman, Orvil M.
Rogers, Bernard L.
Rogers, Frank W.
Rogers, Harry G., Jr.
Rogers, Harry M.
Rogers, William
Haley
Rogers, William
Henry
Rogerson, Reuben G.
Rollins, Henry G.
Romatoski, Louis A., Jr.
Rooney, Frederick T.
Rose, Albert E., Jr.
Rose, Charles J.
Rose, Vernon D., Jr.
Ross, Royal R., Jr.
Roulstone, Don J.
Rouse, Jerome A.
Roux, Vernon K.
Rowe, Donald E.
Roy, Robert I.
Ruebsamen, Darrel D.
Ruoti, Anthony
Rush, William A.
Rushin, Thomas E.
Russel, Joseph W.

Russell, Thomas B., Jr.	Smith, Emory P.	Taylor, Cecil O.	Voorhees, Jack R.	Wilson, Phillip A.	Wyand, Donald McK.
Russell, William M.	Smith, George T.	Taylor, David, Jr.	Vose, Frederic H. E.	Wilson, Richard H.	Wyman, Charles L.
Ruxton, Robert T., Jr.	Smith, George E.	Taylor, James D.	Waddell, Henry M., Jr.	Wilson, William D.	Yelton, Harold M.
Ryan, Bayliss Q.	Smith, George K.	Taylor, John L.	Wade, William D.	Wineman, Glenn W.	Youmans, Laurens W., Jr.
Ryder, Donald F.	Smith, Gerald W.	Taylor, Waymon	Wahl, Clyde F.	Winslett, Ernest R.	Young, Austin V.
Sabin, Nelson	Smith, Henry L.	Teasley, William A., Jr.	Waits, Jack E.	Winter, Henry E., Jr.	Young, Grant C.
Sadler, Robert J.	Smith, Horace G., Jr.	Tedholm, Charles E.	Walden, Walter A.	Witham, Burton B., Jr.	Young, William B.
Sandeford, William H.	Smith, Howard G.	Tesh, Charles P.	Walker, Charles W., Jr.	Wolf, Edward F.	Youngblood, Donald K.
Sanders, Rodney D.	Smith, Hugh W.	Thayer, Wirt C.	Walker, Grover "C", Jr.	Wolfe, George M.	Yuengling, Douglas J.
Sanders, Wilton T., Jr.	Smith, James V.	Thede, William L.	Walker, William O.	Wolfe, John M.	Zartman, Walter F.
Sanderson, James R.	Smith, John C.	Thigpen, Francis Y.	Walsh, Francis R., Jr.	Wollam, Raymond L.	Zebrowski, Walter T.
Sante, Robert D.	Smith, John A.	Thomas, Albert H., Jr.	Walsh, John A.	Wood, Eugene E.	Zeni, Levio E.
Saunders, Walter E., Jr.	Smith, Lloyd S., Jr.	Thomas, Lon C.	Ward, Raymond E.	Woodard, David A.	Zenni, Martin "M"
Savage, Richard A.	Smith, Lloyd H.	Thomas, Ralph L., Jr.	Warfield, John B.	Woods, Charles E.	Zimmerman, George G.
Savage, Stuart, Jr.	Smith, Ralph F.	Thomas, Robert E.	Warfinner, Victor G.	Woods, William L., Jr.	Zimmerman, Wayne L.
Saylor, Beverly	Smith, Raymond D.	Thomas, Robert H.	Wash, John L.	Woody, William S.	Zwoolston, Lloyd T.
Schabacker, Robert B.	Smith, Robert S.	Thomas, Bruce R.	Waterman, Jack "E"	Working, Patrick L.	Zyvoloski, Richard A.
Schaffer, Donald R.	Smith, Rush S.	Thompson, Elmer N.	Watkins, Robert W.		
Scheer, Lawrence E.	Smith, Wallace E.	Thompson, Harold T.	Watt, Jesse R.		
Scherrer, David E.	Smith, Wayne H.	Thompson, Lewayne	Weatherford, Jack E.		
Scheuing, Robert E.	Smith, Wendell K.	Thompson, Robert D.	Weaver, Keith T.		
Schirra, Walter M., Jr.	Smullen, Orville A., Jr.	Thompson, Thomas N.	Weaver, Roy B.		
Schloer, Eric G.	Snead, Leonard A.	Thompson, William	Weaver, Walter C.		
Schmidt, Wesley H.	Snopkowski, Edward L.	Thompson, William F.	Webb, George J.		
Schmieder, Arthur H.	Snowden, Macon S.	Thomson, Robert G., Jr.	Weber, Kent J.		
Schneider, Frank J., Jr.	Snyder, Jack L.	Thornton, John L.	Webster, Daniel A.		
Schneider, Robert F. J.	Soper, Malvern E.	Thorson, Robert L.	Weidman, William K.		
Schnelders, Joseph M.	Spann, Willis L.	Thurtell, Frank A.	Weidner, Robert E.		
Schniedwind, Robert F.	Spencer, Paul E.	Tice, John J., III	Weigel, John J.		
Schoenherr, Charles G.	Spencer, William A.	Tidd, Emmett H.	Weirich, James E.		
Schou, Aage J.	Sperandio, Joseph L.	Tiderman, Otto D.	Welander, Robert O.		
Schoultz, Robert F.	Sprague, Albert T., III	Tierney, John M.	Wells, Donald M.		
Schuknecht, Arnold R.	Spruit, Robert E.	Tiffany, Emory G.	Wells, John W.		
Schwemley, Paul A.	Stadter, George B.	Tilghman, Walter W., Jr.	Wells, John T.		
Schwitters, Merlin J.	Stahl, Douglas	Tilley, Herbert S.	Wellsman, Howard C.		
Scott, Benedict J.	Stahl, Lawrence E.	Timidaiski, James T.	Welty, Wayne J.		
Scott, Norvell O., Jr.	Stanfield, Henry L.	Tisdale, Robert S.	Wenger, Donald B.		
Scott, Richard Y.	Stanfill, Joseph F., Jr.	Titcomb, Edmund B.	Wente, David A.		
Scott, Walter	Stanley, Earl W.	Tolson, George F., Jr.	Werle, Joseph P., Jr.		
Scott, Wiley A.	Stanley, Henry T., Jr.	Tonkovic, Andrew A.	Werner, Paul F.		
Script, John L., III	Stanley, Hilton L.	Toohill, Donald L.	Wertheim, Robert H.		
Seabaugh, Raymond R.	Starr, Mark E.	Toole, Wycliffe D., Jr.	Wessinger, William D.		
Seargeant, John A.	Staveley, Ernest	Trahan, Paul K.	West, Earle L.		
Searl, Floyd C.	Stecker, Kenenth W.	Travers, Edward P.	Westfall, Elmer T.		
Searle, Willard F., Jr.	Steeves, Harold M.	Travers, Martin J.	Westmoreland, Arthur E.		
Seger, Josef M.	Stell, Albert L., Jr.	Treacy, Edmund J.	Wettlaufer, Warren H.		
Seidel, George H.	Stensrud, John D.	Treadwell, Archie B.	Whaley, Lucien O. G.		
Sell, Carl H.	Stephens, Alvis H.	Tribble, Robert J.	Wheeler, William L.		
Sellers, Harry S.	Stephens, Lawrence B.	Trott, Robert J.	White, Allan E.		
Sellman, Edmund W.	Stephenson, Clarence B.	Trube, Alfred G., Jr.	White, Arthur T.		
Sells, Warren H.	Stevens, Jack M.	Tucker, Ralph M.	White, Ray B.		
Sentman, Albert G.	Stewart, Clell	Tucker, William W.	Whitmire, Donald B.		
Shanahan, John J., Jr.	Stewart, Richard C.	Tuel, Merritt D.	Whitney, Loren C.		
Shane, Elbert B.	St. George, William R.	Tull, John L. D.	Whitney, William J.		
Sharer, Keith W.	Still, Raymond G.	Tull, Robert	Whittle, Alfred J., Jr.		
Sharp, Wallace E.	Stilwell, Edward P.	Tully, Claude I.	Whyte, Herbert E.		
Shea, Stephen J.	St. Louis, Joseph A. R.	Turk, Carl F.	Wicks, William F.		
Sheil, James E.	St. Marie, John W.	Turley, Miles D. J.	Wieland, Daniel T., Jr.		
Shelton, John P.	Stobie, Edwin F.	Turner, John S.	Wiggins, Bryan D.		
Shepard, Everett G., Jr.	Stockdale, James B.	Turner, Stansfield	Wiggins, Thomas E.		
Sheppard, James C.	Stokes, Robert E. L., Jr.	Twaddell, Miles E.	Wilcox, Burr C.		
Sherfy, John B., Jr.	Stone, Courtenay McK.	Ulbricht, Frederick W.	Wilcox, Charles L.		
Sherman, Benjamin F., Jr.	Stone, Robert S.	Upshur, Giles C., Jr.	Wilder, James H.		
Sherman, Hildreth G.	Stout, Burke W.	Urban, Henry, Jr.	Wilkins, James C., Jr.		
Shinn, William G.	Stratton, Andrew C.	Urquhart, Alexander W., Jr.	Wilkinson, Roland F.		
Shipman, James L.	Strayve, Jerome R.	Usina, Joseph D.	Willett, Elbert H.		
Shonk, William H., Jr.	Strong, George T.	Vail, Malcolm E.	Williams, Buck D., Jr.		
Short, Merton D.	Strong, James T.	Vail, Ronald A.	Williams, Charles S., Jr.		
Shrake, Francis B.	Stroux, Peter M.	Valentine, Andrew J.	Williams, Elmer R.		
Shreve, Andrew K.	Stufflebeem, John D.	Vallery, James R.	Williams, Glenn E.		
Sickel, John A.	Sullivan, Elmer D.	Van Demark, James L.	Williams, Joseph N., Jr.		
Sigafos, John J.	Sullivan, John F.	Van Sickle, John R.	Williams, John H. D.		
Sigler, Edward E., Jr.	Sullivan, William P.	Van Train, William A., Jr.	Williams, Joseph L., Jr.		
Simon, Harold W.	Summitt, Charles D.	Van Tuyl, Andrew J., Jr.	Williams, John G., Jr.		
Simpson, William E.	Sumney, Frank F.	Vardy, Richard S.	Williams, James S.		
Sinclair, George T.	Sup, George C.	Vaughan, Jack A.	Williams, William H.		
Sisson, Luther B.	Sutherland, Robert S.	Vaught, Thomas B.	Williamson, Robert, II		
Skidmore, Edward O.	Sutton, Thomas L.	Vaught, William J.	Willis, Charles H.		
Skog, Joseph L., Jr.	Swainson, Gustav F., Jr.	Vereen, Jackson E.	Wilson, George B., Jr.		
Slonim, Charles E.	Swanson, Hjalmer E.	Viele, John W.	Wilson, Henry R.		
Small, Rufus C.	Sweeney, James R.	Viney, Irwin J.	Wilson, James B.		
Smith, Albert J.	Swope, John R.	Von Gerichten, Robert L.	Wilson, James G.		
Smith, Bertram C.	Sylvia, Henry J.	Von Schrader, Chandler L.	Wilson, Kenneth E., Jr.		
Smith, Billie E.	Taft, Jesse W.				
Smith, Donald L.	Talago, Joseph, J.				
Smith, Edwin P., Jr.	Tallent, Carson R.				
	Tarpey, John F.				

To be commanders, Medical Corps

Baker, Robert L.	Murray, Dermot A.
Boswell, "J" Thornton	Musgrave, Max E.
Britton, Joseph H.	Myers, Willis S.
Buechel, Donald R.	Neptune, Edgar McC., Jr.
Craighead, John T.	Noer, Harold R.
Drips, Robert C.	O'Connell, Patrick F.
Dunn, Seldon C.	Olson, Marshall W.
Durden, Charles S., Jr.	Parkinson, Leonard S. C.
Egan, John F.	Paslay, Jefferson W.
Garrett, Robert I.	Prescott, Eustace H., Jr.
Gaylor, Donald H.	Richardson, Fred W.
Gordon, John J.	Rosenwinkel, Norbert E.
Jacoby, William J., Jr.	Sanderlin, Joseph M.
Johnson, Burt C.	Steen, Frank G.
Kretzschmar, Hanns O.	Stephens, David L.
Latham, Ernest F.	Wilber, Martin C.
Lucas, William E.	Wilson, David Q.
Maher, Robert W.	Winter, William R.
McDonough, Robert C.	Youngman, Samuel A.
McGreevy, John J.	
Miller, Charles H.	

To be commanders, Supply Corps

Abrams, Bernard	Ferris, Robert H.
Adrian, Rodger J.	Fisher, Robert D.
Ainlay, Henry L., Jr.	Flock, Jens B., Jr.
Allen, Paul M.	Forrest, James E.
Anderson, John J., Jr.	Fowler, George O., Jr.
Anderson, Oscar M., Jr.	Fronke, Robert E.
Avellone, Francis P.	Fry, Roy A., Jr.
Bain, Louis E.	Gadd, Edward F., Jr.
Baird, Richard S.	Gallagher, Granville W., Jr.
Baker, William R.	Galligan, Charles H., Jr.
Bandish, Bernard J.	Gallup, Mearl
Barron, Willard D.	Gillis, Charles L.
Boltwood, Chester McB.	Gobel, Carl F.
Borchers, Alyn L.	Gralla, Eugene
Breeden, Robert L.	Griffith, Stephen S. D.
Bruening, Paul M.	Haley, Robert S.
Butler, Arthur G., Jr.	Handforth, Carlos H., Jr.
Canalejo, Armando, Jr.	Harbaugh, Norman R.
Challain, Leonard J.	Harris, Melvin W.
Chance, Carl	Harvey, Hobart D.
Chapman, Edgar C., Jr.	Haslett, Robert H.
Charette, Author E.	Hassenger, William E.
Clements, Daniel J., Jr.	Hatch, James C.
Collins, James H.	Hawley, William F.
Comeau, Reginald B.	Hay, Patrick M.
Condon, Thomas P.	Hein, Joseph J., Jr.
Conover, Donald T.	Heurich, Robert G.
Corley, James O.	Hilderbrant, Earl F.
Creekman, Charles T.	Hill, Roger E.
Crook, Lewis J.	Holbert, Herbert S., Jr.
Crouch, Perry B.	Hillard, Kelly V.
Davis, Albert S.	Holfield, Arthur W., Jr.
Dellasega, Joseph L.	Holmes, John W.
Dellinger, Charley P.	Horngren, Earl W.
Depew, Robert W.	Hughes, Thomas W., Jr.
De Santo, James V.	Huntress, James F.
Dorion, William E.	Hynes, Edward J.
Doucette, Forrest H.	Irwin, Harry E.
Downey, James G.	Jankovsky, Norlin A.
Elkins, Robert H.	Johnson, Richard D.
Elmore, John W.	Johnson, Warren B.
Erickson, Allwyn B.	
Evans, Stuart J.	
Fernas, William M., Jr.	

Jones, Joe L.
 Jones, Joseph B.
 Jones, Thomas W.
 Josselyn, Allan H., Jr.
 Kamps, John H.
 Kash, William B.
 Keenan, Joseph I.
 Keidel, Charles J.
 Keller, Bruce W.
 Keller, Richard C.
 Kelloog, Dean L.
 Kennedy, Patrick F.
 Kimball, Jack F.
 King, Edward D.
 Knight, Reed H.
 Knight, Richard H.
 Knipple, John D.
 Knobel, Roland J., Jr.
 Kuhlman, Norman H. C.
 Laning, George H.
 LaPlante, Robert W.
 Larson, Albert G.
 Larson, Leslie O., Jr.
 LeClert, Arthur C.
 Lent, Robert E.
 Lewis, Raymond O.
 Lindsey, Bob R.
 MacDonald, Albert P., Jr.
 Manore, Thomas E.
 Marx, James H.
 McDugald, Jesse
 McElhanon, Byron F.
 McGlaun, Albert L., Jr.
 McHenry, Wendell, Jr.
 McKee, Richard N.
 McKenna, James E.
 Means, James McD.
 Meng, Edwin L., Jr.
 Mercadante, James A.
 Miller, John C.
 Minton, Horace L.
 Moore, Alvin
 Murauskas, William A.
 Murray, Douglas S.
 Nichols, Horace E.
 Nickson, Roy E.
 Oller, William M.
 Orr, Raymond J.
 Owen, Frank T., Jr.
 Pate, Walter T., Jr.
 Pefley, John F.
 Philon, Thomas F.
 Pluto, Raymond J.
 Polk, Donald E.
 Polk, Robert B.

To be commanders, Chaplain Corps

Abuciewicz, John A.
 Bakker, Peter J.
 Boyer, Arthur C.
 Brown, Jonathan C., Jr.
 Cloonan, Joseph F.
 Darkowski, Leon S.
 Dennis, Arthur W.
 Fay, John P.
 Fitzpatrick, Francis J. N.
 Forney, Fredric J.
 Griffin, Cornelius J.
 Hayes, Henry H.
 Hayes, Jack W.
 Herrmann, Theodore C.

To be commanders, Civil Engineer Corps

Allen, John C.
 Allen, Max H.
 Andrews, James D.
 Arn, John A. M.
 Ashley, Donn L.
 Baker, Carlyle J., Jr.
 Barron, William W.
 Bartlett, Robert B.
 Bixby, Paul
 Blevins, "W" "J"
 Brantner, William B.
 Briggs, Fred M.
 Burch, Bobby F.

Pollitt, Ernest A.
 Poor, John L.
 Pope, George S., Jr.
 Potts, Stanley W.
 Prehn, John L., Jr.
 Primm, Jules R.
 Prosch, Edmund J.
 Randolph, Karl W.
 Reese, Lawrence W.
 Renfro, Edward E., III
 Riley, George D., Jr.
 Rinetti, Edward J.
 Ristan, Albert G., Jr.
 Robison, John T.
 Rodgers, Wallace F.
 Romayne, William D.
 Rossi, Louis P.
 Schanze, Fred, Jr.
 Schar, Kenneth A.
 Shepard, John C.
 Sloan, Dale F.
 Sloan, Waldo D., Jr.
 Small, Joseph T.
 Smith, Carlton B.
 Smith, Joseph F.
 Spargo, Robert A.
 Sprague, Raymond E.
 Steele, James H.
 Sueur, Charles A.
 Surran, Charles R.
 Swenson, Sigurd E.
 Sylvest, Robert S.
 Sylvester, Nelson J., Jr.

Tanner, Sylvan
 Taylor, Albert T., Jr.
 Teichler, Alfred H., Jr.
 Terault, Joseph H.
 Thompson, Charles E.
 Thompson, Robert W.
 Thurman, Horace E., Jr.
 Tice, "J" Phillip
 Tinney, Richard T.
 Tippin, Jesse R.
 Tongren, Hale N.
 Turnage, Robert E.
 Van Osdol, Robert C.
 Victor, William W.
 Vogel, Robert E.
 Waller, Thomas C., Jr.
 Wehrich, Walter F.
 Wingo, Rodney K.
 Woolard, Kenneth A.
 Worden, Frank N.
 Xefters, Zefter C.
 Zenk, Lawrence P.

Feinman, David M.
 Fisher, John R.
 Flippen, Homer W.
 Forquer, Charles J.
 Franc, William J.
 Gault, Alan C.
 Goetzke, George A., Jr.
 Hansen, Bernard L.
 Hediger, F itz H.
 Heuston, Robert H.
 Hill, James M., Jr.
 Hoskins, Dalton
 Hudson, Richard I.
 Iselin, Donald G.
 Jasper, Paul R.
 Jones, Whitney B.
 Kaloupek, William E.
 Klengenmeier, Russell J., Jr.
 Koonce, Stephen J.
 LaLande, Albert M., Jr.
 Lennox, Frederick E.
 Locke, Harry A.
 Magneson, Norman J.
 Mallory, Charles W.
 Merrill, Bergen S., Jr.
 Merritt, Harold W., Jr.
 Miller, Charles G., Jr.
 Mitter, Wayne S.
 More, David C.
 Morgan, Joseph E.
 Nuss, Edward S.

To be commanders, Dental Corps

Bartlett, Stephen O.
 Brown, Edward H.
 Charles, Thomas J., Jr.
 Cohen, Robert
 Davies, Ernest E.
 Dennis, Harry J., Jr.
 Dunn, John J.
 Echols, Archie D., Jr.
 Elliott, Robert W., Jr.
 Finnegan, Frederick J.
 Gregory, Worth B., Jr.
 Holmes, Corey H.
 Ikenberry, Esthel D. K.
 Jasper, William J.
 Johnson, "C" Paul, Jr.
 Kramer, Howard S., Jr.

To be commanders, Medical Service Corps

Anderson, William S.
 Baldrige, Henry D., Jr.
 Bates, Marion D.
 Bohannon, Ray
 Brooks, Eulis J.
 Broulik, Frank
 Burr, Leonard W.
 Caldwell, Charlie C.
 Chapelaine, Jack A.
 Chapman, William H.
 Civello, Harold J.
 Claus, Edward L.
 Coburn, Kenneth R.
 Cogburn, Manfred W.
 Colman, Frederick R.
 Combs, Harrison T.
 Combs, Norris K.
 Conaway, Theodore H., Jr.
 Cox, Walter R.
 Cumming, William G., Jr.
 Deriso, Dominic J.
 DiGiambattista, Italina
 Ethridge, John W.
 Fennell, Chester C.
 Garrett, John L.
 Gleason, Edmund H.
 Grafus, Melba A.
 Hopson, Claude T.
 Hull, William B.
 Hunter, Russell E.
 Joslin, Leslie H.

To be commanders, Nurse Corps

Alwyn, Florence E.
 Andrews, Lois A.

O'Neill, Lawrence F.
 Patrick, Donald A.
 Paul, Edwin C.
 Peacock, Francis B.
 Petersen, John H.
 Powell, Joseph E.
 Puddicombe, Robert W.
 Reeve, John J., Jr.
 Rumble, James D.
 Russell, William F., Jr.
 Saunders, Edward M.
 Sears, Kenneth P.
 Seitz, Carl R.
 Snow, Arthur W.
 Snyder, Donald C.
 Souder, Charles L.
 Spangler, William S.
 Stacey, Ernest R.
 Stiffer, Lloyd E., Jr.
 Sturman, William H.
 Terran, David G.
 Theriault, John P.
 Timberlake, Lewis G.
 Van Leer, Blake W.
 Vaughn, James H., Jr.
 Walls, Worthen A.
 Walton, Albion W., Jr.
 Whyte, David P.
 Williams, Richard C.
 Williams, Thomas C.
 Yount, George R.
 Zirzow, Charles F.

Lehmann, William G.
 Mahoney, Jack D.
 Mann, William H.
 O'Malley, John E.
 Penick, Edward C.
 Rau, Charles F.
 Reitz, Phillip V. D.
 Samuels, Homer S.
 Stephenson, Thomas D.
 Taber, Donald S.
 Timberlake, Robert W.
 Woodworth, George K.
 Wortham, Maury E.
 Zeigler, Paul E.

Butler, Anna T.
 Caesar, Marion F.
 Champion, Ruth A.
 Check, Anne
 Coffman, Ruth M.
 Cohan, Patricia G.
 Conrad, Arline C.
 Covington, Margaret L.
 Davis, Virginia A.
 DeMariano, Helen J.
 Duerk, Alene B.
 Eaton, Dorothy E.
 Elmore, Audrey I.
 Feeney, Elizabeth
 Finn, Mary V.
 Fisher, Emilie L.
 Fraser, Mary A.
 Galindo, Mary W.
 Gallagher, Eleanore M.
 Gearing, Mary V.
 Gilmore, Zoe P.
 Harris, Bertha E.
 Hurst, Patricia
 Jacobson, Frances J.
 Job, Florence K.

Jungersen, Helen H.
 Kloetzli, Margaret A.
 Kovacevich, Mary T.
 Linnenbruegge, Hedwig M. E.
 Maguire, Eleanor J.
 Morgan, Marion L.
 Morin, Aline E.
 Murray, Elizabeth M.
 Perron, Roberta E.
 Pikutis, June
 Schmid, Pauline W.
 Simon, Lenore
 Smith, Marcella E.
 Stafford, Wilhelmina H.
 St. John, Elizabeth
 Turner, Jessie E.
 Upchurch, Ouida C.
 Van Gorp, Dymphna P. A. M.
 Walmsley, Rita H.
 Walsh, Claire M.
 Wardell, Marion F.
 Watson, Ann O.
 Weden, Marion E.

The following named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Dennis B. Fryrear
 Dale "K" Shambaugh
 George E. Stern

The following named (Army Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

John C. Hurst

The following named (U.S. Air Force Academy) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Harley H. Dupler, Jr.
 Francis Zavacki

CONFIRMATION

Executive nomination confirmed by the Senate May 22 (legislative day of March 30), 1964:

ATOMIC ENERGY COMMISSION

James T. Ramey, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1969.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 25, 1964

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 26: 4: *Trust ye in the Lord forever: for in the Lord Jehovah is everlasting strength.*

Eternal God, in this brief moment of prayer, inspire us with a new appreciation and awareness of those spiritual resources which Thou hast placed at our disposal.

We humbly beseech Thee that during these troubled times we may take counsel with Thee to learn and cultivate the secret of courage and conquest.

May our hearts expand with pride that our beloved country, conceived in sacrifice and dedicated to Thy glory, is seeking through research and devotion