

being expended in the name of consumer protection were spent instead on educational efforts aimed at helping make smart shoppers out of today's buyers, something far more valuable would be accomplished.

Supermarket people tell me that the real secret to wise buying in their stores involves simply building a shopping list around a set budget, and then sticking to the list when you get to the store. Additionally, a recent U.S. Department of Agriculture study shows that shopping a store's specials will allow a consumer to chop 16 percent a year off of her food expenditures.

My point is that manufacturers and retailers, competing for our patronage, offer us values. We will be best off as we best learn to turn these honest competitive efforts to our own advantage, turning the attributes of the system to our own use. Only this way can we get the protection we really need.

I think by now you have gotten the point that I do not believe that we should look at today's supermarkets as a vast wasteland. As consumers we should look with grateful eyes on the supermarket as a bountiful, even though often confusing and bewildering, symbol of the inventiveness and ingenuity of the food industry and the abundance of the Nation's farms. In trying to make a balanced judgment of value, I ask myself, "Am I willing to pay the price of some confusion and doubt for the tremendous variety of wonderful food that is being brought to me and my dinner table in an ever-increasing palatable and convenient form?" My answer is, "Yes, sir," without qualification. I'm glad to pay the high price of seasonal and sharply reduced markets.

And, as a working wife myself, I would be the last to suggest to 8 million women who divide their time between a home and a job that they can't have the convenient food forms that make their tasks less burdensome. And those are only a couple of the alternatives that would arise if some of the regulators of the marketplace had their way.

Instead, there is a very practical and possible way to reduce the price of confusion in choicemaking—not by turning the Nation's supermarkets into a stultifying panorama of bland similarity but rather educating consumers to the point that they can best use the variety which is offered.

There is a great challenge here to many persons in our country—to the food editors, to the home economists, to our schools and to our consumer education services at various levels of our government. Too few people are trying to help our consumers buy wisely in relation to their needs. One housewife's "giant economy size" can easily be another housewife's waste. Consumer education should be oriented more to the buying and using of foods than to cooking. Formalized education in our schools has a tremendous challenge to keep pace with new products and services and changing methods of distribution. In only a few schools are they meeting this challenge. As one critic commented the other day, "Virtually all courses in the field are cup-and-teaspoon oriented while we live in a thaw-and-serve age." Yet, just last year, half the population of the United States became 25 years old or younger—40 percent of our population is under 20. Studies show that 80 percent of all teenage girls shop for their fami-

ly's food and spend one-fourth of the entire family food budget—97 percent of them help plan the meals and help cook them. This is a real challenge in consumer education starting at the teenage level.

And I would like to give the knuckles of industry a gentle rap in this connection. What are they doing in the field of consumer education? As one industry spokesman admitted the other day, "We have, perhaps, become so interested in engineering change that we have neglected to tell anybody about the significance or implications of the changes in terms of the basics of shopping cart and kitchen economics, rather than dead statistics."

The whole point I am trying to make is that an educated consumer is a protected consumer. And a dynamic, changing, keenly competitive food industry makes a happy and fortunate consumer.

To quote myself from a speech made some time ago,

"All the Government officials and all the Government laws in the world are as nothing compared to the impact Mrs. America has on Mr. Manufacturer and on Mr. Storekeeper when she makes up her mind to buy one brand over another. And when she makes that decision, no power on earth can save the businessman or the producer of the product who made the mistake of displeasing her. She has done and is doing a wonderful job in needling, inspiring and in regulating American business enterprise.

"And, to reward her, I want to protect her. Not with more Government regulations and laws—I want to protect her freedom of choice."

SENATE

FRIDAY, FEBRUARY 25, 1966

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

Rev. Franklin Paul Harris, minister, McKendree Methodist Church, Washington, D.C., offered the following prayer:

Eternal Father, as this historic body begins its session today, may each Member relate himself to Thee, for in the matter of minutes we shall be up with the sweep of today's immediate tasks and we may easily lose our sense of direction and mission. At the same time each one of us is committed and consumed by minute details. May each one of us have an objective sense of what we are doing and how we are doing it. May this objective view be Thy view. Give each one of us the power to let go clearly those things which impede or hinder the working of Thy will in each of our lives and in our work. May we individually have a sense of fulfillment as we keep spiritual goals before us.

Enkindle in each of us this morning a contagious and helpful spirit with those with whom we work.

We thank you, Eternal Spirit, for this privilege of being a part of this great and historic body, of helping to make laws, and the obligation of keeping these laws. In the spirit of adventure and challenge of this day of unfinished tasks, give us at its close a feeling that we have done our best; and if we have had a thousand chances, this one thing we did in re-

sponse to our conscience: "We have done that which we think is right." In God's name, we pray. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 24, 1966, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

COMMITTEE MEETING DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to meet during the session of the Senate today.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements during the morning hour be limited to 3 minutes.

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

LEGISLATIVE PROGRAM—SATURDAY SESSION

Mr. LONG of Louisiana. Mr. President, I have discussed with some persons, principally members of the press, my intention of holding a session on Saturday.

The reason for such a session would be simply to try to accommodate those who wish to make speeches. I do not anticipate any votes on Saturday, but I feel that Senators who are delaying a vote on this very vital measure by making speeches—which they have every right to make—should make them, and we should hear no more complaints that Senators cannot make speeches because they have not had the opportunity to prepare them, or their secretaries have not had the opportunity to type the speeches, or they have not had the opportunity to have mimeographed copies made for the press. If Senators wish to speak, they ought to speak.

I shall not press for a vote on Saturday if anyone wishes to insist that the Senate should not vote tomorrow; but if a Senator cares to offer an amendment that could be disposed of by a voice vote—which we do frequently; more

often, in fact, than we do it by ye-and-nay votes—I would hope that we could vote on the amendment.

I urge Senators, if they wish to be heard on this measure before we vote on it, that they come and speak now. This measure is important, it is vital, and it is urgent. We have other measures waiting that we wish to schedule immediately after we conclude consideration of this matter, which are equally urgent. We have a measure in the Foreign Relations Committee which we hope to report within the next day or so, a measure to provide funds which are needed for the present fiscal year, to provide aid for those who are our allies in Vietnam today. We have, in the Senate Finance Committee, a tax proposal to help carry the Government's cost of carrying forward the struggle, and the costs of Government in general, to try to reduce the deficit that the Government will otherwise face. Every day we delay in passing that measure is costing this Government \$7 million.

We wish to move on with the Senate's business.

We have been advised, and I am sure in complete good faith, that those who oppose the measure and those who seek to amend it are not seeking to prevent a vote, nor are they seeking any unreasonable delay. We were given reason to believe that perhaps by today, or by the conclusion of business today, we could have voted on the measure. I would certainly urge that all those who wish to make speeches to let us know of their intentions, so that we can try to accommodate them; because otherwise we must plan to keep the Senate in session long hours starting next week, to reach a vote on this very crucial and important matter, which is of such great concern to the entire Nation, and certainly to the people of this country.

Mr. MORSE. Mr. President, I have nothing but high regard for the acting majority leader's sincere efforts in seeking to push to a vote on this matter quickly. He is perfectly entitled to follow his own parliamentary course, although I wish to say that, as our leader, he does not speak for himself alone in his position of leadership, but has some obligations to other Senators, too.

I say most respectfully that I am sure there will not be any votes today and there will not be any votes tomorrow. If he holds the Senate in session tomorrow, I doubt very much whether a quorum will be present. The message went out last night that it was generally thought that the plan was to come in Monday morning, stay in session late Monday, come in Tuesday, and stay in session late Tuesday, and see if we could not get the matter out of the way by Tuesday. I think that is the course we should follow.

The acting majority leader, as he knows, is in the saddle, and can follow whatever parliamentary procedure he wishes. I wish to note, however, that there are some subjective matters involved also. We owe it to our fellow Senators, as a matter of courtesy, just common parliamentary courtesy, if we

are going to have the kind of session that I think we will have tomorrow—a session with many absentees—to recognize that a Senator is entitled to speak on the floor of the Senate in the hope, at least, that perhaps there will be present some Senators with open minds, who can be persuaded. I shall speak today, but I believe there are some Senators who will not be very happy about the suggestion that they come in tomorrow and speak to an empty Chamber.

They may speak to an empty Chamber anyway. The Senator from Louisiana and I have both done that many times. But it is one thing to speak to an empty Chamber when there is a quorum in the precincts of the Senate, and it is another thing to speak to an empty Chamber when one is being put in a position where, as a pro forma matter, he is called upon to make a speech because there is an unwillingness on the part of the leadership of the Senate to let the matter go over until Monday, when there will be no question about a quorum being present.

The Senator from Louisiana may do as he wishes, but I do wish to say in behalf of my colleagues that I do not think it is fair to have such a session on Saturday. I think we should take judicial notice of the kind of session it will be. I shall be here. But there will not be any votes.

Mr. LONG of Louisiana. The Senator certainly has the power to see to it that there will be no votes on Saturday, unless it were decided to make a motion that it is not debatable, which is always within our power. But I would say that, generally speaking, when a Senator is addressing the Senate and he has as many as a dozen Senators listening to his speech, that is par for the course so far as the average Senate speech is concerned.

In most cases, if a Senator has about a dozen Senators listening to him, he should be delighted. The press is available. The wire services are available to everyone. A speech made on Saturday catches a good dateline because it is just fine for the Sunday morning press. Therefore, I would hope that anyone who is not prepared to speak today will be prepared to speak tomorrow, and will be available at that time. If no one is available to speak tomorrow, and if there is no disposition for the Senate to vote on Saturday, we will put the matter off until Monday. On Monday, we expect to have a long session. If we cannot vote on Monday, then we expect to have a long session on Tuesday, until such time as this matter can be brought to a conclusion.

Mr. DIRKSEN. Mr. President, I am inclined to concur with the sentiments uttered by the distinguished Senator from Oregon.

Frankly, I have told Senators on my side of the aisle who are going home to make speeches that they could be assured there would be no votes tomorrow. Therefore, I feel that I would be in a difficult position if there were any votes, or any endeavor was made to have a vote tomorrow.

I can be a little more specific than the Senator from Oregon. Tomorrow, I believe that there will probably be 45 Senators out of the city. Obviously, therefore, a vote on any substantive matter tomorrow would find them away, and they would not feel very good about it after the leadership had assured them of no votes tomorrow.

As for speeches, that is a different matter. Many times I have talked to the Senate and my voice came back to me from those hard walls, unintercepted by any great multitude hanging on every word that I uttered in the Chamber. That is no new experience for me.

I therefore trust that my good friend, the Senator from Louisiana, will not press the point with respect to any votes tomorrow because, if he does, I would have to get down on my knees and apologize to those to whom I gave assurance that they could be away with safety, that they could make their speeches and not have somewhere in the back of their heads the overriding fear that while they were halfway over the country on their way toward making a speech, perhaps the Senate was voting. They would be very unhappy over a situation of that kind.

Mr. LONG of Louisiana. Mr. President, it is within the power of a single Senator to assure the Senate that there will be no votes. I have done it myself. I recall on one occasion that a conference report came before the Senate, and I was very much opposed to it. I had been one of the conferees, and I was outraged about the whole matter, so I took to the floor of the Senate and discussed it until the early hours of the morning, as I recall. It was a Friday night, and many Senators were irritated and annoyed because they had dinner engagements, and commitments for Saturday.

I believe that the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], was one such Senator and he asked me, "How long do you plan to keep this up? I have a dinner engagement to make."

I think I told the Senator, "You can safely be away until midnight. I assure you that nothing will happen. I will still be here."

We did not vote that evening and we came back the following day. Of course, it did not make me popular with Senators, to tell them that there would be no votes on Saturday. But there were no votes on Saturday, and the Senate finally voted on Monday.

Mr. President, I have been in the Senate long enough to know that a single Senator can assure the Senate that nothing will happen.

I recall on another occasion, when a Republican majority leader, standing in the same position now occupied by the Senator from Illinois [Mr. DIRKSEN], moved to table an amendment by the Senator from Oregon. The Senator from Oregon felt that was not fair parliamentary procedure to follow, and he took to the Senate floor and told the Senate, "You can all go home. Get a good night's

rest. Nothing will happen." That was about 11 o'clock at night I believe.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. The next morning, I received word that I could remain in bed because nothing was going to happen any time soon. I believe that the Senator from Oregon concluded his speaking after approximately 24 hours. Therefore, Senators could have gone home all day and the following day.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. So it is within the power of a single Senator to assure the Senate that nothing is going to happen.

I am happy to yield to the Senator from Oregon.

Mr. MORSE. I should like the Senator from Louisiana to know how much I appreciate the accuracy with which he quoted me. Every word is true. I said they could go home.

Mr. LONG of Louisiana. The Senator said that we could go home and get a good night's rest. We had a leisurely breakfast, and had lunch the following day, before we came back. That is what many of us did. The Senator went far beyond the assurance which he had given the Senate. I am, therefore, well aware of what a Senator can do. I have made efforts along that line myself, on occasion.

At this moment, I am not here to criticize those who take full advantage of the powers and rights which they enjoy as Senators. That is one of the great things about the Senate. In all probability, a rollcall vote is unlikely tomorrow. If we do have any kind of voting, the probabilities are that it will be more or less pro forma, where we merely have a voice vote on something.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield at that point?

Mr. LONG of Louisiana. It would be on something that would be agreed to anyway, but if we cannot do anything else, we might get a unanimous-consent agreement.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. Is any amendment pending?

Mr. LONG of Louisiana. No, there is not.

Mr. HOLLAND. What pro forma vote could we have, except to adjourn or recess?

Mr. LONG of Louisiana. We might give consent to someone to put a newspaper article in the RECORD, or we might move to dispose of some unobjectioned legislative matter that might come before the Senate, something on the calendar to which we could agree without any serious objection.

But, I do not anticipate that this pending measure will be voted on tomorrow. In fact, I would be willing to assure the Senate that, on tomorrow, we would not finally dispose of the measure, and will not even go to third reading.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 6568. An act to amend the Tariff Act of 1930 to make permanent the existing temporary suspension of duty on copra, palm nuts, and palm-nut kernels, and the oils crushed therefrom, and for other purposes (Rept. No. 1009).

PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON DISTRICT OF COLUMBIA HOME RULE—REPORT OF A COMMITTEE

Mr. BIBLE, from the Committee on the District of Columbia, reported the following original concurrent resolution (S. Con. Res. 76); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring). That there be printed for the use of the Senate Committee on the District of Columbia two thousand five hundred additional copies of its hearings of the Eighty-ninth Congress, first session, entitled "District of Columbia Home Rule, Delegate to House of Representatives" (S. 268, S. 1118).

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON SUPPLEMENTAL FOREIGN ASSISTANCE FOR VIETNAM FOR FISCAL 1966—REPORT OF A COMMITTEE

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported the following original concurrent resolution (S. Con. Res. 77); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring). That there be printed for the use of the Committee on Foreign Relations fourteen thousand additional copies of its hearings on Supplemental Foreign Assistance, Fiscal Year 1966—Vietnam, of the Eighty-ninth Congress, second session.

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 228); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved. That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, \$25,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

BILLS INTRODUCED

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

By Mr. MAGNUSON:

S. 2979. A bill to extend coverage of the State Technical Services Act of 1965 to the territory of Guam; and

S. 2980. A bill to increase from \$75 to \$100 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2981. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. INOUYE):

S. 2982. A bill to provide for promotion of economic and social development in the Ryukyu Islands by amending the Tariff Act of 1930 to permit the duty-free entry of certain articles grown, manufactured, or produced in the Ryukyu Islands; to the Committee on Finance.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself and Mr. METCALF):

S. 2983. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 2984. A bill for the relief of Trevor Hodgson, his wife Thelma Hodgson, and their children John Hodgson and Sarah Hodgson; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON DISTRICT OF COLUMBIA HOME RULE

Mr. BIBLE, from the Committee on the District of Columbia, reported an original concurrent resolution (S. Con. Res. 76) authorizing the printing of additional copies of Senate hearings on District of Columbia home rule, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when reported by Mr. BIBLE, which appears under the heading "Reports of Committees.")

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON SUPPLEMENTAL FOREIGN ASSISTANCE FOR VIETNAM FOR FISCAL 1966

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original concurrent resolution (S. Con. Res. 77) authorizing the printing of additional copies of hearings on supplemental foreign assistance for Vietnam for fiscal 1966, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when reported by Mr. FULBRIGHT, which appears under the heading "Reports of Committees.")

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 228) providing additional funds for the Committee on Labor and Public Welfare, which under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. HILL, which appears under the heading "Reports of Committees.")

INCREASED PENSIONS FOR WIDOWS OF FORMER LIGHTHOUSE KEEPERS

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill that would increase the pensions of the widows of lighthouse keepers from \$75 to \$100 a month.

The last increase to the widows of certain employees of the Lighthouse Service was in April 1958. That was when the pension was increased to the present rate, \$75 per month. Previously, they had received \$50 per month.

Today, there are 409 widows of retired lighthouse keepers, and we are all aware that cost-of-living increases have made 1958 figures presently inadequate.

In 1939, the Lighthouse Service was transferred to the Coast Guard. Lighthouse keepers had the choice of going into the Coast Guard or to continue as lighthouse keepers until they reached retirement age. During the last session of Congress, we enacted a law raising the retirement pay of former lighthouse keepers. However, we overlooked their widows. This bill will rectify that situation.

In January 1966, there were 542 retired former lighthouse keepers. Statistics for the last 6 years indicate that an average of 40 have died each year. The widows of these men cannot be expected to subsist on a pension that has not changed since 1958.

The PRESIDING OFFICER. (Mr. McINTYRE in the chair). The bill will be received and appropriately referred.

The bill (S. 2980) to increase from \$75 to \$100 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN PROCUREMENT BY THE COAST GUARD

Mr. MAGNUSON. Mr. President, by request of the Secretary of the Treasury, I introduce, for appropriate reference, a bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establish-

ments for the Coast Guard. I ask unanimous consent that the letter from the Secretary together with a memorandum relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and memorandum will be printed in the RECORD.

The bill (S. 2981) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and memorandum presented by Mr. MAGNUSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 8, 1966.

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

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a bill, "To authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard."

This proposal results from the requirements of Public Law 88-45 which provided that no funds could be appropriated to or for the use of the Coast Guard for the procurement of vessels or aircraft or the construction of shore or offshore establishments unless the appropriation of such funds had been authorized by legislation enacted after December 31, 1963.

This is the third bill to be submitted since the adoption of authorization procedures for Coast Guard acquisitions and construction. The format employed in the last submission is continued. Also continued is the practice adopted last year of including all items of acquisition, construction, and improvement programs for the Coast Guard even though the provisions of Public Law 88-45 appear to require authorization only for major facilities and construction. Inclusion of all items in the proposal obviates the necessity for separation of the program into two parts; one requiring authorization and the other requiring no authorization.

With respect to what may be referred to as minor items, the bill does not itemize the aids to navigation projects or the advanced planning projects for which comparatively minor sums are required. The inclusion of all the items under these general headings would have unduly lengthened the bill. It should be noted that the authorization for aircraft includes replacement of existing aircraft as well as augmentation aircraft to enable the establishment or enlargement of aviation units. Additionally, it includes associated spare parts and ground support equipment.

There is attached a memorandum listing in summary form the procurement and construction programs for which appropriations would be authorized by the proposed bill. In further support of this legislation, the cognizant legislative committees will be furnished detailed information with respect to each program for which fund authorization is being requested in a form identical to that being submitted in explanation and justification of the budget request. Additionally, the Department will be prepared to submit any other data that the committees or their staffs may require.

It would be appreciated if you would lay this proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objec-

tion to the submission of this legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
HENRY H. FOWLER.

Summary of fiscal year 1967 U.S. Coast Guard program for procurement of vessels and aircraft and for construction of shore and offshore establishments

VESSELS

For procurement, extension of service life, and increasing capability of vessels.

Procurement:	Thousands
1. 3 high-endurance cutters to replace 3 large overage cutters.....	\$42,000
2. 1 river tender to service aids to navigation on the Arkansas River (see construction item (19) for mooring).....	710
3. Preliminary to procurement, design icebreaker to replace windclass icebreaker.....	1,000
4. Preliminary to procurement, design new oceanographic cutter.....	500
5. Preliminary to procurement, design small cutter intermediate in size between present patrol boats and medium-endurance cutter.....	250

Increasing capability:	
1. Install secure communications equipment on 3 high-endurance cutters to provide communications compatibility with the Navy.....	600
2. Install prototype of balloon tracking radar with improved capability on high-endurance cutter.....	250

Extension of service life:	
1. Enlarge operations centers on 2 225-foot high-endurance cutters.....	140
2. Improve Coast Guard icebreakers (including former Navy) by improving habitability, installing oceanographic facilities, secure communications equipment and facilities for turbine helicopters.....	3,760

Total vessels..... 49,210

AIRCRAFT

For procurement of aircraft.	
1. 3 long-range airplanes to replace 4 overage medium-range airplanes at air station, Kodiak, Alaska (see construction item 17).....	9,004
2. 5 medium-range fixed or rotary wing aircraft to replace 5 overage medium-range fixed-wing aircraft.....	7,650
3. 2 helicopters for improved search and rescue protection at Cape May, N.J. (see construction item 16)....	1,150
4. 10 helicopters to support icebreaker operations previously supported by Navy helicopters.....	6,300

Total aircraft..... 24,104

CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including the preparation of sites and furnishing of appurtenances, utilities, and equipment for the following:

1. Station, Umpqua River, Oreg.: barracks, messing and operations building; equipment building; and public family quarters.....	405
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Summary of fiscal year 1967 U.S. Coast Guard program for procurement of vessels and aircraft and for construction of shore and offshore establishments—Continued

	Thousands
2. Station, Coos Bay, Oreg.: operations building, garage, and public family quarters.....	\$550
3. Base, Milwaukee, Wis.: administration, industrial and buoy maintenance building; dock; and breakwater on leased premises with long-term lease.....	1,392
4. Depot, Southwest Harbor, Maine: barracks and mess building, piers, and public family quarters.....	723
5. Station, New Canal, La.: utility building, bulkhead, and dock.....	124
6. Base, Governors Island, N.Y.: industrial facilities, piers.....	5,000
7. Station, St. Ignace, Mich.: barracks, messing and operations building, garage, piers, breakwater, and public family quarters.....	603
8. Station, Grand Isle, La.: moorings, bulkhead, public family quarters, and completion of Ioran-A station.....	1,115
9. Air station, South San Francisco, Calif.: barracks and sickbay building, rehabilitation of existing barracks as administration and messing building, transmitter—emergency operations building.....	1,300
10. Various locations: transportable communications units.....	410
11. Base, New Orleans, La.: third and fourth floors of administration building, gatehouse, shop buildings, and moorings.....	715
12. Station, Rappahannock River, Va.: barracks, messing, operations building; bulkhead; pier; and public family quarters.....	515
13. Radio station, Long Beach, Calif.: transmitter installation.....	84
14. Radio station, Kodiak Island, Alaska; transmitters and antennas.....	78
15. Station, Marathon, Fla.: barracks, administration and operations building, storage building wharf, bulkhead and seawall.....	383
16. Station, Cape May, N.J.: hangar, offices, shop building, and improve mooring (see aircraft item (3)).....	1,062
17. Air station, Kodiak, Alaska: improvement of hangar doors (see aircraft item (1)).....	200
18. Base, Terminal Island, San Pedro, Calif.: supply warehouse.....	367
19. Moorings, Pine Bluff, Ark., to support Arkansas River Aids to Navigation tender (see vessel item (A2)).....	318
20. Various locations: Aids to navigation projects including, where necessary, advance planning and acquisition of sites.....	2,168
21. Lorán-A stations, Galveston and Fort Isabel, Tex.: transmitter, power, and storage buildings.....	1,394
22. Academy, New London, Conn.: cadet barracks.....	2,092
23. Recruit training center, Cape May, N.J.: administration building.....	823
24. Reserve training center, Yorktown, Va.: Engineman school classroom and laboratory building.....	393
25. Various locations: public family quarters.....	5,500

Summary of fiscal year 1967 U.S. Coast Guard program for procurement of vessels and aircraft and for construction of shore and offshore establishments—Continued

	Thousands
26. Various locations: advance planning, construction design, architectural services, and acquisition of sites in connection with public works projects not otherwise authorized by law.....	\$1,967
Total shore establishments.....	29,686

PROMOTION OF ECONOMIC DEVELOPMENT OF THE RYUKYU ISLANDS

Mr. MAGNUSON. Mr. President, on behalf of myself and the Senator from Hawaii [Mr. INOUE], I introduce, for appropriate reference, a bill to provide for promotion of economic and social development in the Ryukyu Islands by amending the Tariff Act of 1930 to permit the duty-free entry of certain articles grown, manufactured, or produced in the Ryukyu Islands.

Under article 3 of the peace treaty with Japan the United States was granted authority over the Ryukyu Islands, the principal one of which is Okinawa, one of our major military bases. In exercise of this authority Congress declared in the Price Act, Public Law 86-629:

Every effort shall be made to improve the welfare and well-being of the inhabitants of the Ryukyu Islands and to promote their economic and cultural advancement, during such time as the United States continues to retain authority over the Ryukyu Islands.

Over the years despite many fine accomplishments, the trade of the Ryukyu Islands, a U.S. dollar area, has shown substantial deficits. In fiscal year 1965, imports were \$210,704,000 but exports only \$79,403,000. Imports from the United States were \$31,418,000 but exports to the United States only \$5,085,000. Most of this trade balance gap is made up from American expenditures in these islands and the pressures for more American aid will continue as long as this balance of trade remains so lopsided.

To encourage development of Okinawan industries and trade so that the economy can eventually stand on its own feet, this bill proposes to allow Ryukyuan products into the United States duty free as long as the islands are under U.S. jurisdiction. When the United States relinquishes jurisdiction, the rate of duty will increase in gradual steps until it is 100 percent. At present Ryukyuan products pay full U.S. duty although no duty is charged in Okinawa on imports from the United States.

The existing tariff schedules provide precedents for special treatment to areas for which the United States has special responsibilities. These are Guam, Samoa, the Virgin Islands, the Trust Territory of the Pacific and the Philippine Republic. This bill is patterned after these provisions.

Generally Okinawan products that will benefit from the bill are light manu-

factures and cottage industries. Specifically excluded from the bill are pineapple products and sugar, all of which are sold to Japan. Any textiles imported from Okinawa into the United States are limited by a quota agreement between the High Commissioner and the Department of Commerce. This bill will not affect that agreement.

Also excluded are products which contain more than 20 percent of their value in foreign—non-Ryukyuan materials except such foreign materials as are exempt from duty in the U.S. tariff schedules. This provision protects against the exemption from duty being used merely as a device to assemble foreign goods for shipment to the United States. This is more restrictive than the provisions for Guam, Samoa, and the Virgin Islands which allow up to 50 percent in foreign materials.

This bill in strengthening the economy of Okinawa will help to reduce its dependence on American aid, carry out our responsibility as administrator of the Ryukyu Islands, enable the Defense Department to carry out more effectively its mission in Okinawa of protecting our vital interests in the Far East and further cement the good relationship enjoyed with the people of the Ryukyu Islands.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2982) to provide for promotion of economic and social development in the Ryukyu Islands by amending the Tariff Act of 1930 to permit the duty-free entry of certain articles grown, manufactured, or produced in the Ryukyu Islands, introduced by Mr. MAGNUSON (for himself and Mr. INOUE), was received, read twice by its title, and referred to the Committee on Finance.

ADULT HEALTH PROTECTION ACT OF 1966

Mr. WILLIAMS of New Jersey. Mr. President, the 89th Congress convened a little over a year ago with a clear call from the President and people of this Nation. Our job was to act effectively on urgent legislation essential to a society in search of greatness. And high on our agenda for action were the medicare bill and proposals to increase health resources of the Nation.

In short order, we passed:

Medicare, which is expected to cost at least \$3.5 billion by 1967, with a supplemental appropriation of \$9 million for the development of needed out-of-hospital services and facilities.

The killer diseases program, with over \$300 million to be spent for research and treatment of heart diseases, cancer, and stroke.

Amendments to the Health Professions Educational Assistance Act of 1963 to extend the authorized construction program and student loans for 3 more years, and to create new scholarship grants and improvement grants to medical and allied professional schools.

Amendments to the Health Research Facilities Act of 1956, authorizing construction grants of \$280 million.

Amendments to the Community Mental Health Centers Construction Act of 1963 which authorize grants to improve facilities and services for the mentally retarded and handicapped children.

Amendments to extend community health services to control the communicable diseases and to develop better and more widely distributed health care for the chronically ill and aged.

But the work done by the "health" Congress of 1965 was a new breakthrough rather than a final triumph. Our major advantage now is that we are better able to judge what must yet be done. Just as Newton once said he could see farther than his predecessors because he could stand on their shoulders, Congress has built an observation platform high enough to give us new perspective on the health needs of a nation.

We can now recognize more clearly, for example, that our medical resources are already strained at this critical moment of increasing demand. Dr. Howard A. Rusk, director of the Department of Physical Medicine and Rehabilitation at New York University, summed up the medical manpower situation in his column of January 2:

Increased training of health personnel is essential.

To maintain our present ratio of 140 physicians for every 100,000 persons, 330,000 physicians will be needed by 1975.

This will necessitate the annual graduation of 11,000 students, 3,600 more than the 1959 total.

However, estimates indicate that by 1975 our annual graduation rate will be only 9,185.

The Surgeon General's Consultant Group on Nursing estimated in 1963 a projected need for 850,000 practicing professional nurses by 1970. This compares with a national supply of 550,000 in 1962, of whom 117,000 were working only part time.

Also reporting on the nurse shortage, the New York Times said in an editorial on November 9, 1965:

It is hoped that the Nurse Training Act of 1964, providing \$283 million in aid to schools of nursing over the next 5 years, will bring the total number of registered nurses in practice by 1970 to 680,000. But even if this goal is reached, it will provide for only 38 percent of hospital patient care.

As doctors and others become increasingly alarmed about manpower deficiencies, we also hear questions about the heavy demands made upon the precious time of the physician. At the recent White House Conference on Health, for example, Dr. Robert M. Zollinger, professor and chairman of the Department of Surgery at Ohio State University, said:

No physician can today or in the foreseeable future have the time to take total care of his patients, and he must depend upon auxiliary help. I foresee that, by special training now proposed for the physician in family practice he will serve more and more as triage officer by directing his problem patients to special centers for definitive treatment.

The Surgeon General of the United States, Dr. William H. Stewart, addressed the same Conference and said:

Year by year, our top professional personnel are being trained to perform still more complex tasks. How long can each profession afford to hang onto its simpler functions—the routine filling of a tooth, for example, or the several easily automated steps in a medical examination? How can we train the physician or dentist to make full use of the skills available in other people, freeing himself to perform only those duties for which he is uniquely qualified?

Demands on physicians and other professionally trained persons are further intensified by what might be called our system of crisis medicine. It is a system that demands superb skills, advanced knowledge and training, and excellent facilities for the care of the sick, but it is a system designed for maximum effectiveness at a time of emergency: illness or accident. For many of the very poor—the slum dweller, the migrant worker, the elderly pensioner—our advanced medical system might as well have been on another planet. In a nation now committed to delivery of best possible health care to all citizens, obviously much more must yet be done.

If we are to improve dramatically the health and the health care of our Nation, there is one simple fundamental step we can take: a concentrated effort at the early detection in order to help prevent the onset of serious illness and the reduction of its severity.

Obviously, it is impossible to prevent all chronic illnesses—and it will become increasingly difficult to deal with them, using present methods, as larger numbers of Americans add more years to their lifespans.

But such illnesses could be held to a minimum, and the extent of disability or limitation of activity could be controlled or delayed if—

This Nation does all possible to keep people out of hospitals, not only for humanitarian reasons but also to keep the costs of medicare to a minimum.

This Nation anticipates that shortages in medical manpower, together with increasing demands for professional treatment as the aging population of this Nation grows each year, will cause an intensifying need to make the best possible use of the experience, human understanding, and special training of those professionally trained persons who fight illness and death every day.

For these reasons I am introducing today a bill to establish a national program for health maintenance.

THE ADULT HEALTH PROTECTION ACT OF 1966

Mr. President, it has been said that war is the tragic consequence of failure by its preventive diplomacy. If I may draw a parallel, the costly and often futile treatment of long-term illness and disability represents the failure to prevent, or at least control, chronic disease and to maintain health.

Preventive medicine is not a new idea. One aspect of preventive medicine familiar to all is environmental—purifying our water supplies, reducing air pollution,

exterminating mosquitoes. Almost every child is painfully familiar with the preventive medicine of the smallpox vaccination, the diphtheria shot, and the measles shot. The dramatic results of this sort of preventive medicine can be seen in the increased life expectancy of today's American, and the virtual elimination of some diseases within our borders. But the heavy emphasis on this aspect of preventive medicine has had some other obvious repercussions. As some diseases have been conquered, others have taken their place. The drastic rise in the number of deaths caused by heart disease and by cancer can in part be explained by the simple fact that more people live longer, escaping the killer diseases of childhood. In concentrating on environmental health, immunization, and other primary preventive measures, we have done part of the job; we have created a healthful environment for the individual but we have neglected an equally important task: the maintenance and preservation of the health of the individual. This is an increasingly essential complement to the program of environmental health. As far as we know now, heart disease and cancer cannot be conquered by environmental health measures alone. But they can be forestalled or effectively treated by early detection in the individual. We have the techniques, the knowledge, and the equipment to detect the early signs of these and other crippling chronic diseases such as glaucoma, diabetes, and hypertension. The kind of preventive medicine I am discussing is already being practiced on a limited scale in many parts of the Nation. It is not visionary but eminently practical and vitally necessary.

Therefore, in my judgment, it is time that we had a national program for the early detection of tendencies toward serious illness. If this Nation established such a program now large enough and effective enough, we could then have the facts and the new techniques necessary to prevent and reduce chronic illness in middle and late years.

Accordingly, I have drafted a bill to amend the Public Health Service Act by adding a new title authorizing a program to protect adult health through the establishment of locally operated health protection centers for the detection of disease.

Any person past the age of 50 would be eligible for such screening if he wished to have it.

Centers would use automated or semi-automated screening techniques which have already proven their worth in everyday use.

Eventually, millions of Americans could thus be encouraged to think in positive terms about the prevention of illness at a time in their lives when prevention is possible.

The beginnings of such a program are contained in the provisions of this bill.

SUMMARY OF PROVISIONS

This bill would authorize the Surgeon General to make grants to medical

schools, community hospitals, health departments, and other public or non-profit agencies to establish and operate health protection centers.

REGIONAL HEALTH PROTECTION CENTERS

The regional health protection centers would provide a series of basic tests to detect abnormalities in the cardiovascular, respiratory, gastrointestinal, genitourinary and musculoskeletal systems, as well as defects in metabolism and organs of special sense. Specific diseases or conditions to be tested for might include: First, hypertension, heart muscle enlargement, and disease; second, mouth, lung, breast, cervical, and other cancer; third, diabetes; fourth, kidney disease; fifth, glaucoma; sixth, tuberculosis; seventh, rheumatoid arthritis; eighth, gastrointestinal bleeding; ninth, anemia; tenth, obesity; eleventh, respiratory insufficiency; twelfth, vision impairment; thirteenth, hearing impairment; fourteenth, hypercholesterolemia; and fifteenth, gout.

The tests would be administered by technicians, nurses, and medical specialists using automated or semiautomated equipment which has already been proven to give swift, accurate, and reliable results. The results of these tests, along with data provided by the person undergoing the health appraisal, would be fed into a computer. It is estimated that the battery of tests could be administered within 2½ hours.

The results of the tests, summarized by the computer, would be referred to the private physician of the person tested. In cases where the person either did not have a private physician or was medically indigent, the test would be referred to a physician in accordance with local practice.

The regional health protection centers are intended to provide an efficient means for the detection of abnormalities or indications of disease. They would not replace full examinations. Their purpose is to place in the hands of the examining physician a summary of basic data and to place promptly under a physician's care a person with indications of possible disease.

The centers would be under the supervision of physicians, but they would be principally staffed by technical personnel. Health counselors would be on the staffs of the centers to explain the purpose of the tests, to insure proper referral and to follow up those cases where prompt medical treatment was indicated by the tests.

Health appraisals and disease detection tests would be available to any person age 50 or above on a voluntary basis.

The regional health protection centers would conduct training programs in the operation of technical disease detection procedures and would research and develop new disease detection tests and equipment. Additional grants to the regional centers would be authorized for operational research and for the establishment of internships to give on-the-job training to physicians, nurses, social workers, and technical personnel. The centers would also conduct community education programs on preventive health care.

The availability of these testing services would be intended to encourage men and women approaching retirement to take regular health examinations and to facilitate the giving of full examinations by practicing physicians.

COMMUNITY HEALTH PROTECTION CENTERS

The Surgeon General would be authorized to make grants to medical schools, community hospitals, and other community health service agencies for the establishment of community health protection centers. They would be linked by data transmission lines to the regional centers and could use the more sophisticated electronic equipment and other facilities of the regional centers for the evaluation of some tests.

One of the criteria for the awarding of grants to regional centers would be their ability to provide services to the small community centers. Although the community centers would be directly connected to the regional centers, they would not necessarily be operated by the same institutions which ran the regional centers. One purpose of the community centers would be to make the services of the regional centers more widely available to a greater number of people. Special facilities might be developed to meet particular needs. For example, mobile units might be used in rural areas.

OTHER PROVISIONS

A 12-man Advisory Council on Adult Health Protection would be established to advise and assist the Surgeon General in the administration of this program.

The Surgeon General would be authorized to contract with educational institutions or other appropriate organizations for the conduct of educational programs. He would also be authorized to contract with profit and nonprofit organizations for the research and development of equipment, systems, or processes which would improve disease detection procedures.

Let me emphasize—this point bears emphasis—that the centers would not be treatment centers. They would not be diagnostic centers. They would be laboratories which give data to physicians, who would interpret that data and deal directly with patients when consultation would be needed.

The bill I am introducing requires that in every case the results of the screening test be given to a practicing physician. The health protection centers would not be equipped or intended to provide treatment, although the staff of the centers would be expected to follow up cases and to make sure that a participant was promptly brought under a doctor's care if treatment was indicated by the tests. Even should the screening tests show no indications of possible disease, the data would provide basic information to a physician on his patient which would be extremely helpful for a full physical examination by a doctor or as base line data in future examinations.

Doctors would thus be given more time to perform the executive, expert functions that only they can perform. They would be given more time and more facts to help more people.

As the population continues to increase—especially the elderly popula-

tion which is most susceptible to chronic disease and disability—physicians and others in the health professions will need all the time they can get.

COST OF CHRONIC ILLNESS TODAY

Before proceeding with our discussion, we should be aware of the important difference between the terms "disease," and "illness." Disease is a pathological process which may not necessarily produce symptoms. Illness—or sickness—is a condition that comes from disease. Present knowledge does not permit us to prevent the onset of the majority of chronic diseases. However, available knowledge can be utilized as a potent weapon to prevent, mitigate, or delay the onset of the illness which is a byproduct of these diseases. An example is atherosclerosis, or hardening of the arteries. An individual may have advanced atherosclerosis with no obvious symptoms of the disease. He thus has a chronic disease without illness. Diagnosis in the crucial preclinical stage can have a far-reaching effect upon the future health status of that individual.

Our failure to provide a nationwide program of health appraisal leading to early diagnosis may be directly charged with the high cost of chronic illness today.

Here are some appalling facts:

Chronic disorders afflict about 74 million Americans, some of whom have more than 1 ailment.

Among individuals 65 years old or older, more than half are functionally limited to some degree.

Last year, more than 990,000 persons died of heart diseases.

It is estimated that as many as 25 percent of the Nation's adults are currently afflicted with heart disease.

Cancer takes 250,000 lives each year.

The President's Commission on Heart Disease, Cancer, and Stroke has reported that these diseases alone cost the Nation close to \$30 billion each year in lost productivity and lost taxes due to premature disability and death.

Arthritis now claims 13 million sufferers—and costs the U.S. economy over \$1 billion yearly. It cripples more people in low-income families than in other groups and disables more people than any other chronic disease.

More than 20 million people are affected by blindness, deafness, epilepsy, mental retardation and other neurological disorders.

Two million are known diabetics.

Almost 1.5 million over 40 years of age are afflicted by glaucoma.

Presently, we are spending \$4 billion a year for maintenance and medical care of disabled people through public assistance programs, in annual compensation and pension payments to veterans by the Veterans' Administration, and in Federal-State moneys for basic support of vocational rehabilitation services.

And, the Public Health Service is currently authorized to spend some \$53 million for various programs attacking a number of the chronic diseases by means of extended community health programs, for demonstrations in new care service techniques—especially for heart

disease and stroke—for cancer cytology, for screening for diabetes, for support for the artificial kidney, for community programs attacking arthritis and rheumatism, and for treatment facilities for chronic respiratory disease, epilepsy, and other neurological disorders.

Just this month, I obtained some figures on the prevalence of chronic conditions among persons 45 years of age and over. This is approximately the age group with which my legislation is concerned.

Prevalence of chronic disease in persons over 45

	Per 1,000 population
Hypertension including hypertensive heart disease.....	292
Arthritis and rheumatism.....	180
Chronic bronchitis.....	100
Hearing impairment.....	90
Coronary heart disease.....	58
Vision impairment.....	51
Diabetes.....	50

Source: Public Health Service.

If these statistics seem to suggest that we have already been tardy in establishing detection and prevention programs, we can draw some comfort from pioneering work begun under private, State, or local auspices. The most dramatic and significant example is the automated multiphasic screening project operating for the benefit of workers and their families on the west coast to members of the Kaiser Foundation health plan.

This program, in fact, almost serves as a pilot precedent clearly showing the practicality and value of an effective screening program.

THE KAISER FOUNDATION PROGRAM

To those who use the Kaiser program, the word "multiphasic" merely means "comprehensive." Within 2½ hours they receive a battery of tests comparable, and in some respects superior, to traditional testing made without benefit of automation.

I will describe the procedure in some detail because of its direct relationship to my legislative proposal.

In the multiphasic health checkup, one patient registers every 2½ minutes, and is through in 2½ hours.

Upon arrival at the screening center, each participant registers at the reception desk. He receives a series of questions on IBM cards to which he will respond during waiting intervals between tests and, when completed, to be fed into the computer.

The first procedure involves an electrocardiogram and heart sound recordings for the detection of heart abnormalities.

After the test is completed, the participant is asked to drink a measured amount of chilled, carbonated sugar solution. This is in preparation for the drawing of a blood sample 1 hour later for the blood sugar test for diabetes. Before coming to the center, the individual was instructed to fast for a minimum of 4 hours in preparation for this test. A timecard is stamped to record the exact time the sugar solution is taken.

Weight, height, and body build measurements are recorded directly on the IBM card. This information is impor-

tant for future use, as changes in these base measurements at a later date could indicate the onset or development of a chronic disease.

A chest X-ray is then taken. This procedure is important not only for the detection of tuberculosis, but can yield significant information on other types of pathology in the lung, heart, large blood vessels in the chest cavity, and bony structure of the chest.

For women over 40, there is mammography, an X-ray examination of the breast. This procedure has proved to be a valuable aid in early diagnosis of breast cancer and other breast conditions.

The eyes are next tested. Visual acuity is recorded, and eye pressure tests are conducted for the detection of glaucoma.

A test to measure lung capacity follows. This test is aimed at the detection of emphysema.

Hearing is then tested with an audiometer, and results are recorded on a graph and then transferred to the computer card. The computer is programmed to read out results in terms of hearing loss.

At this point, the 1-hour interval after drinking the sugar solution is reached. Blood is drawn and used for several groups of tests. Blood serum from this sample is placed in the autoanalyzer, and eight complicated tests are conducted simultaneously, with results available in 11 minutes. Among other vital findings, these tests indicate the possibility of diabetes, high cholesterol levels, chronic liver disease, gout, kidney disease, loss of calcium from the bones, and certain digestive diseases. Whole blood is used to determine the hemoglobin level and the white blood-cell count, thus throwing light on the presence of diseases such as anemia and leukemia.

A urine sample is then taken and tested for evidence of kidney infection and other diseases of the kidneys, as well as diabetes. Results are automatically recorded on the IBM card.

Following this procedure, a photograph is taken of the inside of the eye which has the value of not only visualizing the optic nerve, but also the condition of the small blood vessels which are representative of those throughout the body. This test can yield important information about the presence of a wide variety of systemic diseases, including diabetes, leukemia, advanced hypertension, and even increased pressure within the head.

As a finale to the screening line, the blood pressure and pulse rate are recorded, and the information is correlated by the computer with other tests and diagnoses.

In the case of certain tests, the computer is so programmed that where abnormalities are identified, the person may be immediately called back for related tests or a recheck of the test taken. When all the results are completed and the information is recorded and fed into the computer, a printout is received from the computer which gives a health profile of the individual. The printout is provided to the physician for use in

initiating the diagnostic and therapeutic measures indicated.

The efficiency and effectiveness of this automated system may lead one to think that this is a thoroughly depersonalized, assembly-line procedure. Fortunately, this is not so. The technicians and nurses have been carefully selected not only for their specialized abilities but for their personal qualities, as well. They are able not only to perform their tasks skillfully, but to maintain a cheerful attitude.

Though still in its early stages, the program has already yielded important summary findings. Almost 50,000 multiphasic examinations have now been completed.

Do these automated health estimates actually lead to diagnoses?

Among 9,760 participants on whom completed diagnostic examination records were available, the doctors confirmed the health appraisal findings as follows:

Verified diagnoses from findings of multiple screening procedures¹

	Rate per 1,000
Hypertension and hypertensive heart disease.....	88.6
Anemia (women).....	51.4
Emphysema and bronchitis (men).....	34.2
Coronary heart disease.....	28.1
Diabetes.....	28.0
Gout (men).....	9.5

¹ Program conducted by Permanente medical group in Oakland, Calif.

Here is concrete evidence of the priceless value of the preliminary health estimates in the ultimate control of heart disease, arteriosclerosis, diabetes, and many other degenerative diseases of aging.

The electrocardiogram found heart abnormalities in almost 18 percent of the women examined and in about 21 percent of the men.

Women examined showed a consistently higher percentage of impaired visual acuity than males, about 7 percent of persons in the age group 50 to 59. Photographs of the inner eye revealed some abnormalities in almost 1 of every 10 persons, including retinal arteriosclerosis—an important index to other aging and arteriosclerotic processes—in 3 percent of all patients.

These are just a few facts pulled at random out of the multiphasic program's most recent report. The electronic brain used to report out this information can also combine the results of a wide range of tests and pose probabilities—which are infinitely helpful to the individual physician in his task of performing a more detailed examination leading to diagnosis.

In the year between September 1964 and the end of August 1965, a preventive health service research program was instituted by Kaiser directed toward investigating the preventive aspects of chronic illness and disability. The health protection centers established by my bill will do this kind of research into the techniques of health appraisal and preventive medicine.

But one of the strongest arguments for support of health appraisal services is

this: the availability of a centralized, complete health estimate facility serves to motivate people to come in for preliminary testing, particularly people who would not go to a doctor unless they were critically ill or experiencing acute pain or other frightening physical symptoms. Neither the stigma of supposed hypochondria, nor the guilt of taking up a doctor's time unnecessarily, are present.

EXPERIENCES WITH OTHER PROGRAMS

Mr. President, I first addressed the Senate on "Preventicare" in September 1965. Soon after, I wrote to physicians, educators in medicine, public health directors, and others asking for their opinions and experiences. The replies were for the most part enthusiastically receptive. I ask unanimous consent that a number of these replies be printed at the conclusion of my remarks. In addition, several letters give information on the effectiveness of screening programs that were limited to a relatively small geographical area or to one or a limited number of diseases.

For example, the Federation of Jewish Philanthropies of New York reminds me that Mount Sinai Hospital in that city has instituted "the practice—which many hospitals have adopted—of doing a complete battery of tests on patients when admitted. The belief is growing that the cost of doing this, instead of the individually selected tests related to a patient's clinical needs is no higher and the higher productivity of meaningful results enables the physician to render a better qualitative service to his patient."

Dr. John A. Cowan of the Michigan Department of Health writes that his State has been doing multiple screening examinations since 1954 among apparently healthy young adults employed in small industries.

The results have been very satisfying—

He says—

and have revealed that many people who believe they are perfectly well have conditions which predispose to chronic diseases or have beginning chronic diseases which have not as yet become symptomatic.

While a battery of health tests cannot replace the complete history and physical examination of a knowledgeable personal physician, Dr. Cowan sees in my proposal "the means of detecting asymptomatic disease" and "to promote health to a large group of our population."

Dr. A. L. Chapman, now with the Commonwealth of Pennsylvania Department of Health, writes me about an early demonstration project he developed in a housing project in Indianapolis in 1949.

Among the first 1,000 apparently well adults who were screened, about 1,200 conditions were found. Of these, one-third were serious: nephritis, heart disease, hypertension, diabetes, tuberculosis, syphilis, arthritis, glaucoma. About two-thirds were vision and hearing defects, overweight, and other less serious—but correctible—conditions.

Shortly after that, Dr. Chapman writes, a comparative study was done at the Boston Dispensary. A group of 1,000 apparently well adults received

3 different types of examinations conducted by 3 different teams. The first was a \$10 routine physical examination; the second, an abbreviated physical costing \$5; and, the third, a multiple screening examination conducted largely by technicians and costing about \$1. An evaluation of the effectiveness of these three types of examinations showed that more pathological conditions were found by multiple screening than by either of the—then—more orthodox physical examinations.

I also have a letter from Dr. Murray Grant, Director of Public Health for the District of Columbia, enclosing a recent article—which I shall request to be included in the RECORD—concerning a screening program that has been underway here in the District for the past 2½ years and with which some of us are familiar.

Dr. Grant believes that this "bears considerable similarity" to what I am proposing, and calls our attention especially to the cost figures, the evaluation, and the results of the operation thus far.

Further than this—

He writes—

I have within the past few months initiated an even larger disease detection program at our Southwest Health Center, which is now operating a full time program of this nature for all persons in the District of Columbia over the age of 40.

Dr. Grant also mentions that this program is rather unique and is not yet duplicated in many other communities.

Recently I learned of a multiple screening program conducted in a low-income area in New York City to detect previously undiagnosed illnesses among adults. I was shocked to learn that almost one-third of the persons who participated in the screening program had important health-related conditions that had not come to light prior to the program. The findings indicate that of every 1,000 persons in the area, one could well expect to uncover the following rate of previously undiagnosed illnesses: 107 cases of high blood pressure; 101 cases of diabetes; 19 cases of abnormalities of the heart; 30 cases of glaucoma; 5 cases of active tuberculosis; and 5 cases of cervical cancer.

I was also impressed with a recent report about a diabetes detection program in San Jose, Calif. Within 28 months, 8,008 persons past the age of 35 were screened. One out of six persons—1,436 in all—were referred to private physicians for more definitive diagnosis. Positive diagnosis of diabetes was made for 347 patients, or 27 percent of the 1,280 patients on whom reports were returned by the physicians.

The Health Insurance Plan of Greater New York offers a periodic general physical examination which they believe 20 to 25 percent of their subscribers avail themselves of. HIP also informs me of two recent programs to detect unsuspected glaucoma and breast cancer, the latter an intensive program to determine the value of periodic screening. Early results suggest that the breast cancer program is discovering a significant number of breast cancers that would have

otherwise remained undiagnosed, of which a large proportion were still localized when found.

Mr. President, many of my correspondents offered valuable suggestions, some of which I have incorporated in the present bill. A few raised cogent questions which I would like to discuss now. These points will, I am sure, be fully discussed and explored during hearings on the bill.

TIMELINESS OF THE PROPOSAL

Several of my correspondents felt that my proposal is ill timed. They pointed to the large number of health service programs for which we appropriated funds at the last session, on top of already existing health legislation. Some urged that we wait to see how well our local hospitals, health agencies, and university medical centers are able to cope with new community care programs already authorized before asking them to assume still another health service responsibility.

In my view this is somewhat like saying that because we are busy giving polio and flu immunizations we cannot add routine PKU testing as a means of preventing mental retardation in children. It is totally inconsistent with the American spirit to put off doing something vital to national welfare.

For generations we have faithfully and persistently reached one frontier of medicine after another. Prevention of communicable diseases has long since become part and parcel of the objectives of public health. But the prevention of chronic diseases remains a hidden frontier, one we have not yet crossed despite all the time, effort, and money we are spending in research and in experimentation to find ever more successful treatments.

My bill does not propose immediately to establish hundreds of elaborate health appraisal centers all around the country. Within 5 years we would have five regional centers and 20 related community centers in progressive operational stages. These will demonstrate the feasibility of extending similar services to other regions of the country as needed.

I am convinced that this is an eminently reasonable way to begin an attack on chronic disease. To delay now will only postpone the eventual day of reckoning, and the longer we delay the more we will burden our health service facilities with the provision of care for illness and impairment which might have been avoided or minimized.

I might add that the length of time it took to enact medicare is a good argument for immediate consideration of ways to offer preventive health services. The hour is already late.

SUPPORT FROM THE MEDICAL PROFESSION

No health program—neither my proposal nor any other—is going to succeed fully without acceptance and use by medical practitioners. Time and time again it has been demonstrated that the federally assisted programs which succeed are those which enlist the participation of local physicians and their medical societies during planning stages.

I recognize the same need and the same opportunity in planning for the

health protection centers provided for in my bill. I think we can demonstrate to the private physician the time-saving virtues of preliminary health estimates as an aid to the diagnostic work he must do personally. Automated summaries are not diagnoses. Rather, they offer a detailed health estimate on which a more complete, more accurate diagnosis may be based.

MANPOWER SHORTAGES

Almost all of the medical experts who had reservations about this proposal brought up the problem of recruiting and training personnel and the possible drain on already limited health care personnel.

I am well aware of the statistical shortage of doctors, nurses, aids, and medical rehabilitation specialists, and the estimated additional numbers needed, for example, by 1975. There is a sizable school of thought, however, which reaches beyond the numerical shortage and asks whether we are using our available supply effectively. In the field of nursing alone, many studies have shown the waste of professional nursing time in the performance of clerical services or in duties which do not demand their level of professional skill and judgment. I believe it is also common knowledge that many doctors are continuing to perform services which a nurse or technician could safely provide.

So we need to look at how we are using our health manpower resources as well as at how to recruit and train more of them.

Chronic illness care has not attracted practitioners as has acute medicine and surgery. But I believe there will be a strong attraction to the proposed multiphasic testing projects—because automation is new, because results of the tests are produced rapidly, and because dramatic findings of heretofore asymptomatic disease often turn up in the patient's health estimate summary.

My proposal also has a built-in safeguard. The health protection centers will receive grants to train their own professional and technical personnel to adapt basic medical and allied knowledge to the demands of the automated procedures.

Now, as to the risk of draining already short supplies of medical manpower in order to offer more efficient preventive services.

It seems to me that our entire national philosophy is geared to the prevention of undesirable circumstances or conditions. We seek to prevent war, to prevent poverty, unemployment, air and water pollution, crime—even to prevent national and local environmental ugliness.

We have never faltered in our forward movement toward these goals for fear of being unable to recruit skilled professional or technical personnel to do the job. We have created the programs—and people have come forward to staff them.

I submit that the comparatively small numbers of medical and paramedical personnel can be found without jeopardizing existing health services, and they will be people with sufficient vision to

want to be part of a team which is not undoing damage but preventing it.

Extensive Federal support is being provided to increase supplies of medical manpower of all kinds and to give them training in the management of chronic illness and disability prevention. Surely, these efforts must not and will not bypass the most fundamental service of all—early appraisal leading to early detection of incipient chronic diseases.

AGE LIMITATIONS

My bill provides that any adult aged 50 or over may be admitted to the multiphasic testing program in the region in which he resides.

Many correspondents suggested that younger individuals should be included. They pointed to the advantages of early identification of abnormalities in men of draft age or, for example, of application of cancer cytology to young women.

However, it would be unrealistic at this time to hope to reach an entire population—as some have suggested—from infancy onward. Actually, pediatrics practice is in large part preventive and offers sound periodic health maintenance and care services to children.

I have no desire to eliminate the young adults to whom we must hand the future. But in order to keep the size and number of the health protection centers within realistic bounds and still to come up with useful results, I thought it advisable to start with the critical decade, the fifties, and to include our older citizens as well, whose limited financial means may keep them out of any program of systematic health examination.

I see this as immediate and essential to back up medicare; to identify the chronic diseases before they become a major care problem, heavily overtaxing community health resources, and to bring people into desirable treatment programs before they reach the age of eligibility for social security health insurance benefits.

RELATIONSHIP WITH NEW HEART, CANCER, AND STROKE COMPLEXES

Some experts have suggested that the health protection centers should be part of the regional heart, stroke, and cancer complexes established by truly historic legislation last year.

As I understand that program, which is just beginning, its principal purpose is to provide for the cooperation of medical schools, clinical research institutions, and hospitals so the latest advances in the treatment of heart disease, cancer, and stroke may be brought to the patient through locally or regionally administered programs of research, training, and continuing education.

This excellent program is directed at the treatment of illness and is a coordinated attack on three major killers. My proposal is aimed at early detection and ultimate prevention, the maintenance of good health rather than the treatment of illness. I think that it is wiser, so that we can have the fullest discussion and study of the goals and methods of preventive medicine, that the Adult Health Protection Act be considered separately from the heart, stroke, and cancer bill.

It is obvious that the two programs as they develop should be closely coordinated. I think that in actual practice the health protection centers and the heart, stroke, cancer complexes would be in close touch for the exchange of information and new techniques. Certainly both programs share the same basic goal—the improvement of the Nation's health. Ultimately, they would be joint partners in working toward that goal.

COMPUTER RELIABILITY

Several people have challenged the reliability of computerized health data, pointing out that only a physician is qualified to interpret medical findings, establishing significant relationships by use of his professional judgment.

Please let me reemphasize. The computerized health estimate is not a diagnosis. It is a service to the physicians who will make the diagnosis. Furthermore, the health protection centers will be under medical direction. Where determinations are necessary on any of the data, a physician will make them.

I do not think it necessary to defend computer accuracy in the field of health any more than in industry or in space science. We have ample evidence from many reports, however, that the computer readings—of blood chemistry, for example—may be more consistently correct than manual readings which cannot be completely free from a margin of human error.

Dr. Ralph Thiers, of Duke University, reported last September that chemistry tests run at three hospitals, both manually and by automatic analysis, proved that the automated method can detect unexpected abnormalities often enough to significantly help physicians to understand and treat their patients. Dr. Thiers said that the data leave little question that a significant number of additional clinical chemistry abnormalities are being discovered by automation which manual analysis had missed.

This is one example.

You are probably aware that the Public Health Service is already developing and testing additional electronic screening methods for detection or measurement of disease—the spirogram, to record lung function important in bronchitis-emphysema; the phonocardiogram, to record heart sound; the electroencephalogram, to record electrical impulses given off by the brain.

Some of you may recall a demonstration in New York of an electronics system for analyzing electrocardiograms. Over 700 civil leaders participated, including Governor Rockefeller, and my distinguished colleague, Senator JAVITS.

In this demonstration, ECG's were taken, recorded on tape, transmitted by long distance telephone to a tape receiver and computer at George Washington University, here in the District. The computer took 20 seconds to compare the incoming ECG with thousands of similar cases stored in its memory. In 3 minutes plus 4 seconds, the heart's ability to transmit electrically, discharge, recharge, and drive itself had been determined and printed electronically in New York. The computer also sent back

the average number of heartbeats per minute and gave a brief analysis of the data.

Thus, we find not only efficiency in the use of computers but economy as well.

So much for the major objections which have been raised.

Mr. President, recently I read a most provocative article in the New York Times magazine by Prof. Jean Mayer, Harvard professor of nutrition and lecturer on the history of public health. He indicts the health professions as nourishing "an obsession with death which disregards the greater importance of the value and significance of life."

Priorities for health programs, he says, "ought not be established on the basis of mortality statistics which make such conditions as blindness, deafness, tooth decay, mental illness, and arthritis appear insignificant," but on the basis of real human needs.

He points out:

We are not yet used to thinking of subjecting our whole population to competent and continuous preventive care.

Yet this is the only type of medical care which makes sense. More than anything else, Dr. Mayer believes, we need discussion leading to a national plan for prevention, treatment, and rehabilitation.

I respectfully suggest that my "preventive" proposal will carry us one step closer to this goal.

Our object was well expressed during the White House Conference on Health by Dr. George James, adviser to the President and former New York City commissioner of health. He said that the ideal system would put comprehensive medical service within the reach of everyone. The emphasis would be on preventive medicine and on a continuous effort to identify and treat disease at the earliest possible moment. The purpose? A useful and satisfied human being as well as a healthy body.

Let us replace obsession with death with devotion to life. Modern science has given us a longer lifespan; now modern preventive medicine can give us the good health so that those years need not be years of suffering and decline but years of health and well-being.

Mr. President, I ask unanimous consent that a number of articles and letters relating to this proposal be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the articles and letters will be printed in the RECORD.

The bill (S. 2983) to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation, introduced by Mr. WILLIAMS of New Jersey (for himself and Mr. METCALF), was received, read twice by its title, and re-

ferred to the Committee on Labor and Public Welfare.

The articles and letters presented by Mr. WILLIAMS of New Jersey are as follows:

STATE OF GEORGIA,
DEPARTMENT OF PUBLIC HEALTH,
Atlanta, Ga., January 10, 1966.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your similar letters of November 23, 1965, to the director of our chronic illness and geriatric service, Dr. Albert H. Robinson, and to me, enclosing your proposal for health protection centers have been studied. We are stimulated and encouraged. This letter represents our combined thinking.

I have been working for over a quarter of a century attempting to develop an effective health maintenance plan for all Georgians and your letter has given me a glimpse of what could well mean a major breakthrough into an optimum sickness prevention program.

Prevention seeks to eliminate a cause; treatment seeks to minimize a result. This is the keystone of health protection, for it is always many times more economical to prevent illness than to treat and rehabilitate the ill. It follows, then that we must not let "sick call" for the relatively few crowd out health maintenance for the many.

There is no possible question that the aged sick need the medical care which medicare legislation was hopefully designed to provide for them, but it must not be thought of as a wand that we can wave on the citizen's 65th birthday, magically bringing him health and well-being. We must—we can only—build the foundation for that good health during his younger most productive years. Any other course will inevitably lead to an oppressive national financial burden, a caseload level too heavy to be handled by available, or conceivably available, medical resources, and finally, by injustice to the over-65 citizen himself.

The key to achieving medicare's goal is to insure that each group that reaches its 65th birthday, each succeeding year, comes from a healthy population. I am convinced that your proposed multiphasic screening health protection centers could play a major role in reaching this objective, provided that their facilities were available to what is, in Georgia's experience, the primary population group, the labor force.

Georgia has a total population of slightly more than 4 million people, living in 1.1 million households. These homes are supported by the salaries and wages of Georgia's 1.5 million labor force. The 1.5 million wage earners, generally heads of these households, exert more influence upon the remaining 2.5 million Georgians than any other force. They, therefore, should be the initial primary beneficiaries of any health maintenance program. The labor force not only produces the wealth we need, but also most effectively represents the population we serve.

Emphasis on the prevention of illness among the wage-earning group has a two-fold objective: (1) The productive member of each family is kept in health so that income needed for support is provided internally and the need for outside financial assistance is minimized; and (2) the wage earner, as the most influential member of the family, becomes a natural and effective medium for teaching other members of his family the "take-home health" he has learned on the job.

Within the Georgia Department of Public Health we have developed and are operating an employee's health service which is providing this type of health protection. All of our 30,000 State merit system employees are eligible for periodic screening for early detec-

tion of illnesses. Unfortunately, geographic distances prevent the service from being readily available to many of them, underlining, on our own doorstep, the need for such a comprehensive program as your proposed centers would implement.

Our experience to date has confirmed the value of our Georgia State Employee's Health Service. It is well evidenced by the continued valuable service of a growing number of employees, including a number of key administrators, who probably would have been lost as State servants and family providers except for early detection of serious illnesses. Early case finding usually enables the employee to keep his job and pay for his needed treatment out of earned income. This is infinitely more desirable than the alternative of waiting until advanced disease forces him to give up his job and become a nonproductive burden on his family and on our economy.

Senator WILLIAMS, I have long been convinced that each individual has an inescapable responsibility for his own health that he cannot delegate to any other person or agency. However, it is equally true that each individual has limitations on his own resources for maintaining health, regardless of his status in life. Whenever the demands exceed his personal resources he must turn to community resources for the additional assistance he needs. It must be remembered that individual resources are not limited to money alone, but include education, knowledge, skills, technique, equipment, and even the desire to maintain good health.

Your proposed health protection centers could be of inestimable value as a community resource to help Americans to live up to the inescapable responsibility each has for maintaining his own health.

Medicare will demand the investment of large sums of taxpayer's money, as well as the use of a substantial portion of our national medical resources. It is good business practice—and good, solid humanity—to enable persons approaching the eligibility age for medicare to take reasonable care of their own health prior to becoming eligible. Periodic multiphasic screening for early detection and referral to early treatment for potentially disabling disease is the best way I know to assure the maximum return from the medicare program.

A recommended screening schedule could be: (1) An initial screening at the age of 40, and unless the findings indicate more frequent intervals, rescreening once every 3 years until 50; (2) a screening every 2 years while in the fifties; and (3) a screening once a year beginning at age 60. This schedule, subject to modification with experience, would initiate screenings at the age when the majority of chronic illnesses begin to manifest themselves, accelerating the frequency of screenings with advancing age until, during the years of greatest risk from chronic illness, at least annual screening would be required. Emphasis should initially be placed on screening wage earners within each family, then expanded to other family members as facilities and skills are developed.

Our experience with the multiphasic screening of 1.4 million Georgia citizens during the decade 1945-54 proved to us that screening by itself is not our objective: Any screening program must have a well-organized referral and follow-up system as an integral part of the program if its objective of health care for all those found to need medical attention is to be attained. Our health referral program for medical rejectees from the Armed Forces provides us with conclusive evidence that this is still the case. Discovery of an illness or defect does not of itself assure that the patient will automatically seek the required medical care. In most instances professional guidance such as is provided by our health referral

consultants, is necessary to motivate the patient to seek adequate care.

Equally essential for effective case finding is epidemiological followup of contacts and suspects, as demonstrated by the work of our communicable disease investigators in venereal disease detection and referral to treatment and, more recently, the startling effectiveness of a similar technique in tuberculosis. Similar investigations of blood relatives of cases with hereditary metabolic disorders such as diabetes mellitus show promise of comparably effective results.

Senator WILLIAMS, my answer has been extensive because I believe in what you are trying to do. In fact, I sincerely hope that the State of Georgia may be selected to pioneer a State-wide, automated multiphase screening program with provision for referral to treatment and follow-up such as I have described. I believe that the know-how we have acquired is unique.

We have within the Georgia Department of Public Health the leadership needed to develop the program. I know that most of us realize that much illness can be prevented, and that prevention is more economical of money and human suffering than is treatment. We must use prevention of disease and illness as the control mechanism to keep medicare manageable. By using multiphase screening on a scheduled basis according to age, we can keep it manageable. And we can concurrently achieve another major objective—maintaining the health and productive capacity of our labor force.

Please accept my personal thank you for devoting your attention and energies in this field of preventive medical services that so badly needs your assistance. Do not hesitate to call upon me if I can help you in any way.

Sincerely yours,

LESTER M. PETRIE, M.D.,

Director, Branch of Preventable Diseases.

MICHIGAN DEPARTMENT OF HEALTH,

Lansing, Mich., December 9, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: I was very happy to hear about your proposal for providing screening and preventive medical services to the adult population. We have, as you implied in your speech in the CONGRESSIONAL RECORD, accomplished a great deal in terms of legislation for caring for the sick and disabled. Under the amendments to the Social Security Act we have medicare and other maternal and child health services. The sick are given the benefits of modern curative medicine in the two extremes of life—early life from conception until the age of 21 and later for the older person 65 years of age and over. Very little is being done for the group in the great productive years from 21 to 64 to conserve the health of those who must work and pay the taxes to care for the two groups aforementioned. Any program that can assist in the conservation of this group should pay rich dividends both to the individual concerned and to society as a whole. The provisions of medicare and the new legislation for regional health programs for heart disease, cancer, stroke, and related diseases will not solve our problem of preventing disease and disability. Multiple or multiphase screening activities are now an important component for the early detection of incipient chronic disease and disability. They separate those persons who presumably have abnormalities from those who presumably do not. Such activities save the time of the physician who can spend his time in a more productive manner for those who need his diagnostic and treatment skills and acumen rather than use a disproportionate part of his time for examination of healthy individuals. When such tests can be done by technicians and automated, they

can be done expeditiously and at very modest cost.

In Michigan we have been doing multiple screening examinations since 1954. These have been done mostly in apparently healthy young adults employed in small industries. The results have been very satisfying and have revealed that many people who believe they are perfectly well have conditions which predispose to chronic diseases or have beginning chronic diseases which have not as yet become symptomatic. Ideally, screening examinations should be done on all people 30 years of age and over but as a beginning I think they should start not later than 45 to 50 years of age. Until the medical profession as a whole has also seen the value of such screening examinations, the idea of a complete annual physical inventory for every person is not susceptible to practical attainment for obvious reasons. Physicians have been trained to diagnose and treat overt disease and disability. They have had little training in preventive medicine and not oriented to conservation of health. Our population as a rule is not motivated to go to a physician unless they are either sick or have pain. For these reasons, as well as the fact that if all persons went for an annual physical examination there would not be enough physicians available to treat the sick, it makes the provision of annual physical examinations for the population purely idealistic. It is necessary to find some practical substitution for such complete yearly examinations. A battery of health tests is not as satisfactory, of course, as a complete history and physical examination by a knowledgeable personal physician. Nevertheless, it can be the means of detecting asymptomatic disease and in promoting health to a large group of our population. In my opinion the time has come for us to prevent sickness rather than spending all of our time in patching up those who are already sick or disabled. The greatest thing that could be done for the older population is to find, treat, and counsel those in the great middle years when they are incubating the diseases which will later cause them to require prolonged care and hospitalization.

I am enclosing some statistics from some of the multiple screening programs that have been done here in Michigan.

Incidentally, if you plan to have hearings on this legislation when it is introduced, the Association of State and Territorial Chronic Disease Program Directors, of which I am the current president, would appreciate an invitation to testify.

Sincerely,

JOHN A. COWAN, M.D.,

Director, Division of Adult Health.

TULANE UNIVERSITY,
SCHOOL OF MEDICINE,
New Orleans, La., December 1, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I wish to acknowledge receipt of your letter of November 23 and the attached copy of your Senate speech outlining the need for a health maintenance program. I will appreciate it if you will send me information on the proposed legislation as it develops.

I fully agree with your views and can only reinforce your suggestion that the passage of Public Law 89-97 makes a program of early case finding both necessary and a sensible economy. Meanwhile, I wish to include a copy of Värmland study carried out in Sweden. This was a preliminary study and it seems that in 2 years' time this is intended to cover all of the Swedish population. The meeting in Värmland in September was attended by Dr. James W. Sweeney, director, Tulane biomedical computing system, because the Swedish study is tied in with the Tulane computer. Many of the

automated techniques of recording have been worked out by Dr. Sweeney. You will therefore understand our interest. We are presently negotiating with the Public Health Service the establishment of a multiple screening program for elderly persons in New Orleans.

May I add my congratulations for your leadership in developing this excellent program.

Yours sincerely,

J. C. S. PATERSON, M.D., F.R.C.P.,
Associate Dean and Director.

THE UNIVERSITY OF ALABAMA
MEDICAL CENTER,
Birmingham, Ala., December 13, 1965.

Senator HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: You are to be congratulated on your interest in the need for a health maintenance program for Americans. Automated centers such as described by Dr. Collen at Permanente may well provide a partial answer to improving health. I would personally be very pleased if I lived close enough to take advantage of the comprehensive screening process described by Dr. Collen.

If one considers the economical value of keeping our most productive people on the job, this factor alone could justify consideration of such massive screening starting even earlier than 50 years of age. If a preventable disability is detected at age 40 when there are still 25 years of productive work years to be expected, this may prove to have more impact on our economy than the detection of the person who has only 15 years of expected productivity, or who has retired from active work in the labor market.

I would like to have any information you have in regard to the proposed bill to provide disease detection centers. I hope the bill will include specific provisions for the educational programs which are necessary for such disease detection centers to be truly preventive in nature. The educational components should consider both those necessary for education of professional people and for education of the lay public.

I shall appreciate any information you can send me about the developments in regard to your proposed bill. Please accept my best wishes for your success.

Sincerely,

HELEN L. TINNIN, Ph. D.,
Assistant Professor of Preventive Medicine and Public Health.

FEDERATION OF JEWISH PHILANTHROPIES OF NEW YORK,
New York, N.Y., December 8, 1965.

Senator HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you very much for the opportunity to comment on your proposal to establish an adult health education program under the terms set forth in the summary which accompanied your letter of November 23, 1965.

When we examine the natural causes of disease we find that one of the stages is the period during which the disease is developing but goes unrecognized. It is not accompanied by recognized symptoms, nor does the involved person feel the need for medical care.

The above stage may very well antedate age 60, and I am in agreement with you that the need for a sound health maintenance program could bring substantial benefits to individuals at age 50.

I regret that my present professional services do not afford me the chance to have case studies and statistical data applicable to your project. I can, however, advise you that hospitals are beginning to introduce the practice of doing a complete battery of tests

on patients admitted to their inpatient accommodations. The belief is growing that the cost of doing this, instead of the individually selected tests related to a patient's clinical needs, is no higher and the higher productivity of meaningful results enables the physician to render a better qualitative service to his patient.

One of the hospitals which has instituted this practice, involving automated equipment, is the Mount Sinai Hospital, 100th Street and 5th Avenue, New York, N.Y. Your office may wish to get information about this program directly from Martin R. Steinberg, M.D., director.

I am also taking the liberty to suggest that your office contact George James, M.D., former commissioner of health and presently dean of the Mount Sinai School of Medicine and executive vice president of medical affairs. He has spoken and written extensively on health maintenance and has, during his tenure as commissioner of health, helped organize plans for a municipal hospital to include in-patient services, ambulatory services, health center programs, welfare center activities and community mental health programs. His health center concept deals with the problems of all age groups in much the manner you propose for the older groups.

I am heartily in favor of what you want to accomplish through your proposed program. I am, however, disposed to believe that the health protection centers should not be free standing facilities but integrated with medical schools, community hospitals, etc. They would, in this way, be kept in the mainstream of hospital and medical activities.

The proposed health protection units might then be the satellite resources to promote their availability to many for whom accessibility to the larger centers would be difficult.

I hope you will find these comments and suggestions helpful.

Sincerely yours,

M. HINENBURG, M.D.,
Medical Care Consultant.

THE BROOKDALE HOSPITAL CENTER,
Brooklyn, N.Y., December 21, 1965.
Senator HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: In reply to your letter of December 10, the following information is offered.

The Brookdale Hospital Center, at all levels—board of trustees, medical board, and staff—has recognized the need for dramatic changes in the traditional role of the general hospital as a provider of health care. We have therefore gone on record as committed to involvement in programing for the health needs of the community. To further these aims, a department of community health has been created. This unit has full departmental status at the same level as the traditional departments, e.g.: medicine, surgery, etc.

With the financial support of the Gerontology Branch, U.S. Public Health Service, we have formulated firm plans for a hospital-based complex which provides sufficient portals of entry for the individual in the community to meet his changing health needs. The key characteristics of the program are: availability, accessibility, continuity, integration, and acceptability. The health services are to be available when the need arises; situated so that the person can get to them; providing a continuum of care, avoiding the episodic health care at crises; consider the individual in his medical, psychosocial and economic milieu; and are utilized by the people of the community.

The components of the hospital complex are: general hospital; ambulatory care services, including outpatient department and home care; geriatric health station; extended care facility; and day hospital. The latter

two units will be housed in a community health center to be completed in 1969.

We have concluded negotiation of a contract with the New York City Department of Welfare to provide comprehensive medical care to all OAA patients in the hospital's core area, approximately 3,000 in number. This activity will be housed in a geriatric ambulatory care center building scheduled for completion in the summer of 1966. This building will be eminently suitable for accommodating the geriatric health station.

This geriatric health station, originally conceived as a traditional health assessment facility, has been reevaluated in the light of the Permanent project and the advances in technology in this field. During the past year we have been exploring the possibility of establishing a highly automated and computerized system. We have established the feasibility of automated ECG, spirometry, EEG, and blood chemistry, being fed into a computer such as the IBM 1130 or 3200 system, to produce a referral scale. If coding of a self-administered health questionnaire is added to the above (as in the Permanent project), an efficient economic health evaluation process is achieved.

Of primary importance is the conservation of time required from the health professionals. This permits maximal utilization of professional skills at the appropriate levels and expands the number of individuals who can be evaluated many fold.

This geriatric health station or health maintenance unit would be another portal of entry into the hospital-based complex for those individuals with no private physician.

The population of this hospital's core area is approximately 500,000 with 50,000 to 60,000 individuals 65 years of age or older. In many parts of this area there is an estimated 90 to 95 percent incidence of medical indigency. A large proportion of the population is Negro and Puerto Rican.

There are, as expected, unmet health needs, lack of health maintenance information, and poor or absent motivation. We are therefore anxious to provide a health maintenance program for the aged, not only as a preventive health measure, but as the first step in an educational process which will draw the individual into the mainstream of health care. Unfortunately, we have no funds for this part of the program.

It should be noted that a computer complex as described above could service satellite health stations where the various procedures could be performed and the information relayed to it for processing.

The provisions of your proposal will create services which the new Federal legislation fails to consider and which are essential for proper health care programing. The Brookdale Hospital Center and other community hospitals throughout the country who have accepted the challenge of change in their role as health care providers, will receive the support they so urgently need to meet this challenge.

Cordially,

LEO GITMAN, M.D.,
Chief, Gerontology Section.

HEALTH INSURANCE PLAN OF GREAT-
ER NEW YORK,

New York, N.Y., December 22, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: This is in response to your recent letter concerning your proposal for a health maintenance program for Americans.

One of the benefits covered by the premium in the Health Insurance Plan of Greater New York is a periodic general physical examination. We do not have precise figures on the proportion of our subscribers who avail themselves of this benefit, but the impression is that about 20 to 25 percent

have such an examination each year. A research project conducted several years ago in one of the HIP medical groups indicated that with special efforts this proportion could be increased appreciably.

More recently the research efforts related to the detection of unsuspected disease has been directed at specific conditions. One of the programs is attempting to integrate glaucoma screening into group medical practice with the aid of nonmedical personnel trained to perform glaucoma. The other is an intensive program to determine the value of periodic screening examinations of the breast for the lowering of mortality from breast cancer. Each breast examination includes palpation by a highly qualified clinician and mammography (soft tissue X-ray). Early results suggest that the screening program leads to the detection of a significant number of breast cancers that would have otherwise remained undiagnosed and that a large proportion of the cases are still localized when found. Additional observations are being made to see whether these results are stable and whether mortality is improved because of the earlier detection of breast cancer.

With regard to your proposal, it represents a means for overcoming many of the present deterrents to increasing the proportion of the adult population that periodically receives a comprehensive physical examination. These deterrents include high costs, inconvenience to the patients and a serious drain on physician time which is already in short supply. However, there are several questions associated with the establishment of regional health examination centers which deserve attention. For example, will it be possible to spread the network sufficiently to make the centers readily accessible to the population in rural and urban areas, in the North, South, and West? Also, how will the program relate to the physician responsible for the followup care of the patient so as to avoid fragmentation and discontinuity of medical services? And, what is the most desirable age for initiating periodic health examinations?

I hope that the preceding proves useful to you in considering the scope of your legislation.

Sincerely yours,

SAM SHAPIRO,
Director, Division of Research and
Statistics.

STATE OF MARYLAND,
DEPARTMENT OF HEALTH,
Baltimore, Md., November 30, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Needless to say I was delighted to receive your letter of November 23, 1965, expressing interest in wider application of known techniques for comprehensive screening for early evidence of certain chronic diseases. It so happens that this is one of my chief personal interests, and I am trying to step up action as rapidly as possible among our 24 local health departments in Maryland in establishing this capability. Indeed one of our best local health departments on the Eastern Shore near Delaware (Wicomico County-Salisbury) has just submitted such a special project proposal.

Last year one of the major innovations in public health services in Maryland was a program for statewide mass cytologic screening for cervical cancer in women. The enclosed June 1964 departmental bulletin describes this program in some detail. Both the Governor and the legislature decided to back us on this effort, the ambitious goal of which is nothing less than writing an epitaph for cervical cancer. Other reprints are included to give you further details of the effectiveness of this approach as described

by one of the test's developers, Dr. Hugh J. Davis, of Johns Hopkins Medical School.

My reason for calling this particular screening program to your attention is that the specific target population is women 30 to 45 years of age. This well illustrates the important principle that different chronic diseases and disabilities have different target populations with respect to the age, sex, and other characteristics of the population. It would be a mistake, I believe, for such legislation to prescribe specific age limit. For example, the lower limit of age 50 which is cited in your letter would rule out the most important screening program we are now conducting, namely the cytologic screening for cervical cancer in women which is described above.

A number of chronic diseases and disabilities start very early in life so that effective preventive medical measures must be adapted accordingly. An excellent example of this is amblyopia exanopsia (blindness in one eye) which occurs when poor visual acuity in one eye or muscle imbalance in the preschool age child goes undetected. This is a condition in which vision fusion never takes place during the crucial developmental years. The image from one eye is blurred by some disorder such as poor visual acuity, astigmatism or muscle imbalance so that when the child tries to fuse this image with that of his good eye, he does not see well. He automatically and unconsciously suppresses the blurry image of his weak eye, and in so doing stops it from developing. The eventual result is blindness in one eye unless this condition is picked up by simple screening tests before 6 or 7 years of age. Blindness in this case is therefore preventable.

If the problem is not found, the child is in trouble. He will never have normal depth perception, for this requires two eyes. He may have difficulty in school. He will certainly be limited in the kinds of jobs he can do as an adult. He will be a much less safe driver, and more exposed to all sorts of accidents. And should his good eye be damaged by disease, or by one of the 300,000 eye accidents in this country each year, he may be left virtually blind.

Here then is an excellent example of a screening test to prevent a chronic permanent visual disorder which must be carried out at 3, 4, or 5 years of age.

As you well know the country was startled to learn from the medical examinations by Army Air Corps doctors in World War II, that 1 out of 25 men were blind in one eye and usually didn't know it. At this rate each year 100,000 American children are passing the point at which they can be rescued—all for want of a simple, inexpensive and brief vision screening test.

These two examples of screening tests are but a few of the many examples which I could give you to detect chronic and disabling diseases at a stage where their disabling effect can be prevented or greatly ameliorated. Diabetes can now be economically and readily detected by a screening blood sugar test. Glaucoma, a major cause of blindness, can be readily detected through tonometry, but few adults have ever received this simple test. Mammography is being utilized more and more to detect early breast cancer.

Gadgetry is only a very small part of this process. What is needed are programs of organized community action by professionals and trained technicians—in other words public health programs. Screening techniques should be incorporated into medical practice, so that screening examinations are followed by a thorough history and physical examination by a physician, thus broadening his capacity to detect early disease.

Now that large expenditures are about to be made for chronic illness and disabilities in older citizens (for conditions which often could have been prevented or mitigated), your letter which strikes a note

for an early detection is most timely. Detection of new cases of heart disease, cancer, hypertension and arteriosclerosis is an essential complementary component to the regional medical complex bill just passed by the Congress. Screening examinations have particular application to medically indigent populations in case finding.

In Maryland, I look forward to the development of broad and comprehensive screening facilities—health protection centers to use your phrase—as a well established year round service in all of our 24 local health departments. This Department will fully support your efforts to achieve this.

I would especially like to congratulate and commend you for this superb paragraph from your speech from the CONGRESSIONAL RECORD of September 24, 1965:

"Only a major national commitment to apply the principles and techniques of preventive medicine on a mass basis will stem the rising tide of an increasing burden of medical care in terms of manpower, facilities, and dollars. We have the technology capacity to do this."

Nothing could more fittingly describe the basic philosophy of public health.

We appreciate you referring this question to us and hope that you will call us if you feel that we can be of further help.

Sincerely yours,

WILLIAM J. PEEPLES, M.D.,
Commissioner.

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, DEPARTMENT OF PUBLIC
HEALTH,

Washington, D.C., November 30, 1965.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This will reply to your letter of November 23 in connection with the need for a health maintenance program.

As I understand your proposal, it calls for the development of a disease detection program provided free of charge for all persons over the age of 50, with referral of those found to have health defects to their private physician or to public facilities in the case of those not able to afford private care.

The development of this kind of chronic disease detection program has been a goal of many of us in the public health field for some time. I believe that every individual over 40 (rather than 50) should have access to facilities which enable them to receive screening tests for a variety of diseases such as you have cited in your summary. In the case of some of these diseases, such as diabetes, testing at an earlier age even than 40 is desirable. The point, of course, is that the earlier one finds a disease entity in an individual, the more likely is that individual to be able to receive effective treatment. It is clear, for example, that an individual who develops glaucoma and has some degree of blindness as a result can receive treatment aimed at retarding further development of blindness; this treatment, however, cannot turn back the events that have occurred. In other words, the degree of blindness already contracted by the patient will remain. This same basic principle is true of other disease entities. While we must admit that our current knowledge of some of these diseases makes efficient treatment difficult this should not preclude us from doing everything possible to detect the disease at an early date and doing everything within our power to provide medical and ancillary services aimed at preventing the disease from marching on its irrevocable course to disability and even early death. Further than this, early detection of disease may also serve to initiate steps aimed at rehabilitation. Again, the earlier this is undertaken, the better for the patient and for society.

While there is little question in my mind that the best place for these screening tests to be carried out is the office of the family physician, it seems unlikely that this procedure will take place at least for a high percentage of our citizens. Therefore, the proposals you have outlined appear, in general, to make a great deal of sense. I would, of course, wish to reserve final judgment until I have an opportunity to review, in detail, the exact legislation you hope to introduce, and I would be most appreciative if I could receive said legislation and hopefully have an opportunity of reacting to it.

As an indication of my interest in this matter of disease detection, I am enclosing a recent article concerning a program that has been underway in the District of Columbia for the past 2½ years and that bears considerable similarity, I believe, to what you are proposing. You may be interested in the cost figures, the evaluation and the results of the operation thus far. It is, of course, currently an on-going operation. Further than this, I have within the past few months initiated an even larger disease detection program at our Southwest Health Center, which is now operating a full-time program of this nature for all persons in the District of Columbia over the age of 40. I recognize, of course, that many other communities in the country do not currently have this kind of program and, as I understand it, your proposed legislation is designed to meet this need.

I would point out what, I am sure, is quite obvious to you; namely, that the development of this program creates increasing demand for health manpower, not merely to staff the units but, more important, to arrive at a final diagnosis and provide appropriate treatment. It is this latter phase of the operation that can produce considerable problems. There is, of course, no use whatsoever in developing a disease detection program unless it is subsequently followed, and at an early date, by expeditious handling of the patient with a view to providing the necessary treatment and rehabilitation. The obvious question then arises as to whether there exists in many communities the health manpower readily available to meet this increased demand. This question is not easy to answer, but I am sure you will find that there are many in the health field who do not believe that an adequate supply of manpower currently exists for this purpose and that the number that do exist might preferably devote their time to handling the acute medical problems that need immediate treatment.

May I express my appreciation to you for allowing me to react to your proposals and to hope that I may have an opportunity of deliberating further in connection with this matter at some appropriate time during the course of the next session of Congress.

Very sincerely,

MURRAY GRANT, M.D., D.P.H.,
Director of Public Health.

STATE OF RHODE ISLAND AND PRO-
VIDENCE PLANTATIONS, DEPART-
MENT OF HEALTH, PROVIDENCE,
R.I.,

November 30, 1965.

HON. HARRISON A. WILLIAMS, JR.,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: I was pleased to learn of your interest in the possibility of establishing semiautomated centers for the early detection of certain specific chronic diseases in apparently well older people. Legislation such as you would propose would have my unqualified approval.

As you well know, screening programs are a limited substitute for a complete physical examination given by a qualified, competent

physician interested in preventive medicine. Under ideal circumstances, such examinations would be desirable for all adults over the age of 40 years. Realistically, however, one must realize that this is not an obtainable objective. Therefore, we must compromise by applying screening tests to large numbers of people.

The use of automated procedures in screening programs is a new and exciting prospect in public health today. We, in Rhode Island, have been sufficiently interested in the program at Kaiser-Permanente to send two members of our staff to Oakland to see it in operation.

No person who has studied the health needs of adults would seriously question the advantage of early recognition of chronic illness. Only by early detection and energetic management can we control conditions such as health disease, cancer, and stroke.

I hope you will introduce your proposal, and I hope the American Congress will have the wisdom to see its merits. I hope, also, that if this proposal becomes a reality, the State of Rhode Island will have the privilege of being selected to operate one of the proposed centers.

Sincerely yours,

JOSEPH B. CANNON, M.D., M.P.H.,
Director of Health.

CITY OF MILWAUKEE HEALTH
DEPARTMENT,
Milwaukee, Wis., December 2, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SIR: I have received two letters from you, both dated November 3, 1965, relating to a proposed Adult Health Protection Act of 1966. One letter was addressed to me as commissioner of health of the city of Milwaukee, the other was routed to me from Marquette University School of Medicine where I serve as professor and chairman of the department of public health.

I have reviewed the summary of your proposed Adult Health Protection Act of 1966 and, speaking generally, I am enthusiastic about the intent and scope of the proposed legislation.

The Milwaukee Health Department already possesses an appreciable quantity of automated equipment needed to carry out a broadly based multiphasic screening examination program in this community. Currently, the principal impediment to launching a full-scale program is the lack of financial support to employ the necessary personnel. I am engaged in pursuit of some limited financial assistance from the Public Health Service for this purpose.

I certainly feel a broadly based multiphasic screening test program should be available to any person age 50 or over who desires to participate. To limit the program to persons 65 years of age and over would seriously impair one of the primary purposes of the program; namely, the early diagnosis of disease. Early diagnosis is an essential step to the institution of early treatment.

The only significant criticism I have of the proposed Adult Health Protection Act of 1966, as summarized in the enclosure transmitted with your letter, relates to establishment of five health protection centers, to be followed at a later date by establishment of health protection units linked to centers by data transmission lines. I believe that one or two health protection centers, to carry out the functions delineated in the third paragraph of the second page of your summary, would be in order. The most meaningful benefits of the program will ensue through rapid development of many health protection units in many communities.

I feel that there is no need for the health protection units to be linked by data transmission lines to the centers, where interpretation of some tests, such as electro-

cardiographic tracings, could be performed by centralized electronic equipment. Small, highly sophisticated electronic interpreters will soon be available at a cost so low as to justify their placement in the individual health protection units. For example, an American corporation will go into production, on or about May 1, 1966, for manufacture of digital-analog computers which will automatically record and interpret electrocardiographic data. The cost of such a unit will be approximately \$4,200. When one considers the cost of an electrocardiograph, which the health protection unit would require, and linkage of units to centers by data transmission lines, I am sure it would be more economical to have the interpretations performed electronically right on the testing premises. In addition to saving in cost, there are other advantages, which I will not attempt to enumerate here.

Very truly yours,

E. R. KRUMBIEGEL, M.D.,
Commissioner of Health.

NEW JERSEY OPTOMETRIC ASSOCIATION,
Trenton, N.J., December 10, 1965.
Senator HARRISON A. WILLIAMS,
Senate Office Building,
Washington, D.C.

DEAR PETE: I am taking the liberty of sending you a copy of the resolution which was passed by the New Jersey Optometric Association at their annual meeting, Sunday, December 5, 1965.

Secondly, I am enclosing a news release that was sent from our public information office regarding our resolution. This was sent to all the dailies and weeklies in the State.

Pete, I think it is of great significance and I hope of interest to you that the preventive care resolution was passed unanimously by those in attendance at our annual meeting.

The New Jersey Optometric Association is completely in agreement with your concept of the need for a health maintenance program for adult Americans. You can rest assured that when your bill is filed, this organization will be 100 percent behind it.

Hoping this letter finds you in the best of health, I remain, with kindest personal regards,

Very truly yours,

HERBERT L. MOSS, O.D.

BAYLOR UNIVERSITY,
COLLEGE OF MEDICINE,
Houston, Tex., December 4, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: Thank you for your letter of November 23, 1965, along with a summary of legislation now being drafted to establish health protection centers.

The concept underlying your proposal has obvious merit. Indeed, consideration was given to this subject by the President's Commission on Heart Disease, Cancer, and Stroke, and I would hope that further consideration would be given in the implementation of the centers program as authorized by recent legislation.

Accordingly, I would support an intensive study of this proposal toward development of this concept as a practical means of advancing our health programs.

With kind regards,

Sincerely yours,

MICHAEL E. DEBAKEY, M.D.

THE UNIVERSITY OF TEXAS,
MEDICAL BRANCH,
Galveston, Tex., December 14, 1965.

HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: I have read with a great deal of interest your letter of November 23, and the copy of your address of Sep-

tember 24, 1965, relating to the need for a health maintenance program for Americans.

The purpose of this letter is to express to you what I feel to be the very great importance of programs designed primarily for the earliest possible detection of any disease process. Since the head of our research computer center here at the medical branch is also a member of our departmental staff, you can understand that we feel that a program such as you visualize will definitely entail the development of automated or semiautomated centers.

Whereas I can understand why you would wish to give priority to those individuals 50 years of age and over, I should also like to emphasize the importance of providing such services to all age groups. Just as a single example, if cancer of the uterine cervix is to be reduced as a major public health problem, early diagnosis must be aimed at those women in their early twenties. There are many other examples, most of which I am sure you are well aware. I merely want to point out that in my opinion, there should be no age restriction relative to the eligibility of medical care of this sort.

You are to be congratulated for your active interest in and support of this particular type of health maintenance program. I hope you will be able to keep us informed of further developments on the proposed legislation.

Sincerely yours,

DON W. MICKS,
Professor and Acting Chairman, Department of Preventive Medicine and Public Health.

YALE UNIVERSITY
SCHOOL OF MEDICINE,
New Haven, Conn., December 7, 1965.
HON. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: Thank you for your letter of November 3 and for the copy of your important speech to the Senate.

To a very substantial degree your remarks reflect our views. We would be inclined, however, to go a little farther than you. For instance, although we agree that medicare is a vital step and that the heart, stroke, and cancer program is of great importance both of these are essentially therapeutic programs and are not oriented to the prevention of the chronic diseases of aging which are so important today. We believe that the preventive approach to these diseases is the only one which will produce long-lasting results. When once these diseases have started, therapy can at best ameliorate but can rarely cure. Very early detection is vitally important.

Our other point of disagreement reflects what you yourself have said in the second paragraph of your letter—that further study has led you to believe that age 60 or even 50 might be a realistic age limit in a program designed to detect indications of disease. For many diseases, 50 is far too late. I would place the optimum age for the initiation of this program at about 35. If, for instance, abnormal levels of lipids are detected at this age it is probable that the eventual development of coronary heart disease can be made much less likely by initiating the appropriate diet. If on the other hand the abnormality is not detected until the age of 50 or 60, it is too late. I would point out that one of the most serious trends in this country today is the increasing frequency of cardiovascular disease in the forties and early fifties. The initiation of this program at the earlier age is perhaps even more important in the prevention of cancer, especially of the uterine cervix. These techniques are highly effective and can, for all intents and purposes, eliminate death from this condition. However, the cellular changes which preface the development of overt cancer can commonly be detected in the 30-year age group.

In spite of these criticisms, which are after all matters of detail, I would like to offer my sincere congratulations on your immensely important proposals and I would much appreciate further information on the proposed legislation as it is developed.

Sincerely yours,

ANTHONY M. M. PAYNE, M.D., F.R.C.P.,
Chairman.

THE UNIVERSITY OF NORTH CAROLINA
SCHOOL OF PUBLIC HEALTH,
Chapel Hill, N.C., December 6, 1965.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate,
Washington, D.C.

SIR: Your recent letter to Dr. W. Fred Mayes, dean of the University of North Carolina School of Public Health, has been called to my attention with the suggestion that it would be appropriate to communicate to you any views regarding the proposed legislation dealing with adult health protection.

I am most impressed with the insight into the natural history of most chronic diseases which is suggested by your proposal, inasmuch as the only possibility for significantly altering the impact of the chronic diseases on our population lies in early detection, diagnosis, and treatment as indicated.

You are aware, I am sure, that much of the health progress of this century has been achieved through the application of public health procedures which either prevent disease from developing, or prevent its development to a more advanced stage when treatment is noneffective or less effective.

There are none who would wish any less emphasis on treatment, but I would hope that our enthusiasm for heart, cancer, and stroke centers and related programs could be extended to include appropriate attention to the application of existing screening procedures on a broad basis. One would further hope that research for the development of new screening techniques and for the most effective methods of organizing such programs will not be neglected.

Much of my conviction regarding these points stems from my interest in the field of chronic disease control. This has led to an opportunity to survey various patient populations receiving care for long-term disorders. The study of nursing home patients in North Carolina (see enclosed reprint) revealed that the application of appropriate preventive techniques at earlier periods might have materially delayed the onset of some of the complications demonstrated by these patients.

That we continue to record deaths from cancer of the cervix in females, that blindness due to glaucoma continues to be diagnosed, that we constantly need to remind ourselves concerning the unknown diabetics in the population—all of these serve as justifications for the program which you have envisioned.

I will be interested in hearing how the proposed legislation is received in Congress. Thank you for the opportunity to express my feeling.

Yours very truly,

CHARLES M. CAMERON, JR., M.D., M.P.H.,
Professor, Public Health Administration.

THE JOHNS HOPKINS UNIVERSITY
SCHOOL OF HYGIENE AND PUBLIC
HEALTH,
Baltimore, Md., December 14, 1965.

HON. HARRISON A. WILLIAMS, JR.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: I wish to add my strong support for your proposal Adult Health Protection Act of 1966. The proposed health protection centers would represent a most important contribution of the enormous problems we face in delivering medical care to individuals and communities efficiently and effectively.

The emphasis in this country on the categorical, disease oriented, approach both to medical research and to medical treatment, and the emphasis on professional specialization have been associated with enormous advances in our fundamental understanding of disease processes. In the long haul advances in the health of the people, both through prevention and through medical cure, will come from such work. In the short haul, however, this approach militates against the provision of optimum medical care and the prompt delivery of what knowledge we now have. In the short haul it is medical care which interests society and it is early diagnosis which provides the greatest opportunity for favorably influencing the health of those now alive.

I have visited Dr. Morris Collen's "multiphasic health checkup program" in Oakland and believe in many respects it represents an important component in the medicine of the future. His critical approach to the study of the sensitivity, specificity, yield and costs of the various tests employed are most important aspects of the work at Kaiser-Permanente.

I support your approach to the initial establishment of five centers in appropriate universities. There is still much work to be done on the development of health protection centers before they could be efficiently utilized on a large scale by smaller institutions. Nevertheless their full impact can only be realized when such facilities are made available in local community institutions. For this reason the phasing of your proposed program seems appropriate.

I hope you will keep me informed about the development of the proposed legislation. If there is anything I can do to add my support, please let me know.

Yours sincerely,

KERR L. WHITE, M.D.,
Professor and Director.

STATE OF WEST VIRGINIA,
DEPARTMENT OF HEALTH,

Charleston, W. Va., December 16, 1965.

HON. HARRISON A. WILLIAMS, JR.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: I appreciate receiving your letter of November 23, enclosing a copy of your speech in the Senate regarding a health maintenance program for adult Americans.

I thoroughly agree with the concept of objectives. I have worked in the field of preventive medicine and public health for the last 19 years, during which time I have observed, personally, the effects you have brought out in your speech.

I would appreciate a copy of your proposed bill when it is drafted. Please contact me if I can assist you in any way.

Sincerely,

N. H. DYER, M.D., M.P.H.,
State Director of Health.

DEPARTMENT OF HEALTH,

Paterson, N.J., December 9, 1965.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your letter of November 23, and the accompanying material on the proposed Adult Health Protection Act of 1966. The establishment of such health protection centers, as are envisioned in this program, would be a major step in the direction of making health services and the best knowledge of American medicine available to the general public.

The serious gap between medical advances and available health services is one which this great Nation can no longer afford. Although perhaps less dramatic than the saving of lives by treating the sick and infirm, it would certainly make important strides in orienting the attitude of the American

public and the medical profession to the value of periodic preventive services and the vast economy effected in this manner. The individual and cumulative health of the Nation would be immeasurably improved.

May I commend you for your foresight in the public health interest. With all good wishes, I am,

Sincerely yours,

J. ALLEN YAGER, M.D., M.P.H.,
Director, Department of Health.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH,

Harrisburg, Pa., December 6, 1965.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: Your proposal to foster the establishment of health protection centers throughout the United States is as timely as it is important.

In 1949, Dr. Leonard Scheele first established a Division of Chronic Disease in the Public Health Service and appointed me Chief. An intensive study of this complicated problem convinced me that one thing that was badly needed was a combined screening operation that would pull together those screening tests that were specific, quick to perform, and economical. The first paper published on multiple screening, I believe, was the one I prepared for Public Health Reports in 1949.

A demonstration project was developed in a housing development (Planner House) in Indianapolis. I predicted that more than 1,000 pathological conditions would be found in the first 1,000 apparently well adults screened. About 1,200 conditions were actually found. Of these, one-third were serious conditions—nephritis, heart disease, hypertension, diabetes, tuberculosis, syphilis, arthritis, glaucoma, etc. About two-thirds were vision and hearing defects, overweight and other less serious (but correctible) conditions.

Shortly after that an interesting comparative study was promoted and financed by the division at the Boston dispensary. A group of 1,000 apparently well adults were subjected to three different types of examinations conducted by three different teams.

The first examination consisted of a routine physical examination then in vogue—auscultation, percussion, inspection (cost about \$10).

The second examination was an abbreviated physical examination—shorter in time and less detailed (cost about \$5).

The third examination was a screening examination conducted largely by technicians—multiple screening (cost about \$1).

An evaluation of the effectiveness of these three types of examination showed that more pathological conditions were found by multiple screening examinations than by either of the orthodox physical examinations.

Our experiments in multiple screening were then extended to cover population groups in large cities. One of these was Richmond, Va. Here a multiple screening unit was established in a large department store and mobile units were set up on street corners and in factories.

The American Medical Association established the Health Information Foundation which financed a study of the Richmond, Va., multiple screening project—convinced doctors and lay people would be opposed to it.

Actually, a large number of physicians—over half if I remember correctly—felt it was a good thing. Most of the people screened favored it. Many said they would be happy to pay \$10 to \$20 a year more taxes if they could be screened each year. The exact statistics were contained in a one volume report published in the early 1950's by the Health Information Foundation.

As an experiment, Dr. McGough, health officer of Alexandria, Va., persuaded the city

medical society to approve a multiple screening week in November 1951. Later he tried to abandon it because of the time drain on the staff. However, the public and the medical society insisted that it be continued. It was still a feature of the Alexandria city health program as recently as 2 years ago.

Traditionally, in the training of physicians little emphasis has been placed on prevention. Until recently few medical schools paid more than lipservice to it. Embryo physicians were largely taught by surgeons, internists, neurologists, and other clinical specialists. They saw an acutely ill patient operated on and recover. This was dramatic. The clinician became the hero—his footsteps to be followed.

Hence, it is understandable that busy clinicians in your town and mine, too busy often to attend medical society meetings, seldom develop an appreciation of the value of prevention. They never really see the social and economic value of preventing premature or unnecessary disabling complications of disease. They are firemen skilled in their trade of putting out fires but giving little thought to the far greater economy of preventing them.

Therefore, the development of the health protection centers that you propose in local hospitals will do more to teach physicians the value of prevention than anything else that could be done.

In addition, the additive experience of person after person finding out that they had sugar diabetes or high blood pressure before they ever knew it would be highly motivational to others in the community. Personal experience, personal testimony is the most potent type of motivational education.

And the administration of these health protection clinics, hopefully, would involve the local health department, the local hospital, and local physicians in a tangible cooperative venture that could draw preventive and curative medicine much closer together, something that can't be done by speeches.

For generations emphasis was placed on clinical medicine. Following World War II several fortuitous scientific and political factors converged to bring about an amazing expansion in basic research. Through both these eras prevention, application, and public health stood by watching, support lacking.

In typically American fashion the pendulum had to swing far to one side before swinging back. Now the shelves are brimming with unused medical discoveries and techniques. And enlightened congressional leaders like yourself are evidencing more awareness of this fact than the medical profession itself.

Perhaps then, with this type of support, health protection centers can be developed, effective local health departments can be financed, and the dividends from the billions of dollars expended on basic research can finally be used for the full benefit of people.

Sincerely yours,

A. L. CHAPMAN, M.D.,
Assistant Surgeon General (Retired),
U.S. Public Health Service.

STATE OF NEW JERSEY,
DEPARTMENT OF HEALTH,
Trenton, N.J., December 6, 1965.

HON. HARRISON A. WILLIAMS, JR.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your proposal to establish health protection centers is bold and stimulating. Your presentation to the Senate was masterful.

The logic of periodic examinations is clear. It is strange that the mechanism is used so little.

I have been interested in "multiphasic screening" for a long while, but have had

very limited success. My enthusiasm has waned, but could readily be revived.

The Kaiser Foundation pilot program should provide new understanding with respect to yields, acceptance and use by people and costs per remediable defect found. I have not seen papers coming out of the Kaiser project. I notice that in Dr. Collen's letter, which you quoted, he said that conclusive statistical data were not then available.

We do fairly well in diabetes detection in New Jersey, but are having a hard time on cervical cancer testing. The latter is expensive as it is now done. Additional Federal dollars are about to be put into cervical cytology and several New Jersey hospitals are applying for grants.

There certainly should be more large, carefully operated and evaluated programs such as you proposed.

Sincerely,

ROSCOE P. KANDLE, M.D.,
State Commissioner of Health.

HEALTH INSURANCE PLAN OF
GREATER NEW YORK,
New York, N.Y., December 9, 1965.

SENATOR HARRISON A. WILLIAMS, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: We are interested in your proposed legislation to establish health protection centers.

As a nonprofit organization with 31 medical groups providing comprehensive medical care to more than 700,000 men, women, and children in the Greater New York area, we are continually seeking better and more efficient ways of providing medical care. We are eagerly awaiting the findings of the large-scale mass screening experiment by the Permanente medical groups in Oakland and San Francisco.

We are currently establishing a centralized clinical laboratory where chemical, bacteriological, cytological, and tissue specimens may be brought from all of our 31 medical groups and where automated equipment will be used and highly skilled personnel will be employed. Such a laboratory, working in connection with health protection centers such as you propose, would be ideal.

We are also under contract with the National Cancer Institute studying mammography as a possible method of early detection of breast cancer and through which it is hoped that the mortality rate from this disease will be decreased. Thirty thousand of our subscribers are in the study group and 30,000 are in a control group.

For several years we have worked on various methods of early detection of glaucoma and have trained nurses and technicians in the performance of this delicate test.

We all have much more to learn about early detection of diseases and how to apply the many new advances being made in this field.

HIP has long supported progressive health legislation and your letter leads me to believe that your proposal is one we would wish to support. We would like to work with the Public Health Service and the Department of Health of New York City in establishing a model health protection center in New York City.

Sincerely yours,

JAMES BRINDLE,
President.

STATE OF CALIFORNIA, DEPARTMENT
OF PUBLIC HEALTH,
Berkeley, Calif., January 13, 1966.

HON. HARRISON A. WILLIAMS, JR.,
United States Senate,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: Thank you for your letter of November 23, 1965, concerning a proposed health maintenance pro-

gram for adults. We would appreciate any information you can supply about the bill presently being drafted to establish centers for disease detection.

Multiphasic screening for early detection of disease has received a considerable amount of attention in California for many years. Our first report of such a program was published in 1949.¹ The accumulated literature has now become very extensive.

The Commission on Chronic Illness in 1957 described screening as "the application of screening tests rapidly and economically to large population groups, to identify persons who probably have abnormalities so that they can be referred for diagnosis and, if indicated, for medical care."² Screening is not a substitute for comprehensive medical examinations. Rather, its immediate objective is to identify persons who, though unaware of a health problem, are likely to be benefited by prompt medical evaluation and care. There is a real need for careful evaluation of the possible contribution of multiphasic screening to health. Several years ago we encouraged Dr. Morris F. Collen, director, medical methods research, the Permanente Medical Group, Oakland, Calif., to undertake such a study.

With financial support from Public Health Service grants, Dr. Collen and his staff started this important research in 1962. The principal objective is "to evaluate multiphasic screening as to its effectiveness in the prevention of illness, and in the reduction of morbidity and mortality." Several members of the California State Department of Public Health serve this endeavor in an advisory capacity and regard it as one of the most important current studies in the entire field of chronic diseases.

The present results of Dr. Collen's research leads us to believe that 5 to 10 more projects of the same magnitude should be undertaken promptly. Your proposed bill would permit this development. Then we would be better equipped to judge whether multiphasic screening programs merit vastly increased support. Convincing evidence of the value of several screening tests already exists and these should be widely utilized in screening programs; for others the evidence is either tenuous or nonexistent and they should be further studied.

Our experience in promotion and development of screening programs indicates the importance of adapting each endeavor to the special interests, needs and capabilities of the community being served. Efforts to introduce comprehensive sophisticated programs will succeed in some areas but not in others. In the latter case it is far better to begin on a modest scale that is acceptable and feasible. Both situations require extensive planning and preparation. Participation of local physicians, paramedical personnel and related official and voluntary health agencies is essential.

You raised the question of a minimum age of eligibility for multiphasic screening. We feel that there should be no arbitrary age limitation. Though in general the yield of newly detected disease is higher among older persons, it is not always so. For example, amblyopia ex anopsia ("lazy eye") is a disease of early childhood. The best opportunity for correction of this significant cause of blindness arises when it is detected and treated before the patient is 5 years old. The most efficient screening programs direct their attention primarily to segments of the

¹ Canelo, C. K., Bissell, D. M., Abrams, H. and Breslow, L.: A multiphasic screening survey in San Jose, Calif. Med. 71:409-413 (Dec.) 1949.

² Commission on Chronic Illness: Chronic Illness in the United States, Vol. I, Prevention of Chronic Illness. Cambridge, Mass., Harvard University Press for the Commonwealth Fund, 1957. p. 47.

population with high prevalence of the condition to be detected. Age is an important but by no means the only factor used to identify such populations.

We hope these comments will be helpful. Please do not hesitate to call on us if we can be of further assistance.

Very sincerely yours,

LESTER BRESLOW, M.D.,
Director of Public Health.

[From the Medical Tribune, Jan. 8, 1966]

HYPERTENSION: NEGLECT IN PREVENTION AND TREATMENT

Although it is widely held that medical science now has the means of lowering the blood pressure of most hypertensive individuals, it is questionable whether physicians are successfully using available techniques for a significant part of the patient population.

In connection with a review of recent epidemiologic studies of hypertension, Drs. Oglesby Paul, professor of medicine at Northwestern University Medical School, and Adrian M. Ostfeld, professor of preventive medicine at the University of Illinois College of Medicine, observed that in their own experience "all too often inadequate and only short-term medication has been prescribed without adequate followup."

Field studies in Michigan, Illinois, Georgia, and Massachusetts indicate that in the United States the prevalence of high blood pressure runs to several million at the present time. But while the death rate from hypertensive diseases appears to be declining, the role of the medical profession in bringing this about is uncertain, according to the review.

One serious aspect of the problem, Dr. Paul told Medical Tribune, is that busy physicians still tend to concern themselves with acute illness rather than with long-term preventive measures in noninfectious chronic disease.

"Prevention is becoming part of everyday medicine," said Dr. Paul, a former president of the American Heart Association, "but not in the field of hypertension, where it is relatively neglected. Physicians apparently have not thought too much about the effect of hypertension from the point of view of long-term application of available therapy."

He cited a study in Baldwin County, Ga., where only 30 percent of the known hypertensives were found to be under treatment and where the blood pressure of no more than 14 percent was considered to be adequately controlled. His own unpublished data along the same lines led him to suspect that the Baldwin County situation "might be true all over," Dr. Paul said. Improvement may be looked for, he added, only when asymptomatic patients and their physicians become sufficiently concerned about future trouble to interest themselves in continued followthrough treatment.

In their review, Drs. Paul and Ostfeld conceded that data on differing methods of managing hypertension are limited by varying diagnostic criteria and lack of true controls. They said that better statistics than are now in hand are difficult to get and may, in fact, never be obtained because of reluctance to interrupt treatment of severely hypertensive individuals. However, they pointed to a report by Dr. A. W. D. Leishman, of the Royal Infirmary, Sheffield, England, that over a 5-year period management of patients with ganglion-blocking agents or guanethidine cut the probability of death to from one-third to one-sixth that of comparable patients who received no hypotensive drugs. Comparison was made only between patients originally presenting with diastolic pressure of 120 mm. Hg or higher.

Findings of epidemiologic investigations generally accepted, said Drs. Paul and Ostfeld, include the increased frequency of hy-

pertension in the Negro, with mortality from hypertensive diseases among nonwhites in all parts of the United States running more than double the rate of whites. Other studies show a concentration of higher pressures among the obese, the middle aged, and the elderly. Still others reveal the importance of genetic influences in hypertension, although the degree of importance remains a subject of lively controversy.

The Framingham study, the review noted, has demonstrated that from age 30 to past 60 increasing morbidity and mortality from cardiovascular disease appears to be associated with rising levels of blood pressure, systolic or diastolic. Other apparent factors in the prevalence of high blood pressure, they also concluded, are rapid cultural change and social conflict. On the other hand, there is less agreement in studies on the part played by renal infection, dietary salt, or the hardness or softness of drinking water.

It was pointed out that while cigarette smoking does not appear to be a cause of hypertension, it would be wise for hypertensive patients to avoid the practice. "Cigarette smoking by persons with high blood pressure appreciably increases the risk of coronary heart disease," the report said, "and our data demonstrate this additional risk in striking fashion."

[From PHS World, February 1966]

AUTOMATED PHYSICAL

Computers have joined the ranks of paramedical personnel. Thanks to these automated aides, a rapid, thorough, accurate, and inexpensive health examination may soon be available to everyone. Developed by the Kaiser Foundation Research Institute of Oakland, Calif., with PHS support, the "multiphasic health checkup" features an electronic laboratory capable of completing in 2 hours test procedures that would require 2 days by conventional methods.

The automated checkup is being used by the Permanente Medical Group, an association of close to 1,000 physicians that offers comprehensive medical care to bay area subscribers to the Kaiser Foundation Health Plan.

Medical and health authorities hold that much of the disability now afflicting some 74 million Americans might have been prevented if they had had periodic checkups. But such examinations are tedious and expensive, and most people—lulled by their feeling of relative well-being—figure that what they don't know won't hurt them. Moreover, the average physician's waiting room is so crowded with sick patients that he has little time for those who are supposedly well.

The Permanente approach promises to solve this impasse through automation and electronic data processing. A comprehensive prediagnostic workup, featuring the results of more than 30 tests and procedures, is available to the examining physician minutes after its completion. He is thus able to confine his efforts to specialty examinations which require his professional skill.

The first phase of the examination, which is now being given some 40,000 Permanente subscribers annually, consists of a self-administered family and personal medical history of 600 questions. The answers yield information on health habits and apparently minor abnormalities, often provide clues to the development of "silent disease."

About 200 of the questions, requiring only true-false responses, are printed on individual prepunched IBM cards. The patients drops each of these cards into one of two boxes marked "true" or "false." Answers to the remaining 400 questions are keypunched for data processing.

Phase 2 consists of an elaborate battery of automated tests (14 blood chemistries, X-rays, hearing and vision, urine analysis,

electrocardiogram, tonometry, etc.). Results are processed immediately and collated with phase 1 data, creating a prediagnostic information package for the internist.

Phase 3 consists of a series of examinations performed or evaluated by physician specialists: proctosigmoidoscopy, mammography, retinal photography, cervical cytology.

The checkup concludes with the printout of a provisional diagnosis by a computer previously programed by the examining internists.

Continual correlation of symptoms with diagnoses insures continued growth in the program's diagnostic capabilities. Dr. Morris F. Collen, director of Permanente's medical methods research, makes this prediction of the program's potential: "Diagnosis is defined as the identification of a specific disease * * * as screening becomes more comprehensive, precise, and quantitative, disease detection approximates disease diagnosis and automated multiple screening approaches automated diagnosis."

The costs of this comprehensive 2-hour examination are an estimated \$25 per patient. Dr. Collen suggests that these costs could be duplicated by any group examining 1,000 or more patients monthly.

An unusual feature of the checkup is its emphasis on the individual—the chemical levels of body fluids and physiological responses to disease and stress differ from patient to patient. The determination of individual test norms permits more definitive diagnosis of borderline cases.

For example, a simple pressure test determines the patient's reaction to pain and allows the physician to assay the value of a subjective statement such as "I have a slight chest pain." This pain-action index may later be coupled with a personality test to predict the probable frequency and duration of hospitalization.

How do patients like this cool, mechanized medicine? They like it. They find that the technicians, nurses, and medical specialists manning the test stations have, thanks to automation, the time to explain the tests and their purpose.

The far-reaching implications of automated disease detection are reflected in a bill scheduled for presentation to the Senate by Senator HARRISON A. WILLIAMS, Democrat, of New Jersey. Called the Adult Health Protection Act of 1966, the measure proposes Federal grants for the establishment and operation of health protection centers. The centers would offer a series of basic diagnostic tests to people 50 or above on a voluntary basis, with center personnel using automated or semiautomated equipment.

[From Business Week]

DIAGNOSIS BY COMPUTER SPEEDS HEART CHECKUP

(A new electronics system for analyzing electrocardiograms in minutes uses a central information bank that will someday help doctors anywhere to spot heart attacks in time.)

Doctors have one device that's a two-edged sword in the fight against heart attacks. The electrocardiogram helps them (1) spot and correct conditions that are likely to lead to an attack, and (2) diagnose the damage done after a heart attack strikes. But analyzing an electrocardiogram most often turns out to be a long—and costly—business, at a time when speed is vital.

Now a system for analyzing electrocardiograms by computer is in operation, and promises to save countless lives. Further, the day is fast approaching when a complete heart disease profile of the Nation will be computer-recorded, and available for research, clinical analysis, and consultation by any doctor.

The new computer system was demonstrated last week in New York at a meeting of the State County Officers Association. The

demonstration was conducted by Control Data Corps., of Minneapolis, the U.S. Public Health Service, and the New York State Health Department. During it, about 750 men and women attending the meeting had their ECG's taken and analyzed by Control Data's 160-A system.

TAKING THE TEST

In an atmosphere similar to that of a hospital clinic, the officials stretched out on beds while technicians fastened electrodes to their arms, wrists, and chests. The electrodes led to a standard ECG machine, with tape recorder attached, that was developed by Computer Instruments Corp., of Hempstead, N.Y. From the recorder, a dataphone transmitted the information by long distance telephone line to a tape receiver and computer at George Washington University.

In Washington, the computer took 20 seconds to compare the incoming ECG with thousands of similar cases stored in its memory. In 3 minutes and 4 seconds, the heart's ability to transmit electrically, discharge, recharge, and drive itself had been determined and printed electronically in New York. The computer also sent back the average number of heart beats per minute, and gave a brief written analysis of the data.

LOWERING COSTS

The applications of a system like this are vast. Approximately 35 million electrocardiograms are taken in the United States each year. They cost the patient \$10 to \$15 each. With electronic analysis, the patient pays only \$1.50 to \$2. This is because analysis is the most costly part of an ECG.

What lower cost means is that someday everyone in the United States will be able to afford an ECG on a routine basis. According to Dr. Cesar A. Caceres, chief of the instrumentation field station of the PHS, if such system could be used regionally—to serve the whole Northeast, for example—individual ECG cost might drop to as low as 5 cents.

CURRENT USE

Caceres estimates the control data system and related equipment represents an investment of \$250,000 to \$500,000. A modified system was introduced just 7 weeks ago at Hartford (Conn.) General Hospital. Caceres says: "Now we think it's feasible for community use. Now it's a matter of people and money."

PHS officials see the system as particularly valuable for the doctor who isn't a heart specialist. No matter how isolated he may be, says PHS, he can tap by phone a store of cardiovascular knowledge that has been compiled by hundreds of scientists over many years.

THE FUTURE

ECG analysis is only the first of a series of computer screening programs whose use the PHS plans to encourage.

Coming up for computer analysis are spirometers, which record the chest sounds important in diagnosing such problems, as bronchitis and emphysema; phonocardiograms, which record heart sounds; electroencephalograms, which record electrical impulses given off by the brain, and other tests.

[From the Christian Science Monitor,
Jan. 3, 1966]

MEDICAL REPACKAGING URGED

(What kind of long-range thinking is shaping the Great Society? President Johnson says that one of the most important aspects of the Great Society is the health of its people. The following interview with one of the President's advisers in medicine and health reports the goals that are being developed for his consideration in this field. This is one of a series of interviews with Presidential advisers on the Great Society program.)

(By Robert Cahn)

NEW YORK.—A broadening view of the role of public health and medicine in its relation to American society is under discussion as part of the long-range planning of the Johnson administration.

As seen by one of the leading thinkers in this field, the present situation is like this:

If it were possible to establish an ideal system, from the viewpoint of the medical profession, it would provide universal access for everyone to comprehensive medical service. Emphasis would be on preventive medicine and on a continuous effort to identify and treat disease at the earliest moment.

The object would be the broadest possible; a useful and satisfied human being as well as a healthy body.

However the medical system of today grew up on a less coordinated basis. So it is regarded as more realistic to improve it in the direction of wider goals than to attempt, at present, to redesign and rebuild the system.

ADVISER QUOTED

These conclusions are those of Dr. George James, an adviser to President Johnson on health and medical programs.

In his interview with this newspaper, Dr. James made clear he was not outlining official White House policy.

He does speak, however, as an authority with 25 years' experience in public health. He was a 1965 Bronfman Prize winner for work in public health. And he only recently resigned as commissioner of health for New York City to start a new medical school, which he will direct, at Mount Sinai Medical Center, New York.

Dr. James says the highest priority need is for pilot projects to try out new ways of doing things, or bringing together the pieces of the fragmented medical care system.

"The Federal Government could encourage and support such projects on a contract basis, as is done in Defense," says Dr. James.

"Instead of having the Federal Government taking only a judicial role of setting aside large sums of money and asking people to compete for them, or establishing large, uniform, set programs, why not have more money available for demonstration projects in comprehensive, high-quality medical care, sponsored, originated, or developed by the Federal Government?"

"We need to find new ways of delivering this comprehensive medical care. Then for the ones that prove effective, a steady improvement in the quality of care of our large medicare-type programs can be effected.

"The premium would be on constantly improving the quality of care, rather than uniformity."

Dr. James says it is of overall importance to get continuous treatment for as many people as possible in the formative stages of disease, the stages before it is ordinarily discovered.

He admits he does not have a ready solution for getting this done in a free society.

"I don't think the way to get people to go to clinics is to scare the daylight out of them," Dr. James says.

Nor does he believe the answer is in compulsion or getting court orders so that everyone is required to have medical attention.

"Somewhere along the line in trying to get high-quality, comprehensive health and medical service made available to all, we have to watch that this does not disturb other values in our democratic society."

OBSTACLE SEEN

Dr. James sees the overemphasis on specialization in the delivery of health services as a deterrent to reaching what he says should be the primary health goal of the Nation: universal access to high-quality comprehensive health and medical services. And this goal is related to the overall desire to reduce to as near zero as possible the useless periods in human life.

"We need to teach and practice medicine according to the way things are, not the way we would like them to exist," Dr. James says. "The conditions that people have are not necessarily the things that medicine today is most interested in. Medicine is not as interested in geriatrics [care for the elderly] or dealing with ambulatory cases, for instance, as it is in specialized acute diseases.

FOUR STAGES LISTED

"In lower Manhattan, there are three medical centers where an indigent person can get open-heart surgery," he continued. "But until recently there was not a single place where the same indigent man could have his teeth fixed. This was because the medical practitioners were doing what they wanted, not what was needed.

For the first part of the goal—"universal access"—Dr. James says the need includes better ways to make health and medical services available to everyone.

This would mean repackaging health services. It might be opening a clinic in an apartment house in a poor area. It might be educating people to the needs they have for treatment. Or it might be something as simple as making it possible for people to get medical help without having to climb stairs or take a taxi.

In defining the term "high-quality comprehensive health and medical services," Dr. James outlines the case for the philosophy that the natural history of disease goes through four stages, and should be attacked in all of these phases.

Stage No. 1 is the environment or genetic patterns believed to be the causes of disease. Too little attention is given to this stage, he says.

PREVENTION STRESSED

"Anything that anybody can do to interrupt the history of disease in favor of the patient is preventive medicine, medical care, and public health," Dr. James says.

"For instance, the best surgeon in the finest operating room may save—if he is fortunate—1 out of 20 lung-cancer patients. But if we could keep children from starting smoking, we could save most of the 20 from that disease.

"So maybe a seventh-grade schoolteacher who could prevent the children in her class from ever starting smoking—if she could do that—would do more to control lung cancer than the greatest chest surgeon in the world."

Dr. James defines the second stage of disease as preclinical—when it has started, but has not been discovered. The hope of the medical profession here is for having the patient come for care even when he believes he is well. And during the visit to a clinic or hospital, the patient could be given tests to disclose diseases that were starting. Also a continuous record of his physical condition could be kept.

IMPACT WEIGHED

Dr. James asserts that when much of our major disease reaches stage 3—clinical treatment—probably it is too late.

"Of the 20 leading causes of death, modern medical science has demonstrated its ability to make a major impact on the trend of only a few of them," he says. "And among the leading causes of disability, medical science has, to my knowledge, made a major impact on none of them.

"The great need here," he maintains, "is to develop better techniques of treating disease, finding out more about it, and putting to the fullest application everything we know."

Dr. James says that medical care should be continuous, rather than episodic as at present, and should also be patient centered and family centered. Ideally, he says, one doctor or one team should follow through with one person or a family. Even if the patient has

to go to a specialist other than the team, Dr. James urges, records should be kept in a central place with the team.

Dr. James describes the fourth stage as the restoration of functions, allowing the individual to lead as normal a life as possible if a cure is not obtained, or if the individual is elderly.

SOCIAL WORK USEFUL

"This area has been studied less than anything else," says Dr. James. "No medical center can be said to practice high-quality medical care if within its community any significant number of people are not receiving adequate care."

But more than treatment in a hospital or clinic is required, says Dr. James.

"It is debatable whether the doctor is the best captain of the team for this stage. What we are after is restoration of the function. The social worker, for instance, might be more useful than the doctor in encouraging an elderly man to get out of his house and become useful again.

"The goal of extending life expectancy from 70 to 75 years is really a short-term goal. There is more to life than adding 5 years."

[From the International Conference on Health and Health Education, Philadelphia, Pa., July 3, 1962]

THE HOSPITAL—AN INSTRUMENT FOR HEALTH EDUCATION

(By Morris Barrett, M.P.H., Director of Health Education, the Lankenau Hospital)

Except for the hazards incident to the war, human life today is longer and healthier than ever before in the history of the world. Science has unraveled the mystery of one disease after another and the application of science has led to disease control until we can almost proclaim that anyone may have good health if he will follow the established rules of hygiene.

Certain chronic illnesses, accidents, mental problems, and social and economic conditions are as yet not within our control. But the health of most of us could be materially improved and our pleasure of living increased if we could only live a little more intelligently.

The basic enemies that have plagued man throughout history; namely, ignorance, disease, and poverty need no longer take their toll of lives and sickness with the greater application of health knowledge.

But can people be induced to be intelligent concerning health? There is abundant evidence that they will blindly follow fads which promise health of body or mind and that they will pour fortunes into the laps of unscrupulous charlatans who offer them panaceas for everything under the sun. But will they think? Have they the full strength of mind to look critically at their health prejudices, hobbies, and fads? We rarely worry about the things we understand, and we seldom understand the things we usually worry about.

In spite of the increases in the average length of life and the expectancy of life at birth, society has not learned to adjust and meet the problems created by the exploding population, especially the aged. Life in the later years may be spent in a futile effort to perpetuate and cling to youth or it may contain the richest, fullest, most productive years man has ever dreamed. We are on the threshold of conquering many of the chronic diseases of man, including our knowledge of the human cell itself. We are on the threshold of rocketing the biological limits of man to 100 years of age and more. An overall view of public health shows that never before have our new health frontiers expanded at a greater pace.

But, however we look at the matter, the fact remains that new approaches and new tools must be developed to combat the health problems of tomorrow, undreamed of but a decade ago. With the advent of jet

transportation, and rapid communication, the horizon of medicine and public health is no longer limited to the local or even national level. Today it extends out to the international scene and perhaps, not too many years from now, we may be reaching interplanetary communities.

Lankenau Hospital has long believed that a modern community hospital, beyond its primary purpose of providing treatment, has the responsibility to serve as a dynamic center of information on the utilization of medical science for maintaining positive health—for staying well and keeping out of the hospital.

In order for a hospital to be more than a repair center, it must develop an entirely new concept and function in its service to the community. Hospitals today should engage qualified public health educators to widen and improve the scope of their program. This will require a complete reorientation and education of board members, administrators, doctors and nurses, and other hospital personnel.

A hospital with a firsthand knowledge of the facilities and services which contribute to health education in its community will undoubtedly provide a more effective service for its patients and their families. A hospital is one place within the community where the public should be able to get accurate information about health maintenance. The hospital with an alert staff should answer questions about detection, diagnosis and treatment of disease, for the rehabilitation and reemployment of patients and assistance for their families. Also, the hospital should serve as a source of referral on health education matters for schools, industry, adult groups, civic organizations, and health and welfare agencies.

In addition to serving as an information center, the hospital should use all available channels of communication such as newspapers, radio and television to make the facts about health available to the public.

Health education can be a word in a hospital program, or health education can be a dynamic, moving force upon which to build. The program, to be effective, must be positive and simple, it should emphasize the "do's" rather than the "don'ts," and should be aimed at specific groups and needs; must lead to action; and eventually should embrace the health problems of the community.

Health is a relative term meaning different things to different people. To the sick, it means getting well. To the well person, its value is preventing sickness and achieving a fuller, richer life. To the general public, health is desired for its contribution to fundamental human wants. A health education program does not say "Do this and you will be healthy." It must relate action to more specific and immediate objectives of the individual, family, and community.

In the changing hospital of today, we must develop dramatic and effective methods of communication which will influence human behavior, develop habits of thought and action, reach the unreachable, and create and maintain a family and community consciousness of optimal health.

There are two major problems facing communities today in the health area. First, the ever-widening bridge between scientific health knowledge and the application of knowledge by the home, school, hospital, and community; and second, the problem of the widening and more complex structure which further abstracts community action and citizen participation for effective planning and progress.

The White House Conference on Children and Youth, held in 1960, voiced strong support for improved health education emphasis in America's schools. Of strategic importance are the recommendations urging that the curriculum provide opportunities for

all children and youth, regardless of residence, color, creed, or economic or social situation, to develop a healthy and realistic concept of self and to develop the best possible physical and mental health. The challenge facing health and physical educators is to increase the impact of all health teaching, whenever it may appear in the curriculum. The hospital should be prepared to make a significant contribution in achieving this goal.

The U.S. Public Health Service reported recently that because of broad public failure to implement new research findings, each year 40,000 persons die of cancer, 20,000 die of rheumatic heart diseases, and millions more suffer needlessly from other ailments. It is a costly timelag. And, combined with inadequate health education, it may well signify one of society's greatest waste.

The end of health education is not the spreading of facts about health. If this were our objective, the job would be rather simple. The goal is to motivate people, to help them help themselves and others. Knowledge of health, is but the first step in assuring a favorable influence upon behavior.

Over the years, programs of health education have broadened and changed in character. Particularly significant has been the inclusion of what might be called the positive approach. This stresses the maintenance of health rather than avoidance of illness. Inasmuch as the borderline between health and disease is vague, educational programs designed to provide action should be meaningful, specific, and positive.

Lankenau Hospital's health education program is directed to serve three main groups: the hospital, the schools and the community. Its primary purpose is to increase the impact of health teaching and knowledge, so that children and adults will be motivated to practice good health habits and assist in the improvement of community health.

The role of a community hospital to develop a program for positive health is now being practiced at Lankenau Hospital. Its expansion and growth will undoubtedly occur over the next few years. It will serve and is serving now as a laboratory to investigate, experiment and implement health education processes. The need to take the ever-increasing scientific knowledge which is being stored away in medical journals and textbooks and apply it to everyday living becomes the major challenge of health education.

Planning a hospital health education program is not a simple task nor is there a blueprint to follow. The composition and nature of the program will depend upon the energy, planning, leadership and resourcefulness of the hospital personnel involved. Toward this end Lankenau Hospital has made an excellent beginning.

REMARKS ON SLIDES SHOWN IN CONNECTION WITH DR. BARRETT'S REMARKS

1. The following pictures (not printed in the Record) highlight some of Lankenau's services as an instrument for health education:
2. Expectant parents classes are offered as a community service by the Lankenau health education program. These classes are sponsored by members of the obstetrical and pediatric departments. To date, almost 2,500 couples have attended these classes.
3. Lankenau can demonstrate the strides it has made in eliminating the hazards of infants with its well baby clinic. The periodic examination of youngsters is an outstanding service in promoting better health for mothers and children.
4. The immunization program has helped pioneer the development of new vaccines. Lankenau Hospital played a significant role in the new measles vaccine.
5. The diabetes program not only treats the many victims of this disease, but also

carries out educational activities. Programs on good nutrition, exercise, and rest help the diabetic live a normal and productive life.

6. The child guidance clinic is another unique service showing Lankenau's concern for children. This valuable resource is a much needed prevention program for youngsters involved with emotional and mental problems.

7. The teenager has been a neglected person in hospital programs. Lankenau's new adolescent unit, the first in any Philadelphia hospital, now provides special inpatient care and outpatient services for this age group. This unit is called Teen Towne.

8. If the patient's operation is complex and his condition requires constant observation, he will be placed in an intensive care unit, Lankenau's latest step in progressive patient care.

9. The health examination service is intended to encourage well people to recognize the importance of periodic health examinations, and to detect any abnormal condition as early as possible.

10. For the early detection of cancer and other diseases, Lankenau's cancer detection center helps patients discover this disease in time to treat it most effectively.

11. Lankenau Hospital offers a special counseling service for problem drinkers. In addition to helping the victim with his drinking problem, marital problems are often resolved.

12. The focal point of Lankenau's health education program is the health museum; the only one of its kind in any American hospital. Each year over 50,000 schoolchildren and adults visit this exciting program. A popular adjunct to the health museum is Pandora, a transparent, life-size figure.

13. One of the most important contributions of Lankenau's health education department is the sponsorship of health education conferences and forums, designed to supply the community with the latest health information on preventive medicine and research findings.

14. Groups visiting the hospital are invited to see entertaining and instructive pictures from Lankenau's excellent library of films and health topics.

15. In the area of physical fitness, Lankenau Hospital has pioneered in the most comprehensive physical fitness study made in the United States since the 1938 Boston survey. Also, Lankenau's studies in the problems of aging concern themselves with the medical, social, economic, and recreational needs of this group.

16. A new community program being planned is the medical health career service for schools in this area. This will provide a practical experience in hospital service to senior high school students interested in pursuing a career in medicine or other allied fields.

BASIC COMPENSATION OF TEACHERS AND TEACHING POSITIONS UNDER DEFENSE DEPARTMENT OVERSEAS TEACHERS PAY AND PERSONNEL PRACTICES ACT

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 6845) to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MONRONEY. I move that the Senate insist upon its amendments, agree

to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators MONRONEY, YARBOROUGH, RANDOLPH, CARLSON, and FONG conferees on the part of the Senate.

A SECOND FRONT IN THE WAR ON HUNGER—AMENDMENT

AMENDMENT NO. 488

Mr. YARBOROUGH. Mr. President, on February 10 President Johnson sent to Congress a message concerning a war on hunger. The bill embodying these proposals, S. 2933, introduced by the distinguished senior Senator from Louisiana [Mr. ELLENDER], contains three programs.

Title I authorizes the sale of agricultural commodities both for foreign currencies and for dollars on credit terms. This title specifies that the President shall take into account efforts of countries to help themselves toward a greater degree of self-reliance.

Title II authorizes the donation of agricultural commodities for such purposes as to meet emergency food needs for victims of disasters, to provide food for work, community development programs, and to carry out the United States pledge to the world food program.

Title III provides that currencies which accrue from foreign currency sales shall be deposited to the credit of the United States to be used for such purposes as financing U.S. expenses abroad, developing new markets for U.S. agricultural commodities, procuring military equipment for common defense, promoting economic development, financing educational exchange programs, making loans to U.S. firms for business development and trade expansion, and financing research.

I stand solidly behind the high-minded purposes of this legislation, as stated so eloquently by President Johnson in his message to Congress.

The world faces severe food shortages in the decade ahead, as many experts have pointed out, unless we are willing to take steps now to meet the coming challenge.

The problem exists primarily in the underdeveloped areas of the world, where populations are growing much more rapidly than the supply of food can be expanded.

Historically, traditional societies expanded food production along with population by expanding the acreage under cultivation. Today, however, many densely populated underdeveloped countries have little new land that can be brought under cultivation. Studies show that increased production in the future must increasingly come from higher yields per acre. This method of increasing food production is vastly more difficult than the traditional method. It requires a reasonably high level of literacy, capital, a "market oriented" economy, and support from the rest of the economy in the form of fertilizers, insecticides, and other products. These are precisely the things that are lack-

ing in the underdeveloped regions of the world.

The food for freedom bill will enable us to assist underdeveloped land in developing some of these "preconditions for a yield per acre takeoff."

However, let us consider what would happen if we were successful beyond our wildest dreams, if we could raise yields in the underdeveloped lands at the same rate at which they are increasing in the developed areas. The French have raised wheat yields 2.3 percent per year. This is one of the most successful performances in Europe, and when compared with the French population increase of 1 percent per year, has meant real progress in France. But the French performance would not have been adequate had it been confronted with population growth rates as high as those which prevail in many underdeveloped countries.

Or take the United States as an example. We have raised wheat yields 2.7 percent per year from 1935-39 to 1960-62. When combined with our 1.7 percent rate of population growth this gives us a net gain in output per capita of 1 percent. If this rate of wheat yield increase had been achieved in Brazil, with a population increase of 3.1 percent per year, however, output per capita would have declined.

Let me now quote briefly from page 20 of "World Population and Food Supplies, 1980," published by the American Society of Agronomy. This gives an even more revealing picture of what would happen should we bring the rate of growth of production in underdeveloped lands up to that in developed areas:

Consider these facts. The agricultural land resources of the two economic regions (developed and underdeveloped) are approximately the same. The 1960 population of the developed world was less than 0.9 billion, that of the less developed world was more than 2 billion. The projected increase between 1960 and 2000 for the developed world, according to the United Nations medium level projections, is 0.4 billion and that for the less developed world is nearly 3 billion.

Now let us interchange the projected growth in population of the two regions. The developed world would then absorb the 3 billion and the less developed world, the 0.4 billion. The United States, with about one-fourth of the agricultural land resources of the developed world, could expect to accommodate one-fourth of the 3 billion total (750 million). This amounts to an addition of about 190 million per decade—roughly the equivalent of our current population every 10 years.

What would happen to our food consumption levels under these circumstances? Our standard of living? Our educational system? The level of employment? But we are much better prepared to absorb increases of this magnitude than are the less developed regions. We have the capital, the agricultural and industrial technology, and the high levels of literacy and education. And we have a much more favorable land-man ratio to begin with.

This statement alone illustrates that the United States with all its riches could not stand the rate of population growth now taking place in the underdeveloped world. Thus we cannot escape the fact that even if we bring the growth of food production in these underdeveloped areas up to what it is in the developed half of

the world, we will still be fighting a losing battle in the war against poverty and famine. Losing, that is, unless we do something about the other half of the equation—population growth.

President Johnson recognized this problem when he said in his message to Congress:

A balance between agricultural productivity and population is necessary to prevent the shadow of hunger from becoming a nightmare of famine.

With this bill we are going to be investing substantial amounts in economic development. In his 20th anniversary message to the United Nations President Johnson stated:

Let us act on the fact that less than \$5 invested in population control is worth \$100 invested in economic growth.

When experts tell us how difficult, indeed almost impossible, it will be to bring increases in food production in underdeveloped areas up to the level of increases in population, it makes no sense to spend millions of dollars to feed all these additional hungry mouths unless we also render assistance to allow individuals, if they choose to do so, to exert some measure of rational choice over just how many additional hungry mouths we shall have to feed every year. We must look to the causes of our problem; if we treat only the effects we shall never win our battle.

I am therefore proposing two amendments to the food for freedom bill. The first amendment would add the provision of "family planning services" to the items that the President shall take into account as evidence of self-help on the part of the recipient nation.

The second amendment would allow not less than 15 percent of the currencies which accrue from foreign currency sales to be used for "financing programs emphasizing maternal, child health and nutrition, and family planning services, and research activities related to the problems of population growth." This part of my amendment is similar to one discussed in the House on February 21 by Representative PAUL TODD of Michigan.

I believe that these two amendments would be very helpful in bringing into the picture the other side of the dual-natured enemy we are fighting. We must attack both the cause—population increasing faster than food supplies—and the effect—insufficient food to feed the population. What I suggest here is a limited step, a prudent step. Let us make this beginning.

Mr. President, I ask unanimous consent that my amendments lie at the desk through March 1 so that Senators who wish to add their names as cosponsors may do so. I ask unanimous consent that the text of my amendments be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred; and, without objection, the amendments will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Texas.

The amendments (No. 488) were referred to the Committee on Agriculture and Forestry, as follows:

On page 2, line 22, after "people" delete the comma and insert "and in providing family planning services."

On page 3, line 6, strike out "and" and insert in lieu thereof "(e) and (1)".

On page 12, line 21, strike out "and".

On page 13, line 4, strike out the period and insert in lieu thereof "; and".

On page 13, immediately after line 4, insert a new subsection (1):

"For financing a program emphasizing maternal welfare, child health and nutrition, and family planning services, and research activities related to the problems of population growth, for which purpose not less than 15 percent of the currencies received in any country shall be reserved, to be made available, at the request of such country, under the procedures established by the President to carry out the foregoing provisions of this paragraph through any agency of the United States, or through any international agency or organization of which the United States is a member and which he determines is qualified to administer such activities."

ADDITIONAL COSPONSOR OF BILL

Mr. MUSKIE. Mr. President, at the request of the junior Senator from Minnesota [Mr. MONDALE], I ask unanimous consent that, at the next printing of the bill (S. 2892) to amend section 5(l) of the Railroad Retirement Act of 1937 to provide benefits for children of deceased railroad employees who are over the age of 17 and below the age of 22 and are attending an educational institution as full-time students, the name of the distinguished Senator from Utah [Mr. MOSS] be added as a cosponsor.

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

RESCHEDULING OF HEARING ON MILES W. LORD TO BE U.S. DISTRICT JUDGE, DISTRICT OF MINNESOTA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that the public hearing scheduled for Wednesday, March 2, 1966, at 10:30 a.m., on the nomination of Miles W. Lord, of Minnesota, to be U.S. district judge, district of Minnesota, vice Dennis F. Donovan, retired, has been rescheduled for Wednesday, March 9, 1966, at 10:30 a.m., in room 2228, New Senate Office Building.

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

The subcommittee consists of the Senator from North Dakota [Mr. BURDICK], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 25, 1966, he presented to the President of the United States the enrolled bill (S. 1904) to authorize the Secretary of the Interior to give to the Indians of the pueblos of Acoma, Sandia, Santa Ana, and Zia the beneficial interest in certain federally

owned lands heretofore set aside for school or administrative purposes.

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

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

By Mr. RANDOLPH:

Introductory remarks made by him when introducing Mrs. Lyndon B. Johnson, and her speech delivered before the American Road Builders National Convention, on February 23, 1966, at Denver, Colo.

STUDENTS AT UNIVERSITY OF FLORIDA NOT SWAYED BY LEFT-WING PROPAGANDA

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may speak for 6 minutes.

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

Mr. HOLLAND. Mr. President, within the last few days there have been two occurrences in the student body at the University of Florida at Gainesville, Fla., which indicate clearly that a vast majority of the students there are patriotic young Americans and are not being swayed in their convictions by the left-wing propaganda which is now underway at some other institutions of higher learning in our Nation.

The first such instance which I shall mention occurred on the weekend of February 12 and 13, 1966, when a tremendous patriotic mass student meeting greeted four returned veterans from Vietnam service and when both students and the citizens of the town showed every honor and encouragement to the four returned veterans. The story of the affair is well told in the Associated Press news article appearing in the St. Petersburg Times of Monday, February 14, entitled "The Boys Will Know and Be Proud." The facts are that upon hearing that the small minority of college students who do not support U.S. policy in Vietnam were planning an anti-Vietnam war protest march in downtown Gainesville on Saturday, February 12, the student body organized and carried out a counter demonstration entitled "Operation Appreciation" after securing through the armed services the presence of the four young service veterans just returned from Vietnam who are named in the article. According to the reports, the protest march of the small minority group attracted only about 20 of the university's 16,000 students, whereas practically the entire remainder of the student body turned out to do honor to the veterans from Vietnam and to express appreciation for their service and support of their comrades still fighting in Vietnam. I ask that this article be printed at this point in the RECORD as a part of my remarks.

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

THE BOYS WILL KNOW—AND BE PROUD
GAINESVILLE.—"The guys in Vietnam will hear about this, and they'll be proud."

That was the reaction of 2d Lt. Edward W. Spinaio, 28, of Venice, Calif., to the honors being showered on him and three other combat veterans, as representatives of the GI's.

They are on the receiving end of Operation Appreciation, a 4-day affair sponsored by students at the University of Florida.

"You can't know how much we appreciate this," Spinaio said. "These people are our own age—they're our own generation. When they do something like this for us it means so much more than a political speech."

Enjoying the weekend with Spinaio are 2d Lt. Kenneth H. Carey, 24, of Green Cove Springs, Fla., 1st Lt. Orville Hengen, 23, of Rapid City, S. Dak., and 1st Lt. William R. Hill, 22, of Kenosha, Wis.

Saturday night the four veterans partied at the new quarter-million-dollar Sigma Alpha Epsilon fraternity house with their dates for the weekend, each one a campus beauty queen.

Wherever the soldiers have gone, they have been honored guests.

Gainesville merchants put them up in a plush hotel and loaned them new cars for their stay.

Bellboys and waiters refused tips.

They were greeted on the street by strangers wanting to shake their hands.

Sororities and fraternities spruced up weekend parties and competed for a few minutes of their time.

The men's dates included Miss University of Florida, Donna Berger, 19, of New Orleans, and two former university queens.

Spinaio said he plans to present University of Florida students with a treasured war memento—the battle flag of a Communist supply ship sunk in Bonrow Bay, February 19, 1965. Spinaio won a Bronze Star for his part in that operation.

A mass student meeting tonight will end the veterans' busy weekend. Student groups have promised to present the men with 200 pints of blood collected last week for the war effort.

Student body president, Bruce Culpepper, said Operation Appreciation was to show servicemen and citizens alike that only a small minority of college students do not support U.S. policy in Vietnam.

A longplanned antiwar protest march through downtown Gainesville Saturday attracted only about 20 of the university's 16,000 students.

The four Vietnam veterans were brought to the campus through the efforts of Culpepper with the aid of officials at Fort Bragg, N.C.

Mr. HOLLAND. Mr. President, the second of the outstanding performances of the members of the student body at the University of Florida occurred at the polls on the university campus when there was a direct issue between the so-called Freedom Party and the majority group at the university. The Freedom Party candidate for president of the student body received 187 out of the some 8,500 votes which were cast. A year ago this same so-called Freedom Party had received nearly 900 votes. Apparently the vast majority of the young men and young women who are students at the University of Florida are thinking and acting soundly and as real Americans and I thought that the CONGRESSIONAL RECORD should convey this fact to other Senators and to the Nation as a whole. I regret the fact that the photographs appearing in the press of those who participated in the anti-war protest march—and in the effort to secure the presidency of the student body for a leftwing candidate—cannot be shown in the CONGRESSIONAL RECORD.

These pictures show the typical be-whiskered, long-haired individuals among the participating male students. I shall not endeavor to describe the participating female students. I ask that the article from the Miami Herald of Tuesday, February 15, entitled "Students Rebuff Freedom Party at University of Florida" be copied into the RECORD at this time as a part of my remarks.

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

STUDENTS REBUFF FREEDOM PARTY AT UNIVERSITY OF FLORIDA

GAINESVILLE, Fla.—A radical leftwing student political party was rebuffed at the polls by University of Florida students last week, apparently ending fears of a "Little Berkeley in the South."

Bushy-haired Alan Levin, 22-year-old philosophy major from Miami, collected only 187 votes as presidential candidate of the Freedom Party. Some 8,500 were cast.

One year ago his counterpart won nearly 900 votes.

Before the election, Levin had said it wouldn't be at all bad if the University of Florida took on the manners of the University of California at Berkeley, where mass student protest movements threw academic life into a turmoil after December 1964.

Levin and the Freedom Party campaigned to lift the university restrictions on student drinking, gambling, sexual activity, or "any such private moral decision."

The platform called for an end to discrimination in fraternities, ideological restrictions on campus clubs, and compulsory military training programs. It also asked free tuition and the availability of contraceptives.

Levin said he has some Marxist and some pacifist leanings, but stresses his identity as a "Camus rebel," after author Albert Camus. It means pursuit of freedom in every form, he says.

The election put an end to fears of a growing radical movement, but it did nothing to dissuade Freedom Party members in their activities.

With a sign stuck in the ground reading, "Florida Free Speech Area," Levin and Lucien Cross, 19, a heavily bearded sophomore from Miami, almost daily set up card tables on the lawn of the university library.

They sell or offer free antiwar literature.

Of a handful of card table proprietors which descended on the lawn last month with pamphlets on subjects ranging from legalizing marihuana to advocating civil rights, Levin and Cross are the only ones who defied an administration order to get merchandising permits or leave.

"This is a form of censorship and we feel it is unconstitutional," says Cross. They refuse to obtain a permit or quit selling their pamphlets, although a disciplinary committee is now considering what to do with them.

"I think before the trimester is over we'll be out," says Levin. "Because we didn't get many votes I'm afraid the administration will read into it that we aren't supported by the students and will have no compunction to expel us."

Dean of Students Lester Hale favors a free speech area. But he says Freedom Party members are forcing a confrontation in their refusal to get permits.

"As long as the students were expressing themselves in that area, they were acting entirely within the concept of academic freedom allowed on campus," he says. "When they began to sell things they came up against a longstanding policy prohibiting merchandising or sale without a permit."

He says most students are upset over the actions of the library nesters and consider it an intrusion on their rights.

"What they are asking is a lifting of all restrictions of all the mores of our society," says the dean.

Although Levin says Freedom Party includes some 35 to 40 hard-core student members, only about 20 students turned out for a Saturday morning antiwar protest march from the campus to the Alachua County Courthouse.

Some 6 or 8 clubs and movements work under the Freedom Party. With overlapping memberships, the organizations include the Gainesville Committee To End the War in Vietnam, the free speech movement, the Student Group for Equal Rights, Students for a Democratic Society, and the Student Peace Union.

The Freedom Party has as many nonstudent as student members. The party has used a ramshackle house, called the Freedom Forum, one block from the University of Florida campus, as headquarters. However, it was closed this winter.

"We didn't always have the money to pay the utilities bill, and it gets cold in there," says Bonni Greenspan, 20, a former University of Florida student from New York City.

A well-known name among party members is Dr. Ed Richer, a former humanities professor at the university dismissed last year after he was hailed for leading a civil rights march in Ocala.

Richer, a short, balding man of 37, is lobbying the administration for permission to sell a half dozen journals on campus. He says some are Communist and adds that he agrees with only one editorially.

"Whether we agree with them or not isn't the issue," says Cross. "We're asking the constitutional right of freedom of expression."

Levin sees victory in the defeat of the Freedom Party.

"This year we had a totally radical program, one without compromise at all. We consider the election basically an advance for the party, because those 187 voted for a recognized radical political philosophy."

Mr. HOLLAND. Mr. President, as an alumnus of the University of Florida, I am indeed proud to report these facts to the Senate and to the people of the Nation.

I am also proud to report that a similar showing was made last week in Atlanta where my other alma mater, Emory University, showed, through its present students, exactly the same fine spirit of patriotism that was demonstrated at the University of Florida. I shall not endeavor to cover this matter in detail in the RECORD for the reason that I note from the press that both of our distinguished Senate colleagues from Georgia participated in the demonstration at Atlanta and I am sure that they have made or will make some report of the huge and enheartening rally of students not only from Emory, but from the other institutions of higher learning in the Atlanta area which the two Georgia Senators honored by their attendance and participation.

Mr. LONG of Louisiana. Mr. President, in view of the fact that there are no other Senators who wish to speak in the morning hour under the 3-minute limitation, I ask unanimous consent that the Senator from Iowa [Mr. MILLER] may be allowed to speak for such time as he desires.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the Senator from Iowa is recognized.

THE WAR IN VIETNAM

Mr. MILLER. Mr. President, the President and the Secretary of State have on several occasions told the people of the world why we are in Vietnam. They have made it clear beyond reasonable doubt that we are not there to obtain bases, for we have ample base facilities elsewhere in the Far East. We are not there to seek to preserve a colonial interest, as France once did. We are not there to invade and take territory away from North Vietnam.

We are there for the unselfish purpose of helping those less fortunate than ourselves to be free from Communist aggression and, with our assistance, to have a chance to build a better life for themselves. If materialism was the only guidepost of the people of the United States, we would not be there.

We are there because of our obligations under the treaty forming the Southeast Asia Treaty Organization—SEATO—which was ratified by the U.S. Senate 82 to 1 in 1955, and, it might be noted, signed by the late Secretary of State and two Members of the Senate, including the present majority leader, in behalf of the United States. Under article IV of the treaty each signatory "recognizes that aggression by means of armed attack would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." The protocol to this treaty designated Laos, Cambodia, and South Vietnam for the purpose of article IV. As Secretary of State Rusk pointed out in his recent testimony before the Foreign Relations Committee, the far-reaching implications of this commitment were well understood by the Members of the Senate, and he quoted from the committee's report which accompanied the resolution of ratification:

The committee is not impervious to the risks which this treaty entails. It fully appreciates that acceptance of these additional obligations commits the United States to a course of action over a vast expanse of the Pacific. Yet these risks are consistent with our own highest interests.

It should also be pointed out that on February 22 of this year, the house of delegates of the American Bar Association unanimously approved a resolution that the position of the United States in Vietnam is legal under international law, and is in accordance with the charter of the United Nations and the Southeast Asia Treaty.

We are there because failure to live up to our treaty obligations would lay a foundation for success of Communist aggression under the guise of a so-called National Liberation Front; and this success, in turn, would encourage similar movements elsewhere in the world, including Latin America, where our national security would be more immediately threatened. Moreover, confidence of other nations in our treaty commitments would be justifiably shaken. Whether we like it or not, our historical development and economic and military power have placed the United States in the role of leader of the free world. With this leadership comes the respon-

sibility of living up to our word; and if our word is no good, the ideological struggle of the free world with the Communist world will deteriorate. Not only would this have a profoundly adverse effect on free world nations, especially the smaller ones, but it could well cause the uncommitted or neutral nations to look to the Communist world for what they might then regard as inevitable world leadership.

We are there in strength and numbers because of decisions made by the President of the United States. These decisions followed the southeast Asia resolution, which the administration recommended to the Congress and which the Congress approved on August 7, 1964, with only two dissenting votes of the entire Senate-House membership. Among other things, the resolution recites:

That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

During the debate of this resolution in the Senate, Senator COOPER, of Kentucky, and Senator FULBRIGHT, of Arkansas, chairman of the Foreign Relations Committee, who was floor manager of the resolution, engaged in this colloquy—page 18409, CONGRESSIONAL RECORD for August 6, 1964:

Mr. COOPER. Then, looking ahead, if the President decided that it was necessary to use such force as could lead into war, we will give that authority by this resolution?

Mr. FULBRIGHT. That is the way I would interpret it.

MISCALCULATION

It is well known that miscalculation by the enemy of our capabilities and firmness of purpose brought us into World War II. It is also well known that miscalculation by the Communist leaders of North Korea resulted in the Korean war. And I would suggest that miscalculation has been responsible for the war in Vietnam. Somewhere along the way, the leadership of the United States failed to get across the message to the Communist leaders in Hanoi that their aggression would not pay off and would, instead, cost them dearly.

Where our leadership fell down, only the Communist leaders can say. But it can be suggested that temporizing of the U.S. Government with the glaring violations of the 1962 Geneva agreement on Laos by the leaders in Hanoi, leaving several thousand of their armed forces in Laos after our forces were pulled out, may well have encouraged their escalation of aggression in South Vietnam. Indeed, it was not until February of 1965 that our leadership made it clear that

there would be no privileged sanctuary above the 17th parallel.

Peace can best be secured by preventing a would-be aggressor from miscalculating—from deciding that aggression will be profitable.

"ESCALATION"

One of the reasons for some of the confusion besetting the American people over our course in the war in Vietnam is misuse by some writers and speakers of the word "escalation."

When an enemy invades a country, there are some who would say it is "escalation" to drive the enemy back home where he belongs. However, I would think that the right of self-defense would never preclude taking such action. If misuse of the word "escalation" should deter a timely and effective response, then civilization will most certainly be governed by the law of the jungle.

On the other hand, if the objective is to merely stop the aggression, it could be argued that excessive force—such as an invasion of the enemy's homeland, would constitute an escalation. If, because of the enemy's capabilities and intentions, merely putting a stop to his aggression could be reasonably expected to be followed by renewed aggression, such escalation might be warranted—as is generally agreed was the case with the invasion of Germany in World War II.

In the case of the war in Vietnam, our policy has been to not invade the north and to take only such carefully measured action as is necessary to put a stop to aggression. In short, we are not seeking an unlimited war, with unlimited objectives and unlimited responses. It is most unfortunate that escalation has occurred on the enemy's side. But if we are to be denied an effective response to his escalation, we will either be defeated or, at best, suffer numerous casualties which could have been avoided by a timely and effective response.

No one, of course, knows what further escalation will be carried out by the enemy. However, with the tremendous economic and military power we possess, coupled with the resolve to make an effective response to the enemy's escalation, it should be obvious that the enemy is headed down a dead-end street. As the war goes on and the enemy's problems grow worse, and as his hope for a weakening in our national resolve diminishes, this will become obvious to him. That is why no responsible military leader in the Far East agrees with the conclusion of the so-called Mansfield report that the prospect is for "an indefinite expansion in the direction of a general war on the Asian mainland."

RED CHINA

Concern has been voiced over the possibility of Red China's coming into the war by sending armed forces into South Vietnam. Everyone is hopeful that this will not happen. But the question is over the degree of this possibility. Some speak of it as a likelihood if we take action appropriate to putting a stop to aggression in South Vietnam with a minimum loss of life to the allied forces fighting against aggression. To them I would say that if aggression is not to be effectively resisted because of fear that Red

China will come in, then Red China's psychological warfare which is being waged against us will have paid off and our economic and military power will be of little use in preventing aggression.

Others believe there is only a remote possibility that Red China will come in, and they are counting on our leadership to make it clear beyond a shadow of a doubt that Red China will never find it profitable to do so. The decision is hers to make, but it is the responsibility of our leadership to so conduct our affairs that there will be no further miscalculations. Resolute leadership is the answer, one well-known world leader told me during my recent trip to the Far East.

There are some who recall that Red China was not expected to enter the Korean war, and so, they say, we should not be confident that Red China will not enter this one. There are two differences, however. First, we have made it clear that there will be no privileged sanctuary in Red China such as was the case beyond the Yalu during the Korean war; and, second, we are not engaged in committing our troops to North Vietnam, whereas we did send our troops in North Korea. In short, the ground rules are different, although I would guess that the first difference is much more important in Red China's deliberations.

THE SOVIET UNION

I would be the first one to recognize that all is not well between Red China and the Soviet Union. But I would also point out that the Soviet Union has much to gain by a long-continued and costly war in Vietnam if, as we are told, her objective is to defeat the United States economically if not militarily. She has committed no manpower or resources to speak of in this war; whereas we have committed a substantial number of our finest men and billions of dollars of our resources. Under such circumstances, why would anyone think that the Soviet Union does not wish to see this war continued?

When it is suggested that we deny the port facilities at Haiphong by precision bombing or by mining the waters to prevent the flow of petroleum feeding thousands of trucks in the North Vietnamese logistics system as well as tons of other supplies and munitions to be used against us in the south, concern is expressed that this might cause tensions with the Soviet Union, whose ships are delivering much of these items to North Vietnam. Nevertheless, I would remind my colleagues that a resolute decision at the time of the Cuban missile crisis did no more than cause tensions. And the fact that tensions may have resulted if Russian technicians were lost when we bombed out some ground-to-air missiles last year did not prevent us from taking such action.

Realism compels the conclusion that not until the cause of Hanoi's aggression is lost can we expect the Soviet Union to make a meaningful contribution toward a settlement, and it would be prudent not to count on it even then.

BOMBING CANNOT END WAR

During my Far East trip I spoke with all high-ranking diplomatic and military

officers and their staff members in South Vietnam and most of the other countries in that area. Not a single one ever suggested to me that bombing will end the war. Still, at the recent Honolulu conference, an unnamed top U.S. Defense Department official saw fit to release to the press the statement that "no amount of bombing of North Vietnam can end the Vietnam conflict."

The fact that this individual made such a release when no responsible official has suggested that the contrary is true leads one to believe that either this official is very uninformed about the thinking of our military and diplomatic leaders; or that this was a calculated effort on his part to divert attention from the real point upon which all military leaders in that theater of operations agree: that more effective bombing by concentrating on more important logistics targets will shorten the war—and reduce the number of casualties among the allies.

I do not know of anyone who has been advocating massive and indiscriminate bombing of North Vietnam. But there are a great many of us who believe that precision bombing of key logistics targets would require fewer sorties of our aircraft while at the same time effectively reducing the numbers of enemy troops and the quantities of munitions and supplies flowing into the south to be used against our ground forces. If political decisions prevent our military leaders from taking this action, the war could go on for a long, long time and be more costly in battle casualties. I hope that the unnamed top U.S. Defense Department official will squarely face this reality and not persist in statements which may divert public attention from it.

ALTERNATIVES

The public hearings before the Senate Foreign Relations Committee have produced only two alternatives to the program now being followed.

One of these takes the form of suggesting that the United States does not have sufficient interest in South Vietnam to warrant the commitment we appear to be making; that we are such a great and powerful country that we would not suffer any loss of standing in the world if we were to withdraw; that the Soviet's withdrawal of offensive missiles from Cuba was followed by world approbation as being in the interest of world peace. Such a suggestion, of course, is contrary to the judgment of the Senate in ratifying the SEATO Treaty. Moreover, it logically raises the question of how small is that country which does not warrant our commitment? Or how big must a country be to warrant our commitment? The answer was never offered. The suggested analogy of the Soviet's withdrawal of offensive missiles from Cuba rests upon the failure to recognize the difference between the Soviet Union's act of aggression and the U.S. action to prevent aggression pursuant to a treaty obligation.

The other alternative is the so-called holding strategy or stalemate. Its implication is that the fruits of Communist aggression are to be locked in by per-

mitting the status quo. This would not discourage aggression, and it would be totally unacceptable to the Government of South Vietnam which is dedicated to restoring the territorial integrity of that country. Moreover, I have said before that anyone who has seen what I have seen in South Vietnam, and knows of the plans I know about, could never conclude that the best we can hope for is a stalemate.

I do not say there are no possible alternatives, but those which have been proposed are not helpful.

FREE ELECTIONS

Critics of our Government's policies in South Vietnam have condemned the United States for supporting the refusal of the Government of South Vietnam to live up to the Geneva agreement of 1954 in permitting free elections to decide the future of all of Vietnam. Such criticism fails to recognize that free elections in the sense in which we use the phrase—as distinguished from the sense used to describe the elections held in Moscow, for example—were not possible at that time. When the voters can make only one choice because of their terror over Communist retaliation, are we supposed to look at only the form and not the substance of what is taking place?

The Secretary of State has made it publicly clear that we will abide by truly free elections of the South Vietnamese people when they are able to engage in such elections without their choice being predetermined by Communist terror.

LACK OF SUPPORT FROM SEATO COUNTRIES

The point has been made that the United States is carrying most of the load on the side of the allies in South Vietnam and that the failure of other SEATO countries to more fully participate demonstrates that they do not share our views.

Of course, the same argument could have been made about our position in the Korean war. Technically this involved the United Nations; but as a matter of substance, the United States and South Korea carried most of the load—just as the United States and South Vietnam are carrying most of the load in the war in Vietnam. However, merely because other nations did not more fully participate hardly suggests that we were wrong in Korea.

The most practical answer to this point is that the United States is far better able to carry most of the load than the other signatories to the Southeast Asia Collective Defense Treaty. Pakistan is a poor country which is most immediately concerned over the Kashmir dispute with India. Thailand is primarily concerned with the defense of its own borders and, although cooperating with the United States, must reckon with the public declaration by Red China that it is next on the target list for a Communist-supported war of national liberation. The Philippines is supporting the United States with bases and has already sent some medical personnel to South Vietnam—and more aid is forthcoming. But we should understand that this is not an affluent country.

Australia has 1,500 troops engaged in fighting in South Vietnam, and New Zea-

land has an artillery battalion there. We are hoping for more troops from these countries, but there is no question over their support of our position in this war. Australia is particularly sensitive to the prospect of Communist aggression spreading through southeast Asia.

The United Kingdom supports the position of the United States, but has not seen fit to supply fighting forces. However, I would not think we should be too hasty to criticize their delay in doing so, for the United States delayed sending troops to help in World War II for what must have seemed to the British an awfully long time—granted that we supported their position from the beginning.

France, of course, has exchanged ambassadors with Red China and has not forgotten that the United States did not send troops to assist her before her defeat at Dienbienphu.

Under the foregoing analysis, I must conclude that the point of lack of support by our SEATO allies as an indication of the error of our position does not stand up under scrutiny.

COMPROMISE

It has been suggested that we should be willing to compromise and that our failure to set forth some specific points on which we are willing to do so amounts to calling on the enemy for unconditional surrender.

With respect to Hanoi, we have made it clear that our objective is for the Communist leaders to cease and desist from directing, controlling, and supplying war materiel and manpower to the Vietcong military forces in the south; and naturally to recall the North Vietnamese troops from the south back home where they belong. As the lead editorial in the Washington Post for February 23 points out, the cessation of aggression against South Vietnam does not require any loss of territory, surrender of forces, or impairment of sovereignty of North Vietnam; and that, instead, it is really North Vietnam which is calling on the allies for unconditional surrender by demanding that we recognize the so-called National Liberation Front as the sole representative of the South Vietnamese people.

With respect to the Vietcong forces in South Vietnam, we have made it clear that they are to cease and desist from being directed, controlled, and supplied by the Communist leaders of the north; and that they are to stop their armed attacks so that the people of South Vietnam can live in peace and freedom. These are the minimal objectives spelled out by the President in his speech at Johns Hopkins University in Baltimore last April 7. In the same address, the President made it clear that "we will not withdraw either openly or under the cloak of a meaningless agreement"; and his speech left no doubt that a meaningful agreement would have to achieve the minimal objectives he had outlined. As I pointed out in my speech to the Senate last August 16, entitled "The Real Meaning of Unconditional Negotiations," what the leaders in Hanoi understand and what others should understand is that any negotiations which lead to something less than achievement of the minimal objectives stated by the President would

be meaningless, and that only with respect to matters beyond these objectives can negotiations be unconditional. I must say that if there is to be objection that freedom of the South Vietnamese people from terror and an opportunity for their self-determination in truly free elections is unconditional surrender by the Vietcong, then the objection overlooks what this war is all about.

It has been suggested that we should be willing to "compromise" by, for example, agreeing to a "coalition" government for South Vietnam in which the Communist Vietcong would "share the responsibility." Such a suggestion ignores the hard lesson which should have been learned from a similar "compromise" agreement for Laos. The lesson is that when a Communist front is permitted to share in the government, its leaders are not willing to abide by the agreement and, instead, seek to take over the government by subversion. Also, such a suggestion is completely unacceptable to the South Vietnamese Government because it would "lock in" the fruits of Vietcong terror. The suggestion apparently proceeds from the "stalemate" approach which, I have pointed out above, is neither warranted by the military situation nor acceptable to those who wish to make it clear that aggression does not pay off. As the lead editorial in the Washington Evening Star for February 21 said:

Peace and an end to terror is the first prerequisite to any political solution in Vietnam whether it is brought about by negotiation or military victory. After peace is established and the free movement of people in South Vietnam is assured, the people of the country should decide their own future government by heavily supervised free elections.

The late President Kennedy received full support from the American people and, indeed, from the free world when he stated that "the freedom of West Berlin is not negotiable." We are following this principle by making it clear that the freedom of South Vietnam is not to be compromised, and that we cannot "honorably and humanely" disengage ourselves militarily until freedom is assured.

CONTINUING EFFORTS FOR PEACEFUL SETTLEMENT

At my press conference, which was held in Saigon at the end of my week's tour of South Vietnam, I stated my conclusion that our initiative for talks, discussions, and negotiations should continue, but with two provisos:

First, that they not be accompanied by any slowdown in our military effort; and

Second, that there should be a clear, joint effort by the United States and South Vietnamese Governments in these activities.

The first proviso obviously is to demonstrate that aggression does not pay off and to enable the allies to negotiate from a position of strength. I felt it appropriate to include the second proviso, because the "peace offensive" during the bombing pause had been so highly publicized as a personal effort by the President of the United States as to lay a foundation for concern of some officials in some capitals that our Government was changing its position that this is a

Vietnamese war; and that any settlement which would result from the "peace offensive" would, perhaps, conflict with the territorial integrity of South Vietnam.

I do not say that this concern was well founded, because both the President and the Secretary of State have made clear on many occasions that our minimal objectives relate to all of South Vietnam and not just a part of it. In any event, there has been no response except insults and impossible demands from Hanoi.

Although there has been some criticism of the timing of our publicized efforts to work for a peaceful settlement through the offices of the United Nations, I am satisfied that for a long time unpublicized efforts—which may often be the most effective—have been going on. Neither France nor the Soviet Union has been at all helpful, and it would appear that their negativism in the Security Council will continue.

Under such circumstances, it would seem proper and timely for the United States and its allies in South Vietnam to explore the possibility of encouraging a conference of Far East nations for the purpose of undertaking to persuade Hanoi to enter into peaceful negotiations. A precedent for action along these lines was established when the Organization of American States assumed jurisdiction over the dispute in the Dominican Republic. Further, on January 18 the President called for U.S. participation in the Asian Development Bank through a \$200 million contribution as our share of a capitalization of \$1 billion. There are 19 eligible Far East nations which have pledged to participate in this Bank: Afghanistan, Australia, Cambodia, Ceylon, Nationalist China, India, Iran, Japan, South Korea, Laos, Malaysia, Nepal, New Zealand, Pakistan, Philippines, Singapore, Thailand, South Vietnam, and Western Samoa. If these countries can join together to operate a bank for economic development, they ought to be able to join together to seek peace in their area. Japan, which will be the largest financial participant of these 19 nations, or the Philippines, which knows so well the meaning of aggression, are particularly well suited to assume leadership in calling such a conference as I have suggested. Perhaps they could do so as co-sponsors.

In any event, I would like to see this administration encourage a conference of the Far East nations participating in the Asian Development Bank as a meaningful step toward peace in southeast Asia.

Although our initiative for talks, discussions, and negotiations must go on, we should not let our hopes for peace cause us to lose sight of the fact that it takes two sides to talk, to discuss, and to negotiate. The fact that the other side has shown no interest whatsoever in doing this does not mean that we should change our minimal objectives. To do so would be peace at any price.

I ask unanimous consent to have printed at this point in the RECORD the editorial from the February 25 issue of

Life magazine; the lead editorial in the Washington Sunday Star for February 20, entitled "Taylor Told Us What We Have To Do"; an article entitled "The Story of the United States and Its Stake in Asia," which appears in the February 28 issue of U.S. News & World Report; another article from the same issue entitled "Just What Is the Vietcong?" and an article from the January 31 issue of Newsweek magazine entitled "Thailand: The Anatomy of a Domino."

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

[From Life, Feb. 25, 1966]

VIETNAM: THE WAR IS WORTH WINNING

(By Hedley Donovan, editor-in-chief, Time, Inc.)

The war in Vietnam builds up. It is often called a war without "fronts" or "lines," but there are authentic battles, and all too authentic casualties, in rising number. There is a quickening of ambush and counterambush, patrols, sweeps, and armed convoy runs, up and down the 900-mile curve of this lovely, tortured land. The buildup is felt from the sector of the "Paddy Rats," the 21st ARVN Division (Army of the Republic of Vietnam), at the tip of the steamy Mekong Delta country, all the way north to the U.S. 3d Marine Division encampments in the wildly complicated terrain around Da Nang—jungles, canals, ricefields, swamps, red clay hills, sharp little mountains, teeming towns, broad sand beaches. In shabby, swarming Saigon, people speculate about all the VIP traffic from Washington; many of them work prodigiously hard; some profiteer and racketeer, and at least a few work for the Vietcong at night.

The supply lines pump harder. They stretch back halfway around the world, through the Philippines and Okinawa, through Hawaii, to the training camps in California and Georgia, the factories in St. Louis and Cleveland.

Vietnam begins to dominate the public life of the United States and the private thoughts of many an American family. It dominates the Presidency of Lyndon Johnson, the economic outlook, the intellectual climate.

But it is still a mystifying war to many Americans, despite heavy press coverage, loud public "dialog," and all the earnest expositions of Lyndon Johnson, Robert McNamara, and Dean Rusk. It is certainly not a "popular" war (though it may be noted, to the general credit of mankind, that there aren't many popular wars nowadays). Some of the country's misgivings are reported elsewhere in this issue, not the sloganeering of the well-publicized "Vietniks," but the thoughtful, responsible dissent and doubt.

In this article Life offers its own general judgments and guesses about Vietnam. What might it take to end the business? What would be "victory"? What is this strange war all about?

For all the war's strangeness and difficulty, and for all the dangers and uncertainties ahead, our side in fact is doing fairly well.

The war need not last a generation, or 10 years, or 6 or 7 years (to cite one curiously precise guess that recent press stories attributed to unnamed Pentagon "observers"). There is a reasonably good chance the present phase of the war can be successfully wound up in 1967, or even in late 1966.

President Johnson's "peace offensive" was well worth trying, and there is still a remote possibility that the diplomacy he set in motion could lead to a satisfactory negotiated settlement of the war.

The likeliest ending is not around a conference table, however, but in a quiet withdrawal of main-force North Vietnamese units, after they have been hurt enough, back to the north, and a gradual tapering off of the Vietcong military effort in the south.

This would not leave South Vietnam fully pacified by any means; there would still be strong VC pockets, and sporadic violence and terrorism. But the war of battalion- and regiment-size battles, and big air strikes, would be over.

In the next phase of the struggle, though there would still be shooting, the war would be essentially economic, political, psychological. Heavy U.S. economic aid would still be required, and some continuing U.S. military presence. This phase might, indeed, last for some years.

We are not bogged down in Asia. We are deeply, inescapably involved with Asia and have been for decades. The involvement has its perils; it also holds high promise.

The war in Vietnam is not primarily a war about Vietnam, nor even entirely a war about China. It is a war about the future of Asia. It is very possibly as important as any of the previous American wars of this century.

In fact, this ugly, maddening, big-little war may someday be remembered as a historic turning point. Many peoples of the West as well as Asia could have reason for gratitude to the extraordinary generation of Americans now serving in Vietnam (their harassed chiefs in Washington might even rate a word or two of thanks), and to the long-suffering troops and people of South Vietnam.

In the United States the most persistent question about Vietnam is why the injection of 200,000 Americans has seemingly made so little difference.

The injection of the 200,000 has in fact made an enormous difference. It prevented what otherwise might have been the collapse of the South Vietnam Government and Army, late last spring, and the defeat of all the previous years of American effort.

When Senator FULBRIGHT and Walter Lippmann and other opponents of the administration policy say, as they frequently do, that our side controls no more territory today than we did a year ago despite all the buildup and fighting in 1965, they are being technically accurate and totally misleading. A year ago, the South Vietnam Government's grip on what it ostensibly held was beginning to disintegrate very rapidly. The start-up of U.S. air operations against the north in February 1965, and the arrival of the first few thousand U.S. marines in March, briefly slowed but did not halt the deterioration. The Government continued to lose territory and population through spring of 1965, and more fatefully, the ARVN was losing its last thin reserve of mobile battalions, while the people were losing their last shreds of confidence that the Vietcong could ever be defeated.

Perhaps because they never confessed how desperate the situation was last May and June, neither the Saigon government nor the Johnson administration has given any detailed accounting of how much better the situation is today. In the United States, this leaves critics free to argue that no amount of U.S. effort and sacrifice seems to accomplish anything in Vietnam, so we should disentangle ourselves from a hopeless venture on the best terms we can get.

A turnaround did begin in early summer. By that time the United States had 75,000 troops in South Vietnam, and on July 28, President Johnson made his announcement that another 50,000 were on the way. The announcement itself had a salutary effect on the stability of the Saigon regime and on the attitudes of the fence-sitters, a numer-

ous element, understandably enough, in the Vietnamese population.

Today, although there is no such thing as total security anywhere in the country, including the most heavily guarded military bases, the Saigon government has reasonably good control of territory containing about 50 to 55 percent of the country's population. This contrasts with a highly precarious control of about 45 percent last June. The territory under the Government's control includes all the cities, all 43 of the provincial capitals, all but half a dozen of the 241 district capitals. There has been a decided extension of Government control in the populous Mekong Delta area, source of most of the country's rice supply and in the past a rich recruiting ground for the VC as well as the ARVN. About 20 percent of the country's population is in disputed or fluid territory or places that neither side is bothering with at the moment. The rest is under fairly solid VC control. The VC dominate at least half of the country's area, but much of its domain is jungle, mountain, and mangrove swamp.

The 10-man military directory headed by Air Vice Marshal Nguyen Cao Ky has now been in office 8 months, which nobody would have dared predict last summer. It can scarcely be described as strongly entrenched or broadly popular, but it looks much more effective than the revolving-door regimes that followed the fall of Diem (9 of them in 19 months). It has lived down the bombastic pronouncements of Ky's first weeks in office, suppressed one minor coup attempt, and made some fairly convincing announcements about the drafting of a new constitution and the introduction, perhaps next year, of a limited measure of democracy. With powerful prodding and backing from the U.S. Embassy and AID mission, it began an ambitious new program of economic reconstruction in the more or less pacified parts of the countryside. There have been previous efforts—and failures—in this field: the "strategic hamlets" program, the "new life hamlets," etc. The Ky regime has been going at it quite seriously, however, and its program now has the direct and insistent patronage of Lyndon Johnson himself, as announced at Honolulu and amplified by the new wave of emissaries he sent to Saigon.

Meanwhile, South Vietnam's badly battered army has had a chance to catch its breath. A number of understrength units have been considerably beefed-up in men and equipment. The desertion rate has been reduced, though it is still shocking. There has been an encouraging pickup in defections from the Vietcong—11,000 in 1965 versus 5,000 in 1964. One of the most sensitive indicators of all—the willingness of people out in the countryside to furnish intelligence on VC movements—points to a healthy increase in popular confidence in the ultimate defeat of the VC.

Where does the war go from here? The most urgent need right now is to break the bottleneck in port facilities. Saigon itself is a second-rate river port, 50 twisting miles upstream from the South China Sea, with antiquated docks and stevedoring techniques. Until a few months ago virtually all ocean-borne supplies for the South Vietnam economy and the war had to pass through this one congested port. Last June, U.S. Army Engineers and civilian contractors went to work at the superb natural harbor of Cam Ranh Bay, previously untouched, and before the end of this year it will be handling more cargo than Saigon. Construction work continues at a furious pace at Cam Ranh Bay; facilities are being expanded at Qui Nhon, Danang and lesser ports; and some improvements are in progress at Saigon. At most of these places, however, ships still wait 30 to 40 days for unloading. It will probably be another 2 to 3 months before the ports are fully equal to the support of the troops

already in Vietnam, and capable of supplying new arrivals. Almost equally high priority must go to the enlargement of military storage facilities and improvement of the highways in the major operating areas.

How many more U.S. troops will be needed for the big-unit phase of the war? Fewer than half the U.S. troops now in Vietnam are actually available for offensive operations against the Vietcong on the ground. As in any war, the men up front are supported by a long train of medics, truckdrivers, construction battalions, headquarters staffs, etc. And in this particular war, where VC suicide squads can turn up almost anywhere, we have thousands of combat-unit men tied down by static-defense duties around our major bases. Perhaps 80,000 to 90,000 of the Americans now in Vietnam are available for serious offensive action; only about 50,000 of these can range far from their bases to seek out the VC.

Total strength of the South Vietnam armed forces is generally put around 650,000 to 700,000 men, but this total must be stripped down even more drastically. There are perhaps 25,000 to 40,000 South Vietnamese troops, including some tough marine and airborne battalions, that could be considered fully mobile offensive forces, unencumbered by fixed-defense responsibilities. Adding in a robust little Australian-New Zealand contingent, and the marine brigade and "Tiger Division" that Korea has sent, the allies have a total striking force of 150,000 men at the most and by the maximum mobility test the total would be more like 100,000.

They are up against a fanatically brave and highly resourceful army of about 90,000 men, Vietcong main-force units plus perhaps a dozen regiments of the North Vietnam Army, always free to group and strike against a weaker force wherever they can find it, since they themselves hold no intrinsically valuable territory that ties them down to defense. (The VC may have another 100,000 men in small local cadres, in porter gangs along the supply trails, part-time guerrillas, etc.)

The much quoted dictum that it takes a 10-to-1 superiority to suppress a determined guerrilla force is not regarded as gospel in Vietnam. No modern counter-guerrilla army has ever operated with such a tremendous margin of firepower and mobility as the United States has introduced into Vietnam. But it is generally agreed that we will need a manpower superiority of at least 2 to 1 and very possibly 3 to 1 in mobile offensive forces.

Most of the reinforcements will have to come from the United States. Among the Vietnamese themselves there is not very much young manpower not already in one uniform or another, though some existing ARVN units can probably be upgraded into a higher offensive capability. No very significant allied contributions are in sight. We must be prepared, therefore, for the total U.S. commitment in Vietnam to rise from the present 200,000 men to at least 400,000 men, assuming that half or more of the new forces are in ground combat units that can seek out the Vietcong. This would mean a commitment about on the scale of the Korean war at its peak.

But what if the enemy simply feeds more and more men into the war? The fact is he would find it very difficult to match our buildup. The VC have pretty well scraped the bottom of the barrel in recruiting within South Vietnam. From the north it is possible to infiltrate only 2,000 to 4,000 men a month over the Ho Chi Minh trail, and the capacity can't be much increased as long as we keep up our air attacks. Conceivably, North Vietnam might decide on overt, all-out invasion of the south, and launch the rest of its army—perhaps a dozen firstline divisions, totaling more than 200,000 men,

along the demilitarized zone along the 17th parallel.

Then there would indeed need to be a big American Army in Vietnam—perhaps the "million men" who figure in some of the forebodings here at home. But for the enemy to pour men down the narrow coastal corridor, or in fact try to get large bodies of troops into the south by any other route, would be to sacrifice most of the advantages of the hit-and-run jungle warfare he is so expert at. Every time full regiments have been brought to battle by U.S. forces, the enemy has been badly beaten.

If North Vietnam went all out, it would have to offer us concentrated targets—massed troops, big supply depots, clogged roads and trails. Ho Chi Minh would be risking his whole army, and with it his rule. The repeated U.S. assurances that we do not seek to overthrow the North Vietnamese regime would surely be the first casualty of any all-out attack from the north.

Let us guess, then (there are no guarantees about Vietnam), that the North does not come down in a big way, that the U.S. buildup proceeds, that the bottleneck in the ports is largely overcome this spring. By summer the effects of all our effort should really begin to be felt on the battlefields. A point comes in a war when momentum develops; cumulative and multiplying effects spread across a whole theater; one action goes well, and things seem to go better in half a dozen other places. The momentum was running strongly for the Vietcong in early 1965. It could be running strongly for our side in late 1966.

Barring a negotiated settlement, nobody will ever be able to name the exact date when the present phase of the war came to an end. But the day should come, late this year or next, when it will be possible to add up some such set of facts as this: dwindling southbound traffic on the Ho Chi Minh Trail for several months; increase in northbound traffic; no firm contact with a full VC regiment or battalion for several weeks; occasional capture of VC or North Vietnam "regulars" now operating with small local guerrilla units; extension of government control to territory containing 75 percent of the population; decline of VC "incidents" within this territory. This would be the end of the big-unit war, and the first instalment of "victory," and this the United States does tacitly recognize. To turn the South over to communism, which would almost certainly be the consequence of a peace negotiated from a few enclaves, would be "defeat."

Assuming we will not settle for that, and that we persevere through the big-unit war, we should then see Hanoi quietly deescalate. We would presumably stop bombing the north, and perhaps announce a provisional and gradual schedule of withdrawals of a major part of the American force. (The north could come back in, of course, but so could we.)

In the new phase of the war, more and more of the military responsibility would revert to the rebuilt ARVN, which by then should include a number of highly equipped, trained, and seasoned units, increasingly capable of dealing with the small-scale VC attacks which would doubtless persist for some years, or moving against some of the remote VC redoubts.

Increasingly, the American support of South Vietnam would be channeled into economic, medical, educational aid. In civil terms as well as military, the Vietcong are deeply entrenched in considerable areas of the countryside. Their political, economic, and psychological hold on village life will not necessarily disappear just because their troops go underground. The Saigon government will have to prove that it can provide the villages physical safety from the VC, but more important for the long run, that it is not simply a rival gang of tax collectors.

So the second installment of "victory" would come, probably not before the early 1970's, when VC activity in South Vietnam had been reduced to the proportions of a police problem, when all or almost all the American troops could be brought home (we still keep two divisions in Korea), when a thoroughly viable economy was operating, when an independent, effective and stable government (by the standards of Asia, not Switzerland) seemed established. That would be victory for the prodigious American effort in this country of 15 million people some 8,000 miles from San Diego.

In a way, it doesn't sound like much. For these modest purposes, in a far distant place, can the United States really be preparing to send hundreds of thousands of Americans into battle and spend tens of billions of dollars, allowing a bitter divisiveness to come into American life, courting abuse from world opinion, and running a faint risk of war with China, and even world war III?

The Communists say that the Americans wouldn't do all this just for the sake of Vietnam, and in this they are absolutely right. But the Johnson administration has never successfully articulated the broader purposes of our Vietnam commitment and the very promising possibilities it could create. It is deplorable that such a courageous and far-sighted policy should be so badly explained.

The administration offers a good many dull and lofty generalities about helping to preserve the freedom of South Vietnam. These are not entirely satisfying since South Vietnam is not really a nation yet—it is an artificial half of one of three countries carved out of a former French colony only 17 years ago—and in its short life it hasn't ever been fully free, either of Communist aggression or domestic autocracy.

The administration is more eloquent and persuasive when it stresses the importance of honoring our commitments. If we do not stand fast in Vietnam, who else will trust our guarantees? This leads into the familiar domino argument—if South Vietnam falls to communism, Laos, Cambodia, and Thailand would go next; Malaysia, Singapore, and Burma soon after; then Indonesia; neutralism, anti-Americanism and pro-Beiping sentiment would spread in India, the Philippines, Japan. The damage to U.S. credibility could spread further—to Berlin and NATO, Latin America, Africa, and the Middle East. Mr. Johnson and Mr. Rusk do not themselves spell it out in such lugubrious detail, but that isn't necessary. Honoring our commitments has become a kind of shorthand for a whole train of disasters that could ensue if we pulled out of Vietnam.

It is a sound argument, at least as applied to the southeast Asian peninsula, but it is a needlessly grim, backs-to-the-wall sort of argument. It casts our whole effort in South Vietnam in negative terms—as something we must do to prevent a catastrophe. This negative argument offers no hint of the very difficult problems that face Communist China today, or the ways in which those problems have been intensified by our stand in Vietnam. It offers no vision of the positive good that could be accomplished in Asia if our Vietnam effort succeeds.

You would never know it, from listening either to the Johnson administration or its critics, but China had a very bad year in 1965. Despite the advance handwringing in the United States, the fears early last year that China might "come in" if the United States bombed North Vietnam or put ground combat units in South Vietnam, China did not come in. Nor did the growing U.S. effort in Vietnam prove to be "the one thing that would bring China and Russia back together." If anything, China-Russia relations are worse than a year ago, and Vietnam seems somehow to have inflamed matters.

Vietnam is precisely the kind of "war of national liberation" that China has proclaimed to be the wave of the future all through the underdeveloped regions of Asia, Africa, and Latin America, the Communist revolution that would sweep the "rural" areas of the world and eventually bring down the world "city" of Western Europe-United States-Japan. (The Soviet leadership sometimes wonders whether Russia is considered part of the "city," too.) China has given loud polemical sponsorship to the Vietcong-North Vietnam cause, and it supplies a good part of the north's arms, but it has been very careful to avoid any move that might bring a direct confrontation with the growing U.S. power in Vietnam.

And this certainly had something to do with the decline last year in China's prestige among the underdeveloped and uncommitted. In the India-Pakistan skirmish in September, China attempted a kind of ultimatum to India, but India paid very little attention, and China had to back down. China has suffered several recent rebuffs in its courtship of the new African states, and is even having a noisy quarrel with Castro. The upheaval in Indonesia, starting with the suppression of the Communist coup attempt on October 1, has been a major defeat for China, replacing what had been an increasingly Peiping-oriented policy with a strongly nationalist independent line.

South Vietnam is one of the last major positions not buttoned down, all around the rim of China. Laos is mushy, of course, though its neutralist and pro-Western factions have been doing fairly well in the exotic little war against the pro-Communist Pathet Lao. Neutralist Burma also seemed last year to respond to events in Vietnam and began acting as neutralist toward China as it long has toward the West. The most sensitive of all China's frontiers, of course, are the long reaches where it faces the Soviet Union. The state of Soviet-Chinese relations must contribute, to say the least, to sensations of isolation in Peiping. But if South Vietnam is held, China is substantially "contained" on the borders facing the non-Communist world. This could open up a whole new era of promise and growth for the potentially prosperous and stable nations of southeast Asia.

South Vietnam itself could be a dazzlingly successful country. It has immense wood and timber resources, limitless water, hydroelectric possibilities, rubber, superb beaches and scenery, energetic, attractive people. Along with the tragic destruction of war, it is also acquiring, willy-nilly, the best port facilities between Hong Kong and Singapore, and half a dozen first-class airfields. It shares the great Mekong Valley system with Cambodia, Thailand, and Laos. President Johnson, in one of the few really affirmative specifics he has ever put before Asia, made a generous offer of U.S. aid for a big Mekong Basin project in his Johns Hopkins speech of last April. In a situation which permitted some degree of trust among these countries, an international effort to harness the Mekong could be one of the most exciting engineering and political ventures in the world.

If southeast Asia, instead of being a temptation to aggression and a threat to world peace, became a strong point of economically vigorous and fully independent states, the beneficial effects would spread well beyond the peninsula itself. Communist China would be contained in the best sense, not just in military positions but in terms of performance, by the dynamism of Japan on the northeast and this healthy new growth center to the south. South Korea, Taiwan, the Philippines, Burma, Indonesia would all benefit to some degree; even India's staggering problems would look a little less hopeless.

It might be that these vistas will be opening up at the same time that the first major changes in the Chinese Communist

leadership take place. Mao is 72, and said to be sick, Chou En-lai is 67; most of the rest of the Politburo, old comrades of the long march of the 1930's are in their late sixties. If the defeat of the Communist attempt to take over South Vietnam comes around the same time that new men are moving into power in Peiping, this could be a very interesting moment in history. In several interviews with foreign visitors, Mao has expressed with startling frankness his doubts as to the revolutionary militance of the next Chinese generation. They might even be men with whom the West could attempt a comprehensive settlement of the major issues dividing us: nuclear proliferation, China trade, the partition of Korea and Vietnam, the status of Taiwan, admission of mainland China to the U.N.

In the past 25 years Asia has experienced three epochal changes that would have filled up several centuries' worth of slower paced, old-fashioned history. World War II, the first war ever to sweep all of Asia, brought all of Asia irrevocably into the main currents of world politics. The breakup of the British, French, Dutch, and Japanese colonial empires created a dozen new nations—total population 800 million—of meager civil experience but powerful aspirations for a better life. Meanwhile the Communist takeover of China gave the earth's most populous country the most strongly centralized government it has known since the Ch'in dynasty fell in 207 B.C. Out of all this upheaval a new Asia will form. The pattern is not yet set. Vietnam is one of the places, at the moment the most crucial place, where the next Asia is being shaped.

[From the Washington (D.C.) Sunday Star, Feb. 20, 1966]

TAYLOR TOLD US WHAT WE HAVE TO DO

The great debate conducted last week at the hearings of the Senate Foreign Relations Committee should help clear the air of some of the doubts surrounding our strategy and prospects in Vietnam. Gen. Maxwell Taylor's testimony seemed to us the high-water mark of the clarification process.

There was nothing uncertain about the trumpet which General Taylor took with him when he appeared on Thursday. His message came through loud and clear. If there are those who still do not understand our policies and purposes in Vietnam, it must be because they do not want to understand.

An indication of the extent to which the message came through cropped up on the Senate floor while General Taylor was testifying. The critics said they expected the floor "debate" on the President's request for a supplementary appropriation to wage the war to go on for days. Perhaps it will, since extended debate is close to the hearts of Senators. But the tipoff came with the disclosure that the critics have abandoned plans to emphasize their dissent by tacking a rider onto the bill authorizing the appropriation. This rider would have said that the authorization did not represent an endorsement by the Senate of the President's Vietnam policies. This project was abandoned, as it should have been, for obvious reasons. The critics could not muster the votes to adopt it, and they were unwilling to accept the political risks of trying unsuccessfully to pull the rug from under the President while some 205,000 American troops are engaged in Vietnam.

Why are those troops in Vietnam, and what are they doing there?

General Taylor said the United States has become involved in the war in Vietnam as a result of the obligations assumed by this country in the southeast Asia treaty, ratified by the Senate, and pursuant to the broad discretion given the President in the 1964 congressional resolution which was adopted with only two dissenting votes.

To define our purpose there, he borrowed from the President's Baltimore speech of April 7, 1965. "Our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way."

He conceded that we have secondary objectives. One is to prove that communism's so-called wars of liberation are costly and doomed to failure. This is in our own national interest because the Communists, if they succeed with this phony tactic in Vietnam, will strike again in some other place, perhaps much closer to home in Latin America.

As General Taylor describes it, our strategy in Vietnam consists of four components. The first is to increase the effectiveness of our ground combat against the Vietcong and the infiltrators from North Vietnam. He thinks this effort is increasingly successful and that the recent comparative casualty figures prove it.

The second involves the use of air power against military targets in North Vietnam, and he is wholly opposed to the view that this should be abandoned. Bombing cannot completely block the supply and infiltration routes. But it can severely penalize the other side and make it impossible for Hanoi to maintain and supply large forces in the south.

The third component consists of the non-military activities, the effort to create a viable economy in South Vietnam. This effort cannot be significantly successful until a more secure military situation is achieved. The fourth component is the continuing search for an honorable and acceptable peace.

General Taylor told the committee that all four parts of this strategy are interrelated, all are indispensable. "We must be successful on all fronts. The key, I believe, is inexorable pressure at all points, directed at the will, the ability, and the means of the Communist aggressors."

The man who formerly was chairman of the Joint Chiefs of Staff and for 13 months our Ambassador to Saigon thinks that this four-point strategy, if we stay with it, will be successful.

Some of the Senators were dubious, but with the exception, of course, of Senator Morse of Oregon, they did not directly challenge the General's views, and most certainly they did not offer anything in the nature of an alternative to the strategy which he spelled out. They didn't because they haven't any to offer.

Senator MORSE is a special case. His cross-examination consisted for the most part of a niggling, legalistic argument that we are engaged in an illegal, even criminal, war. He also thought that the American people, in time, will shoot down the policies advocated by General Taylor and the President. Perhaps so, if the people accept Senator Morse as their guide—which we do not think they will do.

General Taylor, a layman, did not pretend to be an expert in the area of diplomacy or international law. This was left to Secretary of State Dean Rusk, who dealt effectively with some of these broader aspects of the problem in his Friday appearance.

The general, naturally, was most effective when, under questioning, he dealt with the military aspects of the war.

He is utterly opposed to the "holding" strategy. To accept this, he said, would be to abandon our South Vietnamese ally, to assign our own troops to a "most inglorious mission," and to destroy all hope of getting an honorable settlement.

He does not believe that Red China, if we adhere to the strategy which he outlined, will enter the war. In contrast to the Chinese intervention in Korea, Peiping is on notice now that there will be no privileged sanctuary

this time. General Taylor does not believe the Chinese will accept the risks and the punishment certain to follow intervention.

Finally, he thinks we can "win" this war, being careful to point out that by winning he is not talking about forcing the enemy to capitulate or to totally destroy him. His belief is, if we keep the pressure on, that the time will come when the men in Hanoi will decide that talking is better than fighting.

For the life of us, we cannot see that the United States has any option but to proceed along the lines that Maxwell Taylor has recommended, and to apply the necessary force to produce the just result we seek.

[From U.S. News & World Report, Feb. 28, 1966]

THE STORY OF THE UNITED STATES AND ITS STAKE IN ASIA

People are asking: What stake does this country have in far-off Asia? Why get involved in a war 8,000 miles from home in a part of the world little known to Americans?

The U.S. Congress has been hearing that the thing to do is to try to get out of the Vietnam war at almost any cost. American interests, it is argued, lie in Europe, in Latin America, in Africa, not much in Asia.

But is that the case? Is American involvement in Asia something new?

A quick glance at history indicates the opposite. Vietnam is the fifth war of consequence for the United States in the Pacific. The blood of almost 440,000 Americans is invested in that part of the world. The United States, as a result, is regarded as not likely at this late date to cut and run from its historic role as a major power in the Far East.

American interest in Asia goes all the way back to the days of the American Revolution. The interest has always been alive, although the United States at no time was a colonial power in the mold of the British, French, or Dutch.

SHIFTING BURDEN

Today the French and Dutch have quit all responsibility for maintaining a balance in Asia. The British confine their main interest in that part of the world to the area of Malaysia westward into the Indian Ocean—and are striving to shift the policing burden in that area to the United States.

Americans whose interest in Asia goes back more than a century and a half right now find their responsibilities are becoming not less but greater.

Yankee clippers carried the American flag to Asian waters for the first time in the 1780's when Britain controlled the Atlantic and looked unfavorably upon shipping interests of its breakaway colony. The War of 1812 and the era of Napoleon emphasized U.S. trading interests in the Pacific, rather than the inhospitable Atlantic.

By 1833 the Americans had a treaty of commerce with the Kingdom of Siam—now Thailand. Later, in the 1840's, the United States won concessions from China on a basis of friendship at a time when Britain was using force.

Over the years, other powers strove to break up China and split up the territorial spoils. The United States accepted trade concessions, but always opposed efforts to Balkanize that part of the world.

It was an American, Commodore Matthew C. Perry, who convinced the Japanese in 1854 to end their isolation and move into the modern world.

People forget, too, that the purchase of Alaska from Russia in 1867 placed American-owned territory within sight of the mainland of Asia.

Isolation from Europe: All through this period, the United States was pursuing a very firm strategy: isolation with regard to

Europe, cooperation and conscious entanglement in the Far East.

Then, in 1898, the Spanish-American War catapulted the United States conclusively into Asia as a ranking power.

A force of 70,000 U.S. troops was engaged in a guerrilla war in the Philippines from 1899 to 1902. This was a counterinsurgency war that compares in some ways with the fighting today in Vietnam. It left U.S. military power implanted off the mainland of Asia.

On the mainland itself, 2,500 American troops joined other nations' contingents that rescued foreign nationals trapped by fanatical Chinese in Peiping during the Boxer Rebellion in 1900. Where other powers sought indemnities and got them, the United States used its money to bring Chinese students to America.

The United States, all the while, was using its growing influence to keep Asia on an even keel, enforcing the open door policy in China, inducing Russia and Japan to make peace at Portsmouth, N.H., in 1905. It was the personal intervention of President Theodore Roosevelt that was felt in Asia in that period.

What history reveals is this: By the start of World War I, the United States was deeply enmeshed in the affairs of Asia—and had been for many years before this Nation was forced to turn to Europe to help bail Europeans out of the troubles arising from that war.

U.S. flag in Pacific: American holdings in the Pacific were already substantial. The U.S. flag flew not only over the Philippines, but over Midway—occupied after the Civil War—and Guam, Wake Island, and Hawaii, all under U.S. control by the turn of the century. The United States held nothing comparable in the Atlantic, nor does it today.

Present aim of the United States in Asia is not substantially different from that which emerged after the great war of 1914-18—to keep any one Asian nation from swallowing up all the others.

Today the threat is Red China. Then the danger was from Imperial Japan, driving for a "Greater East Asia Co-Prosperity Sphere." It was fear of Japanese expansion into Russia, in fact, that led U.S. troops to join an allied expedition into Siberia in 1918.

Japan moved boldly into Manchuria in 1931. The United States spoke out strongly, but did nothing. In 1934 the United States told the Philippines to get ready for independence, giving the appearance of a nation ready to disengage from Asia. The Japanese sinking of the U.S.S. *Panay* in the Yangtze River in China was followed by the fall of Nanking, with Japan still convinced that the United States would not fight in the Far East. Finally, in 1941, it was the aftermath of the Japanese invasion of French Indochina that brought a positive American reaction—the freezing of Japanese assets in the United States. With this, the assault against Pearl Harbor was set in motion.

Defense need: After the devastating blow at Pearl Harbor, it was realized in the United States that, with modern means of sea and air transportation, its west coast was as vulnerable as the east coast. In World War II, people suddenly seemed to discover for the first time that the defense of Asia was as vital to U.S. security as the defense of Europe.

It now is more than 20 years since the end of World War II. Some bitter lessons—and war's great costs—have largely been forgotten. The Pacific campaigns left 106,000 Americans dead and 172,000 wounded. The great armadas and armies that fought in the Pacific required the spending of \$120 billion. U.S. victory in 1945 deepened the responsibilities of this country in Asia. Americans had restored freedom to the Philippine Islands, liberated South Korea, forced

Japanese from China, Indochina, and huge areas of southeast Asia.

Immediately, the United States set out to help free these areas from the colonial rule of prewar days. The British, French, and Dutch were encouraged to quit Asia. Power vacuums were created which the United States has since been obliged to prevent the Communists from filling.

In 1950, the promise of another vacuum opened for the Communists, this time in Korea. When a hint was made by the United States that its Pacific defense line bypassed South Korea, attack came swiftly.

The choice for the United States was clear: Move in and fight to save a small country from being gobbled up, or abandon it—abandoning at the same time a stake built up over the course of more than 150 years of involvement in Asia.

Outcome of a war: War in Korea cost almost 34,000 Americans dead and 103,000 wounded. The cost was \$18 billion. Yet there was no U.S. victory. This time, the United States chose to settle for a truce without clear-cut victory.

The Chinese Communists sought out other opportunities to expand. They teamed up with Vietnam leader Ho Chi Minh, who drove the French from Indochina in 1954. In the years since, still tied to Ho, the Chinese have skillfully moved toward a Communist takeover of South Vietnam.

As U.S. officials look back at Korea, they recognize lessons that could be learned from the sad experience of that war. One is that Communist China has shown itself to be waiting to fill any vacuum in Asia that the United States creates by its withdrawal, or hint of withdrawal. Another is that Red China, if left unpunished for aggression, as it was in Korea, will simply gather its strength and move on to make trouble in another area.

Not by sentiment alone: The United States as a result is committed to Asia not only by history and sentiment, but by binding military treaties with several nations.

The Senate has approved mutual-defense pacts with South Korea, Japan, Nationalist China, the Philippines, and with Australia and New Zealand. Those countries have America's word that they will be defended from Red attack.

Still other countries have a pledge from the United States through the Southeast Asia Treaty Organization. The SEATO pact, now a dozen years old, binds the United States directly to the defense of Thailand, for example, in case of Red aggression. A special set of protocols offers SEATO help to South Vietnam, Laos, and Cambodia, if they ask for it.

Postwar commitments of the United States were entered into successively by four Presidents—Truman, Eisenhower, Kennedy, and Johnson. All got substantially the same advice from senior American diplomats and military leaders:

Surrendering to Communist China in the postwar period makes no more sense than surrendering to imperial Japan would have made in 1941. In other words, America's stake in Asia is far too great to be abandoned.

An economic goal? Just what is it that is at stake?

The argument is sometimes heard that the real stake for the United States in Asia is economic. The fact is, the United States has no need for the rubber, rice, or strategic metals of Asia. It is true that the United States is now exporting \$5.5 billion worth of goods to Asia each year, with a trade balance in America's favor of a billion dollars—but the loss of this trade might somehow be made acceptable with a cutback in U.S. aid to the region, and other measures.

As seen by U.S. policymakers, it boils down to security. Since 1950, the overriding objective of the United States in Asia has been to contain Red China, with an eye not only to the safety of smaller nations, but to the security of the United States itself.

With Vietnam and southeast Asia in Communist hands, the United States soon would be forced to retreat from its "forward strategy"—a line of advanced Pacific bases now hemming in the Red Chinese. Withdrawing to Alaska, Hawaii, and the west coast would be too close for comfort in this era of bombers, missiles, and submarines. That is a view shared by top U.S. military experts.

American officials, looking ahead, sense greater danger than ever before from one great power—Red China—if it should be left with a free hand in all Asia. They are made uneasy by the prospect of a rapprochement between China and Russia, or of a future that might lock together more than 700 million Chinese with the industrial prowess of Japan.

Red China, looming as a nuclear power without outside help, is seen as on the way to being a greater direct threat to the United States than Japan ever was.

Since the 18th century, the United States has grown to be a major power in Asia, with a commitment so massive that Vietnam is seen as only one phase. In the view of the leaders of the U.S. Government, it would be a tragic and dangerous error to abandon that commitment now.

UNITED STATES AND ASIA: JUST WHAT IS THE VIETCONG?

SAIGON.—Pressures are building to negotiate directly with the Communists' Vietcong and their National Liberation Front to end the fighting in South Vietnam.

The United States is now saying a way can be found to include the Communists in any truce conference.

Questions are raised, as a result, about the Communist groups and their right—if any—to a voice in the future of South Vietnam.

Just what is the Vietcong?

It is an insurgent guerrilla army. The Communists who control that army have a party—the People's Liberation Party—which directs both the political and military war in South Vietnam.

Then what is the National Liberation Front?

Secretary of State Dean Rusk told the Senate Foreign Relations Committee on February 18 that the Liberation Front is "a Communist-front organization intended to give support to the deliberate fiction that the war in Vietnam is an indigenous revolt."

Is the front a government?

Not really. Nobody has ever had a chance to vote for or against it.

It has a flag. It has a sort of cabinet, and has representatives in every Province. The front also has representatives in Hanoi, Peiping, Algiers, Moscow, and Budapest. But no nation in the world has recognized it as a government.

Where is the front's capital?

It doesn't have one. Its headquarters is a cluster of brick and thatch houses and a network of tunnels in the jungles of northern Tay Ninh Province, within easy reach of the "sanctuary" of Cambodia.

Who is head of the NLF?

A colorless, "independent" lawyer-politician from Saigon—Nguyen Huu Tho—is chairman of the presidium. Other members of that presidium are politicians and Communists not widely known in South Vietnam.

Then who governs the Communist areas of South Vietnam?

The People's Revolutionary Party, which is the Communist Party, and the Vietcong together have a "shadow government." There

is an executive at the top; commissars and central committees at the provincial level; and, at the grassroots level, district and village chiefs.

Were these officials elected?

Only at the village levels. And even there the commissars, all Communists, controlled the elections.

Do the Communists collect taxes, run schools, operate hospitals?

Yes; just as if they had a legal government. They do this wherever they have military power.

The Vietcong developed an ingenious system to pay for the war. They seized land from the landlords and gave it to the peasants. Now the Communists collect taxes that are higher than rents used to be. When they need extra food, they seize it and make payment with worthless promissory notes.

The Vietcong also levies taxes on every bus, truck, and sampan that moves through the countryside. In the cities held by the Saigon Government, the Vietcong terrorizes merchants into paying tribute.

Don't the Vietcong and the Liberation Front claim to be independent of North Vietnam?

Yes, but the record disproves that claim. In September 1960, Hanoi publicly urged the insurgents in South Vietnam to form a "broad, united" front to help unify all of Vietnam. It wasn't until 4 months later that the front was organized.

Until last year, the Communist People's Revolutionary Party stayed in the background. Now the party claims it is leading both the Vietcong and the Liberation Front. Most of that party's workers have had from 6 months to 2 years' training in the north, and they hold most of the responsible jobs.

Do they get orders from Hanoi?

All the evidence points that way. Hanoi's Council of Ministers and the Lao Dong, or North Vietnam's Communist Party, control the strategic direction of the war in the south.

Would the Communist Vietcong or the Liberation Front win a free election in South Vietnam?

That is doubtful, at least right now. Few peasants know who is head of the Liberation Front, or even who is Premier in Saigon. In the villages, the government that interferes least with an individual's life is the most popular.

The Vietcong is popular in areas where control has been light and land was distributed. It is unpopular wherever terror was used, or men dragged off for military service.

But doesn't the Vietcong actually control the countryside?

This varies from day to day. Most villages are in the "twilight zone," not fully controlled by either side. Those villages have been terrorized and fought over for 5 years.

Peasants in the "twilight zone" have little regard for either side in the war. That's why it would be unrealistic to count on a free election to show how strong the Vietcong actually is in South Vietnam.

[From Newsweek, Jan. 31, 1966]

THAILAND: THE ANATOMY OF A DOMINO

To any Western visitor inclined to think of Thailand as a semibarbaric land ruled over by Yul Brynner, Bangkok comes as a stunning surprise. Out in the Gulf of Siam, long strings of foreign freighters ride at anchor waiting to unload their cargo at the city's bustling port. Amidst the din of hotel construction around Charoen Krung Road, Chinese storekeepers hawk bolts of bright Thai silk and glistening trays of expensive sapphires to a steady stream of eager tourists. At night, as the lights of thousands of colored neon signs illuminate the city's bars and bathhouses, the pampered youth of Thailand's jet set speed up in flashy sports cars

to chic Pat Pong Road where they while away the evening in luxurious nightclubs.

Far to the north of the capital, there is a vastly different scene. In the isolated Mekong town of Nakhon Phanom off-duty U.S. airmen watusi wildly with hostesses in low-cut sequined dresses at the seedy Civilized Hotel. And near the airbase at Korat, crew-cut GI's, strolling arm in arm with their heavily rouged Thai girl friends, pause to peer up into the afternoon sun as yet another sleek F-105 Thunderchief roars off on a mission over Laos.

Boom: This contrast—between the peaceful prosperity of Bangkok and the carpe diem atmosphere of the burgeoning base towns in the hinterland—is symbolic of today's Thailand. One of the most affluent countries in all of southeast Asia, Thailand is riding the crest of an unprecedented economic boom. Shiny new cars and motorcycles jostle each other in Bangkok's noisy streets. In the lush green countryside, peasants tending the rice fields carry their own transistor radios. But Thailand is also a country geared for war. Though Thai leaders are highly reluctant to admit it, their nation is already playing a crucial role in the battle for control of Asia. All U.S. air strikes against Communist forces in Laos originate in Thailand. And before the current U.S. peace offensive went into effect, American planes based in Thailand accounted for at least 80 percent of the bombing raids over North Vietnam.

For a nation which is justifiably proud of its record as the only country in southeast Asia never colonized by the West, Thailand is finding it difficult to adjust to the growing U.S. military presence on its soil. But from Field Marshal Thanom Kittikachorn, the country's dapper, mild-mannered Prime Minister, on down, most responsible Thai leaders have come to realize that history has given them very little choice in the matter. For whatever doubts may be voiced in some U.S. quarters, the Thais believe unreservedly in the domino theory—which posits that if Peiping is allowed to topple any country in southeast Asia, the remaining nations, one after another, will succumb to Chinese influence. Indeed, the Thais are convinced that Communist China is on the march in Asia. And they are keenly aware of the fact that, after South Vietnam, their country is next on Mao Tse-tung's list of candidates for wars of national liberation.

Political assassinations: In fact, Communist China has made its intentions toward Thailand abundantly clear. In recent months, Peiping-backed guerrilla bands have stepped up their activity in Thailand's impoverished northeast region and heavily forested Kra Isthmus in the south. During the past year, the guerrillas have been responsible for an estimated 21 political assassinations. Chinese Foreign Minister Chen Yi has flatly stated that "we hope to have a guerrilla war in Thailand before the year is out" and to underscore that threat, Peiping announced last December that it had merged two Thai revolutionary groups under the name of the Patriotic Front of Thailand.

All this, of course, sounds ominously like the initial stages of the war in Vietnam. And in some ways, Thailand gives the appearance of being ripe for Communist subversion. The Thai armed forces, for instance, number only 130,000 men (including a horse cavalry division) and are top-heavy with officers. Bangkok's bureaucracy is, in many matters, thoroughly knotted in its own red-tape. Most important, the government, which traditionally has controlled only Bangkok and the central plains near the capital, is just now extending its influence out to its frontiers.

Pro-Hanoi: First priority has been given to the northeast. On the face of it, the problems in that remote region seem almost insurmountable. For one thing, most of

the 10 million peasants who eke out a bare existence from the northeast's arid plains are ethnically of Lao extraction and feel little or no loyalty to Bangkok. For another, during the French Indochina War, some 60,000 Vietnamese refugees—mostly from North Vietnam—fled to Thailand's northeast. "There's no doubt," says a high-ranking U.S. military officer, "the Vietnamese refugees are linked to the Thai Communist movement. By and large, they are pro-Hanoi."

Recently, the Communists have begun a systematic program of infiltration and indoctrination of villages along the Mekong River. In Nakhon Phanom Province, for example, many of the males of Ban Dong Luang village attend secret Communist meetings on an average of once a week. Meantime, the Patriotic Front of Thailand, which is run from China by a former Thai lieutenant colonel named Phayum Chulanont, has ordered a step-up in the number of small-scale attacks against provincial police patrols.

Propaganda: While the Northeast is the main worry, the narrow, 1,000-mile-long Kra Isthmus also offers fertile ground for Communist subversion. There, Peiping has a readymade Communist organization—the 500-odd Chinese guerrillas who fled Malaya in 1960 with their leader, Chin Peng, after the failure of their 12-year insurrection against the British. Playing upon the traditional discontent of the Moslem Malays, who comprise a majority in the peninsula's southernmost provinces, the Communists pass out propaganda pamphlets and even give lectures in village schools. Says one knowledgeable American official: "The Communists have recruited enough Malays and others to field about three battalions."

Against this impressive array of sore spots on the Thai body politic, however, the nation can point to some important strengths. Not the least of these are its cherished tradition of national independence and the survival of its ancient monarchy; though the role of the monarchy is now purely ceremonial, 38-year-old King Phumiphon, a talented jazz clarinetist, and his coolly beautiful Queen Sirikit, 33, are genuinely revered by the country's peasants.

Beyond this, the vast majority of Thailand's 30 million people are united by a common religious faith—Buddhism—and, despite the presence of minorities in the Northeast and the Kra Isthmus, the Thai population is far more homogeneous ethnically than those of most southeast Asian nations. Perhaps most important of all, the Thai Government has demonstrated impressive ability to bestir itself where questions of national survival are involved.

To counter the Communist threat, Thailand began its own version of the war on poverty as long ago as 1959. Since then, the Government has devoted a whopping 70 percent of its annual budget to such social-welfare programs as road construction, dam projects, agricultural stations and schools.

One shot: As the first step in this program, the Thai Government established 14 so-called mobile development units in 6 critical Northeast Provinces and the Kra Isthmus. Originally conceived as a one-shot emergency "impact" program, the bureaucracy entwined MDU's largely failed in their objective to encourage rural communities to pull themselves up by their own bootstraps. But by mid-1964, a second project, called Accelerated Rural Development, was launched under the decentralized command of Deputy Province Governors.

Learning from the MDU experiment, each ARD team is staffed by U.S.-trained technicians who are assigned on a permanent basis to keep previously started projects going. In addition, Government-sponsored community development units work side by side with the technicians to help develop rice-roots political leadership. "ARD hasn't gone

forward as rapidly as we wanted it to," says one U.S. official, "but there has been real progress." To which another American adds: "Sure ARD has some troubles, but let's not expect a degree of perfection from the Thais which we have never achieved ourselves."

Behind the effort to increase the stake of the rural areas in Thailand's blossoming economy (gross national product: \$3.3 billion) stands perhaps the best staffed Government in southeast Asia; most ministers and bureaucrats are university graduates and nearly all are intensely patriotic. But this gifted elite is highly exclusive. By rough estimate, only about 1 percent of the Thai population has any real voice in the policies of the Government, which has led some observers to dub the system "old school Thai."

Included in this tight circle of power are leading members of the aristocracy, Government ministers, army generals, wealthy businessmen, property owners and a small professional class—many of whom are related to each other or linked by business interests. Not surprisingly, in this sort of system corruption thrives. (When he died in 1963, former Prime Minister Sarit Thanarat left behind 150 "minor" wives, 51 private cars and an estimated \$140 million.) To Americans accustomed to a stricter ethics in public affairs, all this is shocking. "The Thais may be our allies," says one administration official, "but they're crooked as hell and I detest them for it." The Thais themselves, however, for the most part accept corruption as standard business practice and see nothing ethically wrong with it. In fact, according to the newspaper Siam Nikorn: "The general attitude of the local people toward corrupt practices here is that the more one indulges in them, the more one gains esteem and social status."

One of the few exceptions to this rule is Prime Minister Thanom Kittikachorn. In his first public statement upon assuming power after Sarit's death, Thanom declared: "I hate corruption." And last month, in his New Year's message to the nation, Thanom admonished the Thais: "Do good, have morals, be honest."

Personally and publicly, Thanom follows his own prescription. Though he was a protégé of the sybaritic Sarit, his name, amazingly, has never been connected with a scandal. Instead, he rose to power on the strength of his reputation as a reliable soldier. And, thanks in part to his unflinching courtesy and amiability, the 54-year-old Thanom has had a stabilizing influence on Thai politics during a period of increased Communist pressure. Dressed in his bemedaled field marshal's uniform, the Prime Minister travels extensively over the country and is received everywhere with warm cordiality by the Thais. Among his Ministers, he has the reputation of coming to decisions slowly—but sticking to them once he has made up his mind.

"Iron man": When he took over the Prime Ministership more than 2 years ago, Thanom was generally expected to be quickly knocked aside by more ambitious military leaders. His success in holding on to the reins of government is attributable to the fact that he shrewdly lined up the necessary support—most notably that of Army Gen. Praphas Charusathira.

A bluff, moon-faced professional soldier who wears sinister-looking dark glasses to shield his one good eye, Praphas is universally credited with being the "iron man" of the Thai Government. As Deputy Prime Minister, Deputy Supreme Commander, Commander in Chief of the Army and Interior Minister, Praphas controls more power in Thailand than any other single man—including Prime Minister Thanom. "In terms of raw authority," says a top Western diplomat in Bangkok, "Praphas could take over the Government tomorrow. But I doubt he

would do it. He recognizes his own unpopularity, and if he dumped Thanom he would be in trouble." Another important consideration is the fact that Praphas' daughter is married to Thanom's son—and in Thailand, family ties are taken very seriously.

Indeed, relations between the two men are reportedly very smooth. While the decorous Thanom keeps the machinery of Government turning over, Praphas revels in his power to pull strings. Up each morning at 5:30 to drive a few balls on the golf range, he is behind his desk by 10 and receiving a long line of official visitors. To Westerners, Praphas' soldierly bluntness can, at times, seem downright anti-American. "Help from the United States is not adequate," he declared in a recent interview with Newsweek's Robert K. McCabe and Merton D. Perry. "We have more American troops here now, but assistance to us has been reduced. It doesn't meet the needs. Now we would like to have anti-aircraft weapons and your military authorities say it is not necessary because, in case of attack, they would send their planes to defend us."

Despite such tough talk, however, Thailand's leaders have firmly cast their lot with the United States in Asia. This policy, in fact, dates back to 1950, when Thailand was one of the first countries outside the United States to contribute troops to the U.N. force fighting in Korea. In 1954, Thailand joined the U.S.-sponsored Southeast Asia Treaty Organization and Thailand's Pote Sarasin was elected SEATO's first Secretary-General. At the height of the Laotian crisis in 1961-62, Washington and Bangkok concluded a defense agreement and President Kennedy dispatched 5,000 troops to Thailand.

Since then, the United States has sunk an average of \$40 million a year into Thailand, building up a vast pool of military supplies (enough to support a whole division) and an extensive network of roads. Significantly, the U.S.-constructed \$20 million Friendship Highway and its Bangkok bypass, linking the capital with the Communist-exposed northeast, are both capable of carrying heavy U.S. tanks. In addition, the United States is spending \$12 million to turn the Thai naval base of Sattahip on the Gulf of Siam into a huge air and seaport complex which, in an emergency, could handle a sudden influx of U.S. troops.

Bases: Along with the construction projects, U.S. troop strength in Thailand has more than doubled since 1962 to some 12,000 men. The troops, two-thirds of whom are Air Force men, are under the command of tough, balding Maj. Gen. Richard G. Stilwell, chief of the Military Assistance Command—Thailand. Last week, from Takhlil in the west to Ubon in the east, from Udorn in the northeast to Korat in the heart of the country, U.S. jets from nine squadrons reached into Laos to bomb the Ho Chi Minh Trail. Standing by at Nakorn Phanom was an air-sea rescue squadron of helicopters and amphibious planes.

Technically, the planes operate out of Thai—not American—bases; in practice, though, the airfields have been greatly expanded and integrated into the chain of U.S. bases which rings China from the Sea of Japan to the Indian Ocean. Already, the U.S. presence has caused some friction among the stanchly independent Thai. Explains Air Chief Marshal Dawee Chullasapaya: "There are three categories of Thai on this question. The first group feels it's very good to have the United States involved—that we haven't the resources to fight Peiping and Hanoi. The second feels, 'No, we are independent; we do not want foreign troops on our soil.' And the third? All they want to do is to be left alone to make money. Sooner or later, the second group will change its mind."

What this simply means is that the Thai—who concluded alliances with the

British in the last century and the Japanese during World War II—have decided to follow their longstanding tradition of accommodation with the paramount power in Asia. Indeed, if the United States were to lose heart and pull out of Vietnam, it is almost certain that Thailand would just as quickly come to mutually acceptable terms with the only other great power remaining in the area—Communist China.

And this, of course, underscores the real significance of the domino theory. As originally set forth in 1954 by President Eisenhower, the domino theory rested on the simplistic proposition that if any Asian nation fell to the Communists, the others would follow—flop, flop, flop—one domino after another in a neat row. Obviously, however, nations rarely react to any situation so neatly and predictably. In southeast Asia, as in the rest of the world, circumstances of geography, history, and culture make for as many potentially difference reactions as there are countries.

Hegemony: Thus, in the event of a U.S. defeat or withdrawal in Vietnam, it is unlikely that Communist governments would automatically be installed everywhere in southeast Asia. True, the weakest country of the lot—Laos—would probably have to be written off as lost. But on the other hand, Cambodia, Burma, and Thailand might have a chance of maintaining some semblance of their independence—provided they acknowledged the reassertion of China's historic hegemony over the area. It also seems reasonable to assume that Malaysia could not continue as a pro-Western bastion. And in Indonesia, the recent flip in favor of the anti-Communist generals might flop the other way. Ironically, too, any hope that North Vietnam might ultimately develop into a "Titoist state" would vanish, since it would no longer be able to play off Moscow against Peking.

None of this, of course, can be viewed as a pleasant prospect. And it is precisely to prevent this prospect from becoming reality that the Johnson administration has reaffirmed and increased the U.S. commitment to Vietnam. So long as that commitment holds, the strong and stable Thai are given a good chance of solving their problems in relative peace. For as one Thai provincial governor notes: "Potentially, Thailand could be a second Vietnam. But right now the Government is taking effective action." And an experienced U.S. official, who recently arrived in beleaguered Saigon, emphatically adds: "I'm not afraid that Thailand will be the next Vietnam. The Thai have so much going for them."

MR. AND MRS. EARL HARWELL HOGAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1520) for the relief of Mr. and Mrs. Earl Harwell Hogan, which was on page 2, lines 6 and 7, strike out "in excess of 10 percentum thereof".

Mr. MUSKIE. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

M. SGT. BERNARD L. LAMOUNTAIN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 851) for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired),

which was, on page 2, line 9, after "Act." insert:

No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MUSKIE. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MARY F. MORSE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 577) for the relief of Mary F. Morse, which was, on page 2, line 6 after "Act." insert:

No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MUSKIE. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

EXECUTIVE SESSION

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

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

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Henry Allen Moe, of New York, to be Chairman of the National Endowment for the Humanities.

Mr. HILL. Mr. President, I also report favorably from the Committee on Labor and Public Welfare sundry nominations in the Public Health Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that the nominations lie on the Secretary's desk for the information of any Senator.

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

The nominations ordered to lie on the desk are as follows:

Eugene J. Gangarosa, and sundry other candidates, for personnel action in the regular corps of the Public Health Service.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

PEACE CORPS

The legislative clerk read the nomination of Jack Hood Vaughn, of Virginia, to be Director of the Peace Corps.

Mr. MORSE. Mr. President, I rise to oppose the nomination. I have agreed with the leadership not to ask for a yeand-nay vote. There are many absentees this afternoon, and there are also many who prefer not to have a yeand-nay vote. As long as the RECORD shows my opposition to the nomination, my record is clear.

Mr. President, I speak in opposition to this nomination not only in my capacity as the Senator from Oregon, but also in my capacity as chairman of the Subcommittee on Latin American Affairs. I have tried for a good many years, Mr. President, to work hard and diligently in the field of United States-Latin American affairs, and I am perfectly willing to stand on the record that I have made.

I oppose Mr. Vaughn because as Assistant Secretary of State for Latin American Affairs, in my judgment, he was grossly incompetent.

At the time that Mr. Gordon was under consideration for his new appointment, which is to succeed Mr. Vaughn as Assistant Secretary of State for Latin American Affairs, I made certain comments in the hearing on the Gordon nomination. I said, in essence, that I was very much concerned about United States-Latin American policies, because in many instances, when the chips of freedom have been down in Latin America, the United States walked out on freedom. Mr. President, that is one of the sad conclusions I have been forced to come to in my work on the Subcommittee on Latin American Affairs.

Mr. President, that is a point of view I have expressed on many occasions here in the Senate in recent years.

On too many occasions the policy of the United States in Latin America has been a policy that can be accurately described as walking out on freedom in Latin America; and before I finish these brief remarks, I shall give additional reasons supporting that conclusion.

On February 9, 1966, the Vaughn nomination was before the Foreign Relations Committee, and Mr. Vaughn was called upon to make any statement that he cared to, setting forth his qualifications and his views on any matter, as is always the privilege of any nominee.

As the hearing reports on the desks of the Senators show on page 2, he said:

I was really very unhappy at Senator Morse's comment that when the chips of democracy are down in Latin America we walk away. Unhappy because I don't think it is true, and I don't think the facts will bear that out.

Mr. President, any nominee has the right to make any statement he wishes at the time of his hearing. He certainly has the right to disagree with any Sen-

ator. He certainly has the right to appear before the committee and say that, in his opinion, a Senator is not speaking the truth. But, of course, he should not expect, after he makes such a statement, that the Senator will not reply by supporting his own position in regard to a matter that the nominee has said is not the truth.

So I obliged Mr. Vaughn then, as I oblige him further on the floor of the Senate today.

Mr. President, at the hearing, as the Senators will see on page 11, I replied to Mr. Vaughn in these words:

Mr. Vaughn, I have taken note of your views on my views on Latin America, and I want you to understand that I know nothing that could possibly concern me less than your views on any of my views or on any other subject. I want you to know that as far as I am concerned I shall vote against your nomination because, in my opinion, your work as Assistant Secretary of State for Latin American Affairs disqualifies you for any appointment and I shall vote against this appointment.

When you talk about my views in regard to walking out on freedom when the chips are down, I want to say to those of you in the State Department who advised our President on December 10, 1963, to recognize that shocking, tyrannical, military junta in the Dominican Republic that you were advising him to walk out on freedom; and when on December 14 he recognized that Dominican tyranny, he walked out on freedom; and the policy of our Government in recognizing a military junta in Honduras was a walkout on freedom; and when we recently threw our support behind the new military dictatorship in Brazil, I think we walked out on freedom again in Latin America; and when some years ago we pinned a medal on a tyrant in Venezuela, we walked out on freedom, and Latin America recognized it; and when we recognized and worked with that tyrant in the Dominican Republic by the name of Trujillo, we were walking out on freedom; and when we proceeded also to give support to the tyrant in Cuba by the name of Batista we walked out on freedom; and I shall always be proud to point out that from the very beginning I opposed any cooperation with Castro because he was another tyrant. Thus we can go on and outline the sorry record of our Government time and time again in supporting tyranny in Latin America. The reason why we have a lot of troubles in Latin America is because too often we do support tyranny in Latin America.

So we are so far apart that I am delighted to agree to disagree with you. I think that there is no question about the fact that you and Mann and Rusk have given bad advice to our President and, therefore, I couldn't possibly vote for you for this nomination, and I shall not.

Mr. President, there are many other examples of our walking out on freedom in Latin America. I note that I did not mention our recognition and financial support of the current military junta in Guatemala. Beyond that, it all depends on how far we wish to go back, whether we wish to go back to the sending of marines into Haiti, whether we wish to go back to the shocking treatment that we gave our sister Republic to the south of us, Mexico, or whether we wish to go back to these many black marks against the United States in regard to its record vis-a-vis Latin America, there it is—indefinitely printed on the pages of history.

I cannot give support to the nomination of one who, in my judgment, has been a party to advising our Government to walk out on freedom time and time again during the time that he was Assistant Secretary of State for Latin American Affairs.

Need I point out for the RECORD also that it was not so long ago we walked out on freedom in the Argentine, when we gave support to that tyrant who was in charge of the Argentine who had set up, for all practical purposes, a police state; namely, Peron.

Wherever and whenever we have supported military juntas and dictatorships in Latin America, we have walked out on freedom in Latin America. Mr. Vaughn, when he was Assistant Secretary of State—as is Mr. Mann, and I am sorry to say I have come to the conclusion that it is also true of Lincoln Gordon—supported the military juntas. In my judgment, we cannot support military juntas and be on the side of, and support, freedom in Latin America.

It is well known in the Senate, at least it is well known in the Committee on Foreign Relations, that for many years I have spearheaded a drive in the committee to try to put the brakes on the U.S. aid program in connection with supplying military aid to Latin America.

As a result, and with the support which I have received in increasing numbers year by year, we have greatly reduced military foreign aid to Latin America, but not enough. We still furnish too much military aid to Latin America. It is military aid which builds up military oligarchies there. It is military aid which keeps down freedom there. It is military aid that plays into the hands of the Communists wherever we send such aid.

Mr. President, that is the great issue of policy which confronts us. Of course, I do not limit it to Latin America, but I am talking about my experience as chairman of the Subcommittee on Latin American Affairs. I have told it before, but for the RECORD today let me say that a good example of the harm which military aid does to the image of the United States in Latin America is what I observed in Lima, Peru, when President Kennedy sent me down there as chairman of his inaugural delegation at the time of the inauguration of the new President of Peru. For 3 hours and 15 minutes, I sat in the military reviewing stand and watched a military parade conducted in connection with that inauguration, and saw over 40 Sherman tanks and mile after mile of other heavy American military equipment rumbling down the boulevard.

I kept asking myself, "What is this all about? What is the need for this kind of military equipment?"

It was pointed out to me that if I would look at the officers of the Peruvian Army, I would not find any Indians there. They are the privates and the noncoms. But, a military oligarchy has been built up, and was built up in the military junta which preceded this particular change of administration. I applauded that change of administration, but let me say that the junta was not responsible for it; the people of Peru

were responsible for it, for this military equipment and the training of these non-Indian Peruvians as officers under a U.S. military program had built up a military oligarchy in Peru. Mr. President, I believe that to be a mistake. Therefore, I was not surprised—on that day, and the following 2 days that we remained in Peru for the inauguration ceremonies—that delegate after delegate from delegation after delegation around the world in Lima at that time, came to me, as they did to other members of the U.S. delegation, to express their concern about the kind of military aid which we were pouring into Peru, not only to Peru but also to many other Latin American countries.

They asked us over and over again, "What are you Americans thinking of? By what reasoning do you think this is going to enhance opportunities for freedom in Latin America?"

It is this kind of aid, Mr. President, which makes Communists; for the Communists use this kind of aid, pointing out to the masses of people—many of them illiterate and unenlightened—that of course the United States is using its military might to suppress movements for freedom in Latin America.

Mr. President, Americans do not like to hear it, but the sad thing is that we think so much more of ourselves than do most people in the underdeveloped areas of the world, that it is a little difficult for us, really, to look in the mirror and see ourselves for what we are. The U.S. image around the world is not one of beauty in the eyes of so many people in the underdeveloped areas of the world.

The military aid which we have been pouring into Latin America, even at a reduced rate, is doing great harm, in my judgment, to the Alliance for Progress program. This program is a great program and has great potentialities, but military aid of the kind we are pouring into Latin America, as we let down freedom through that military aid, is a handicap to the Alliance for Progress program. That program was envisioned by President Kennedy as a great economic program, exporting the most devastating weapon against communism that we can export to Latin America, or anywhere else in the world; namely, the weapon of economic freedom, seeking to export economic freedom of choice for the masses of any underdeveloped country.

This year I shall renew my urgings to cut deeper into military aid for Latin America because, to the extent that we continue it—and the nature of it—at the present level, we will continue to let down freedom in Latin America and create misunderstanding rather than understanding, if we do not reduce our military aid.

Mr. President, I cannot support nominees of a President who underwrites the kind of policy which jeopardizes our opportunities to strengthen freedom in Latin America or, for that matter, anywhere else in the world.

In closing my comments in opposition to the Vaughn appointment, let me repeat that I shall never forget December

10, 1963. It was on December 10, 1963, on the implementation of the advice the President received on that day, that on December 14, 1963, was paved the way for the United States fiasco in the Dominican Republic, was paved the way for United States outlawry in the Dominican Republic. For in my judgment, the course of action which we have followed in the Dominican Republic, as also the course of action which we are following in South Vietnam, puts us beyond the pale of international law and violates our international obligations under the treaty and under the commitments which we have made, not only in the Dominican Republic but also elsewhere in the world.

On December 10, 1963, the President called a group of us down to the White House, and in the Cabinet Room we listened to a report from the State Department advocating the immediate recognition of the military junta in the Dominican Republic, plus financial and military aid support.

The old story, the same old cracked record was played again—there was about to be an overthrow of the civilian commission. Of course, the civilian commission was a tool of the military junta itself. They were going to overthrow it. This coup was going to be anti-American. It was going to be bloody. They were going to overthrow it. One of the reasons was that the civilian commission had not been able to deliver a U.S. recognition of the junta. I knew then I had heard just about everything, for I never knew that recognition by the United States was on the auction mart. That was part of the argument. We were told if there was to be stability, we would have to recognize the junta. There would never be stability if we did not bring the military dictatorship into it. It was pointed out that the leftists had already hidden in the mountains, and if they were not getting Castro support yet, they would be getting it in time. That is always worth a lot of votes, but I think it is a cheap waving of the flag.

I listened. When my advice was asked, I pointed out that the wrong group was there to give us advice; that we should have that advice from our democratic friends in Latin America. We should have the advice of the President of Chile and Colombia, the President of Venezuela, the able Mr. Betancourt, the new President of Costa Rica, Mr. Figueres, and Mr. Belaunde of Peru. We also ought to have Mr. Luis-Marín. We ought to call the roll of every democratic leader in Latin America. Then I said if we called them their advice would be opposite from the advice the State Department was giving. I said that if we recognize these juntas we only strengthen potential military juntas throughout Latin America; and there would be placed right in their hands the weapons with which to seek to stifle freedom. I pointed out that, when Bosch left the Dominican Republic, the constitution did not go with him, and all the provisions of the constitution for succession remain, and that we must there, as elsewhere in

similar situations, make it perfectly plain that we are going to recognize constitutionalism, and not the overthrow of constitutionalism.

I also said on that occasion, although it was not the first time, "Mr. President, if you follow this advice, we will demonstrate once again that, when the chips are down in Latin America, the United States cannot be counted on to support freedom, but walks out on freedom."

That was on December 10, 1963. On December 14, 1963, the President recognized the junta. Members of the press reached me as I was flying to a university in the South to deliver a lecture. I gave them a synopsis of what was said at the White House.

The statement ended up with the observation I had made at the time of the Gordon hearing, with respect to Mr. Vaughn's position. I said, once again, when the chips of freedom are down in Latin America, the United States walks out on freedom.

Mr. President, regrettably on the advice of his advisers in the State Department, on December 14, 1963, the President recognized that junta in the Dominican Republic, and it led to a tremendous amount of bloodletting. These things cannot be done without having the letting of blood.

Mr. President, much of Latin America is a razor's edge. Much of Latin America is in a state of flux. Our policy should not be the shocking policy we have followed in the Dominican Republic. Our policy should be the policy of recognizing and supporting constitutionalism, not tyranny, not military juntas, not dictatorships.

Our policy should not be one of allowing for a suspension of constitutionalism in Brazil, supported by our then Ambassador to Brazil and by our State Department, which unfortunately, in my judgment, again misled the President of the United States. This course of action is going to cause us great trouble in Latin America. This course of action is the course Vaughn followed as Assistant Secretary of State for Latin America. It is a dangerous and unsound policy. It constitutes a great disservice to our people and this country.

Therefore, I cannot support this nomination and wish to go on record in opposition to it.

THE PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jack Hood Vaughn to be Director of the Peace Corps?

MR. CURTIS. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is, Will the Senate advise and consent to the nomination of Jack Hood Vaughn to be Director of the Peace Corps? [Putting the question.] The nomination is confirmed.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State.

THE PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State?

MR. MORSE. Mr. President, prior to the hearings on Mr. Gordon, I had hoped I might be able to vote for his confirmation. But he talked himself out of my vote at the hearings, for I reluctantly came to the conclusion that here was another junta man, and here was a nominee who testified he favored the coup that took place in Brazil.

The hearings are on the desks of Members of the Senate.

There is no question about the fact that this military junta in Brazil suspended the constitution. There is no question about the fact that it placed great limitation on the operation of the legislative processes of Brazil. It even went so far as to place some Members of their Parliament under arrest. It followed the edict of its dictator.

The semantics of the State Department did not change the nature of the power of the head of Brazil. He is a dictator and, of course, by edict he saw to it that potential political opposition was silenced and some even found it necessary to flee the country.

I hold no brief for Mr. Kubitschek, but I say that if we believe in democratic processes, then the people of Brazil should have the right to determine whether or not they want to elect Kubitschek as their President.

They had him as their President for a time. Apparently his course of action as their President left a deep and large reservoir of public support.

If we really believe in the constitutional process and if we really believe in democratic action, if we mean more than just lipservice to constitutionalism, then I am at a loss to understand how we can be pouring millions of American taxpayers' dollars into this dictator of Brazil as we have done since he took over, and as this administration intends to do with increased millions.

Oh, I know Brazilian forces are being used in the Dominican Republic to carry out American policy. I know that. But that does not make anyone right in that picture, either our Government or theirs.

And so, when this nominee testified, as can be seen in the hearings, that he approves of the course of action that is being followed in Brazil, in my opinion he disqualified himself for the post of Assistant Secretary of State for Latin American Affairs.

Mr. President, that appointment will frighten democratic leaders in democratic countries in Latin America. This appointment will be interpreted, and cannot be properly interpreted in any other light, as the appointment of a man as Assistant Secretary of State for Latin American Affairs who supports juntas; a man who thinks it was all right to lay aside constitutionalism in Brazil, who apparently thinks it is proper to follow

a course of action against political opposition, such as the dictatorship of Brazil followed toward Kubitschek, and other potential political opposition in the country.

I am at a loss to understand their policy.

Mr. President, I would not let the RECORD close today without filing this caveat, for I am satisfied that history will bear me out. I am satisfied that a great loss to American prestige will occur and possibly a great loss in terms of blood and revolution in Latin America. Our policy will be proved wrong again. Once again in Brazil, when the chips of freedom were down, the United States walked out on freedom.

I cannot vote to confirm a nominee as Assistant Secretary of State who made the record that he made at our hearings.

I shall vote against the nomination.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to the nomination of Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is, Will the Senate advise and consent to the nomination of Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State? [Putting the question.] The nomination is confirmed.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

The legislative clerk read the nomination of George A. Avery, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NATIONAL CAPITAL TRANSPORTATION AGENCY

The legislative clerk read the nomination of Brig. Gen. Charles M. Duke, U.S. Army, to be a member of the Advisory Board of the National Capital Transportation Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Paul L. Sitton, of the District of Columbia, to be a member of the Advisory Board of the National Capital Transportation Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. MUSKIE, the Senate resumed the consideration of legislative business.

PRESS CONTINUES TO CRITICIZE SCHOOL MILK CUTBACK PROPOSAL

Mr. PROXMIRE. Mr. President, from time to time I have directed the attention of my colleagues to articles which have appeared in the Nation's press criticizing the administration's proposal to cut the special milk program for schoolchildren by 80 percent. The Springfield, Mo., Leader-Press, in an editorial of February 14, vigorously supports the present program and roundly condemns the proposed cut.

As the paper points out in discussing the school milk and school lunch programs:

Here were two related programs that drew no political fire; almost everybody liked them.

The Leader-Press also asks if "any other program in welfare has been so popular and so cheap, relatively."

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD. I hope that my colleagues will read it with care and join the 41 Senators who have cosponsored with me legislation to make the present school milk program permanent.

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

[From the Springfield (Mo.) Leader-Press, Feb. 14, 1966]

WHO FLIPPED?

President Johnson has demonstrated at times that he can wield a wicked ax when it comes to budget hacking. Yet—and it seems almost incredibly paradoxical to some Americans—he also can ladle lavishly from the public purse when it comes to promoting his "Great Society."

Now in his recommended budget slashes for the school milk and school lunch programs, it appears the President has confused the ax and the ladle—or perhaps he confused the programs.

Both of these programs were instituted years ago, primarily with two ideas in mind: to help the price-oppressed farmer; and to provide milk and hot lunches to tens of thousands of children who otherwise would not get them.

The success of the programs was far greater even than anticipated. Surplus foods acquired by the Federal Government in farm price support programs were utilized; and some of the great milk surplus then suffered was drained away, helping dairymen who were producing at prices actually below production costs. But the greatest, farthest reaching, most surprising benefits were to the children themselves.

Children, whose parents could afford it, paid for their lunches; those less fortunate were fed along with the others, and perhaps only a few persons were the wiser. There was no shame for the child, little stigma of charity, and tens of thousands received hot, attractive, well-balanced meals they otherwise would never have known. Surprisingly, even children from families of better means were, in the main, better fed, since their lunch money no longer went for sweets.

The milk program may have been even better, for children who had balked at milk at home learned to like and demand it, as did other children who seldom had milk at home because of the cost. Uncle Sam bore half the cost of the milk; the child, the rest. But if there were children who couldn't afford even that mite, schools usually provided funds to see that they weren't slighted.

Here were two related programs that drew no political fire; almost everybody liked them.

But the economy-minded Mr. Johnson has proposed that \$19 million be trimmed from the school lunch program funds, and that the school milk appropriation be whacked from \$103 million to \$21 million—this in the face of tremendous gains in school populations.

Also, the President has recommended that the children receiving such help meet a "means test," that is, that they must be qualified as "poor" to receive milk and school lunches.

Senator JACOB K. JAVITS, Republican, of New York, said last week he could see no sense in seeking "new and unproven" social welfare programs at the expense of tried and true ones. The Republican indicated he would fight the budget slash for the programs.

And from his own party, the President has found other critics. Wisconsin's two Democratic Senators have been quite critical: Senator WILLIAM PROXMIRE is waging almost daily warfare against the proposed cuts, both in speeches and in the CONGRESSIONAL RECORD. Senator GAYLORD NELSON slaps at the "poor" certification requirements and questions if any other program in welfare has been so popular and so cheap, relatively.

That is unquestionable, too, for about 17 million youngsters daily share in a program that means much to them, yet costs less than \$100 million a year.

When Mr. Johnson viewed his proposals as sound economy, it must have been on a night he'd flipped one too many switches in the White House.

RETIREMENT OF SENATOR McNAMARA SOURCE OF REGRET FOR NATION AND ITS CITIZENS

Mr. RANDOLPH. Mr. President, it is with regret that I note the decision of our colleague, Senator PAT McNAMARA, of Michigan, to bring to a close his distinguished career of service in the U.S. Senate. Since coming to this body in 1958 I have worked closely with the senior Senator from Michigan in the development of a number of significant pieces of legislation which have become law. He has been a forthright friend, a loyal ally, and a leader of insight and dedication. I was unable to be present on the Senate floor last Wednesday when a number of Senators gave recognition to this talented legislator. On that day I was in Denver, Colo., where it was my privilege to introduce Mrs. Lyndon B. Johnson at the annual convention of the American Road Builders' Association.

In the Senate Committee on Public Works, which he chairs, it has been my

responsibility to serve with our colleague during consideration of such major proposals as the Appalachian Regional Development Act, the Area Redevelopment Act, omnibus flood control measures, air and water pollution bills, public roads construction authorizations, and public works acceleration.

As ranking member of the Committee on Labor and Public Welfare, and chairman of its Subcommittee on Labor, Senator McNAMARA has been at the forefront of those responsible for much of the recent and responsive legislation which will be meaningful to future generations of our citizens. The poverty program, Federal aid to education, important health bills and legislation dealing with labor-management relations, all reflect the handiwork of this conscientious and able gentleman.

In the Special Committee on Aging the impact of PAT McNAMARA's convictions continues to be felt. He was the leading advocate of a separate Administration on Aging within the Department of Health, Education, and Welfare—a concept which has since become law. He has championed the cause of our Nation's 18 million elderly, seeking for them wider employment opportunity, adequate housing, and appropriate medical attention. The passage of medicare during the 1st session of the 89th Congress is due in considerable measure to the effective efforts of our cherished friend from Michigan.

No reference to the legislative accomplishments of PAT would be complete without noting his important contributions in the enactment of the Civil Rights Act of 1964. Since coming to the Senate in 1955 PAT McNAMARA has been a resolute fighter for legislation which would assure equal rights and responsibilities under the law for all citizens.

Mr. President, I join wholeheartedly with other Senators in praising PAT McNAMARA for the devotion with which he serves the citizens of Michigan and the United States. He has been a staunch friend and a courageous advocate of imaginative, yet realistic, legislation. The Senate will be the poorer for his retirement. I trust that he will continue to favor us with his counsel as we face the tasks which lie ahead, and I deem it an honor to have labored at his side.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, recently I had an opportunity to reread some clippings sent me a number of months ago concerning invasions of privacy. One of the most provocative of these was a short article from Redbook magazine by Miss Margaret Mead.

It is a drastic understatement to say that it provides food for thought for those of us struggling with possible Federal legislation in this field.

Miss Mead's thesis is that "public safety and individual privacy are, in fact, inseparable." This seeming paradox is particularly true in our new, complex urban society.

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

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

[From Redbook magazine, April 1965]

OUR RIGHT TO PRIVACY

(By Margaret Mead)

Privacy—the right to live part of one's life out of the public eye, according to one's own choice, and free from interference by others—is taken for granted by Americans. The right to privacy is closely bound up with our sense of individuality and our belief in the value of personal choice. It includes the freedom to come and go and to speak wherever one may be without the feeling of being under observation. The desire for a personal life of one's own choosing is part of the American dream of the open frontier; today the expectation of greater freedom of choice keeps a stream of people moving from small towns into our larger towns and cities. Yet the very strength of our commitment has created a dilemma in which both personal privacy and public safety are in jeopardy.

We are faced by two kinds of danger. The first has to do with the invasion of privacy by the new technology—the devices that enable an outsider, often an anonymous outsider, to break in on a person's life without his consent and even without his knowledge. Wire tapping and the use of hidden microphones to overhear confidential conversations are perhaps the most familiar. But there are many other such devices—cameras with telephoto lenses, film that can be used to take pictures in the dark, listening devices that can be beamed from a distance and the so-called lie detectors—all of which vastly enlarge customary spheres of observation. Generally speaking, people connect their use with crime detection, but the inference is that they can be used against anyone almost anywhere.

The second danger arises out of an apparent indifference on the part of ordinary citizens to crimes that are committed in public, sometimes before their very eyes. There are the crimes that take place on dark, lonely streets, or in empty corridors and elevators of huge buildings. There are also the hold-ups and muggings and murders that take place in broad daylight in full view of passersby. In recent months there has been a national outcry against such crimes as these and against the apathy of those who do not lift a hand to help the victim of an attack. There has also been an outcry against the activities of private citizens' groups organized to protect their home neighborhoods. The result is bafflement and a sense of outrage.

Although these two dangers appear to be quite different in their effect upon personal security, they are actually only two parts of one picture whose components have become disassociated in our minds. How has this happened?

In the first place, we have somehow ceased to recognize that responsible knowledge of who someone is, where he is, and what he is doing is as much a protection of innocence as it is a deterrent to crime. In the public view the policeman, the immigration, and the customs official, the fire inspector, and many others with legal investigatory powers have come to be regarded as enemies of privacy. We have lost sight of their protective role and have confused personal privacy with privacy from the law.

Still another source of confusion exists that goes back to a rejection of the viewpoint of the small community where everyone is known and no sharp distinction can be drawn between neighbors' sanctions and public action. In a small community common knowledge, based on watching and listening, on memories of past events witnessed or surmised and on shared gossip, is a form of protection, but it can also be

turned against any person or group whose standards the community neither understands nor accepts. People in a small community may protect only too well the eccentricities of those who "belong"; their accumulated knowledge, however, leaves little room for privacy.

In contrast, life in a large city offers extraordinary possibilities for anonymity. In the accepted sense there are virtually no neighbors. People living on the same street seldom know one another's names; even those who have lived in the same building for many years may have little idea of how any individual among them spends his time. In a city, inveterate window watchers looking down at the streets may go entirely unnoticed, and their efforts to pry seldom affect anyone's feeling of privacy. In a city it is possible to move in 10 different circles of friends whose several paths never cross. There is no one to listen in on a party line, no one to make officious comments, no one to spread insinuating rumors in an ever-widening circle.

By the same token there may be no one to lend a helping hand. A desperate cry for help may go unheeded. Indeed, no one may recognize it for what it is. Experience of city living among strangers of many different backgrounds has the effect of lowering most people's alertness; their assumptions about what is happening so often turn out to be incorrect. If a man is lying in the street, who knows whether or not help is already on the way? A street chase may be real or it may turn out to be part of a scenario enacted in a natural setting. A cry in the night might mean that someone is in trouble but it might not. Who can tell? Let the police or other people handle the trouble—if it is real. It is safer not to become involved. Lending a hand to a stranger may be dangerous; summoning help may lead only to a string of infuriating questions about oneself.

So we have come full circle. However, one new thing emerges—the confusion of anonymity with privacy. The anonymity of city life does, of course, offer a person privacy from the prying eyes of neighbors and aging relatives, and from the long memories of people who "knew him when"; it offers freedom from petty sanctions; it relieves the individual of the necessity of continually asking himself, "What will people say if * * *?" Compared to life in a small town, it allows each individual much greater latitude. But it also encourages a kind of blindness and deafness to the well-being of others. And this, in the long run, results in harm to everyone.

The confusion, the failure to distinguish between anonymity and privacy, suggests that many people have stopped at a halfway point in their adaptation to city living. They have welcomed its privileges without asking what responsibilities these entail. They have welcomed its freedom without asking what safeguards are necessary. The anonymity that is an inevitable aspect of urban life rules out many forms of behavior and knowledge that serve to protect people living in a small town. Having left these behind, people do not ask what the urban alternatives may be. Instead, they tend to attribute to impersonal watching and listening all the motives of personal curiosity and prying.

Yet if we are to reap the benefits of urban freedom and privileges, we must overcome the hazards of not knowing and not being known. Recognizing the nature of the hazards is a necessary first step. Finding new means of protection is the second. This brings us back to the new technology—but in a different context. For the devices we have rejected because they can be (and have been) used to invade individual privacy can also be used to insure the public safety, without which privacy itself becomes a nightmare isolation.

Public safety and individual privacy are, in fact, inseparable. The question we face is not whether one must be sacrificed to the other but, rather, whether we prefer to risk the loss of both or are willing to work toward the development of a new sense of responsibility and trust consonant with urban living. Above all, we need to rethink the uses of modern devices for watching, listening, and recording, and to recognize their safeguarding functions in protecting the potential victim from attack, the potential thug and murderer from carrying out a crime, and the bystander as well, whose feeling of helplessness in a situation of danger has been unfairly branded as apathy.

As steps on the way, we need to go over every point at which the anonymity of the individual may cease to exist or at which the investigatory powers of public officials may be brought into play and to analyze what really is involved. We need to ask why the police patrol the streets, why fire inspectors must have free entry into buildings. We also need to ask what changes we have already accepted—why we are willing to be fingerprinted at our schools or jobs and why it is important for everyone to carry means of identification—and what hindrances stand in the way of other new forms of behavior.

In the past we accepted the policeman walking his beat as an insurance of the safety of people and homes and shops. More recently we have come to take for granted the roaming radio patrol car—the same police officers, but only occasionally present on any one street and less personally related to a neighborhood at a greater remove. Would not a device by which the sights and sounds of a street could be continually monitored be a safer one? Like the familiar policeman on his beat, the man watching and listening in a nearby police station would be attuned chiefly to a break in the ordinary pattern. He would not, any more than the patrolman, look at or listen to each passer-by, children on the way to school or workers on their way to their offices. Like the patrolman, his eyes and ears would be attuned to the unusual—the cry of someone who fell, the scream of someone afraid—and help could be dispatched where and when it was needed. So, also, the witness to an accident or a crime would know that he could, with a gesture or a shout, summon help.

In smaller, old-fashioned apartment buildings we accepted the presence of the doorman and the elevator man, who between them could keep entrances and corridors under surveillance and look after the needs of tenants. But in great modern apartment blocks, even a dozen guards could not provide full protection in the long, empty corridors and the elevators. Tenant groups have discovered this for themselves, and have discovered as well the difficulty of summoning additional aid when trouble occurs. Here again, the presence of listening and watching devices—and the knowledge that one watching person, trained for emergencies, was paying attention—would allow people to come and go with security.

These are only two examples of the conditions under which our new technology could be put to constructive use, expanding and transforming older forms of urban protection to meet the needs of modern living and actually widening the areas within which individuals know that they can live their own lives safely. The new devices would return to the ordinary wayfarer the protection he once had on the street, on train and subway platforms, in the corridors and on the elevators of huge buildings, and on lonely freeways (where no one will stop by a stopped car) at night. But their full adoption would mean more than this. It would signify a new stage of responsible acceptance of an urban style of living.

REORGANIZATION OF GOVERNMENT EFFORTS: POLLUTION

Mr. INOUE. Mr. President, President Johnson's plan to transfer the Federal Water Pollution Control Administration from the Department of Health, Education, and Welfare to the Department of the Interior is the logical next step in the fight to clean up our waters and to keep them clean.

The sad fact is that even while our efforts to combat pollution have been increasing, pollution itself has been increasing at a faster pace. Despite the steps that have been taken since the enactment of the first antipollution legislation in 1948, we have come to the point where one of our Great Lakes is almost beyond the point of rescue and another is fast approaching that deplorable condition. The waters of many of our rivers are today unfit both for human consumption and agricultural and industrial uses.

Last year in the Clean Waters Act Congress provided for the establishment of the Federal Water Pollution Control Administration because it had become all too plain that the problem demanded much more than a purely public health approach.

The transfer of the Federal Water Pollution Control Administration to the Department of the Interior gives recognition to the fact that pollution is but one of a number of problems we must meet if our rivers are to be used wisely, and by the very nature of water itself the attack upon pollution must be carried on in the context of a unified water conservation program. The Department of the Interior has traditionally been concerned with the wise conservation and development of our water resources. Assigning the war on pollution to the Department will complete the gearing up process. The full, comprehensive, and concentrated fight to clean up our rivers can now begin.

RENT SUPPLEMENT PROGRAM SHOULD BE UNCONDITIONALLY FUNDED

Mr. DOUGLAS. Mr. President, under the auspices of the Americans for Democratic Action, 100 experts in urban problems recently urged President Johnson to support, as a priority administration request, unrestricted funding of the rent supplement program authorized by the Housing and Urban Development Act of 1965.

As Senators know, the President has specifically requested full funding of the rent supplement program in the supplemental bill soon to be considered and in the fiscal year 1967 regular Appropriations Act. The President's request is very encouraging, in my opinion, because this rent supplement program is one of the most significant and imaginative acts of the Congress since 1949 to meet the acute housing needs of our low-income families.

As the signers of the ADA letter to the President correctly argued, the rent supplement program was envisioned by the Congress as a way of making it possible

for private builders and landlords to offer good housing to the poor. It is, Mr. President, a private builders program and, therefore, there should be no undue restrictions as to approval of individual projects by local public officials.

The President has made it absolutely clear that the fears expressed by some Members of the Congress last fall, that the program would benefit others than the poor, are completely unfounded.

Mr. President, I ask unanimous consent that a press release and the text of the letter endorsed by the 100 experts in the housing field, along with their names and identifications be printed in the RECORD.

There being no objection, the press release and letter, with the list of endorsers, were ordered to be printed in the RECORD, as follows:

AMERICANS FOR DEMOCRATIC ACTION,
Washington, D.C., February 12, 1966.

FUND HUD'S RENT SUPPLEMENT PROGRAM
UNCONDITIONALLY, EXPERTS TELL L.B.J.

WASHINGTON, February 12.—One hundred citizens—all experts in urban problems—yesterday asked President Johnson to support "as a major administration priority" unrestricted funding of the rent supplement program of the Housing and Urban Development Act of 1965.

Calling the rent supplement program "the most important new housing policy to aid low-income families since 1949," the 100 sociologists, city planners, municipal commissioners, builders, labor leaders, political scientists, and others—including one former big-city mayor—who speak from 22 U.S. cities and major metropolitan areas, endorsed a letter to the President signed by Americans for Democratic Action.

(The rent supplement legislation authorizes HUD to pay rent supplements for low-income families whose incomes are below the amount permissible for occupants of public housing and who fit into one of several categories: physically handicapped, 62 or older, displaced by urban renewal or highway projects; or presently housed in substandard dwellings.)

Leon Shull, national director of ADA, indicated two main problems with the rent supplement program as it stands now:

"First," said Shull, "the program is not funded because the House failed to appropriate any money for it. The legislation stated the maximum amount of money which can be appropriated, but actual appropriation must be a separate congressional action.

"Second, the House Appropriations Committee put into the legislation the provision that projects must be part of a workable program or officially approved by the local community."

"This means," Shull explained, "that precisely those areas—such as suburbs—which offer the only real hope for permanent relocation of displaced or badly housed poverty-stricken persons, could continue to exclude low-income and minority families merely by failing to have a workable program or a set of city fathers who approve of the law.

"In other words, making funds conditional on a workable program circumvents the intent of the legislation, which was to help the ill-housed poor by making it possible for private builders and landlords to offer good housing at rent subsidized by the government."

ADA in its letter stated:

"Low-income families invariably spend more proportionately per unit for housing than other families, a family earning a low income is often forced to spend as much as

35 percent of income on housing. We believe the rent supplement program is a valuable tool precisely because it lowers rent costs for low-income families while at the same time provides such families with decent, safe and sanitary housing."

As income of occupants rises, the supplement decreases until occupants can pay the entire rent and continue to live in the quarters with no supplement.

ADA's letter also pointed out that since the rent subsidy program does not involve matching grants, local officials should not have veto power over programs which involve them, neither administratively nor financially.

"Since eligibility for the rent supplement program is limited to the maximum income permissible for public housing occupancy, to suggest that rent supplements is not a program to benefit low-income families, as the bill's opponents have, grossly distorts the real facts," the letter stated.

AMERICANS FOR DEMOCRATIC ACTION,
Washington, D.C., February 11, 1966.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We believe that the rent supplement program adopted by the Congress in the Housing and Urban Development Act of 1965 is the most important new initiative in housing policy to aid low-income families since 1949. If the rent supplement program is adequately funded, and is used in our metropolitan areas—cities and suburbs—it will be a basic tool to eliminate slum housing in which so many of our poor now live.

Regrettably the House of Representatives failed to appropriate funds for this program. While the Senate appropriated funds, the program was not funded. Until the rent subsidy program is funded it cannot aid low-income families in their housing needs.

The purpose of the rent subsidy program is to aid low-income families who are either physically handicapped, elderly, occupy substandard housing, or have been displaced by governmental action. The legislation assures that only low-income families will receive the program's benefits.

Since eligibility for the rent supplement program is limited to the maximum income permissible for public housing occupancy, to suggest that rent supplements is not a program to benefit low-income families, as the bill's opponents have, grossly distorts the real facts.

Low-income families invariably spend more proportionately per unit for housing than other families; a family earning a low income is often forced to spend as much as 35 percent of their income on housing. We believe that the rent supplement program is a valuable tool precisely because it lowers rent costs for low-income families while at the same time provides such families with decent, safe, and sanitary housing.

As important as funding the rent subsidy program is, it is necessary that the program be allowed to function as Congress intended it—without undue restrictions. In 1965, however, the House Appropriations Committee limited the use of the funds of the rent subsidy program by requiring that rent subsidy program projects must be "either part of a workable program or . . . have been officially approved by the local community concerned."

These restrictions are unwise public policy, and will severely cripple the rent supplement program. Many communities do not have workable programs. Also, since the rent subsidy program does not involve a matching grant, local officials should not be in the position of having a veto power over a program that neither involves local officials administratively nor financially.

Mr. President, the legislative solution is obvious. To end blight and increase decent, safe, and sanitary housing requires funding the rent supplement program, and without restrictions. We respectfully request your public support on this matter as a major administration priority. Its success will be a great victory in the war against poverty and an end to slum housing.

Attached is a list of endorsers of this letter. Their organizational and institutional affiliations are listed for identification purposes only.

Respectfully yours,

LEON SHULL,
National Director.

ENDORSERS OF RENT SUBSIDY LETTER TO
PRESIDENT JOHNSON

John Anderson, attorney, San Francisco, Calif.

Ellis Ash, administrator, Boston Housing Authority, Stoneham, Mass.

David Baum, assistant professor of law, College of Law, University of Illinois, Urbana, Ill.

Henry C. Beertiz, attorney, Philadelphia, Pa.

James Besheres, associate professor of sociology, MIT, Newton, Mass.

Richard F. Bolan, assistant to the director, Harvard-MIT Joint Center for Urban Studies, Cambridge, Mass.

Richard H. Buford, commissioner of licenses and inspection, Philadelphia, Pa.

Terry Chisholm, executive director, Philadelphia Commission on Human Relations, Philadelphia, Pa.

Carla Cohen, city planner, Washington, D.C.

Theodore Coggs, former president, National Bar Association, Milwaukee, Wis.

M. Todd Cooke, Jr., banker, Philadelphia, Pa.

Harvey Cox, associate professor, Harvard Divinity School, Boston, Mass.

Robert Craft, inner city development project, Milwaukee, Wis.

Louis Dapzig, executive director, Newark Housing Authority, Newark, N.J.

Paul Davidoff, chairman, department of city planning, Hunter College, New York, N.Y.

Terry Dellmuth, public welfare consultant, Philadelphia, Pa.

Mrs. Cushing Dolbeare, managing director, Philadelphia Housing Association, Philadelphia, Pa.

James R. Dumpson, chairman, Hunter School of Social Work, Hunter College, New York, N.Y.

Edward Eichler, California home builder, San Francisco, Calif.

Maurice Fagan, executive director, fellowship commission, Philadelphia, Pa.

Bernard Farber, professor, department of sociology, University of Illinois, Urbana, Ill.

Graham S. Finney, executive director, council for community advancement, Philadelphia, Pa.

Edwin H. Folk, executive director, Philadelphia Citizens Committee on City Planning, Philadelphia, Pa.

Mrs. Frankie M. Freeman, attorney, St. Louis, Mo.

Bernard Frieden, associate professor of city planning, MIT, Cambridge, Mass.

James J. Gallagher, professor, Institute for Research of Exceptional Children, University of Illinois, Urbana, Ill.

Herbert Gans, associate professor, Teachers College, Columbia University; Center for Urban Education, New York, N.Y.

Daniel Glaser, chairman, department of sociology, University of Illinois, Urbana, Ill.

Arnold Greenberg, attorney, San Francisco, Calif.

Charles F. Grosser, associate professor of social work, New York University, Graduate School of Social Work, New York, N.Y.

Arnold Gurin, associate professor of social administration, Florence Heller Graduate School of Social Work, Brandeis University, Newton, Mass.

Chester W. Hartman, Samuel Stouffer Fellow Harvard-MIT Joint Center for Urban Studies, Cambridge, Mass.

Philip Herr, lecturer on city planning, MIT, Newton, Mass.

Gerald Hill, attorney, former director of the Governor's Advisory Commission on Housing Problems, San Francisco, Calif.

Robert Hoyt, pastor, Education Ascension Lutheran Church, urban affairs consultant, Northern Missouri Synod, Milwaukee, Wis.

Lawrence Howard, Human Relations Institute, University of Wisconsin, Milwaukee, Wis.

Theodore Husted, Jr., vice-dean, University of Pennsylvania Law School; president, Philadelphia Housing Association, Philadelphia, Pa.

William W. Jeanes, attorney, Philadelphia, Pa.

Marshall Kaplan, executive director, Institute for Planning and Development, San Francisco, Calif.

John Kearney, Mayor's Advisory Committee on Housing and Community Organization; executive director, Independent Voters of Illinois, Chicago, Ill.

John Langhorne, associate director, special services department, United Community Services of Metropolitan Boston, Brighton, Mass.

Jay A. Larkey, M.D., chairman, Medical Advisory Committee, Planned Parenthood Association, Milwaukee, Wis.

Milton Lebowitz, professor and chairman, Community Organization Division, Fordham University, New York, N.Y.

Thomas V. Lefevre, attorney, Philadelphia, Pa.

Phillip E. Lerman, president, Wisconsin State Board of Vocational, Technical, and Adult Education, Milwaukee, Wis.

Mrs. Frances Levenson, director, Demonstration Rehabilitation Project, New York, N.Y.

Joan Ann Levin, assistant research professor, Florence Heller Graduate School of Social Work, Brandeis University, Cambridge, Mass.

Michael Lewis, assistant professor, department of Sociology, University of Illinois, Urbana, Ill.

Charles Liddell, executive director, United South End Settlement of Boston, Needham, Mass.

Milford Lieberthal, Department of Labor and Industrial Relations, University of Illinois, Urbana, Ill.

David Liederman, assistant director, Roxbury Federation of Neighborhood Centers, Winthrop, Mass.

Joseph Litterer, professor of business administration, University of Illinois, Urbana, Ill.

David Ludlow, director, American Friends Service Committee, Housing Opportunities Program, New York, N.Y.

Kevin Lynd, professor and chairman of the faculty, Harvard-MIT Joint Center for Urban Studies, Watertown, Mass.

John McDowell dean, Boston University School of Social Work, Boston, Mass.

Herbert McLaughlin, architect, San Francisco, Calif.

Bertram McNamara, district director, U.S. Steel Workers District No. 32, Milwaukee, Wis.

Daniel Mandelker, professor of law, School of Law, Washington University, St. Louis, Mo.

Seymour Mann, director of Public Administration and Urban Affairs Program, Southern Illinois University, Edwardsville Campus, Edwardsville, Ill.

Robert March, executive director, Roxbury Federal of Neighborhood Centers, Boston, Mass.

Roger Montgomery, director, Urban Renewal Design Center, Washington University, St. Louis, Mo.

William W. Nash, associate professor and chairman of the Department of City Planning and Regional Planning, Harvard Graduate School of Design, Winchester, Mass.

Troy R. Nestmeyz, assistant dean, Graduate School of Public Administration, New York University, New York, N.Y.

Eleanor B. O'Connor, board member, Philadelphia Housing Association, Philadelphia, Pa.

Ral Okamoto, architect and urban designer, San Francisco, Calif.

Robert Osborn, assistant professor of political science, University of Pennsylvania, Philadelphia, Pa.

Mrs. Sue Osborn, League of Women Voters, Philadelphia, Pa.

James Pawley, executive director, Urban League, Essex County, N.J.

George Pazik, executive vice president, North Town Planning and Development Council, Milwaukee, Wis.

Walter Phillips, assistant professor, Department of Sociology, University of Illinois, Urbana, Ill.

P. W. Purdom, professor of environmental engineering and services, Drexel Institute of Technology, Philadelphia, Pa.

Lee Rainwater, professor of sociology, Washington University, St. Louis, Mo.

Henry T. Reath, attorney, vice president, Philadelphia Housing Association, Philadelphia, Pa.

Janet Reiner, consultant, Institute for Environmental Studies, University of Pennsylvania, Philadelphia, Pa.

Carleton C. Richards, M.D., board member, Philadelphia Housing Association, Philadelphia, Pa.

Alan Sagner, Levin-Sagner Urban Redevelopment Corp., Newark, N.J.

George Schermer, human relations consultant, Washington, D.C.

Richard Scoble, director, tenant relations, Boston Housing Authority, Newtonville, Mass.

Malcolm Scott, Jr., director, Council on Equal Housing Opportunity, Philadelphia, Pa.

Joseph A. Singer, builder, Philadelphia, Pa.

Ann Louise Strong, acting director, Institute of Legal Research, University of Pennsylvania, Philadelphia, Pa.

Michael L. Strong, attorney, vice president, Citizens Council on City Planning, Philadelphia, Pa.

Adolf Sturmthal, professor, Department of Labor and Industrial Relations, University of Illinois, Urbana, Ill.

Phillis B. Taylor, coordinator, Housing Information Service, and Fair Housing Council, Philadelphia, Pa.

Richard K. Taylor, executive director, Fair Housing Council, Delaware Valley, Pa.

Morton I. Teicher, dean, School of Social Work, Yeshiva University, New York, N.Y.

Harry M. Tiebout, Jr., associate professor of philosophy, University of Illinois, Urbana, Ill.

Rev. Homer Tucker, chairman, Social Welfare Division of Greater Newark Council of Churches, Newark, N.J.

Wayne Vasey, dean, George Warren Brown School of Social Work, Washington University, St. Louis, Mo.

Francois C. Vigier, assistant professor, city planning and urban design, Harvard Graduate School of Design, Cambridge, Mass.

Donald C. Wagner, research professor, University of Pennsylvania, Philadelphia, Pa.

William Wainwright, associate professor of philosophy, University of Illinois, Urbana, Ill.

David A. Wallace, professor, city planning, University of Pennsylvania, Philadelphia, Pa.

John Williams, antipoverty community action representative, Philadelphia, Pa.

James Q. Wilson, director, Harvard-MIT Joint Center for Urban Studies, Cambridge, Mass.

Nochem Winnet, attorney, Philadelphia, Pa.

Mildred Fairchild Woodbury, board member, Philadelphia Housing Association, Philadelphia, Pa.

Arnold Zander, retired president, American Federation of State, County, and Municipal Employees, Washington, D.C.

Frank Zeidler, past mayor of Milwaukee, Milwaukee, Wis.

CIGARETTES, WOMEN, AND ADVERTISING

Mrs. NEUBERGER. Mr. President, the results of the first large-scale study of women cigarette smokers have now been released by the National Cancer Institute.

The study, authored by the director of statistical research for the American Cancer Society, Dr. E. Cuyler Hammond, revealed that among women cigarette smokers the death rate from coronary heart disease and lung cancer is twice that of nonsmokers and that women smokers have much higher death rates from emphysema, cirrhosis of the liver, cancer of the mouth, pharynx, esophagus, and pancreas than do women who never smoked regularly. This new study parallels the findings of the Surgeon General's Advisory Committee on Smoking and Health which reported in January of 1964 that men smokers had nearly a 1,000 percent higher death rate from lung cancer than nonsmokers.

The new analysis once again illustrates that the more one smokes and the longer the smoking period, the more likely that person is to die from any one of several diseases at an early age.

Equally important, the study offers new evidence that these death rates decline as the length of time increases from when a former smoker stopped the habit.

I ask unanimous consent that an article from the February 23 New York Times reporting on this subject be printed at this point in the RECORD.

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

[From the New York Times, Feb. 23, 1966]
SMOKING HAZARDS TRACED IN WOMEN—HIGH DEATH RATE FROM HEART DISEASE AND LUNG CANCER FOUND IN MAJOR STUDY—EARLY DATA CONFIRMED—REPORT BY CANCER INSTITUTE ALSO PARALLELS FINDINGS OF SURGEON GENERAL'S PANEL

(By Jane E. Brody)

The first large-scale study of women cigarette smokers shows that their death rate from coronary heart disease and lung cancer is twice that of nonsmokers, it was reported yesterday.

The study, released by the National Cancer Institute, also disclosed that women smokers have much higher death rates from emphysema, cirrhosis of the liver and cancer of the mouth, pharynx, esophagus and pancreas than do women who never smoked regularly.

However, the report said that death rates among women smokers from all causes were considerably lower than those among men smokers.

Dr. E. Cuyler Hammond, author of the report, said this apparently reflected the fact that women smokers, as a group "smoked

fewer cigarettes per day, inhaled less deeply and started the habit later in life" than men smokers.

In an interview yesterday, Dr. Hammond also noted that men, whether or not they smoked, "have much higher death rates from virtually all diseases that can occur in both sexes." He explained this might be due to men's different way of life and to the probability that women are somewhat more resistant than men.

Dr. Hammond's study, which covered 440,558 men and 562,671 women, paralleled the findings of the Advisory Committee to the Surgeon General of the U.S. Public Health Service. In January 1964 the committee reported that men smokers had nearly a 1,000 percent higher death rate from lung cancer than nonsmokers.

The new study found that men smokers aged 35 to 84 had a 920 percent higher death rate from lung cancer. For men who never smoked regularly, the rate was 12 deaths per 100,000 persons each year. For cigarette smokers, it was 111 deaths per 100,000.

WOMEN'S RATE NOTED

For women smokers aged 40 to 74, the death rate from lung cancer was found to be 16 per 100,000 a year, and for nonsmokers it was 7 per 100,000, or 220 percent higher for smokers than for nonsmokers.

The subjects of the study were enrolled in the project between October 1959 and February 1960. All answered detailed questionnaires distributed by more than 68,000 American Cancer Society volunteers.

Dr. Hammond, who is director of statistical research for the American Cancer Society, said his study went into far greater detail about female as well as male smoking habits than the Surgeon General's report did. The study investigated all causes of death at various ages and related them to the amount of cigarettes smoked, for how long, the depth of inhalation, at what age smoking started, and how long ago it may have stopped.

The study reinforced earlier warnings that the more a person smokes and the longer the smoking period, the more likely he or she is to die from any one of a long list of ailments at an earlier age. It also showed that these death rates declined as the length of time increased from when a former smoker stopped the habit.

Dr. Hammond's study showed that while women who smoked between 1 and 19 cigarettes a day (less than a pack) had a lung cancer death rate nearly equal to that of nonsmokers, the rate for women who smoked more than a pack a day was 4.76 times higher than that of nonsmokers.

The lung cancer death rate among women who inhaled was found to be 3.7 times that of nonsmokers and twice that of smokers who did not inhale.

HEART DISEASE STUDIED

The study also disclosed that the death rate from coronary heart disease among men smokers age 45 to 54 was 2.81 times higher than for men who never smoked regularly. Among the smokers, each year 422 per 100,000 men in that age group died of coronary heart disease, while among nonsmokers only 150 per 100,000 died from this disease.

In women smokers, the coronary death rate was twice that of nonsmokers—66 per 100,000 as compared to 33 per 100,000 each year.

However, the death rate from stroke was found to be 50 percent higher for women smokers than for men smokers in the 45-to-64 age bracket. Among women smokers this rate was 69 per 100,000 a year, compared with 33 per 100,000 for nonsmokers—or 2.11 higher for the smokers.

Among men smokers, the death rate from stroke was 74 per 100,000 a year, compared

with 53 per 100,000 for nonsmokers—or almost 1.5 times higher for the smokers.

Mrs. NEUBERGER. Mr. President, the 1964 Surgeon General's report concluded that cigarette smoking was a significant health hazard, and recommended that the Federal Government take some remedial action. A year passed, but Congress ignored the advice.

Fortunately, the Public Health Service and the Federal Trade Commission did not. The PHS instituted an ambitious public education program aimed at bringing the message of the report to the citizen. It also planned investigations into why people take up and continue smoking, and it conducted studies in the technology of safer smoking.

The FTC, after public hearings, promulgated regulations requiring a health hazard warning on all cigarette packaging and cigarette advertising. The Commission acted on the premise that it already possessed sufficient authority to require such warning statements. I shared that assumption but, as questions of their authority were bound to arise, I introduced legislation specifically spelling out the powers under which the Commission could require the cigarette warning statements.

When Congress took no action during 1964, I reintroduced the legislation in the 1st session of the 89th Congress. The distinguished and able chairman of the Senate Commerce Committee [Mr. MAGNUSON] also demonstrated his concern for this health issue by introducing his own measure requiring a cigarette health hazard statement.

January of 1965 also saw the response of the cigarette industry to the FTC ruling and the Neuberger and Magnuson proposals. The industry established a self-policing cigarette advertising code. The declared purposes of the code were "to establish uniform standards of cigarette advertising" and to provide means whereby compliance could "be ascertained promptly and fairly." The section of the code concerning the standards of cigarette advertising is as follows:

ARTICLE IV

Advertising Standards

SECTION 1. All cigarette advertising and promotional activities shall be subject to the following:

(a) Cigarette advertising shall not appear
(i) On television and radio programs, or in publications, directed primarily to persons under 21 years of age;

(ii) In spot announcements during any program break in, or during the program break immediately preceding or following, a television program directed primarily to persons under 21 years of age;

(iii) In school, college, or university media (including athletic, theatrical, and other programs);

(iv) In comic books, or comic supplements to newspapers.

(b) Sample cigarettes shall not be distributed to persons under 21 years of age.

(c) No sample cigarettes shall be distributed or promotional efforts conducted on school, college, or university campuses, or in their facilities, or in fraternity or sorority houses.

(d) Cigarette advertising shall not represent that cigarette smoking is essential to social prominence, distinction, success, or sexual attraction.

(e) Natural persons depicted as smokers in cigarette advertising shall be at least 25 years of age and shall not be dressed or otherwise made to appear to be less than 25 years of age. Fictitious persons so depicted in the form of drawings, sketches, or any other manner shall appear to be at least 25 years of age in dress and otherwise.

(f) Cigarette advertising may use attractive, healthy looking models, or illustrations or drawings of persons who appear to be attractive and healthy, provided that there is no suggestion that their attractive appearance or good health is due to cigarette smoking.

(g) No cigarette advertising shall contain a picture or an illustration of a person smoking in an exaggerated manner.

(h) Cigarette advertising shall not depict as a smoker any person well known as being, or having been, an athlete.

(i) Cigarette advertising shall not depict as a smoker any person participating in, or obviously having just participated, in physical activity requiring stamina or athletic conditioning beyond that of normal recreation.

(j) Testimonials from athletes or celebrities in the entertainment world, or testimonials from other persons who, in the judgment of the Administrator, would have special appeal to the persons under 21 years of age, shall not be used in cigarette advertising.

SEC. 2. No cigarette advertising which makes a representation with respect to health shall be used unless:

(a) The Administrator shall have determined that such representation is significant in terms of health and is based on adequate relevant and valid scientific data; or

(b) If the Administrator shall have determined it to be appropriate, a disclaimer as to significance in terms of health shall be set forth in such advertising in substance and form satisfactory to the Administrator; or

(c) The Administrator shall have determined that the representation with respect to health in such advertising is not material.

SEC. 3. The inclusion in cigarette advertising of reference to the presence or absence of a filter, or the description or depiction of a filter, shall not be deemed a representation with respect to health unless the advertising including such reference, description, or depiction, shall be determined by the administrator to constitute, through omission or inclusion, a representation with respect to health. If the Administrator shall have determined that such advertising constitutes a representation with respect to health, the provisions of section 2 of this article shall apply.

SEC. 4. No cigarette advertising shall be used which refers to the removal or the reduction of any ingredient in the mainstream smoke of a cigarette, except that it shall be permissible to make a representation as to the quantity of an ingredient present in the mainstream smoke or as to the removal in toto of an ingredient from the mainstream smoke, or as to the absence of an ingredient normally present in the mainstream smoke, if:

(a) The Administrator shall have determined that such representation is significant in terms of health and is based on adequate relevant and valid scientific data; or

(b) A disclaimer as to significance in terms of health shall be set forth in such advertising in substance and form satisfactory to the Administrator; or

(c) The Administrator shall have determined that a disclaimer is unnecessary for the reason that the representation in such advertising has no health implication or that such implication is not material; and

(d) The quantity of such ingredient is determined and expressed in accordance with uniform standards adopted by the Administrator for measuring the quantity of the in-

redient present in the mainstream smoke, provided, that, until such uniform standard is so adopted, the quantity of such ingredient may be determined and expressed in accordance with any recognized scientifically valid method disclosed to the Administrator without any requirement of confidential treatment.

SEC. 5. Any advertising determined by the Administrator to be in conformity with the code may include the following legend: "This advertising (label) conforms to the standards of the Cigarette Advertising Code."

How well is the code working? What changes have occurred in cigarette advertising in the past year? An assessment is put forward by Sam Blum in the March issue of Harper's magazine. Mr. Blum states that cigarette ads "look much the same, and feel much the same, and sell much the same." He quotes an adman as to how this business-as-usual approach is done within the code:

As one adman interpreted the rules for me, "You can't win a swimming meet, then pull yourself out of the pool and reach for a cigarette, the way we used to do it. That would suggest that the cigarette renews your wind, and God knows it doesn't. As a matter of fact, you can't even be breathing hard in a cigarette commercial. So we're limited to the less athletic sports. We go sailing, we go trout fishing. We pitch horseshoes. We go to the track—and maybe the horses get winded but the smokers don't. And we play ping-pong. We can have boy-girl fun in the water, but if we want to show surfing, the smokers are on the beach watching. If it's water skiing, the guys smoking are in the boat. You can sit there dressed for tennis, looking like a champ, and as long as you don't play you can smoke.

"Or there's the other thing we can do. You might not have noticed it, but the guy who has been swimming or water skiing, he'll change his clothes or put on a shirt, to indicate a time lapse—then he's allowed to smoke. And something else—our water skiers these days fall off."

In summing up, Mr. Blum writes:

The advertisers would indeed be in a tight spot if it were not for the still-open approach of associating smoking with the romp in the woods, the picnic on the beach, the gang around the piano, the half-witted joke.

Then this revealing sentence:

Happily for the advertiser, though not surprisingly, this is the very approach that has proved to be the most successful these past few years.

Just whom is the cigarette advertising code serving, the industry or the public?

I ask unanimous consent that the article just mentioned be printed in the RECORD at this point in my remarks.

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

[From Harper's magazine, Feb. 14, 1966]

AN ODE TO THE CIGARETTE CODE

(By Sam Blum)

(NOTE.—How do you sell a well-known health hazard without actually telling people it is good for them? Well, the advertising industry has solved its problem in some wonderfully subtle ways. Sam Blum reports that he is a former three-packs-a-day man who now smokes a pipe and is not fond of it. He writes for numerous magazines, and it was while interviewing lung cancer patients for a medical article that he gave up cigarettes. Born in Wilkes-Barre, he now lives in Manhattan—the world center of polluted air, he calls it.)

For more than a year now, cigarette advertising has been tightly regulated by a voluntary, industrywide code, drawn up by the nine leading cigarette manufacturers themselves. As everyone, both friend and foe of cigarette advertising, agrees, this code was created to soften much stricter orders which the Federal Trade Commission announced in 1964. To the tobacco industry the most objectionable of the FTC rulings was the demand that all cigarette advertising carry a health warning. This, the tobacco industry felt, was not only unnecessary and un-American, but bad business. As Bowman Gray, chairman of the board of R. J. Reynolds & Co., and spokesman for the industry before both the House and the Senate, testified in early 1965, "It would negate the whole force of the advertising." The FTC should therefore be forbidden to demand a warning in advertising. And he won.

Congress, in legislation signed by President Johnson in July 1965, specifically forbade the FTC, at least for the next 4 years, to demand that advertising carry the warning that cigarettes kill. The cigarette companies were instructed to mention on their packs that "Cigarette smoking may be hazardous"—and so cast doubt on the scientific certainty that it is hazardous—but for other regulation they were clearly to turn to their own code.

Robert L. Meyer, ex-Governor of New Jersey and administrator of the code, has told Congress, "I am a judge, as it were, and the code is my statute. * * * I do not see myself as an image-maker for, or a detractor from, the industry, nor is it my business to increase the sales of cigarettes nor to depress them."

The code does, according to Meyer, have two main goals: (1) to prohibit advertising appeals primarily directed to persons under 21, and (2) to prohibit cigarette advertising making health claims. To the degree these two goals of the code permit, the Governor has indeed great power. His decisions are absolute. He passes on everything from television commercials to the words on the pack itself, to the actual name of the brand. (This last, however, applies only to the names of new brands. Although great debate raged about the subject, it was decided that manufacturers could not be expected to give up years of investment in a brand name. Thus, despite the implied health claims, U.S. Tobacco was allowed to keep the name "Sano," and Brown & Williamson, Life.)

It would be hard, however, to agree with various trade papers which have reported that the code is "changing the face of advertising." Its face, and probably its heart as well, seem totally unreformed. Pall Mall's people are still particular; Winston's grammar hasn't improved. There are, in fact, very few major campaigns (an exception would be Carlton's, which relied on tar and nicotine statistics as a main selling point) that really have changed in ways that are instantly noticeable. But if we look at the ads more carefully, we find that although they look much the same, and feel much the same, and sell much the same, there are at least a few new principles operating.

A CHANGE OF CLOTHES

On health claims, the Governor has used his veto rights broadly. For example, lest it be thought an athlete's endorsement constitutes the unspoken claim that his favorite brand hasn't hurt his wind, one section of the code forbids the depiction "as a smoker, of any person well known as being or having been an athlete." Thus has a hearty source of their last years' income been shut out for Phil Rizzuto, Richie Ashburn, Ralph Kiner, Bobby Thompson, and others. Another section states, "Cigarette advertising shall not depict as a smoker any person participating in, or obviously having just participated in, physical activity requiring stamina or athletic conditioning beyond that of normal

recreation." This had led to wonderful subtleties.

As one adman interpreted the rules for me, "You can't win a swimming meet, then pull yourself out of the pool and reach for a cigarette, the way we used to do it. That would suggest that the cigarette renews your wind, and God knows it doesn't. As a matter of fact, you can't even be breathing hard in a cigarette commercial. So we're limited to the less athletic sports. We go sailing, we go trout fishing. We pitch horseshoes. We go to the track—and maybe the horses get winded but the smokers don't. And we play ping-pong. We can have boy-girl fun in the water, but if we want to show surfing, the smokers are on the beach watching. If it's water skiing, the guys smoking are in the boat. You can sit there dressed for tennis, looking like a champ, and as long as you don't play you can smoke.

"Or there's the other thing we can do. You might not have noticed it, but the guy who has been swimming or water skiing, he'll change his clothes or put on a shirt, to indicate a time lapse—then he's allowed to smoke. And something else—our water skiers these days fall off."

Meyner, possibly unexpectedly, has also used his powers to say no to claims in the area of mental health. As one of the Governor's staff of seven explained, "you can't show someone in a bad mood, or tired, or tense, lighting a cigarette and then feeling better."

Over the years many, if not most, advertisers have implied a powerful tranquilizing or antidepressant quality in their products. A group of commercials done in precode days for Spring cigarettes became widely known in the industry as the "suicide series," for typically the woman in the empty railroad station in the middle of the night appeared so intensely depressed that it seemed possible she would leap in front of the train before she had a chance to light up a Spring and go into her manic stage. Camel commercials showed the first deep drag virtually quieting hurricanes at sea. And Kool commercials still (though a good bit less strongly than in the past) suggest that one of the lows in human life comes when one has smoked too much and cigarettes taste lousy and you're about to give up the habit—but help and happiness are at hand if you have a friend who will offer you a Kool. Most of this form of advertising is disappearing, much to the detriment of commercials' dramatic effects.¹

¹As for the health claims of filters, the administrator has cracked down in curious ways. Although the illustration of their unwrapped filter still graces the back of a Lark pack, the words that explained and praised it have changed. They now state, "Between two outer filters Lark has an inner chamber of charcoal granules treated to enrich the flavor by Lark's own special process (U.S. Patent pending) * * * etc." It is no longer called "modern," nor is it billed as a scientific purifier. In the scrupulous exclusion of health claims, the Governor has cut from virtually all copy about filters those subtle claims of prophylaxis, "modern," "neat," "pure," and even "white," and the "filter" must stand unmodified by even the science-fiction labels Micronite, Selectrate, Deepweave, Fortified, and Activated.

However, even when alerted to the fact that such copy changes are taking place, most readers and viewers are at a loss to find them. On having them pointed out, they are unable to say what difference they make. For example, take Tareyton's highly successful 3-year-old campaign, "Us Tareyton smokers would rather fight than switch." A typical full-color, full-page pre-code ad showed an attractive model, chin jutting somewhat pugnaciously, wearing a self-satisfied smile and a black eye; and the copy,

Written into the code is the regulation that no cigarette advertising shall contain a picture or an illustration of a person smoking in an exaggerated manner. The practical effect of this is that nobody is permitted to inhale deeply any longer. Nor is he permitted to do a big take, or react with a huge smile. "I explain to actors these days," one director said to me, "that it isn't supposed to look like they're taking dope. We need a very short, fast drag, and then a very fast exhale. An actor might have to take three drags in 20 seconds of commercial time without looking as if he can't wait to get cancer. The main thing is that he's not supposed to be knocked out by it. It's not the greatest thing that ever happened to him. It's just good. You see, the cigarette companies are in a strange spot these days—they're trying to say the stuff's great and not say it, at the same time."

As cigarette salesmen have known for years, the direct promise is only a small part of cigarette selling. One salesman oriented toward motivational research explains, "We're not trying to sell cigarettes, we're selling a way of life, an exclusive club which has its own song, its own passwords, and a membership of millions. You say, 'Come on over to the L. & M. side.' You talk about Marlboro country; you form an in-group of us Viceroy smokers and create an image of the swinging people who smoke your brand. We're saying, 'Look attractive, feel at ease, smoke Burpos with the filter of straw or that carcinogenic taste, and you'll never again be lonely.'"

FRESH, HEALTHY, AND OVER 25

Such promises are of course not put into words. Salem has never directly stated that it is a passport to a world of well-scrubbed, young, romantic people, but as my salesman friend insisted to me, "If the video didn't imply that, what reason would there be to show it? That's the reason no one is really worried about the code. They can't stop us from showing good-looking people doing good-looking things."

The code is specific on that matter: "Cigarette advertising may use attractive, healthy-looking models, provided that there is no suggestion that their attractive appearance or good health is due to cigarette smoking."

Under these circumstances Governor Meyner has found himself in a bit of a bind. He is aware that the same appeals of romance, snobbishness, masculinity, and youthful high spirits that attract adults also attract adolescents. But as he recently pointed out to me, "There is, after all, nothing in the code that says all efforts to promote cigarette smoking by persons under 21 are forbidden." Meyner's view is that he is charged with eliminating only appeals directed primarily to youth. But he is therefore faced with the ghastly problem of somehow separating them from appeals made to young and old alike, which under the code are completely permissible. In a few instances he is aided by clear and direct provisions of the code itself. For example, the

in part, stated, "Get the charcoal filter with the taste worth fighting for." The word charcoal has now been dropped. The ad also used to say, "Tareyton has a white outer filter, and an inner filter of activated charcoal." Today it is "Tareyton has a white outer tip * * * and an inner section of charcoal." Precisely why the administrator has disallowed charcoal in one spot and permitted it in another, or has vetoed "white outer filter" and admitted "white outer tip" remains, to me at least, an unsolved mystery. Similarly, no one seems sure why Parliament is forbidden to speak of its "recessed filter," but is permitted to refer to its "filter that is recessed in."

code today forbids advertising in "comic books" and in comic supplements to newspapers. It prohibits the distribution of sample cigarettes to persons under 21, and proscribes cigarette advertising in school, college, or university media (and the Governor takes this provision to mean alumni publications as well as student newspapers).

Other than campus publications and comic pages, however, no other form of media was declared off limits. But the vague statement was written into the code forbidding ads "on television and radio programs, or in publications, directed primarily to persons under 21 years of age." The unsolved problem which has been facing the Governor this past year has been to decide which these programs and publications are. It seems clear that the traditionally smoke-free "Boys' Life" and "Captain Kangaroo" will remain officially forbidden ground, but what of "Ed Sullivan," "Peyton Place," "Wide World of Sports," or "Beverly Hillbillies," the latter a cigarette-sponsored show directed primarily at adults that at one time appeared to have within its audience 28.8 percent of all the children in the United States between the ages of 2 and 12? To carry out his mandate literally, Meyner would be forced virtually to ban cigarette commercials on television, and that is precisely the blow that the code was forged to ward off. So far this dilemma is unsolved.

But in the tobacco industry's desire to protect youth, certain very specific requirements were written into the code which, for whatever good they may do, are being policed with great care. As the head of R. J. Reynolds, makers of Winston, Salem, and Camel, has testified, "We are not for getting the youth to smoke * * * the appeals in the advertising the cigarette manufacturers are doing today are directed toward the adult mind and the adult population."

One of the requirements written into the code is that all persons appearing in cigarette ads or commercials be at least 25 years old and look it. Meyner has proved to be extremely serious about this, and actors reading for cigarette commercials are now required to bring their birth certificates along with them. Even that is not enough. A great number of commercials have now had to be reshot because some models over 25 have impressed Meyner as intolerably well preserved. On one occasion a scene was vetoed because the smoking lady—cute enough, but 30-plus—was wearing a sweater which must have seemed to the Governor unacceptably girlish. Reshot with the same actress wearing a dress, it passed.

The women in the cigarette ads remain youthful. Their kittenish way of lighting a fellow's L & M while staring in his eyes does suggest the danger that they will set fire to his nose, but this is carping. They act for all the world like teenagers in an Italian movie, despite what their birth certificates might say. But there is probably no avoiding this. This is the main selling point advertisers are permitting themselves to make about their cigarettes—the people who smoke them have great fun and a lot of laughs, and they are an indispensable part of having a good time.

In part, this sort of thing is occurring because Meyner, under the code, has been closing off other approaches. The clampdown has taken place under his rather loose interpretation of two provisions: "(1) Cigarette advertising shall not represent that cigarette smoking is essential to social prominence, distinction, success, or sexual attraction; and (2) testimonials from persons who, in the judgment of the Administrator, would have special appeal to persons under 21 years of age, shall not be used in cigarette advertising."

On the first provision, precode advertising never claimed that smoking was essential to anything, but the Governor has chosen to stretch the word "essential." No one, in fact,

quite knows what he means by the broad interpretation, but he has turned down plots in which smoking was merely associated with big-business deals, upper-class status, or seduction, and vetoed story boards (the shooting scripts of the commercials illustrated in a comic-strip style) if the cigarette seemed to be directly promoting a romance or marriage. There is no rule, however, against dating couples or people in love smoking. Similarly, although a cigarette can't be shown helping the editor steady his nerves while trying to make his deadline, there is no reason for him not to reward his taste once the paper has been put to bed.

The second provision, forbidding testimonials by persons of special appeal to the young, has been taken to mean fictional testimonials as well. The Marlboro man, for example, who is a cowboy, and as such is the American boy's classic hero, can no longer deliver the sales talk himself. Now he just does the acting job, while the announcer reads the copy. Camel, however, has been dramatizing the work and smoking habits of one Brian McAllister, who docks the big ships when they come into harbor. Why can he talk and a cowboy not? The Governor answers, "I was in the Navy and saw a lot of docking pilots, and they're just not glamorous to me." Others in the Governor's office suggest, however, that the matter has been thought over and Brian will probably soon be muted.

In theory, heroism of any kind has been pulled far down. As one gentleman involved with Marlboro explained to me, "We used to shoot the Marlboro man as if he were the Jolly Green Giant, Paul Bunyan, Jack Gonnads; now we've had to work him down to life size. He's just a cowboy, going about his business. I don't know whether it's from the code office or where, but instructions go out not to shoot too low with a wide-angle lens and make him look like Superman. He's supposed to come out interesting, compelling, but human, and the message that's supposed to come over through the video is just that he likes to smoke and this is the particular cigarette he likes. Personally, I think it's a lot more effective commercial this way. Nobody believes in fairy tales, anyway."

IN A TIGHT SPOT

So with a deemphasis on heroics, athletics, sex, money, success, health, and extreme youth, the advertisers would indeed be in a tight spot if it were not for the still-open approach of associating smoking with the romp in the woods, the picnic on the beach, the gang around the piano, the half-witted joke.

Happily for the advertiser, though not surprisingly, this is the very approach that has proven to be the most successful these past few years. Winston's rise to the top of the filter field and its coming within a percentage point or two of Pall Mall's top spot among all cigarettes, seem to be based mostly on a swinging jingle that claims only that it "tastes good," and an insistence through words and pictures that Winston smokers do indeed have fun. When American Tobacco dropped its "Hungry for flavor? Tareyton's got it" campaign for the lighthearted black-eyed smokers who did not switch, their sales zoomed. Small wonder American hopes to repeat the miracle for Lucky Strike filters with the equally simpleminded symbol of a partially eaten hat.

Fears of discussing these changes and what these changes mean are widespread within both the advertising industry and the tobacco industry. The official statement by the R. J. Reynolds Tobacco Co. on the code and what the code has meant, is "No comment." The other companies have not been much more enlightening. Most ad-agency people and producers of commercials who are willing to discuss these matters asked not to be quoted by name. It was requested by the code office

that no one be quoted except the Governor, and much that he had to say was prefaced "off the record."

The reason for all this shyness is hard to explain, but the question so many seemed to raise was "Why pick on me?" As one person did explain to me, "I know darn well cigarette smoking may give you cancer and all the rest of that stuff. I gave it up. But growing tobacco is legal, making it into cigarettes is legal, and selling them is legal. If the Government ever says it's illegal to advertise them—fine—I'll look for another job. As of now, I feel like an honest man."

Mrs. NEUBERGER. Mr. President, the real issue in the cigarette controversy is still consumption. The latest Hammond study has once again shown that the more one smokes and the longer that one smokes the greater the risk. It has once again demonstrated that for those who now smoke and who have smoked heavily for many years, their health risk will be substantially reduced if they cut down or eliminate their smoking.

When Congress passed the Cigarette Labeling Act last year, it rejected the contention of the Federal Trade Commission and the junior Senators from Oregon and New York [Mr. KENNEDY] that the health hazards of cigarettes merited the inclusion of warning statements in cigarette advertising. Of the proposals then before Congress, it was the only one which seemed likely to actually deter, to reduce consumption.

Congress at that time refused to grasp the nettle of medical realities. Instead, it adopted with relief the compromise presented by the Commerce Committee; that is, enjoining the FTC from enforcing its advertising regulations on cigarettes for 3 years and imposing a warning statement on cigarette packages only. The committee report stated:

No warning in cigarette advertising should be required pending the showing that these vigorous, but less drastic, steps have not adequately alerted the public to the potential hazard from smoking.

And what were these "vigorous, but less drastic, steps"? The Cigarette Advertising Code, the smoking education campaigns, and the warning statement on the cigarette packages.

As I said during the Senate hearings, no member of the committee who spoke on the issue during the hearings, nor any witness before the committee, appeared to believe that the inclusion of a warning statement on the packages would have either any or more than minimal effect on cigarette consumption. The Public Health Service and the State health and education systems are the first ones to admit that our present smoking education programs are woefully inadequate, unsophisticated compared to the cigarette advertising, and short of proper financing. And now the article by Sam Blum dismisses the effectiveness of the Cigarette Advertising Code.

The issue here is human life and suffering. How much longer will Congress pretend that the cigarette controversy has gone away for 3 years? How much longer will Congress pass on the other side of the road, oblivious to those contracting emphysema, lung cancer, and heart disease from cigarettes? A certain cigarette is advertised as one with its

"filter recessed in." By its inaction, Congress is seemingly advertising that its courage is recessed in.

SURRENDER

Mr. INOUE. Mr. President:

It is being widely argued by those who oppose the Government's policies in South Vietnam that we are making the surrender of North Vietnam a condition to negotiations—

The Washington Post points out in a recent editorial. It continues:

What the United States is asking of North Vietnam is the cessation of aggression against South Vietnam—and that does not require any loss of territory, surrender of forces, or impairment of sovereignty.

The Post asserts:

When North Vietnam insists that the United States recognize the National Liberation Front as the sole representative of the people of South Vietnam, however, it itself is asking for the surrender—an unconditional surrender by the United States and the South Vietnamese.

The editorial to which I am referring is remarkable for its clarification of the issues before us, and with this in mind I ask unanimous consent to have the editorial printed in the RECORD.

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

[From the Washington (D.C.) Post, Feb. 23, 1966]

SPEAKING OF SURRENDER

It is being widely argued by those who oppose the Government's policies in South Vietnam that we are making the surrender of North Vietnam a condition to negotiations. What the United States is asking of North Vietnam is the cessation of the aggression against South Vietnam—and that does not require any loss of territory, surrender of forces or impairment of sovereignty.

When North Vietnam insists that the United States recognize the National Liberation Front as the sole representative of the people of South Vietnam, however, it itself is asking for a surrender—an unconditional surrender by the United States and the South Vietnamese. On January 24, Ho Chi Minh sent to 14 Communist countries and other interested parties, the letter explicitly making this condition. He said: "If the United States really wants peace, it must recognize the National Liberation Front of South Vietnam [the political arm of the Vietcong] as the sole genuine representative of the people of South Vietnam and engage in negotiations with it."

It is remarkable that this language has not been recognized by everyone as the equivalent of a surrender ultimatum. The NLF, from the beginning, has been only an arm of North Vietnam. As an Australian Government study pointed out last summer: "The National Liberation Front for the liberation of South Vietnam was established as the instrumentality of the Communist Party of Vietnam, the Lao Dong Party, itself the governing party of North Vietnam." New Zealand's white paper on Vietnam pointed out: "The Vietcong military and political apparatus in South Vietnam is an extension of an elaborate military and political structure in North Vietnam." It concludes that "North Vietnam has committed aggression against the Republic of Vietnam under the guise of a 'war of national liberation'."

It cannot be denied that the NLF, directed from Hanoi, has been able to get numbers

of South Vietnamese to join the Vietcong. But it is an organization conceived in Hanoi, as an arm of the North Vietnamese Communist Party, and as an instrument of the North Vietnam state. Were the United States to agree to recognize the NLF as the sole representative of South Vietnam, it would be tantamount to recognizing the Government of North Vietnam as the sole representative of South Vietnam. That, obviously, would be a total surrender.

One could look at such a capitulation in two ways. Those who say we have no stake in Asia and should never have intervened in South Vietnam, still would have to acknowledge that we did intervene and that we made clear commitments of our power by congressional enactment, by treaty, and by the declaration of authorized officials. Capitulation of this kind would betray those commitments.

Those who admit we have a stake in Asia and an interest in containing communism there would have to acknowledge the infinite calamity of (in practical effect) surrendering in the field a force of 700,000 men willing to fight on our side in the continuing struggle against aggression in Asia. And that would be but the beginning of our losses. Many others now willing to fight with us, in the face of our withdrawal in South Vietnam, surely would make their accommodation with the forces of aggression on the Asian mainland.

The administration has been reproached for not mobilizing in Asia the sort of an international concert of powers we formed to contain Communist aggression in Europe. We ought to have more allies and more contributions from the allies we have. But we may be sure that whatever international help we now have, we would have less help and fewer allies from now on, in containing Communist aggression in Asia, if we withdrew from South Vietnam under conditions amounting to a surrender.

The power that is demanding a surrender in South Vietnam is North Vietnam, when it asks that we recognize the NLF as the sole representative of the South Vietnamese people. It is a surrender that would abandon American commitments now and imperil American ability, in the future, to continue any effective resistance to Communist aggression on the Asian mainland.

DEMONSTRATION CITIES ACT

Mr. DOUGLAS. Mr. President, the National Association of Housing and Redevelopment Officials, through its Executive Committee of its Board of Governors, has warmly praised the spirit and commitment of the President's message on cities. It has, in action taken on January 28, 1966, specifically endorsed the concept of the new city demonstration program, which is embodied in S. 2842, which, with 15 of my colleagues, I introduced on January 27.

NAHRO is a very respected and influential association of some 6,000 local housing, urban renewal, and code enforcement officials and agencies. I am encouraged by their action and I am confident that with their assistance we can enact a vigorous program to meet the problems of our cities in a comprehensive fashion which recognizes both human and physical renewal needs.

The NAHRO executive committee has also specifically recommended the funding of the rent supplement program, which is one of the most important achievements enacted by the Congress in the Housing Act of last year.

Mr. President, I ask unanimous consent that a news release dated January 28, 1966, from NAHRO be printed in the RECORD.

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

NATIONAL ASSOCIATION OF HOUSING, AND REDEVELOPMENT OFFICIALS, January 28, 1966.

The National Association of Housing and Redevelopment Officials, by action of the executive committee of its board of governors, today warmly praised the spirit and commitment of the President's message to the Congress on the cities, and specifically endorsed the concept of the new city demonstration program. NAHRO is an association of some 6,000 local housing urban renewal, and code enforcement officials and agencies.

In making the endorsement, NAHRO President Frederic A. Fay said: "NAHRO members are deeply concerned and involved with the improvement of living in cities and urban areas. We recognize that only a commitment of the highest order in both energy and resources will be sufficient to turn the tide of blight and waste. NAHRO is ready to work cooperatively with other interests, public and private, at both national and local levels, to achieve the President's goals. On the local level, we recognize that only a comprehensive approach involving the full commitment of many disciplines and agencies can insure success. At the national level, we know that coordinated assistance from many Federal departments is necessary."

The NAHRO executive committee specifically—

1. Commended the President for his recognition of the need for comprehensive local community planning and programing;
2. Applauded the President's emphasis on the need for coordination of all Federal assistance programs on a local level;
3. Endorsed the concept of the city demonstration program and promised its efforts in devising the most workable demonstration methods;
4. Recommended the funding of the rent supplement program;
5. Expressed approval of the approach to assisting the development of new communities, based on the idea of unifying rather than dividing central cities and outlying areas;
6. Praised the approach of incentives to achieve metropolitan area planning and coordination;
7. Expressed the hope that the city demonstration program would result in the funding of public housing, urban renewal and codes assistance programs by the Federal Government at an accelerated level, sufficient to meet an expanding pace of activity.

TRIBUTE TO REPRESENTATIVE ALBERT THOMAS OF TEXAS

Mr. YARBOROUGH. Mr. President, Congressman Albert Thomas served my home State and his Houston district in the House of Representatives for nearly 30 years, and was one of the most respected and talented Representatives that has ever been elected to Congress.

His death Tuesday, February 15, 1966, leaves a vacant place in the hearts of every Texan, for this devoted man had earned the warm friendship of all of Texas, not just his home district. Albert Thomas was one of those Representatives with very unusual abilities who was quietly successful in his duties.

Seldom did he claim the public limelight with his remarkable accomplishments, but often he succeeded with quiet

determination and able work behind the scenes.

His reliable talents and responsible voice will be missed both in the Congress of the United States and in my home State of Texas; a man of his principles and ability does not pass from the scene without notice, but is remembered far past his time, for his accomplishments extend into the future and his character is an example without limitations. Texas has never sent an abler Congressman to Washington.

Albert Thomas was my best friend in the Texas congressional delegation. He constantly did things over and beyond the call of duty and beyond the call of friendship. In 1964, sick unto death, after major surgery a number of times for cancer, he arose from a sick bed, of course without any request from me to a man so ill, and campaigned his district day after day for my reelection to the Senate. He thought I was in danger. It is characteristic of the man that he arose from a sick bed, without requests for his aid, to speak all day long on my behalf at rally after rally.

To his dear wife Lera Thomas, and his daughters, Mrs. Anne Lasater and Miss Lera Thomas, he left a priceless legacy. Albert Thomas was a man among men.

As a tribute to Albert Thomas' long career I ask unanimous consent that the two front page articles from the Houston Chronicle of Tuesday, February 15, 1966, entitled "U.S. Representative Albert Thomas, 67, Dies of Cancer; Powerful House Figure" and "L.B.J.: 'Thomas Worked Hard, Served Well,'" along with the three articles on page 10 of that same issue entitled "Philosophy as Congressman," "He Shunned Social Whirl, Worked Hard, Kept Fit," and "Kennedy Praised Thomas Night Before Assassination" be printed at this point in the RECORD.

In addition I ask that articles be printed from the front page of the Houston Post of Thursday, February 17, 1966, entitled "Johnson Among D.C. Mourners," "His Family Greeted at Airport," and on page 6, "45 D.C. Officials To Be at Rites for Congressman Thomas," and "Thomas Memorial Is Passed by Texas House."

From the Wednesday, February 16, 1966 Houston Post, I ask unanimous consent that the three front-page articles entitled "Rites To Be Held Friday," "Houston Feels Loss of Thomas," and "Death Leaves a Lonely Place" be printed along with "Folks Came First" on page 11, and "Thomas Always for Houston, Harris Growth," "Thomas' Death Dealt Texas Influence a Blow," and "Chamber of Commerce Praises Thomas" from page 9.

In addition, I ask that the three editorials: "Ave Atque Vale, Albert Thomas" from the Friday, February 18, 1966, Houston Chronicle, "Albert Thomas Served Ably" from the Wednesday, February 16, 1966, Houston Post, and "Congressman Albert Thomas" from the Wednesday, February 16, 1966, Houston Chronicle be printed at this point in the RECORD.

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

[From the Houston (Tex.) Chronicle, Feb. 15, 1966]

U.S. REPRESENTATIVE ALBERT THOMAS, 67, DIES OF CANCER; POWERFUL HOUSE FIGURE—SERVED IN CONGRESS 30 YEARS

U.S. Representative Albert Thomas, 67, of Houston, a powerful Member of Congress for 30 years, died of cancer at 4:08 a.m. (Houston time) today at his home in Washington.

His entire family was present when the end came after a lengthy illness.

At his bedside were his wife, Lera, and two daughters, Mrs. Edward A. Lasater, of Houston, and Miss Lera Thomas, a student at the University of Texas.

TREATED HERE RECENTLY

Only a few weeks ago Thomas had undergone treatment in Methodist Hospital here, but he returned to Washington to take his place in the House. He had filed his candidacy in the May Democratic primary for reelection in the November general election. Thomas would have been 68 on April 12.

Death came to Thomas at the pinnacle of his career.

Thomas ranked No. 2 on the powerful House Appropriations Committee, on which he had served since 1941.

He was chairman of the Subcommittee on Independent Office Appropriations, a member of the Appropriations Subcommittee on Defense, and a member of the Senate-House Joint Committee on Atomic Energy.

Few served longer in Congress than Albert Thomas. At the time of his death, he ranked 11th in seniority among the 435 Members of the House and 8th among Democrats. Thomas and W. R. POAGE, of Waco, both of whom came to the House on January 3, 1937, were outranked in the Texas delegation only by WRIGHT PATMAN and GEORGE MAHON.

Thomas' death leaves the House divided between 291 Democrats and 140 Republicans, with 4 vacancies.

COULD DELIVER

Among his constituents, the tall Texan with the bow tie was a courtly charmer. He had a gift for gaging what the folks at home needed and wanted, and most of the time he was able to deliver—big.

One of his colleagues once said, with as much admiration as humor: "Albert has been a good pack rat for Houston."

His fatted plum for Houston was NASA's Manned Spacecraft Center. But the project that took most of his attention over the years was improvement of the Houston ship-channel, which has made Houston the Nation's third largest port.

Thomas was genial and generous. But as a guardian of the taxpayers' purse strings, he could be a stern and stingy country banker who often made enemies of favor-seeking colleagues.

OBSTACLE COURSE

Since 1949, he had headed the appropriations subcommittee on independent agencies, which scrutinizes the budget requests of 26 Government agencies. It becomes known as the Thomas Obstacle Course, and few bureaucrats emerged from it unshaken.

Once Thomas leveled his gaze at a rebellious budget bureau director and icily inquired: "Do you realize you're just a creature of Congress?"

From 1953 until 1964, Thomas chaired the subcommittee handling all deficiency appropriations. This meant that any Government section running short of money before the end of the fiscal year had to get a nod from Thomas for excess spending. These deficiency bills sometimes reached \$3 billion a year.

The subcommittee was abolished early in 1964 by the appropriations committee chairman, the late Clarence Cannon, of Missouri. It was a considerable triumph for Cannon, who through the years had lost many a battle with Thomas over fiscal matters. When Thomas did lose to the Cannon forces on the appropriations committee, he usually rectified the loss by going to the floor of the House and persuading his colleagues to overrule the committee action and back the Thomas position.

BEHIND SCENES MAN

In all his years in Congress, Thomas never sponsored a major piece of legislation that bore his name. His major role in Congress was handling the huge appropriations bills each year. Many of his legislative triumphs were in the form of amendments to other bills. His genius lay in his ability to work behind the scenes to get things done for Houston.

Albert Thomas rarely spoke on the floor of the House except when managing bills by his committees. But on those occasions he proved to be an adroit and shrewd debater.

His manner was calculated to disarm. He would prop his glasses on top of his head, drape an arm around the microphone and soft-soap the opposition trying to kill his bill. When he referred to a colleague in debate, Thomas always went protocol one better by using two complimentary adjectives, such as "our able and genial friend from Iowa."

FIRE ACHESON

But he could be bullish in anger.

In 1951, he demanded that President Truman fire Secretary of State Dean Acheson, declaring that Acheson "should have quit or been fired long ago."

A year later, when Truman blasted one of Thomas' economy amendments (perhaps Truman remembered when Thomas' subcommittee lopped off more than \$734 million from his 1950 budget), Thomas fired back:

"This is just another example of hasty, ill-considered action. It seems to be his (Truman's) pattern to needle Congress every time his budget is cut."

FOUGHT BOTH PARTIES

Thomas' concern over wasteful spending was never partisan. While he warred with President Eisenhower over what he called tight money policies and foreign aid giveaway he could with full conscience lead the fight to kill President Kennedy's \$568 million fallout shelter program.

Before medicare became a household word, Thomas was saying: "If the problem of big medical bills proves too big for the medical profession to solve by itself, the pressure of Congress to do something will be irresistible."

Thomas concealed behind his carefully cultivated air of moderate southern conservatism a strongly liberal voting record.

The Conservative Americans for Constitutional Action, which began compiling vote scorecards in 1957, gave Thomas a cumulative rating of 14 percent.

RATED LIBERAL

The Americans for Democratic Action, a liberal group, gave Thomas an 80 percent for the 88th Congress and a 77 percent for the second session. Thomas did well with the ADA because he supported the Democratic administration, which ADA uses as its guideline.

He was, in the truest sense, a masterful politician. He voted for the workingman, well aware that from the beginning his strongest support came from the labor unionists who toil in Houston's massive industrial complex.

But for 21 years, when he represented all of Harris County, Thomas also had surprising support from Houston's businessmen, bankers, oilmen, and cattle barons. They might

have frowned a bit about his liberal leaning, but that was all. The benefits he reaped for Houston in Washington were sweet balms that came with blissful regularity.

In 1958, when Harris County was divided into two congressional districts, Thomas chose to represent his "podnahs" in the shops and plants north of Buffalo Bayou. He didn't change his style though. Why tinker with a good thing?

Thomas' routine vote every year against foreign aid was, in a sense, his annual public statement to the Texans back home that he was, in truth, a southern conservative and not a northern liberal.

ROOTS STAY HOME

Although he made several trips abroad, his interest in foreign affairs was minimal. His roots were sunk in rural America.

His father ran a general store in Nacogdoches, where Albert Thomas was born on April 12, 1898. He came to Houston to attend college.

He used to say his political tendencies began to show in his days at Rice Institute. "I was a great handshaker," he would say, and then ruefully admit that his grades were none too good.

It was the same at the University of Texas Law School. But he stopped shaking hands long enough to get a degree by 1923.

He returned to Nacogdoches, became one of the best opossum hunters in the county and was elected county attorney. Thomas prosecuted dozens of murder cases and sent several men to the electric chair. He married his childhood sweetheart, Lera Millard.

He came to Houston in 1930 when he was appointed an assistant U.S. attorney.

In 1936, Albert Thomas agreed to run for Congress at the urging of three newspapermen. He was 38, a comparative unknown with little money. But he shook hands and won a runoff spot against Houston's wily mayor, Oscar Holcombe.

SHOOK HOLCOMBE

In the runoff, Thomas defeated Holcombe 33,866 to 25,021. Holcombe, though he went on to serve 11 terms as the city's mayor, never again sought higher office.

The margin of Thomas' upset victory was virtually 100-percent support from the labor bloc north of Buffalo Bayou.

As a freshman on the House Labor Committee, Thomas was instrumental in strengthening the minimum wage hour bill by putting an additional 1 million persons under its provisions.

In 1941, he was the only Texan in the House to vote against the Smith antistrike bill, declaring, "The Smith bill reflects a deep distrust and dislike for people who work." His fellow Texan in the House, Lyndon Johnson, voted for the bill.

On the other hand, Thomas could say of John L. Lewis: "He has defied the Government for his own selfish gains."

During his third term, Thomas voted with the Roosevelt administration 10 times; against it 8 times.

He had his differences with Truman, but became a trusted friend and adviser to Kennedy and then Johnson.

CLOUDY FORECAST

Sometimes his crystal ball was cloudy. In 1937 he assured Texans: "A third term is the farthest thing from President Roosevelt's mind."

In 1937, he declared: "Keep a cool head and quit talking war and we won't get in it. We don't have to get in it. Europe has enough manpower now."

But in August of 1941, Thomas came uncomfortably close to prophecy when he said: "There will be a showdown, possible within 3 weeks, between this Nation and Japan. There may be some shooting with the U.S. Navy taking part."

In 1945, a reporter asked him if he thought an atomic bombing would make conventional invasion of Japan unnecessary. "Who ever heard of a foot of any land being taken and held by an airplane?" he asked.

A year later, he warned that Russia and the United States would someday vie in the world's greatest arms race.

In 1947, he said all four major powers ought to get out of Germany. "If you leave the Germans to their own devices," he said. "They'll take care of the Russians."

He later called for rearming Germany and Japan and warned:

"We can't stop communism with American dollars. The only language that Russia understands is that of strength and preparedness. The way to stop communism is to have a mighty air force that can strike at Russia's back door from aircraft carriers."

But Thomas, who served as a lieutenant in World War I, felt that civilians should control the military.

He had a deep distrust of the military both as money wasters and as potentially dangerous to democratic institutions.

LEADS TO NASA

His espousal of the NASA concept of space exploration and his steady support of the agency grew out of his personal determination to keep space research in civilian hands.

His consistent opposition to a mass fallout shelter program was based not only on what he considered its excessive cost, but also his opposition to the use of shelters as a tool of military offense, as conceived by Pentagon planners.

He said of the Supreme Court's 1954 desegregation decision:

"I think the decision is a good one. In moderation, the problem can be worked out."

In 1956, when testing of the High Court's decision began to cause friction between the races, Thomas declared, "I suggest the NAACP immediately go fishing. Yes, it would be worthwhile for all of us to go fishing."

He liked cool heads. "Sway a little, bend a little and be courteous," he once told a younger colleague.

In 1959, he was the only Congressman from 11 Southern States to vote against the stringent Landrum-Griffin labor reform bill.

VOTED CIVIL RIGHTS

In the last session of the 88th Congress, Thomas supported the administration throughout and voted on final passage of the tax cut, the civil rights bill and the poverty program.

After that, he did not want to run for reelection.

That April he called one of the Chronicle's Washington reporters to his Cleveland Park home. He said:

"If I live until the end of the term, I will be 67, and will have served 30 years. I'm not a healthy person. I have to take a handful of pills every day of the week. It wouldn't be fair for me to run again."

CANCER

Then he explained that he had had three operations for cancer.

Expressions of regret flowed in, from President Kennedy on down to the workingman north of Buffalo Bayou.

But by late June, his doctors' reports were optimistic and Thomas was feeling better. President Kennedy and Vice President Johnson were eloquent in their insistence that he return to Congress.

Since Speaker Sam Rayburn's death in 1961, no one had been able to coordinate the Texas delegation, which can be powerful when held together. Kennedy and Johnson felt Thomas could handle the job if he took an interest in it.

Thomas was still taking a "wait and see" attitude when he and other members of the Texas delegation accompanied President Kennedy to Texas late in November 1963.

The purpose of the trip was to gage Kennedy's popularity in Texas and to try to shore up the differences between the feuding State Democrats.

On the plane trip to Houston, Kennedy asked Thomas to help him mend the rift between the Texans and Thomas agreed to try. On the night of November 21, Thomas heard the young President praise him before thousands attending a testimonial dinner of Thomas' honor.

ASSASSINATION

The next day in Dallas, Thomas was in the motorcade when President Kennedy was shot.

And he stood near Lyndon Johnson in Air Force 1 when Johnson was sworn in as the 36th President of the United States.

After the shock of the assassination wore off, Thomas put duty above self. He put the cancer that haunted him out of his mind and filed for his 15th term.

"If the folks want me to run," he said, "I'll run."

He won easily over his Republican and Constitution Party opponents.

He had planned to spend Christmas in Houston, but he was home only 2 weeks when the old trouble flared again.

On December 9, he flew to the naval hospital at Bethesda, Md., for treatment.

RICE SCIENCE CHAIR

It was while he was preparing for this treatment that H. Malcolm Lovett, vice chairman of the Rice University board of governors, announced the establishment of the Albert Thomas chair of political science.

Mrs. Thomas was here to acknowledge the university's recognition of her husband.

Out of the hospital and back in action, Thomas on January 21 introduced a resolution in the House commending President Johnson for his efforts in limiting the spread of nuclear weapons around the world.

Two days later, Thomas announced he would be a candidate for reelection this year. A week before, President Johnson personally had urged Thomas to run again, saying he needed Thomas' advice and counsel.

"With those thoughts in mind," Thomas said, "I am offering my service again to my people for another 2 years."

[From the Houston (Tex.) Chronicle, Feb. 15, 1966]

L.B.J.: "THOMAS WORKED HARD, SERVED WELL"

WASHINGTON.—Flags of official Washington dipped to half staff today to mark the death of Representative Albert Thomas as President Johnson led Government officials in eulogizing the powerful Houston Congressman.

The Chief Executive saluted Thomas, a longtime friend, for his "devotion to the people he served and loyalty to his friends," and said "his death leaves a lonely place in the lives of those who knew him best."

Mr. Johnson's sentiments were contained in a statement issued by the White House shortly after word of Thomas' passing reached the President.

The statement said:

"Of the qualities that made Albert Thomas a remarkable man, devotion to the people he served and loyalty to his friends, stand higher than all.

"I knew him—and knew him well—for a long time. He loved Houston and the Congress of the United States.

"He worked hard. He served well.

"His death leaves a lonely place in the lives of those who knew him best."

[From the Houston (Tex.) Chronicle, Feb. 15, 1966]

PHILOSOPHY AS CONGRESSMAN

Albert Thomas respected power and he knew how to use it in the Halls of Congress.

From his committee posts, he was in a position to grant and extract favors in agencies ranging from the Federal Communications Commission, the Civil Aeronautics Board, and the Interstate Commerce Commission, through the Securities and Exchange Commission and the General Services Administration.

Philosophically, from his voting record in recent years, Thomas had to be considered a liberal. The liberal Americans for Democratic Action (ADA) consistently gave him high marks in its voting index, while the conservative Americans for Constitutional Action rated him zero or close to it.

But he pleased his Houston constituency and economizers elsewhere by his careful scrutiny of budget requests of independent agencies. Except possibly in the field of space, bureaucrats had to justify their requests down to the penny. He was Congress leading supporter of manned space exploration.

Thomas was one of a handful of Texans and southerners who voted for the 1964 Civil Rights Act. His vote delighted liberals. But he also pleased conservative businessmen, many of whom supported the \$11.5 billion tax cut bill that same year, by his support of that measure.

On matters of fiscal policy, Thomas was not a down-the-line conservative, however. He drew the displeasure of business when he voted in 1962 for a bill closing tax loopholes for corporations and individuals.

In foreign policy, Thomas generally followed the Democratic Party line. He supported the foreign policies of Presidents Kennedy and Johnson, including their requests for foreign aid.

[From the Houston (Tex.) Chronicle, Feb. 15, 1966]

THOMAS HAD TALENT FOR FRIENDSHIP—HE SHUNNED SOCIAL WHIRL, WORKED HARD, KEPT FIT

Before cancer weakened him, Albert Thomas had the reputation of being "boss" of the House of Representatives gymnasium.

It was his daily routine, until he was 61, to keep fit with a round of handball and rowing machine work.

Thomas shunned the Washington social circuit, and frequently remained in his office late at night doing the "homework" for which he was so noted.

It was done so thoroughly that it was a brave Congressman who tried to trip him on facts about a bill Thomas was handling.

Thomas had his private offices on the second floor of the Cannon House Office Building, oldest of three structures housing House Member offices. His was an old-fashioned, rather dark room cluttered with black leather, overstuffed furniture.

Photographs covered the walls. Most of them were of past and present members of the Texas congressional delegation, most of them autographed, and of his grandchildren.

One of his favorites was a photo of his grandson vested as an acolyte of the Episcopal Church.

But Thomas regularly spent most of his day in the office of the Independent Agencies Subcommittee, a two-room affair on the ground floor of the House side of the Capitol.

The committee room itself was filled largely by an enormous round table which subcommittee members and their witnesses sat. In session time the table was usually heaped with bound volumes of the committee's working papers. In a corner was a telephone booth where Thomas took private phone calls.

Adjacent to the subcommittee room is the chairman's private office, furnished with a desk and easy chairs. This was where Thomas frequently prepared for conferences with close associates and favorite newsmen. Unlike his personal office, which was staffed by women, the subcommittee chambers were a strictly male preserve.

Thomas and his wife had a wide circle of friends in Washington, and they preferred to entertain at home. They lived at 2901 34th NW., in a fashionable section called Cleveland Park. The house is a two-story, red brick colonial-type home, located on a small corner lot.

Some of Thomas' neighbors included Attorney General Nicholas Katzenbach, Comptroller General Joseph Campbell, Navy Secretary Paul H. Nitze, Mrs. John Foster Dulles, and Columnist Walter Lippmann.

Thomas' favorite Sunday night supper was a bowl of chili. He liked to serve guests tamales made in Texas.

[From the Houston (Tex.) Chronicle, Feb. 15, 1966]

KENNEDY PRAISED THOMAS NIGHT BEFORE ASSASSINATION

The night before John Kennedy was killed, he praised Albert Thomas as a man "old enough to dream dreams and young enough to see visions."

In a testimonial to Thomas here on the night of November 21, 1963, the 35th President of the United States declared:

"We meet here tonight to pay tribute to one of the most valuable Members of Congress, Albert Thomas, of Texas. For many years I have been proud to call him my friend, a source of reliable help and responsible advice.

"And when I read in the press that he felt the time had come for the retirement his many years of labor so richly deserve, I personally called Al Thomas and asked him to give up his retirement for the good of the country. For this man is, in many ways, one of the most remarkable Members of Congress."

[From the Houston (Tex.) Chronicle, Feb. 17, 1966]

REPRESENTATIVE THOMAS' BODY FLOWN HOME BY AIR FORCE—JOHNSONS AMONG DISTRICT OF COLUMBIA MOURNERS

(By Charles Culhane)

WASHINGTON.—A light rain fell from a leaden sky as the friends of Congressman Albert Thomas paid their last respects to him at a funeral service in Washington Wednesday.

President Lyndon B. Johnson and Mrs. Johnson were among the mourners at the service in the Bethlehem Chapel of the Washington National Cathedral at 11 a.m. Wednesday.

The body of the Congressman was in a casket draped with an American flag in front of the altar in the arched chapel.

A wreath of red, white, and blue carnations from President Johnson stood to the right of the casket. The altar was decked with bunches of white roses, white chrysanthemums and white stock.

The Very Reverend Francis B. Sayre, Jr., the dean of the National Cathedral, presided at the service reading the "Office for the Burial of the Dead" from the Episcopal Book of Common Prayer.

Mrs. Lera Millard Thomas, the wife of the Congressman, Mrs. Anne Lasater and Miss Lera Thomas, his two daughters, sat in a pew in the front of the chapel across the aisle from the pew where President and Mrs. Johnson sat.

A group of eight uniformed Capitol Hill policemen wearing white gloves acted as pallbearers at the funeral service. The chapel was filled to capacity.

The funeral procession went directly from the National Cathedral to Andrews Air Force Base near Washington where an Air Force plane was waiting to bear the body back to Houston. The plane took off at 1:10 p.m. eastern standard time.

Meanwhile, several hours after the body of the Congressman left Washington for the last time, Senator JOHN G. TOWER, Republi-

can, of Texas, offered a formal speech of condolence on the Senate floor.

Senator TOWER made the speech in the absence of Senator RALPH YARBOROUGH, Democrat, of Texas, his senior colleague, who was in Illinois to make a speech. The Senate adjourned in honor of Thomas after TOWER spoke.

"Despite his influence and interest in national affairs, he always remembered best his own constituency, laboring long and hard in behalf of the Houston area, its people and their interests," TOWER said.

"Support for Congressman Thomas came from all quarters—labor, industry, business, banking, shipping, farming, ranching, and many others.

"Houston, the State of Texas and the country are indeed better off as a result of Congressman Thomas' service. His constituents, his State and his country will all miss him."

[From the Houston (Tex.) Chronicle, Feb. 17, 1966]

REPRESENTATIVE THOMAS' BODY FLOWN HOME BY AIR FORCE—HIS FAMILY GREETED AT AIRPORT

(By Bob Lee)

Congressman Albert Thomas returned home to Houston to stay Wednesday.

The Air Force C-118 carrying his body touched down at Houston International Airport at 6:25 p.m. Five minutes later it came to rest at the gate 13 parking ramp.

Mayor Louie Welch, Police Chief Herman Short, and several other city and county officials were there to meet him.

He was accompanied home by his wife, Mrs. Thomas, their two daughters, Miss Lera Thomas and Mrs. Anne Lasater, of Brazil, his secretary, Rose Zamaria, and two committee aids, Homer Skarin and Keith Mainland.

Thomas, 67, who served Houston for 28 years, died Tuesday in his Washington home after a lengthy and characteristically stubborn struggle with cancer.

Funeral services will be at 2 p.m. Friday in the First Methodist Church of Houston.

The burial will be at the Veterans' Administration Cemetery at Steubner and Airline Roads.

An honor guard and pallbearers from Fort Sam Houston will pay last respects to Thomas, a tall man who cast a long shadow in the U.S. Congress.

He will lie in state at Settegast-Kopf Funeral Home, 3320 Kirby.

A small crowd watched as the flag-draped bronze casket was lowered by a forklift from the nose of the plane.

Many of the people had been waiting for more an hour.

They represented several nationalities and ethnic groups.

"He was a friend to all of us," said a Negro woman.

Mayor and Mrs. Welch were the first to meet Mrs. Thomas, a small woman dressed in plain black.

Other officials crowded around.

There was very little said other than: "I'm so sorry. He was a great man."

"Thank you."

The family was escorted to black limousines.

At 6:45 p.m., the casket was lowered and taken between tall rows of 20 fire department and 14 police department honor guardsmen who stood at attention in white-gloved salute.

The light of a flashing rotating red beacon atop a police car cast shadows on their faces.

The casket was placed into a Settegast-Kopf limousine. A procession of 10 black cars, escorted by motorcycles went down the Gulf Freeway to Milam, then out Milam to the Southwest Freeway to Kirby.

Officials at Settegast-Kopf said they expected "hundreds" to pay their last respects to Thomas, Thursday and Friday mornings.

There are no restrictions as to hours persons may pay their last respects at the funeral home, officials said.

Six pallbearers, an eight-man rifle honor squad, and a bugler from Fort Sam Houston will pay the last tribute to Thomas.

On Friday, beginning at noon, Roland Pomerat, Rice University carillonist, will play a special half-hour memorial concert in honor of the distinguished Rice alumnus. It will be played on the 72-bell Rice electronic carillon in Rice memorial chapel on campus.

Dr. Charles Allen, pastor at First Methodist, will officiate at the services, which will be televised by KTRK-TV.

A 50-Member delegation from the U.S. House of Representatives—including most if not all of the Texas delegation—and several Members of the Senate are expected to attend the services. Hundreds of the Congressman's friends and constituents are also expected.

First Methodist seats about 2,500 persons. Officials said those unable to be seated will be able to hear the service through a public address system.

Thomas will be buried in a special plot set aside for him.

Hundreds of persons—including President Johnson—praised Thomas for his work in the Congress.

As the flag-draped casket was carried from the fork lift to the waiting limousine, a small boy bundled in a big coat asked:

"Who's that, Grandpa?"

The old man looked down at him, "A man, son. A man."

[From the Houston (Tex.) Chronicle,
Feb. 17, 1966]

FORTY-FIVE DISTRICT OF COLUMBIA OFFICIALS TO BE AT RITES FOR CONGRESSMAN THOMAS

WASHINGTON.—A group of more than 45 Washington officials, including most of the Texans in Congress, were scheduled to go to Houston Friday to attend the funeral of Congressman Albert Thomas.

A spokesman for the National Aeronautics and Space Administration said James E. Webb, the head of the space agency, will be among them. He was a close personal friend of the veteran Houston legislator.

The Congressmen are scheduled to fly to Houston by a special Air Force jet leaving Andrews Air Force Base near Washington about 10 a.m., e.s.t., Friday, and arriving in Houston about 12:30 p.m., c.s.t.

The Texans in Congress who are to attend the funeral are:

Senators RALPH YARBOROUGH and JOHN G. TOWER; Representatives BOB CASEY, Houston; JOE POOL, Dallas; WRIGHT PATMAN, Texarkana; JACK BROOKS, Beaumont; LINDLEY BECKWORTH, Gladewater; RAY ROBERTS, McKinney; EARLE CABELL, Dallas.

Also, JOHN DOWDY, Athens; CLARK THOMPSON, Galveston; J. J. (JAKE) PICKLE, Austin; W. R. (BOB) POAGE, Waco; JIM WRIGHT, Fort Worth; GRAHAM PURCELL, Wichita Falls.

Also, JOHN YOUNG, Corpus Christi; ELIGIO (KIKI) DE LA GARZA, Mission; RICHARD C. WHITE, El Paso; OMAR BURLISON, Anson; WALTER ROGERS, Pampa; GEORGE H. MAHON, Lubbock; HENRY B. GONZALEZ, San Antonio; and O. C. FISHER, San Angelo.

Congressman OLIN E. TEAGUE, of College Station, will be unable to attend the funeral because he is on an inspection trip in the Far East.

A number of former colleagues of Congressman Thomas on the House Appropriations Committee also have been delegated to attend the funeral. They are:

Representatives MICHAEL J. KIRWAN, Democrat, of Ohio; JAMIE L. WHITTEN, Democrat, of Mississippi; JOHN J. ROONEY, Democrat, of New York; JOHN E. FOGARTY, Democrat, of Rhode Island; JOE L. EVINS, Democrat, of

Tennessee; OTTO E. PASSMAN, Democrat, of Louisiana; TOM STEED, Democrat, of Oklahoma; FRANK T. BOW, Republican, of Ohio.

Also, EDWARD P. BOLAND, Democrat, of Massachusetts; CHARLES R. JONAS, Republican, of North Carolina; MELVIN R. LAIRD, Republican, of Wisconsin; JOHN J. RHODES, Republican, of Arizona; DANIEL J. FLOOD, Democrat, of Pennsylvania; WINFIELD K. DENTON, Democrat, of Indiana; WILLIAM E. MINSHALL, Republican, of Ohio; ROBERT N. GIALMO, Democrat, of Connecticut; THOMAS G. MORRIS, Democrat, of New Mexico; and GEORGE E. SHIPLEY, Democrat, of Illinois.

Several Members of the House who served with Thomas on the Joint Committee on Atomic Energy also have been authorized to represent Congress at the funeral.

They are Representatives CHET HOLIFIELD, Democrat, of California; MELVIN PRICE, Democrat, of Illinois; and CRAIG HOSMER, Republican, of California.

CITY RESOLUTION PRAISES THOMAS

Congressman Albert Thomas "brought a keen mind, a strong character, and a sensitive appreciation of human problems to his position," a resolution of the Houston City Council said Wednesday.

It added that the veteran Congressman "has thereby maintained a lofty plane of legislative and personal principle and ethics that has brought him the esteem and respect of members of his own beloved Democratic Party, the loyal opposition party and the American people in all sections of the land and of all political and philosophical persuasions."

[From the Houston (Tex.) Chronicle,
Feb. 17, 1966]

THOMAS MEMORIAL IS PASSED BY TEXAS HOUSE

AUSTIN.—By unanimous vote Wednesday, the Texas House of Representatives passed and sent to the Senate a memorial resolution in honor of Congressman Albert Thomas, who died Tuesday.

Speaker Ben Barnes then named the 12-member Harris County house delegation to represent the State at the longtime Congressman's funeral Friday in Houston.

The resolution passed by the house and which will pass the senate Thursday, was signed by all of the members.

It termed Congressman Thomas "one of the great voices of the U.S. Congress" and drew attention to the fact that the Nacogdoches-born attorney attained eminence before seeking the congressional seat he held since 1937.

"Though all his years of service bore the mark of high statesmanship and moral courage, his last years were additionally distinguished by his personal courage. His indomitable spirit never flagged and he served his district and his Nation in illness and suffering with the same self-sacrificing devotion as had always been his want."

The house adjourned in memory of and in tribute to the late Congressman.

Tuesday, the house passed a memorial resolution in honor of another Houstonian, William Lockhart Clayton, who died February 8.

He was instrumental in the development of Houston into a modern metropolis as well as being influential in national affairs.

"His visions of oil, cotton, sulfur, and the great Houston Ship Channel provided much of the alchemy for the success of the city, to which he devoted much of his time and money after moving there in 1917," the resolution said.

Clayton was cofounder of Anderson, Clayton & Co., the world's largest cotton firm. He was also the creator of the Marshall plan, generally acknowledged to be the greatest act of international generosity in history and which had its conception in a memo he jotted on the back of an envelope.

The longtime Houstonian never sought public office but exerted great influence on the political life of his times and held a number of high Federal posts.

The house also passed Wednesday a memorial resolution honoring H. E. Treichler of Houston, a leading figure in the Texas sulfur industry for nearly half a century. Treichler died recently. He was consultant director and a member of the Pan American Sulphur Co.'s executive committee.

[From the Houston (Tex.) Post, Feb. 16, 1966]

REPRESENTATIVE THOMAS' BODY TO BE FLOWN HOME TODAY—RITES TO BE HELD FRIDAY

(By Charles Culhane)

WASHINGTON.—The body of Congressman Albert Thomas will be flown over Washington for the last time Wednesday as an Air Force plane bears him home to Houston.

Thomas, 67, died in his home in Washington Tuesday after serving Houston for more than 28 years in Congress. He had suffered several years from cancer, although he carried on his work much of the time in spite of it.

The White House said President Johnson will attend a memorial service for Thomas at 11 a.m. Wednesday in the Bethlehem Chapel of the Washington National Cathedral.

The funeral for Thomas will be held at 2 p.m. Friday at the First Methodist Church of Houston, 1320 Main, and Dr. Charles L. Allen, pastor of the church, will preside.

Burial will be in the Veterans' Administration Cemetery on Steubner Airline Road near Aldine Road, north of Houston, a cemetery for which Thomas worked in Congress.

President Johnson may come to Houston for the funeral.

The President telephoned Mrs. Lera Millard Thomas, the Congressman's wife, Tuesday to express his sorrow, and Mrs. Johnson visited the Thomas home.

Mrs. Thomas and the couple's two daughters, Mrs. Anne Lasater and Miss Lera Thomas were with the Congressman when the end came about 5:15 a.m., Tuesday. He was in a coma at the time of death.

Mrs. Lasater, who lives in Brazil where her husband manages ranch properties, and Miss Thomas, who now lives in Houston, arrived in Washington during the past week-end to be with their father.

Mrs. Thomas and her two daughters will accompany the body of the veteran Houston lawmaker on the flight to Houston Wednesday.

Homer Skarin and Keith Mainland, longtime committee aids to the Congressman in the House, will be with the family on the Air Force plane.

The plane is scheduled to leave Andrews Air Force Base near Washington at 1 p.m. central standard time and arrive in Houston at 6:30 p.m. central standard time.

American flags flew at half-staff all over Washington in honor of Thomas Tuesday as his family and friends in the Capital mourned his passing.

Thomas, who was noted for his hard-working habits as a Member of the House, had visited his office in Washington as recently as 2½ weeks before his death.

Dean Francis B. Sayre, the dean of the Washington National Cathedral, will preside at the service for the Congressman Wednesday.

A spokesman for the Veterans' Administration said Thomas will be buried in a special plot on the mall of the cemetery.

The body is to lie in state at the Settegast-Kopf Funeral Home, 3320 Kirby Drive in Houston, Thursday until noon Friday.

Speaker of the House JOHN W. MCCORMACK, Democrat, of Massachusetts, said Tuesday he will name 50 Members of the House

to attend Thomas' funeral in Houston representing Congress.

Most of them will be members of the Texas delegation in the House and members of the House Appropriations Committee on which Thomas served for many years.

Congressman WRIGHT PATMAN, Democrat, of Texas, the dean of the Texas delegation in Congress, said shortly after the House opened its session Tuesday, "It is my sad duty to announce the death of Albert Thomas, of Texas." The House then adjourned until Wednesday in his memory.

Thomas was not widely known outside of his home district in Texas, but Members of Congress and high officials of the executive branch of the Federal Government knew him as one of the most powerful and influential men on Capitol Hill.

He entered Congress in January 1937, and gradually climbed up the ranks of seniority until he was second-ranking member of the House Appropriations Committee. He was next in line to Congressman GEORGE MAHON, Democrat, of Texas, the chairman of the powerful committee which holds the purse strings of the Federal Government.

Thomas was chairman of the House Subcommittee on Independent Offices Appropriations for several years.

As subcommittee chairman, Thomas oversaw the spending of billions of dollars each year in Federal funds for such agencies as the National Aeronautics and Space Administration, the Securities and Exchange Commission and the Federal Aviation Agency.

Thomas is credited with being the prime mover in getting the Government to decide on locating the Manned Spacecraft Center in Houston although he sometimes jokingly deprecated his role in the matter saying "Oh, I was just the waterboy."

Thomas was born in Nacogdoches, April 12, 1898, and he was graduated from Rice University with a bachelor of arts degree. He received his law degree from the University of Texas. He served in World War I and was discharged as a lieutenant.

[From the Houston (Tex.) Post, Feb. 16, 1966]

HOUSTON FEELS LOSS OF THOMAS

The loss of Albert Thomas' skill and talent in Congress will be difficult to replace, leading Houstonians said Tuesday.

Gall Whitcomb, president of the chamber of commerce, called his death a tragic moment for Houstonians.

"We have lost one of our most capable and dedicated public servants," he said. "This man has been such an inspiration to so many that we must resolve to move forward with all the many things he has worked so hard so many years to accomplish.

"This is the way he would want it, and this is the way he has shown us, even up to the time of his death. We grieve, and yet we rejoice that we had him with us as a neighbor, a friend, and a public servant for so many years."

Mayor Louie Welch said: "Houston and Harris County have been beneficiaries of the great talent and energy of Representative Thomas during a most crucial period of development and growth. His monuments in Houston extend from the flood control dams of Addicks and Barber to the Manned Spacecraft Center.

"I know all Houston joins Mrs. Thomas and the family in mourning the passing of a great citizen of Houston, Tex., and the Nation."

Federal Judge Allen S. Hannay said he considered Thomas as one of the most valuable people in Texas since the death of Representative Sam Rayburn.

"He was the most valuable Congressman to Texas, and the most valuable citizen in Houston," the judge said. "I had quite a bit of correspondence with him in which I expressed myself along these lines. He [Thomas] always thanked me most profusely."

Oveta Culp Hobby, chairman of the board and editor of the Houston Post, said:

"The statement that the people of Harris County are going to miss Albert Thomas can be made with complete sincerity. Few congressional districts in the Nation have been served as ably.

"Yet in addition to a constant alertness to the needs and wishes of his constituency, he handled with great skill the financial needs of a wide range of national activities ranging from atomic energy to the welfare of veterans.

"He was a truly dedicated man, and the Nation could use more like him."

Robert R. Gilruth, Director of the Manned Spacecraft Center, said:

"I feel a deep sense of personal loss in the passing of Congressman Albert Thomas. In our official work together he demonstrated always a keen insight into national affairs, and the ability to unerringly support the proper program at the proper time. Our Nation will greatly miss his wisdom and guidance."

William N. Blanton, Sr., who is in his 14th year as a member of the port commission and served for 22 years as executive vice president and general manager of the chamber of commerce, said:

"I think Houston and Harris County have lost an eminent Congressman whose contributions have been outstanding. He was a popular and greatly beloved man and we're going to miss him. He has been a great factor in the building and development of our great port."

Dr. Philip G. Hoffman, president of the University of Houston, said few Members of the Congress "have ever served with the dedication and effectiveness of Albert Thomas."

"His remarkable knowledge of government and of the needs of his district was matched only by his willingness and ability to meet those needs," Hoffman said. "The University of Houston, with other institutions and the citizens of this area, was much in Congressman Thomas' debt. Texas and the Nation are poorer with his passing."

U.S. Attorney Woodrow Seals said "the worth of Albert Thomas to the people of Harris County will not be fully realized for years to come."

William P. Hobby, Jr., executive editor of the Houston Post, said:

"Houston, Texas, and the Nation have suffered a grievous loss with the passing of Albert Thomas. He represented his district and State ably. As the second-ranking member of the Appropriations Committee, he was one of the best informed Members of the Congress on the workings of the executive branch.

"He always used his great knowledge in the interest of the Nation."

City Councilman Lee McLemore said Thomas' death was "the passing of a rare breed of politician," adding: "We will miss his force and drive for the people of our Nation, especially in Houston. His handshake and smile were his bond."

City Councilman Frank Mann, who supported Thomas in his first race for Congress 30 years ago, recalled Thomas' first campaign speech.

"He was to speak in Baytown and he was afraid his opponent (former Mayor Oscar Holcombe) was much stronger there," Mann said. "He got up to talk and some old boy hollered 'Pour it on, Horsefy,' and Albert knew he was on home ground. That was his nickname up in Nacogdoches and Lufkin."

Mann remembered that Thomas called him in Austin in 1937, when Mann was in the legislature, and asked him to check on "that young man who was running for Congress." Mann checked and predicted the young man—Lyndon B. Johnson—would win. He did.

District Judge William M. Holland said the public had suffered "a great loss."

"Thomas always served his constituents. He was a very intelligent congressman," Hol-

land said. "People have always said that no matter what they wrote him about they always got very prompt answers."

District Judge Sam W. Davis, a friend of Thomas for 35 years, said he considered Thomas "one of the great congressmen in the country."

"The greatest thing of many great things he did for Houston and Harris County was getting NASA here," Judge Davis said. "His passing will be an irreparable loss to the people of Houston and Harris County."

County Judge Bill Elliott said:

"It's doubtful any congressman—any congressman—ever contributed more to the economic and cultural growth of his district than did Albert Thomas. He will not be able to be replaced."

Dr. S. M. Nabrit, president of Texas Southern University, said:

"I considered Albert Thomas not only our congressman but a personal friend. On my very, very first day on the campus of Texas Southern University, he made it his business to come out and visit me and let me know he was my Representative in Washington. Since that time he has left no stone unturned to do everything possible for our university and the Negro people in the 22d and 8th Congressional Districts.

"In other words, he has served the entire Houston community without any respect to district boundary lines."

James W. White, professor of English at TSU and new president of the Houston Business and Professional Men's Club, said, "We all regret very much the passing of this great man. His loss will be felt by all."

Don McCullar, business manager of the American Federation of State, County, and Municipal Employees Local 1550, and a candidate for president of the Harris County AFL-CIO, said:

"We're just shocked and deeply grieved to learn of the passing of this great American. He has stood out as a truly dedicated public servant who represented people in all walks of life with equal sincerity. The working people of Harris County and Texas have lost one of the greatest friends they've ever had."

City Councilman Johnny Goyen said "Harris County and the Nation have lost one of the great men of our times."

Councilman Robert S. (Bob) Webb said Thomas was "a great statesman whose weight and influence in behalf of Houston, of Texas, and the Nation will be greatly missed."

Councilman A. L. (Curly) Miller said "he served well; he did a wonderful job."

County Commissioner W. Kyle Chapman said:

"It's a great loss to the entire Nation, especially Harris County. I know of no one who has worked longer and harder and more diligently than Albert Thomas, keeping in mind at all times the welfare of the entire Nation."

Commissioner E. A. (Squatty) Lyons said, "It's very regrettable to see such a fine man leave this life at a comparatively early age."

Commissioner V. V. Ramsey called Thomas a "great American" who has "probably done this city more good than any other man."

Judge Spurgeon E. Bell of the First Court of Civil Appeals said, "Texas, and particularly Harris County, has lost a very distinguished, capable, and valuable public servant."

George E. Pletcher, Houston attorney, called it "a powerful loss."

"Congressman Thomas was admired, loved, and respected by all who knew him," McKaskle said. "His career in Congress was 30 years of devotion and service to the friends he loved so much. He was a powerful influence in many circles of Government and through this he was able to do much for the Houston area. We will miss his wisdom and the unusual ability he possessed in getting the job done."

Royal H. Roussel, staff associate of the Houston Chamber of Commerce, formerly stationed in Washington in that job, said:

"I've known Albert Thomas a very long time. He was one of the really great ones. Houston and the country have suffered a tremendous loss."

A number of others called for comment were out of town and unavailable.

[From the Houston (Tex.) Post, Feb. 16, 1966]

LEADERS PRAISE THOMAS: "DEATH LEAVES LONELY PLACE"

WASHINGTON.—President Johnson, paying tribute Tuesday to Congressman Albert Thomas, called him a remarkable man who worked hard and served well.

"Of the qualities that made Albert Thomas a remarkable man," Mr. Johnson said, "devotion to the people he served and loyalty to his friends stand higher than all."

"I knew him—and knew him well—for a long time. He loved Houston and the Congress of the United States. He worked hard. He served well. His death leaves a lonely place in the lives of those who knew him best."

Many Government leaders and fellow Members of Congress also praised Thomas.

"The loss of Albert Thomas was a very sad one," said House Speaker JOHN W. MCCORMACK, Democrat, of Massachusetts. "He was a bulwark of strength in serving the people of our country. His passing is a great loss to the Congress and to the country as a whole."

A new Cabinet member, with whom Thomas had had a long association in his capacity as chairman of the independent offices subcommittee of the House Appropriations Committee, called Thomas "one of the most forceful and respected leaders in Congress."

Continuing, Robert C. Weaver, secretary of Housing and Urban Development, said: "His mastery of the appropriations process and his intimate understanding of the programs he reviewed was second to none. We will miss his responsible counsel."

Administrator James E. Webb of the National Aeronautics and Space Administration, one of the 19 independent agencies whose appropriations requests are heard by Thomas' subcommittee, said:

"His friends in NASA who mourn his loss extend from coast to coast."

The idea of bringing industries and universities into the space program, instead of making it entirely a Government project, "was one of his dreams, and it has been brought to fulfillment in his lifetime," Webb said.

Senator RALPH W. YARBOROUGH, Democrat, of Texas, termed Thomas' death "the loss of one of Texas' greatest men in public life."

"His devotion to his constituency and his diligent work is seldom paralleled in public life," YARBOROUGH said. "Texas has never had a better Congressman. He was my best friend in the Texas congressional delegation."

"Albert Thomas was a dedicated and effective servant of his district and the entire State for more than 30 years," Senator JOHN G. TOWER, Republican, of Texas, said. "His leadership and wise counsel will be missed both in Texas and in Washington."

Thomas' colleague from Harris County, Congressman BOB CASEY, said the contributions of Albert Thomas "to the growth of Houston and Harris County are visible at every turn of the road * * *. He will indeed be missed not only by the people of Houston but by the Nation as a whole."

House Majority Leader CARL ALBERT, Democrat, of Oklahoma, called Thomas "one of the most effective and articulate Members of the House of Representatives. He was a friend of mine who befriended me in many ways. We have lost a great American and one of the outstanding Members of Congress of all time."

House Democratic Whip HALE BOGGS, Democrat, of Louisiana, said:

"In the face of great pain and suffering for almost a decade, Albert Thomas worked tirelessly on for the benefit of his State and our Nation."

"In the last decade of his life," Boggs continued, Houston entered its greatest era of advancement—a truly fantastic period of growth and prosperity."

"This thriving and progressive city of today is a living monument to Albert Thomas. It was he who launched Houston into its finest hour."

Congressman GEORGE MAHON, Democrat, of Texas, chairman of the House Appropriations Committee, noted that Thomas over the years handled some of the Nation's most important legislation.

Congressman CLARK W. THOMPSON, of Galveston: "I am shocked and grieved to learn of the passing of my old friend."

[From the Houston (Tex.) Post, Feb. 16, 1966]

THOMAS ALWAYS HAD TIME: "FOLKS" CAME FIRST

(By Franklin Reed)

WASHINGTON.—It was November 20, 1945, and a 16-year-old Houston youth, in Washington to appear on a radio program, dropped by the office of Congressman Albert Thomas.

Possibly, the young Houstonian thought, a busy Congressman could take 30 seconds to shake hands with someone from the old hometown.

The Congressman took 30 seconds to shake hands. Then he took 30 minutes to chat with his visitor in the office; another 30 minutes to take him to lunch—most memorable of all to the visitor—another 30 minutes to take him onto the floor of the House of Representatives to sit and listen, enraptured, as if he were a Congressman himself.

All this, when the visitor would have been sufficiently flattered with a simple handshake.

As much as anything, this was Albert Thomas. He seemed to feel that nothing was too good for the home folks. The fact that one of them might be only 16 years old and couldn't vote didn't make a bit of difference to him.

And thus it is that a man who could easily be remembered for big things may come to be remembered more for little things—thousands of seemingly inconsequential acts, courtesies and favors for the best people in the world to him, the residents of the Eighth Congressional District of Texas.

At his death, Houstonians in uncounted and uncountable numbers are probably calling forth some personal memory of the Congressman.

Maybe it was a lunch date, or a phone call, or a letter of congratulations or condolence, or an appointment to a service academy, or help in cutting through the redtape of Washington.

As they do this, this is their memory of Albert Thomas.

The writers of the Constitution wanted the House of Representatives to be close to the people. Thomas, though he had great power and prestige, which often make a man remote, never forgot this.

How is it that I know so much about that 16-year-old Houston youth? I was that youth.

[From the Houston Post, Feb. 16, 1966]

THOMAS WORKED ALWAYS FOR HOUSTON, HARRIS GROWTH—WATER BOY ON SPACECRAFT CENTER, HE SAID

The death of Congressman Albert Thomas deprived Houston of one of its best friends.

The 67-year-old Congressman, at the time of his death one of the dozen most powerful men in the House of Representatives, is generally credited with getting the multimillion

dollar Manned Spacecraft Center located at Houston.

A hard worker, jealous of his power but rarely one to sing self-praise, Thomas described his role in the acquisition as "just the water boy." Others, though, said it was the biggest Federal plum in Thomas' long career.

President Kennedy, the night before he was assassinated, paid homage to Thomas as a statesman who helped steer Houston and the Nation into the space age.

"Albert Thomas is a man young enough to dream dreams and old enough to see visions," said the President.

Only 10 other men now in the House have served longer in the House than Thomas. Before his death, he was the second-ranking Democrat on the power Appropriations Committee.

For many years he was the chairman of the Appropriations Subcommittee on Independent Offices, which screened appropriation requests of all the independent agencies of Government such as the National Aeronautics and Space Administration, the Veterans' Administration, the Federal Power Commission, the Federal Aviation Agency, the Federal Communications Commission, the Civil Aeronautics Board, the General Services Administration and many others.

For several years he was also chairman of the House Subcommittee on Deficiency Appropriations, which considered all supplemental appropriations requests for all Federal departments and agencies.

He was also a member of the Joint Committee on Atomic Energy, the powerful House-Senate committee having jurisdiction over the Atomic Energy Commission, for several years until his death.

It was this combination of positions based on seniority which made him so powerful in Congress and so influential with the agencies of the executive branch.

During his 29 years in the Congress—his 30th year began last January—Thomas worked consistently to help the economic growth of Houston and Harris County.

In exchange, the voters returned him to their Nation's Capitol 14 times—a record unsurpassed by any other U.S. Representative from Harris County.

He helped secure Federal funds over the years for widening and deepening the Houston ship channel. He was a prime mover in the campaign to take the San Jacinto Ordnance Depot on the ship channel out of the hands of Government and turn it over to private developers for industrial use.

Thomas reached his peak in power and prestige after his Democratic colleagues elected him chairman of the House Democratic caucus in January 1964.

A few months later he announced he would retire after 1964 because of ill health, but because of the "home folks" he changed his mind.

Thomas was a master of the handshake and the "How are you, pardner?" routine, but he avoided the weekly luncheons of the Texas delegation in Congress.

Instead he prided himself on the time he spent in the mornings and evenings doing his "homework" for legislation he had to consider.

Between sessions of Congress Thomas spent most of his time touring government agencies to see first hand their needs and what they were doing with the taxpayers' money.

He made inspection tours, in connection with his duties in the House, to England, France, Belgium, Germany, Turkey and the Soviet Union.

Thomas was noted for his courtly manner even in the heat of debate on the floor of the House. He drew appreciative laughter from his fellows more than once when he turned back the bitter opposition of another Member with an extravagant compliment.

At other times he could be scathing when something displeased him.

Thomas dressed neatly but conservatively and the bow ties he wore were one of his trademarks. Another familiar trait was his eyeglasses in their familiar position high on his forehead.

Born April 12, 1898, in Nacogdoches, Thomas was the son of James and Lonnie Langston Thomas. He was graduated from Rice University with a bachelor of arts degree and received his law degree from the University of Texas.

He was admitted to the Texas bar in 1927 and was county attorney for Nacogdoches County from 1927 to 1930 when he moved to Houston to accept an appointment as an assistant U.S. attorney.

He resigned from that office in 1936 to run for Congress in a field of 12 candidates. He defeated Oscar Holcombe, who had served several times as mayor of Houston, in the runoff election and started his term in the House in January 1937.

He has served continuously since as a U.S. Representative.

Thomas married the former Lera Millard, of Nacogdoches, on October 21, 1922. They have two daughters, Mrs. Edward A. Lasater and Lera Thomas. The Thomases have two grandchildren, Lauren Lasater, born in 1963, and Lera Lasater, born in 1965.

The couple's Washington home, a two-story structure, is furnished almost completely with the antiques Mrs. Thomas collects as a hobby.

On two occasions Thomas was presented with a new Cadillac, gifts of appreciation from his constituents. The Houston Sales Association named him Texas Salesman of the Year for his efforts toward making Houston a center of space technology.

In Baytown there is a traffic circle named after the late Congressman.

But the high point in Thomas' achievement-studded career came in November 1963, when President Kennedy and then Vice President Lyndon Johnson and their wives came to Houston to attend a testimonial dinner in the Congressman's behalf.

The President said of Thomas:

"I don't know of anyone who has been a greater help in trying to get the job done, not just for Houston and not just for Texas, but for the entire United States, than Albert Thomas.

"He may not be so well known outside of this district in Texas and in Washington, but I can tell you that when he rises to speak in the House of Representatives, they listen; so do some Senators, and so do we down at the other end of Pennsylvania Avenue."

Thomas left Houston with the Presidential party. He was in Dallas when Kennedy was assassinated and in the airplane when Johnson was sworn in as the new Chief Executive.

During World War I Thomas served as a second lieutenant in the U.S. Army. In the second world war he served on the subcommittee which passed on appropriations for the U.S. Navy.

In 1950 he was elected chairman of the Texas delegation.

For 8 more years Thomas represented the whole of Harris County—the most populous district in the Nation. When the county was divided into two congressional districts, Thomas chose to represent the people who lived north of the bayou.

In 1964 a U.S. Supreme Court decision led to the redistricting legislation of 1965 which gives Harris County a third U.S. Representative next year.

Representing an area that grew from one to three Congressmen, Thomas retained his prestige and continued his efforts to improve the economy of the country.

Though given a high rating by an ultra liberal group, Thomas kept a tight hold on the Nation's purse strings by consistently making reductions in appropriations requests.

However, he fought against cuts in the national space budget.

Thomas once said the achievements of which he was proudest were the establishment of two shipyards at Houston, a tank assembly plant and the Dickson gun plant with its ordnance contracts and the rebuilding of Ellington Air Force Base—all during World War II—and the location of the Manned Spacecraft Center in Houston in 1961.

The Congressman was called a statesman by President Kennedy. But Thomas was also a politician.

The tall, thin man with the ready smile and firm handshake was an imposing figure—but he never forgot his people. In opening a speech, he included everyone: Colleagues, guests, children, visitors, newsmen and others . . .

When President Johnson signed the Federal airport aid program bill in 1964, Thomas added his special touch to the ceremony. He ingratiated himself with women news correspondents by passing out the special pens the President used in signing the bill.

He handed out four pens to the girl reporters before his pipeline of pens was shut off. One of the guests at the bill signing remarked knowingly to another:

"Honey, I believe he is running again."

[From the Houston (Tex.) Post, Feb. 16, 1966]

THOMAS' DEATH DEALT TEXAS INFLUENCE A BLOW

(By Felton West)

The death of Congressman Albert Thomas is a blow to Texas power and prestige in Congress—especially that of the Houston area—which cannot be overcome for many years.

The 67-year-old Houston Congressman held influential positions in the House of Representatives into which no Texan can step without accumulating years of seniority starting from scratch.

He was the No. 2 Democratic member of the House Appropriations Committee—ranking below only Chairman GEORGE H. MAHON, Democrat from Lubbock, in seniority.

He was chairman of the committee's subcommittee on independent offices, which considered the annual appropriations for almost all agencies of Government except the Cabinet Departments and their components. He was also a member of the Department of Defense appropriations subcommittee.

He and MAHON, slightly younger at 65, were the only Texans on the Appropriations Committee.

Any Texan added to the committee will have to start at the bottom on the committee and work his way up year by year, in the process of living long and getting repeated favor of the voters every 2 years, before he achieves the power and ability Thomas had to look out for Texas and local interests.

In addition to his post on appropriations, Thomas had, because of his seniority and expertise in Federal fiscal affairs, positions on two joint committees of Congress—the Joint Committee on Atomic Energy, which considers legislative matters involving the Atomic Energy Commission and the use and control of atomic energy, and the Joint Committee on Reduction of Non-Essential Federal Expenditures, which recommends reductions in Federal spending and keeps watch on the growth of Federal employment.

With this combination of posts and his wide acquaintance and respect among his colleagues in the House and counterparts in the Senate, Thomas was able to look out for Texas and Houston interests in a way few others in the Texas delegation could.

It was in recognition of this fact that many of his friends urged him to seek re-

election in 1964 for his 15th term even though he wished—and announced his intention—to retire because of his cancerous condition.

Others in the 23-member House delegation, and Texas' two U.S. Senators, almost always looked to Thomas for help in getting appropriations for Texas projects.

But his death not only deprives the Houston area and Texas of a powerful promoter and protector of their interests; it also dilutes their voice in national affairs. Thomas' thinking carried a lot of weight in the shaping of nationwide programs, such as the space effort and civil defense.

What will happen to his power positions now?

It is probable that another Texan will be appointed by the Democrats to the 46-member Appropriations Committee, but if so he will be the low man on a 34-member Democratic totem pole.

He will not be eligible for a subcommittee chairmanship until he has stacked up many years of seniority on the subcommittee, no matter how many years he has already been in Congress and serving on some other committee. It would take him much longer to become chairman, or No. 2, on the full Appropriations Committee.

Though it is probable that another Texan will be put on the committee, there is no certainty even of that. Most of the other most populous States—specifically, New York, Illinois, California, Florida, and New Jersey—are represented by two Democrats. Including Republicans, New York, Ohio, Illinois, and California have three members each on the committee. But only 28 of the 50 States have Democrats on the committee and 15 States have not a single Democrat or Republican on it.

Demands for representation from at least some of these 15 are inevitable when the Democratic members of the House Ways and Means Committee, who make up the Democrats' committee on committees, decides on a committee replacement for Thomas.

But if the Texas House delegation gets solidly behind one candidate with sufficient seniority, congressional observers believe that the Texan they get behind will get the post because of the size of the State's delegation.

The most likely Texas choice of those probably interested is Representative LINDLEY BECKWORTH, Democrat, from Gladewater, who is now serving his 12th 2-year term in the House but only his 5th consecutive one since being out of Congress for 4 years in the 1950's.

Nine other Texans have more seniority in the House than BECKWORTH, but with the exception of Representative JOHN DOWDY, of Athens, they have worked themselves up the seniority ladder on other committees to chairmanships or near-the-top rungs they probably will not want to abandon to go to the foot of the Appropriations Committee.

A member of the Appropriations Committee may serve on no other standing House committee.

Representative DOWDY might desire the appropriations position, but because of his record of voting at odds with the administration and the Democratic majority, congressional observers regard him as unlikely to meet the approval of the Democratic Committee on Committees and have solid support from the Texas delegation.

Other Texans who are most likely to be interested in the position and have anywhere near the seniority likely to be needed are Representative BOB CASEY, of Houston, now serving his fourth House term, and Representatives HENRY B. GONZALES of San Antonio and GRAHAM PURCELL of Wichita Falls.

The latter are serving their third terms, but GONZALES came to the House via a special election and has a few months' seniority on PURCELL.

Several other Texans with less seniority would undoubtedly desire the post, but are considered to have no chance for it.

No matter which Texan gets the committee position, if one does, he cannot get Thomas' subcommittee chairmanship just as he cannot inherit the committee seniority.

That can be expected to go to Representative JOE EVINS, Democrat, of Tennessee, the No. 2 Democrat on the subcommittee, as long as the Democrats control the House.

There is no way of predicting whether a Texan will be chosen by the Speaker of the House to succeed Thomas on the Joint Committees on Atomic Energy and Reduction of non-Essential Federal Expenditures.

But it is likely that Congressmen from other States with great seniority will be named to these.

[From the Houston (Tex.) Post, Feb. 16, 1966]

CHAMBER OF COMMERCE PRAISES THOMAS'
COURAGE, DETERMINATION

The Houston Chamber of Commerce paid tribute to the late Congressman Albert Thomas and extended its deep sympathy to Mrs. Thomas and members of the Congressman's family in a resolution adopted Tuesday.

The chamber cited Thomas' "record of distinguished service to Houston and Harris County" and said in part:

"Congressman Thomas was a staunch advocate of economy in governmental operations * * * he was a constant foe of 'back-door' spending, believing that all appropriations should go through the full checks and balances of established congressional procedures.

"His leadership in connection with the location here of the NASA Manned Spacecraft Center was an outstanding example of his thoroughness and effectiveness. * * * Standing almost alone, he overcame powerful forces in the Congress to get the San Jacinto Ordnance Depot declared surplus.

"A courtly man, with a courteous but positive approach, he campaigned actively every 2 years for reelection, traveling the highways and byways of the county, shaking hands with those he represented and listening to their views on public issues.

"During the long and trying months of his final illness, he demonstrated almost superhuman determination and courage in continuing to meet his official responsibilities and to serve his constituency."

[From the Houston (Tex.) Chronicle, Feb. 18, 1966]

AVE ATQUE VALE, ALBERT THOMAS

This is a sad day for Houston and Harris County.

It is the day on which one of our most distinguished sons, Albert Thomas, for 30 years the representative in Congress of the 8th District of Texas, is laid to his final rest.

His loss is hard to accept, even though we had advance warning of it. The state of his health had been precarious for 3 years and more. But he carried on so courageously and so well that when the blow fell none of us was really prepared for it.

During most of his career in Congress Albert Thomas represented all Harris County; in recent years, since the county was divided into two districts, he has represented only the north half. Yet the interests of the entire county remained uppermost in his heart, as is evidenced most dramatically in the fact that the Manned Spacecraft Center, which he did so much to help locate here, is not in his own 8th but in the 22d district.

And it is all of Harris County that mourns him today, along with Texas and the Nation. All Harris County extends its sym-

pathy to the wife and daughters of its veteran Congressman.

Many of the Nation's great came here today for the funeral. Those of his constituents who cannot join them at church service and graveside do so in spirit.

Albert Thomas, hail and farewell.

[From the Houston (Tex.) Post, Feb. 16, 1966]

ALBERT THOMAS SERVED ABLY

Few congressional districts in the Nation have been served as ably as Harris County during the long tenure of Representative Albert Thomas. At the time of his death and for many years before, he was a member of the powerful House Appropriations Committee. In this capacity, he had a major part in obtaining for the county such Government installations as the Veterans' Administration hospital (originally a Navy hospital) and the Manned Spacecraft Center.

If the success of a Congressman is measured by what he does for the people of his district, Albert Thomas was greatly successful. But doing things for Harris County was only the bread-and-butter part of his 29 years in Congress. As chairman of the Appropriations subcommittee that handled funds allotted to some 40 Government agencies, ranging from the Atomic Energy Commission to the Veterans' Administration, he sought to represent all of the people of the United States in seeing to it that the money was spent wisely.

He was regarded as one of the hardest-working Members of the House. He was at his office early every day, and frequently took work home with him at night. When bureau officials seeking money appeared before his subcommittee, they usually found he knew as much about their subject as they did. Within the committee and on the floor of the House, he often voted against administration projects he considered unwise or wasteful.

Thomas was born in Nacogdoches in 1898. He was graduated from Rice University, served in the Armed Forces during World War I, and received his law degree from the University of Texas Law School. He also attended Harvard University Law School for a time.

He was serving as county attorney at Nacogdoches in 1931 when he was offered a place in the office of the U.S. district attorney here during the Hoover administration. When Douglas W. McGregor became U.S. attorney after the election of President Franklin D. Roosevelt, Thomas remained in the office as an assistant.

He gained considerable fame in the Federal courts of the district as a prosecutor. To underworld characters he helped convict, he was known as "Vinegarroon."

In 1936, the office of Congressman from the Eighth District, which then included all of Harris County, became vacant when Representative Joe Eagle retired to run unsuccessfully for the Senate. Thomas became one of more than a dozen candidates.

Thomas and former Mayor Oscar F. Holcombe were in the runoff primary, and Thomas won. It was a political upset, and a tribute to the Thomas smile and handshake.

The county's population was much smaller then than it is now. Television was still to be born, and if a young man in politics wanted votes, he had to get out and meet the voters. Thomas, by traveling around the county from early morning until late at night, met most of them.

In election years since, he usually won reelection easily.

Albert Thomas learned how the people of this county felt about him November 21, 1963, when some 3,300 attended a banquet in his honor. It was held in the coliseum. Among those who said complimentary things were President John F. Kennedy and then

Vice President Lyndon B. Johnson. Mr. Kennedy was killed the next day in Dallas, and Albert Thomas was present in the plane when Mr. Johnson took the oath as President.

He also was honored in 1965 when the Brown Foundation gave \$500,000 to Rice University to establish the Albert Thomas chair of Political Science.

Thomas' death, although not unexpected, was a shock to all who knew him and loved him. The Post joins many friends throughout the Nation in sympathy for Mrs. Thomas and his daughters. He will be long remembered here and in the Halls of Congress.

[From the Houston (Tex.) Chronicle, Feb. 16, 1966]

CONGRESSMAN ALBERT THOMAS

To the Nation Albert Thomas was a towering figure on the House Appropriations Committee and for many years the key member of that committee so far as several important agencies of Government are concerned.

To the district he represented he was a Congressman extraordinarily devoted to his "home folks" and their interests, and as extraordinarily successful in protecting and advancing those interests.

To the hundreds of Congressmen who served with him in the House over the years he was one of the hardest working Members, one of the most knowledgeable, one of the best allies, and one of the toughest opponents in a legislative fight, one of the best friends.

For, although often called a "loner" because he worked such long hours and gave little time to the Capital social whirl, he had a great capacity for friendship as well as for commanding the respect and admiration of his colleagues.

It would be difficult, indeed, to give Albert Thomas sufficient recognition for his labors in behalf of his constituents.

One thinks first, perhaps, of the location of the Manned Spacecraft Center of NASA here in Harris County. The largest share of the credit assuredly goes to him.

But many monuments to Albert Thomas stand in Houston and Harris County. He had a hand in getting for this community the Veterans' Administration hospital, the Sam Houston Coliseum, the new Federal building, the Dickson gun plant of World War II fame, among many other such services to his community.

And during all his 30 years in Congress he worked hard and successfully for the continuing development of the Houston ship channel. A great deal of the credit for the successive deepening and widening of the waterway belongs to him.

Besides those monumental services to Harris County, Thomas also found time to do thousands of favors for individual constituents.

It was a fortunate day for Harris County 30 years ago when Thomas, then the assistant to the U.S. district attorney here, decided to run for Congress.

The Eighth District of Texas grew in population until for years Albert Thomas represented more people than any other Congressman. It was a heavy responsibility to represent more than twice as many persons as the average Member of the House. At length Harris County was redistricted and the Eighth District became the north half; last year a second redistricting reduced it to what might be described as the northeast third of the county.

Through his long service Thomas rose in seniority to 11th in the House (8th among Democrats). More important, he rose to the immensely powerful position of No. 2 member of the House Appropriations Committee.

As chairman of the Subcommittee on Independent Office Appropriations he wielded vast influence for many years. As a member

of the Appropriations Subcommittee on Defense he had much to say about expenditures which in recent years have been running about half the Government's total. Another of his positions of great influence was his membership in the Joint Senate-House Committee on Atomic Energy.

It is no wonder that when Thomas announced almost 3 years ago his intention of retiring, he was flooded with requests for reconsideration.

These came from the President, John F. Kennedy; the Vice President, Lyndon B. Johnson; from hundreds of his colleagues in the Congress; and from uncounted thousands of citizens of Harris County and Texas.

Even then—in April 1963—he had carried on for some time despite illness and pain. He had undergone three operations for cancer. Assuredly the veteran representative of the Eighth Texas District had long since earned the right to rest, to live out whatever time remained to him on this earth free of the pressure of official duties, free to enjoy to the full the company of his family.

But that was not to be. In the face of such impressive evidence that top officials and constituents alike wanted him to carry on, there was nothing to do, for one with his devotion to duty, but to remain in harness. He ran again, for his 15th term. He served on, working those long hours except when his health demanded he spend some time in the hospital.

Only last January 22 he announced that he would seek his 16th term. He had recently been home and had had impressed upon him once again that his people wanted him to continue to represent them. He had just had another letter from President Johnson telling him he needed his help and counsel.

The tribute which President Johnson paid Representative Thomas says so much in a few words we repeat it here:

"Of the qualities that made Albert Thomas a remarkable man, devotion to the people he served and loyalty to his friends stands higher than all.

"I knew him, and knew him well, for a long time. He loved Houston and the Congress of the United States.

"He worked hard. He served well. "His death leaves a lonely place in the lives of those who knew him best."

During his lifetime Thomas was paid many honors, only a few of which there is room to mention here.

The Albert Thomas appreciation dinner held in the coliseum November 21, 1963, was probably the largest seated dinner ever held in Texas. There were more than 3,200 persons in attendance; a Cadillac was presented to the Congressman; among those present were President and Mrs. Kennedy and Vice President and Mrs. Johnson.

Last year the Brown Foundation made a \$500,000 gift to Rice University for the Albert Thomas chair of political science. The Congressman and George Brown were freshmen together there in 1916 and were lifelong friends.

The magnificent gymnasium in the new Sam Rayburn House Office Building is named in honor of Albert Thomas.

Those are a few of the honors heaped upon him. There will be more. And the longtime Congressman from the Eighth District of Texas will live in the history of his State and Nation.

DE GAULLE AND HO

Mr. MONTROYA. Mr. President, the Philadelphia Inquirer believes Charles de Gaulle's message to Ho Chi Minh adds another obstacle to President Johnson's quest for unconditional peace negotiations in Vietnam.

The paper said:

It has been increasingly clear for some time that Charles de Gaulle is actively interested in blocking any settlement in Vietnam that would be satisfactory to the United States and to the South Vietnamese Government.

The President of France could not bear to see Americans victorious against the Communists who dealt a humiliating defeat to the French on the same field of battle a dozen years ago.

The Inquirer concludes:

What De Gaulle seeks to promote is an American surrender.

In our quest for peace we must take into consideration all such matters as the one discussed in the editorial of February 17, to which I have referred, and therefore I suggest that we make it a part of the RECORD.

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

CHARLES DE GAULLE AND HO CHI MINH

It has been increasingly clear for some time that Charles de Gaulle is actively interested in blocking any settlement in Vietnam that would be satisfactory to the United States and to the South Vietnamese Government. The President of France could not bear to see Americans victorious against the Communists who dealt a humiliating defeat to the French on the same field of battle a dozen years ago.

Now, in a remarkable letter to Ho Chi Minh that fairly drips with patronizing warmth and friendliness, De Gaulle gives a hint of how far he is prepared to go in his obsession to frustrate U.S. objectives in Vietnam. He has told the leader of Communist North Vietnam, in effect, that he can count on French assistance in seeking an end to the war on terms agreeable to the Reds and compatible with their aims of conquest.

The De Gaulle letter declares that "the population of South Vietnam should be able, without external intervention, to form a representative government, which, in any event, cannot be done while the war goes on." In this and other passages De Gaulle indirectly, but unmistakably, condemns U.S. military action in defense of freedom in South Vietnam and dismisses the existing Government in Saigon as unrepresentative of the South Vietnamese people. This is the exact line of the Communists, who want the Vietcong terrorists, supplied and controlled by Hanoi, recognized as the governing authority in South Vietnam.

It is extremely unfortunate that United Nations Secretary General U Thant, in a hasty and ill-considered expression of his personal view, has given endorsement to De Gaulle's unwarranted and unhelpful intrusion upon the Vietnam scene in this crucial time of delicate diplomacy. Mr. Thant would better serve the cause of peace, and the objectives of the U.N., if he exercised greater caution and shrewder judgment in evaluating the purpose of De Gaulle's meddling.

Charles de Gaulle's message to Ho Chi Minh adds another obstacle to President Johnson's quest for unconditional peace negotiations in Vietnam. What De Gaulle seeks to promote is an American surrender.

TRUTH IN LENDING

Mr. DOUGLAS. Mr. President, I was greatly encouraged to have brought to my attention the resolution passed unanimously by the special convention of the American Veterans Committee on

February 13, 1966, which endorses the truth-in-lending bill, S. 2275.

I ask unanimous consent that the American Veterans Committee resolution be printed in the RECORD.

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

RESOLUTION REGARDING TRUTH-IN-LENDING BILL, S. 2275

Whereas payments on installment and mortgage debt now account for over one-fifth of average family income in the United States;

Whereas veteran and nonveteran consumers alike have the right to plain information on what they are going to have to pay when they borrow money;

Whereas testimony before the Senate Banking Subcommittee and other groups have shown widespread concealment of high interest charges on consumer credit through misleading methods of stating financial costs;

Whereas veteran and nonveteran consumers would benefit from the passage by the Congress of the truth-in-lending bill: Be it

Resolved, That this special convention of the American Veterans Committee endorse this bill and urge its support by all chapters of the American Veterans Committee; be it further

Resolved, That copies of this resolution be sent to the President of the United States, to Senator A. WILLIS ROBERTSON, chairman of the Banking and Currency Committee, and to Senator PAUL DOUGLAS.

(Passed unanimously by special convention of American Veterans Committee, Washington, D.C., February 13, 1966.)

EARTHQUAKE DAMAGE TO ALASKA FISHERIES DISCLOSED

Mr. GRUENING. Mr. President, the far-reaching consequences of the devastating Alaska earthquake of March 1964 have, by no means, been fully appraised. While Federal, State, and local authorities cooperated devotedly and effectively in rebuilding much of the physical damage on land, still other consequences not fully grasped at first have now come to light.

The current issue of the Fishermen's News, February 1966, devotes a large portion of its space to a graphic description both in text and in pictures to the far-reaching devastation of the fisheries in Prince William Sound, long one of the great productive areas. It is clear that steps must be taken at the earliest possible moment to try and repair this damage and restore the area's great natural resource, the pink salmon.

I ask unanimous consent that the article, "Prince William Sound Earthquake Loss at \$1 Million" with the subhead, "Spawning Bed Damage Threatening Current, Future Pink Salmon Runs," be printed in my remarks.

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

PRINCE WILLIAM SOUND EARTHQUAKE LOSS AT \$1 MILLION—SPAWNING BED DAMAGE THREATENING CURRENT, FUTURE PINK SALMON RUNS

(By Lone E. Janson)

A million dollars a year. That's what the continuing effects of the 1964 Good Friday

earthquake are costing the fishing industry in Prince William Sound, Alaska, according to the best educated guesses available. These figures are based on 2 years of research in the Prince William Sound, epicenter of the big shake.

When things began to dance around that March 27 of 1964, eggs from an escapement of 1.3 million salmon were already within the gravels of the sound; 6 million mature salmon were out at sea, already feeling the urge to return to their native spawning beds, many of which would no longer exist when they arrived.

During the 5½ minutes that the earth shook, the floor of Prince William Sound was shattered and cracked in numerous places, great areas of the crust slipping and sagging as much as 6 feet down; these were the subsided zones, mostly in the northern third of the sound. Other areas were fractured and split and finally pushed upward; the uplift zones, mostly in the southern third of the sound. There was a slice through the middle which remained about the same level.

The greatest uplift was 33 feet at the southwestern tip of Montague Island. MacLeod Harbor on that island was uplifted 31.5 feet.

Following the quake came the big Tsunami, the tidal wave, tearing up trees and spawning gravels, washing its load of smothering silt into the spawning beds of the salmon streams.

When it was all over, the salmon biologists of the Alaska Department of Fish and Game, and scientists of every stripe began to work, trying to figure out exactly what did happen to us. Early that spring, Wally Noerenberg, head of pink salmon research in Alaska, and Prince William Sound salmon biologist Bob Roys were out on the sound with a small task force pumping eggs and taking samples.

They found extensive damage to salmon alevins within the gravel from three sources: (1) Mechanical damage from the disturbance of gravels during the shake, (2) silt, with its deadly smothering effect, and (3) massive destruction of streambeds by the Tsunami.

The estimated loss of salmon eggs was 235,000.

When the salmon came in that summer, the biologists were out to meet them and study and observe what the salmon did when they could not reach their uplifted home spawning beds or found them deeply flooded or silted.

Now, 2 years later, the picture is beginning to emerge quite clearly. From the Geological Survey has come confirmation of changes in land level which the researchers estimated in the field; and from the camera lens has come mute but eloquent testimony of the tremendous effect the Good Friday earthquake has had and is continuing to have on pink salmon in Prince William Sound and elsewhere.

It is the uplift zones, with about 191 streams and about half of the sound escapement, that the greatest damage is being sustained. In some streams salmon have managed to reach spawning gravels, only to have the entire stream percolate underground and leave great populations stranded and unspawned, dead upon the beach. In others, they have been unable to reach their natal gravels and have chosen other places to spawn; unstable stream beds which quickly find new channels, either washing out the eggs or leaving them dry and soon dead. In places of very great uplift, the instability was particularly marked; erosion is proceeding at an enormous rate and the devastation of salmon eggs approaches an overall 93 percent mortality. One stream in MacLeod Harbor has chiseled a new stream bed so deeply since the quake that there is a 6½-

foot strata along the bank, just in 2 years time.

In the zones of subsidence, there are the effects of flooding and siltation. It is more difficult to measure the damage here, except where there are such obvious conditions as massive destruction or debris blocking streams.

Intertidal spawning has always been one of the distinguishing features of Prince William Sound pink salmon runs. In many cases intertidal spawners chose their native gravels even though there was little left but boulders and silt; survival in such cases has been poor. In the zones of greatest uplift, naturally the greatest percentage of salmon shifted to new—and usually unstable or unsuitable—sprawling beds, as high as 95 percent in MacLeod Harbor, an overall 50 percent shifted to new intertidal beds in the uplift zones.

It has been calculated that the definitely known loss in Prince William Sound alone is \$905,000 in 1965; it is expected that they may be even higher in this, the return cycle of the earthquake year. Furthermore, unless man can help tip the balance, it will continue in the neighborhood of a million dollars a year until mother nature has time to stabilize her streams and her populations of fish; some entire races may be wiped out by then.

There are things we can do, if we can get funds for the work. The Alaska Department of Fish and Game had laid out a program which they feel would help to minimize the losses. Their recommendations:

1. A survey of the disturbed areas of the sound by qualified engineers to determine whether the erosion rate stabilization in the uplifted area can be accelerated, i.e., costs, time needed, etc.

2. A cleanup of the subsided salmon spawning areas by gravel cleaning, debris removal, etc.

3. Have a mobile unit (back hoe or small tractor) on hand during spawning and the means to transport it, that could be used to eliminate the salmon stranding problem.

Appeals have been made to the Alaska congressional delegation for earthquake relief or conservation funds of some sort to accomplish this work quickly; we need and ask support from other segments of the fishing industry for our cause, for we know that this is not only our loss; there are many fishermen, tendermen and cannery people dependent on the resources of Prince William Sound either wholly or in part.

Until the damage to spawning habitat is repaired, either by Nature or by man helping nature, we will continue to lose a million dollars a year in Prince William Sound, epicenter of the Good Friday earthquake.

MARION—A MODERN PRISON

Mr. LONG of Missouri. Mr. President, recently the St. Joseph News-Press, of St. Joseph, Mo., published an excellent article on the Federal penitentiary at Marion, Ill. The article was written by an able newsman and longtime friend of mine, Harold M. Slater, who is city editor for the paper. Mr. Slater's article describes clearly the operations of the Federal Prison System at Marion which is our most modern penal institution. The prisoners confined at Marion are for the most part those who present the most difficult custodial problem. With few exceptions, the prisoners have been transferred to Marion from some other Federal institution because they present special problems. Such prisoners in years past were sent to the "Rock,"

Alcatraz Island, before it was closed down. Anyone who has had the opportunity to visit Alcatraz will find a vast difference in physical facilities between it and Marion, but the latest security technology has made Marion practically as inescapable. Any loss in security, and at most it is only slight, has been more than compensated for by the increased capability to carry out rehabilitation programs.

To bring to the attention of my colleagues the work of the Bureau of Prisons at Marion, I ask unanimous consent that Mr. Slater's article be printed in the RECORD.

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

MARION: A PRISON MODERN IN THEORY AND FACILITIES—UNCLE SAM HOUSES TOP CUSTODIAL RISKS AT NEW PENITENTIARY

(EDITOR'S NOTE.—Through arrangements made by U.S. Marshal F. M. Wilson, a News-Press staff member last week visited the relatively new and much-discussed Federal penitentiary at Marion, Ill., accompanied by Deputy Marshal Paul Caster of Kansas City.)

(By Harold M. Slater)

MARION, ILL.—Of the more than 30 penitentiaries and reformatories operated by the U.S. Bureau of Prisons only one is officially classified as a maximum security institution.

It is the Marion Penitentiary deep in the rolling prairie of this south Illinois country. Less than 3 years old, it is the newest of the Federal prisons and certainly the most modern.

Relatively few men actually are sentenced directly to Marion. Most of its inmates are men transferred here because they have shown themselves to be custodial risks, real or potential dangerous troublemakers at other Federal institutions.

HOUSES 475 INMATES

The fact the Marion Penitentiary now housing 475 convicts alone is designated maximum security among the U.S. prisons does not in any way detract from such places as Leavenworth and Atlanta which long have done an excellent job in handling the dangerous and vicious types of prisoners.

Marion—with its up-to-the-minute security safeguards such as closed-circuit television of its halls—is especially equipped for keeping secure men regarded as definite risk. Thus it is to Marion that many of the toughest Federal prisoners are sent.

But Marion is more than a place for safekeeping. It is not a place where convicts are hustled into a cell to be pretty much forgotten as humans until their time is served. It is—and its officials emphasize this—a prison that offers convicts maximum facilities for revamping their lives and emerging good, useful members of the free community.

No less modern than the prison structures and electronic equipment at Marion is its warden, Greg V. Richardson. A tall, gently spoken man of youthful appearance, his looks belie the fact he has had 20 years of experience as an official of the U.S. Bureau of Prisons.

MAIN OBJECTIVE

A man of quiet determination, Warden Richardson to all indications runs Marion prison with a firm hand, intent on accomplishing one primary objective:

"I'd like to see every man come out of this prison a better person than when he went in, once more prepared to mingle in the society of fellow men and make his own way in the world," Warden Richardson said at lunch within the walls the other day.

His program stresses three things: Education, a change of attitude by those imprisoned, and the teaching of what he calls the work habit. He explains the latter with:

"Many of the men who land in prison have never known what it is to hold a steady job. Here we are trying to get them into the habit of working an 8-hour day to make them better adjusted to the world outside."

SOME CAN'T READ, WRITE

Some men who are sent to Marion don't know how to read or even write their name. They can learn how at the prison. Classes in the prison range from the first grade through university.

The college classes are taught by instructors from Southern Illinois University in the nearby town of Carbondale. A total of 12 university classes have been offered during Marion's brief history with five now in session. The college classes are at night because the instructors are busy during the day with their own classes at the university.

Could a convict conceivably win a degree, such as a bachelor of arts, by getting all his college subjects at Marion prison?

The answer, for two reasons, is "very unlikely." First, a prisoner can't take as many regular courses at a time as a regular college student and probably wouldn't be incarcerated for a sufficient period.

SWIMMING FACTOR

Second, one of the required courses of Southern Illinois University is swimming. And Marion prison has no swimming pool.

In many prisons, the convicts complete their work tasks, are fed, and then hustled into their cells for the evening and the long night. Not Marion.

"We offer programs each night until 10," said Warden Richardson. In addition to classes to attend in the evening, the men can paint, watch television, read in the library, play games (but not poker), engage in leathercraft work or merely visit.

"Often," said the warden, "maximum security means a minimum of movement by prisoners. It isn't that way at Marion though."

The prison has a toastmasters international club called the Gavel Club and it has an active chapter of Alcoholics Anonymous. Men can attend those meetings during the evenings or they can go to group counseling sessions if they so desire.

Attending school and university classes is entirely on a voluntary basis, although eventually the prison may institute a rule that each convict must go to class until he attains at least a sixth grade plus education.

TAKE UNUSUAL PRECAUTIONS

Because Marion has such a high percentage of security risks some unusual precautions have to be taken. For example, in many prisons officers wear their keys dangling from their belts. Not at Marion though. The keys are kept in trouser pockets, on things attached to the belt.

There is a reason for that.

Men confined develop almost unbelievable thinking processes and tricks of memory as they plan to make an escape or get in some banned section of the prison. Not too long ago a prisoner at Marion merely by glancing at a key on an official's belt drew the outline from memory, then fashioned a key from plastic. The plastic key was detected in time. A check revealed the prisoner's drawing was accurate; the plastic key would actually open the lock.

In the center of the complex of prison buildings is the control room. Enclosed in bulletproof plate glass and entered only by going through two steel doors—only one of which can be opened at a time—that room is truly the heart of the prison.

The man in charge there, among his host of duties, keeps his eye on the screen of the

closed circuit television. Twelve gates, in prison they are called grills, are under his direct control, and no one goes through one of them unless he pushes the proper button.

NINE OUT OF SIGHT

Nine of those grills are out of his vision, but through the closed circuit television he can see just who it is who wants to go through the gate. Through the public address system he can determine exactly what that person's mission is.

The grills, electronically operated, are double affairs. That is there are two within a relatively few feet of each other. When the first one is entered, one steps into the waiting area and stays there until the grill is closed. Then, and only then, is the second gate opened to allow him to proceed.

The men in the control center have the duty of keeping track of exactly where every inmate is at all times. Also they guard the multitude of keys to storerooms and other places that figure in the prison picture.

At strategic places in Marion prison there are telephones painted red. They are in the warden's office, the control center, etc. If an emergency rises, the prison official doesn't even have to speak through the emergency telephone. He just has to lift it or kick it off the hook.

BUTTON LOCKS ALL GATES

If he doesn't speak into it within 15 seconds of its removal of the receiver from the hook, the man on duty at message center pushes the panic button.

That, by electronic process, automatically locks every gate in the prison until the crisis is over.

So far, no one ever has escaped from inside the walls at Marion, so tight is the security.

"But it could happen right now while we are talking," warned E. A. Campbell, security officer specialist. A man credited by Warden Richardson with knowing the answers to everything about Marion, Mr. Campbell is a veteran of police and prison work. He was an officer at Alcatraz prison until it closed. Before that he had been a guard at the Missouri State penitentiary, where he saw duty during the gory prisoners' riot of 1954, and before that a St. Louis police officer.

A right-hand man to Warden Richardson is Harold Feldkamp, his administrative aid, who is well acquainted at Leavenworth, where he formerly was employed in the prison. Mr. Feldkamp also is one who knows all the ins and outs of the prison and its populace.

THREE MEALS DAILY

Prisoners at Marion are fed three meals a day, are entitled to a free haircut every 10 days, have three complete changes of clothes, and by working can earn from \$10 to \$50 a month. No convict is permitted to spend more than \$15 a month. The reason is evident: Those with more money to spend might build up control of other inmates.

The prison food is this good: In the dining room at Marion there hangs a certificate of award from the National Restaurant Association, a distinction also shared by other Federal prisons. The menu for prisoners each day closely approximates that for officials.

Cleanliness is an outstanding factor at Marion. The place fairly glistens from its highly polished tile floors up.

FOOD CAFETERIA STYLE

But nowhere in the confines is that clean look as apparent as in the dining hall. Food is served cafeteria style, with prisoners sitting four to a table in plastic body chairs. No one is assigned to a table; he eats where he wants to eat.

Some prisons, for security reasons, bar knives and forks, allowing only spoons for eating. Marion doesn't. Knives and forks are passed out with the plastic food trays.

To, prisoners are permitted to talk at the table.

Outside of a few dormitories for convicts who enjoy what amounts to the freedom of an honor brigade for work outside the prison buildings, Marion offers individual cells for each prisoner. There is no crowding. The place could easily accommodate close to 100 more than its present population.

When the prison complex was turned over to the Bureau of Prisons 2½ years ago it was little more than a hollow shell of steel, concrete and stone. The prisoners since then have, in effect, built their own prison. They handled the decorating task, much of the facility installation work, and generally put the place into its present condition.

PRaised BY WARDEN

"I wasn't here when they started that work and so don't presume to take credit for it," said Warden Richardson. "I want to give the men and those in charge my sincerest congratulations for the work they have accomplished here at a major savings to the taxpayers."

Even now a work crew of prisoners is engaged in building an extension to one of the prison structures. Also the convicts handle the maintenance of the prison, including plumbing and electrical work, under the supervision of professionals from the prison service.

Working in those tasks also is a means of enabling the men in prison to learn a trade that may be useful when that fateful day of release comes.

Marion has a sports program, including softball and basketball, but barring contact sports, such as football, boxing, and wrestling.

"When someone gets hurt in those games there is always a chance for ill feeling. We try to avoid that," a prison officer said.

As said before, no one has gotten over Marion's walls as yet but if and when one does he'll face more problems. Around the prison is a high fence with a topping of barbed wire. A pull of 9 ounces on any of the wire strands sets off flashing red lights in the escape area in addition to alerting the guards stationed in the towers outside. The escaper would be a "setup" for armed fire if he sought to move further.

Only one building at the prison is more than two stories in height, and it is only three stories. The reason for low buildings is that such structures can have flat roofs offering the guards in the towers an open view of anyone who has climbed up there with escape intentions.

SEES MORE CHANGES

Warden Richardson feels the entire picture of prison technology has changed in the past several years; that it will change much more in the immediate years to come. His goal is to have Marion prepared to meet that change and make the necessary adjustments—and to make certain there are no escapes in the meantime.

His prison is indeed one for men difficult to handle. In the past the talk about such men was based on the premise of hardened old criminals.

So this may come as a shock:

The average age of men sent to Marion, the only maximum security prison in the Federal system, is 23 years.

HOPEFUL SIGNS

Mr. INOUE. Mr. President, the New York Journal-American praises the fact that as this Nation advances along toward the Great Society "so much attention now is riveted on measures—legislative, mechanical, and persuasive—to reduce, and hopefully eliminate, the appalling destruction of life in traffic."

The paper points out:

President Johnson has not hesitated to call it highway anarchy and slaughter. If anybody thinks the words too alarming, he needs only to be reminded that in 1 year more than 49,000 American lives have been crushed out in traffic accidents.

These unpleasant figures are ones which we must keep before us, and because the article sheds light on the matter of such deep concern, I ask unanimous consent that the editorial be printed in the RECORD.

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

WHAT PRICE SAFETY

As the Nation advances in the field of human and humanitarian furtherances called the Great Society, it is encouraging that so much attention now is riveted on measures—legislative, mechanical and persuasive—to reduce, and hopefully eliminate, the appalling destruction of life in traffic.

Legislation for safety installations in cars, now in prospect in Washington; continuing research and development by the automobile manufacturing industry to devise protective equipment; pleas from many sources that the driver take care, all promise action as a shocked Nation realizes the vicious extent of highway mortality.

President Johnson has not hesitated to call it highway anarchy and slaughter. If anybody thinks the words too alarming, he needs only to be reminded that in 1 year more than 49,000 American lives have been crushed out in traffic accidents. With 3.5 million persons injured and property losses estimated in the billions.

How many potential Einsteins or Presidents or just plain homebody Americans were lost in the sudden termination of the sources of this might-have-been wealth of the Nation?

We shudder in horrified realization of the diabolic nature of war when the casualty lists come in but thus far have accepted, with relative equanimity, the traffic havoc that in two decades has cost us more lives than all our wars.

The price of safety is small. It is an organized, intelligent, coordinated determination by drivers, public authorities, manufacturers, and the designers and builders of highways to give priority to the protection of life and limb.

FOSTER CARE

Mr. WILLIAMS of New Jersey. Mr. President, on Monday, February 21, I introduced legislation on behalf of myself and Senator MORSE to establish a new program of grants to the States to provide aid to children in foster care.

Although the Federal Government has long recognized that it must bear part of the responsibility for the welfare of our needy, dependent children, Federal child-welfare programs are oriented primarily toward children living with their families.

It seems strange to me that there is a distinction made between a foster child and a dependent child living with his family. Certainly, no child is more dependent on outside help than the child separated from his parents by death or family disaster. Until now, because of an arbitrary distinction of the law, the Government has in practical effect ignored the plight of this child.

Aid to families with dependent children—AFDC—provided under title IV of

the Social Security Act, is a typical example. The purpose of this program is to provide needy children with the economic support they need for their health and development; to assure them of an opportunity to grow and mature in their own family environment; to enable them to receive an education that will help them realize their full potential; and to permit them to share in neighborhood and community living.

The foster child's need for a normal life is certainly as great, if not greater, than the need of a child living with his parents. Yet, it is virtually impossible for him to qualify for aid under the AFDC program.

Federal law requires that a foster child receiving AFDC aid must have been placed in foster care by court order and he must also have received aid from the State AFDC program in or for the month in which court proceedings were initiated. Moreover, no AFDC aid is available to children in public child-care institutions.

As a consequence, only 5,779 of all foster children in private homes and voluntary child-care institutions were receiving aid under this program as of June 1965.

Nor do foster children fare much better under the general child-welfare programs provided by title V of the Social Security Act.

Although foster care is included in the definition of child-welfare services under title V, Federal funds are not earmarked specifically for foster care purposes. Moreover, appropriations for title V programs are limited, and the result has been that States have seen fit to use Federal funds to bolster other child-welfare programs.

During the fiscal year 1963, a total of \$180,800,000 in Federal and non-Federal funds was spent on foster care services. Federal participation in foster care under title V, however, amounted to only \$4,900,000, or 2.7 percent of the total funds spent for foster care.

Yet statistics show that there is as great a need for Federal help to the foster child as to the dependent child in his own home. As of March 31, 1964, there were 254,300 children in foster care throughout the Nation. Of these, 10,900 were in public child-care institutions; 66,400 were in voluntary child-care institutions; and, 177,000 were in foster family homes. Today, there are an estimated 300,000 children in foster care. The financial burden of providing care and services for these children falls primarily upon State and local governments and upon voluntary agencies supported by charitable contributions.

The bill I introduced Monday would permit the Federal Government to make a substantial contribution in providing adequate care for children in foster care.

The bill provides that each State may receive a Federal grant, on a 50-percent matching basis, of not more than \$45 a month for each child living in a foster family home.

In addition, each State would receive a nonmatching Federal grant of \$20 a month for each child receiving care in

a public or private nonprofit child-care institution.

The Federal Government would provide 75 percent of the cost of those services provided by State and local personnel which have been determined necessary to promote the welfare of children in foster care.

The Federal Government would also underwrite the total cost as determined necessary for training personnel for work with the State and local agencies.

And, the Federal Government would underwrite 50 percent of the cost necessary for the proper and efficient administration of the program.

In order to qualify for assistance under this program, each State would be required to have its plan of welfare and related services for children in foster care approved by the Secretary of Health, Education, and Welfare. Requirements for the State plan are modeled after those required for States for aid to families with dependent children. In addition, States would be required to take appropriate steps to assure that Federal funds will not replace State and local funds now used to finance foster care services.

Because the bill establishes a new program exclusively for children in foster care, funds received under this program would in no way reduce a State's share of Federal money for general child-welfare programs under title V of the Social Security Act.

A large majority of children in foster care live in foster family homes. Except for the child who is unable to conform to a normal family life, there seems to be widespread consensus among authorities in the field that foster family care is preferable to institutional care.

Studies indicate that many couples who are well qualified for foster care work would like to have a foster child. Financially, however, they are unable to provide for another member in their family. The provision in this bill for maximum Federal grants of \$45 a month for children in foster family homes is intended to help more families assume responsibility for foster children.

As important as money in persuading families to take foster children are the services State and local personnel provide for the child's welfare.

Foster children are not children like yours and mine. Because of the deprivation they have suffered, their personalities and needs are more complex. Without the assistance of highly specialized professional counselors and caseworkers, a foster child's lack of understanding, his inability to communicate, and his deeply imbedded hostilities toward adults make it almost impossible for a couple to establish a true parental relationship with the child. Unfortunately, professional assistance is all too frequently unavailable, and foster parents may be forced to give up the child. In fact, the turnover among foster parents runs as high as 33 percent a year.

The provisions of this bill for professional services and the training of personnel will greatly assist in remedying this situation.

The foster care program in my State of New Jersey is, I believe, representative of the basic programs of other States. In New Jersey, each child boarding in a foster family home receives \$65 a month in State and local funds. This payment is intended to cover board, clothing, dental, and regular medical expenses.

For children requiring specialized treatment for unusual problems, such as a physical handicap, an emotional disturbance, or a disease like diabetes, the State will pay up to \$153 a month, in State and local funds, depending upon the services or treatment required.

Most children in the New Jersey foster care program are boarded in foster family homes. There are, in addition, however, what are known as foster shelter homes. These homes are staffed 24 hours a day to provide special services on a temporary basis and are customarily equipped to care for between four and six children. The State alone subsidizes these homes at a rate of \$28 a month for each bed.

New Jersey, unlike other States, has no public child-care institutions. Children whose welfare is the responsibility of the State and who cannot be placed in foster family homes are placed in private nonprofit institutions under contract with the State welfare agency. For these children, the State pays up to \$150 a month in State and local funds.

New Jersey's program is not substantially different from foster care programs in other States. There are, however, notable variations. In New Jersey, the cost of foster care services generally is borne equally by the State and county governments. Several States rely almost exclusively on State funds. A few States, however, provide virtually no State money or administrative machinery for foster care programs, preferring instead to allow local governments and voluntary agencies to do the job.

All foster care programs, nevertheless, share common problems—overtaxed budgets and significant increases in the number of children in foster care.

New Jersey officials with whom I spoke only the other day told me that approximately 100 additional children each month enter the New Jersey foster care program. At the end of last November, New Jersey counted 7,688 children boarding in foster family homes. A realistic estimate of the children in foster family homes this month approximates 8,000. Next year the increase in foster children is expected to rise above 100 a month.

The upward surge in the number of foster children in New Jersey corresponds to the national trend which has established itself within recent years.

For the years 1957-64, the Department of Health, Education, and Welfare tells me that there was a nationwide increase of 35 percent in the number of children in foster care. For the year 1963-64 alone, the nationwide increase stood at 4.6 percent.

This year, New Jersey is moving to meet the increased demand for aid and services for foster children. The State assembly has been requested to assure a basic payment of \$77 a month for each child in foster family care. Other States,

faced with problems similar to New Jersey's, are now, or will soon be, faced with the necessity for providing more money for foster care.

The problem is more easily identified then solved, however. As the need for foster care services has risen, so too has the need for child-welfare services in general. Consequently, States are faced with demands for increased funds in all child-welfare programs. Coupled with the expanded services expected of State and local governments in all fields, these needs will not be easily met.

Officials with whom I have talked privately express the view that the already substantial increase in the numbers of foster children does not adequately reflect the need for expanded and intensified foster care services. They point out that many State budgets are now so overburdened that only limited numbers of new children can be admitted into foster care.

Clearly, Federal assistance is mandatory. I would hope, therefore, that every effort will be made to bring this legislation before the full Senate at an early date.

Mr. President, I ask unanimous consent to have included in the RECORD at this point an explanation of this proposal.

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

EXPLANATION OF BILL TO AMEND TITLE V OF THE SOCIAL SECURITY ACT TO PROVIDE GRANTS TO THE STATES FOR AID AND SERVICES TO CHILDREN IN FOSTER CARE

The bill provides a Federal contribution equal to one-half the amount appropriated by the State, up to \$45 of Federal money per month, for each child living in a foster family home.

In addition, each State would receive a nonmatching Federal grant of \$20 a month for each child receiving care in a public or private nonprofit child-care institution.

The Federal Government would provide 75 percent of the cost of those services provided by State and local personnel which have been determined necessary to promote the welfare of children in foster care. Under certain conditions the services of private nonprofit agencies under contract with the State agency can also be included.

The Federal Government would also underwrite the total cost determined necessary for training personnel for work with the State and local agencies.

And, the Federal Government would underwrite 50 percent of the cost necessary for the proper and efficient administration of the program.

Because the bill establishes a new program exclusively for children in foster care, funds received under this program would in no way reduce a State's share of Federal money for general child-welfare programs under title V of the Social Security Act.

The bill authorizes an open-end appropriation and requires that States take appropriate steps to assure that Federal funds will not be used to replace State and local funds now used to finance foster care services.

The bill includes standard provisions establishing the method for making payments to the States for reimbursement in the case of overpayment and for the termination of payments under specified circumstances.

Any child under age 18 who is living in a foster family home or in a public or private

nonprofit child-care institution would be eligible for aid under this program.

The program will be administered by the State agency responsible for other child-welfare programs operating in the State. In most cases, this agency will be the State welfare agency.

In order to qualify for assistance under this program, each State would be required to submit to the Secretary of Health, Education, and Welfare for his approval a plan of welfare and related services for children in foster care.

Requirements for the State plan parallel the statutory requirements now in effect for assistance under title IV of the Social Security Act which provides aid to families with dependent children.

The State plan must call for the development of an individual welfare plan for each child receiving aid under this program. Individual welfare plans will include a continuing study of the child's needs and of the most suitable available home in which he can be placed, and a periodic review of his case. In carrying out each plan, the services of private nonprofit child-care agencies and organizations may be used.

States are required to permit all persons seeking aid under this program to apply for such aid and to furnish aid to eligible individuals within a reasonable time.

Children in foster care will also be eligible for medical benefits provided under title XIX of the Social Security Act in States where the Kerr-Mills program is in effect.

The provisions for foster care, title IV, section 408, of the Social Security Act (aid to families with dependent children) will be allowed to expire and foster children who received AFDC aid will be entitled to assistance under this program.

MAKING A SOCIAL REVOLUTION

Mr. CANNON. Mr. President, the declaration of Honolulu would be only rhetoric if there were no followup. Columnist Robert G. Spivack has noted in his column in the New York Journal-American.

But he goes on to document the followup that has already begun as well as more that will continue in the future.

Declaring that "now the story of how the Johnson administration is following up can be told," Mr. Spivack relates that the President laid plans several weeks before Honolulu to send Vice President HUMPHREY to the Far East to let our allies know that we were just as determined to press for a democratic social revolution in Vietnam as we were to end the Vietcong reign of terror.

Mr. Spivack added:

But this was only the beginning. The administration was quietly seeking out the views of top experts on underdeveloped nations as to Vietnam's real needs and how they might be met.

After reviewing these efforts, Mr. Spivack said:

The real measure of administration determination was to be found in the specialists named to accompany the Agriculture Secretary Orville Freeman on his mission to Saigon, and their specific assignments.

If one were asked to draw up a blueprint for social and land reform these are the men who would be consulted.

Noting that other steps are planned, Mr. Spivack added:

The next mission to Vietnam will be one of educators. Then we will send medical and health experts.

He concludes:

This is how you really make a social revolution.

The article traces the first steps of what I hope will be a successful long-range effort to rehabilitate South Vietnam. I ask unanimous consent that Robert Spivack's column which appeared in the February 24, 1966, New York Journal-American be printed at this point in the CONGRESSIONAL RECORD.

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

MAKING A SOCIAL REVOLUTION

(By Robert G. Spivack)

WASHINGTON.—Rev. Dr. Duncan Howlett of All Souls' Church of Washington, a Unitarian, is one of the Capital's most militant and outspoken liberals, a man of conscience and integrity. After a long silence and much soul searching he says that in the light of the declaration of Honolulu, he backs the administration's position on the war in Vietnam. Peace and freedom "are not necessarily consistent," he told his parishioners, because "sometimes a nation must fight for freedom."

Dr. Howlett accepts on good faith the administration's pledges to work for a genuine social revolution in South Vietnam. But the declaration of Honolulu would be only rhetoric if there were no followup.

Now the story of how the Johnson administration is following up can be told. The President laid plans several weeks before the Honolulu conference to send Vice President HUMPHREY to the Far East with the explicit assignment of letting our Asian, Indian, and other allies know that we were just as determined to press for a democratic social revolution in Vietnam as we were to end the Vietcong reign of terror.

The plans were well underway by January 18, but announcement was held up because it was necessary to clear the Vice President's itinerary and security arrangements with the other governments involved.

But this was only the beginning. The administration was quietly seeking out the views of top experts on underdeveloped nations as to Vietnam's real needs and how they might be met. The various AID efforts of the past, what they accomplished and what they failed to accomplish, were reviewed.

Among those at Honolulu, in on the planning sessions, was Robert R. Nathan, the former national chairman of Americans for Democratic Action. Nathan has long been familiar with Vietnamese problems, going all the way back to the midfifties.

But the real measure of administration determination was to be found in the specialists named to accompany Agriculture Secretary Orville Freeman on his mission to Saigon, and their specific assignments. If one were asked to draw up a blueprint for social and land reform these are the men who would first be consulted. The experts who went on the Freeman mission included:

M. L. Peterson, director, California Agricultural Experiment Station (crops); C. B. Ratchford, University of Missouri (home improvement, rural youth, extension programs); K. D. Naden, executive vice president, National Council of Farmer Co-ops (cooperatives and credit); W. D. Criddle, Harza Engineering Co., of Salt Lake City (irrigation and drainage); H. S. Swingle, professor of fisheries, Auburn University (fisheries); W. J. Darby, biochemist, Vanderbilt University (plant protection); R. F. Dwyer, Dwyer Lumber & Plywood Corp., Portland, Oreg., (forestry); C. R. Wharton, Agricultural Development Council, Inc. (land re-

form); and O. G. Bentley, dean of agriculture, University of Illinois (livestock).

Other steps are planned. The next mission to Vietnam will be one of educators. Then we will send medical and health experts.

This is how you really make a social revolution.

REDUCTION OF FUNDS FOR AGRICULTURE RESEARCH

Mr. PEARSON. Mr. President, the agriculture research community is deeply disturbed because of the administration's proposal to reduce sharply the funds for their work. In Kansas, this would mean a major diminution of research on sorghum breeding and wheat quality projects, to name two important areas.

Ralph L. Foster, editor of the Kansas Farmer magazine, in his editorial column "As Kansas Farmer Sees It," ably summed up the situation. I ask unanimous consent that this fine editorial be printed at this point in the RECORD.

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

NOT THE WAY TO PAY FOR A WAR

Cost of Vietnam and the Great Society is quickly reaching to the grassroots. Agricultural research is one of the items sacrificed in President Johnson's proposed budget for fiscal 1967. We can't agree that this is the place to economize.

Apparently the usual illogical assumption that we already know enough about food production, so let's cut it off for awhile has been applied. We have never had enough agricultural know-how and we never will so long as the world is short of food.

Cuts in Federal support for research in Kansas hits at some vital spots. Reductions amounting to \$220,000 would come mostly in grain research. If the cuts stand, all sorghum breeding work at the Fort Hays branch experiment station will be eliminated. Much of the wheat breeding and wheat quality and wheat disease investigations will be stopped.

To stop wheat quality research now when great effort is directed toward higher quality varieties for hybrid crossing seems particularly unwise. Hybrid wheat promises to provide a great stride in meeting the need for more cereal protein foods.

Although we must all recognize that the Federal treasury is overburdened, the judgment that leads to curtailment of progress in this vital industry is open to serious questioning.

Agricultural research is not something that can be turned off and on like a spigot. It is not a 1-day nor a 1-year job. It is a continuous program. We hope that Members of Congress who understand the importance of maintaining our agricultural progress will fight to retain our grain research programs.

ASSURING A FUTURE FOR SMALL BUSINESS AND THE SBA

Mr. MORSE. Mr. President, as my colleagues are aware, there has been considerable preoccupation during the past year with the situation in southeast Asia. An unfortunate consequence has been a diversion of attentions and energies that would otherwise be devoted to more peaceful pursuits.

The Select Committee on Small Business, of which I am a member, was

created in 1950 as an indication of the concern of Congress for one of these fundamental pursuits—the welfare of the nearly 5 million American small and independent businesses.

In 1953 and 1958, the Congress and the Presidency demonstrated bipartisan support for assistance to small business. Congress enacted two Small Business Acts and created the Small Business Administration in order to carry out the declared congressional policy:

The Government should aid, counsel, assist, and protect, insofar as it is possible, the interests of small business concerns in order to preserve free competitive enterprise * * * and to maintain and strengthen the overall economy of the Nation.

The businessmen of my State know the value of independent and self-reliance. Oregon was founded by self-reliant pioneers. Its businesses were, from the beginning, small businesses. Even now, Oregon has a great many locally established and independent enterprises.

With the passing years, society has grown more complicated. Federal tax laws and regulations have become infinitely complex. Oregon founded one of the first State tax courts to deal with ever-increasing complications of State and local taxation. Bookkeeping, marketing, finance, patent practice, and other management skills have developed into technical specialties. It has thus become progressively more difficult for a man to fulfill the American dream of establishing his own business and maintaining it successfully by his own efforts.

A graphic example of this difficulty is my State of Oregon. While the number of business failures throughout the Nation in 1965 was almost identical to 1964, business failures in Oregon increased 32.5 percent. These figures are as follows:

Business failures

	1965	1964
Nation.....	13,514	13,501
Oregon.....	338	255

Source: "Slight Overall Change in 1965 Failures but Strong Contrasts by Size, Line, Location," Dun & Bradstreet, Inc. release, Jan. 26, 1966.

PARALYSIS OF THE SBA LOAN PROGRAM

Mr. President, small businessmen of Oregon have informed me of their deep concern over the grinding halt of the small business loan program, which can only worsen the situation in my part of the country. Undoubtedly, there has been bitter disappointment as businessmen in need discover that the Small Business Administration has been refusing to accept applications for loans since October 11, 1965.

SBA loans have helped translate dreams into reality for thousands of enterprising men and women. The figures show that small business loan assistance has, since it was initiated in 1954, been made available to 57,335 firms. In addition, the more than 700 small business investment companies, established pursuant to the Small Business Investment Act of 1958, have raised that total considerably.

The following composite statement of firms helped by management assistance

programs gives us an insight into the extent to which the small business community of this country has turned to SBA for assistance over the past decade:

<i>Small businessmen assisted by SBA management assistance programs</i>	
Attendance at workshops.....	7,500
Individual counseling.....	178,000
Counseling under SCORE program.....	12,000
Attendance at courses and conferences.....	235,000
Contacts through intraindustry management programs.....	350,000
Publications sold or distributed in response to requests.....	33,000,000

IMPORTANCE OF INDEPENDENT SBA REPORTEDLY REAFFIRMED

The independent status of the Small Business Administration has recently been questioned. It was reported in the Washington Post of February 4 that consideration was given to incorporating the SBA into the Commerce Department.

Several Senators drew attention to the undesirability of such an action on both political and economic grounds. They pointed out that an SBA transfer would represent false economy, since the assistance furnished by the SBA is not only fully repaid—with interest—but this interest and the fees charged by SBA defray a large proportion of its operating expenses.

The Senator from Alabama [Mr. SPARKMAN] recalled for us the reasoned statements of leaders now in the executive branch which were delivered in support of the congressional enactment of section 4(a) of the Small Business Act that:

The Administration shall be under the general direction and supervision of the President and shall not be affiliated with or be within any other agency or department of the Federal Government.

I was happy to see a report in the Washington Post of February 18 that:

The White House has sent word to Capitol Hill that it is shelving the plan to transfer the SBA to the Department of Commerce.

I hope this indicates that the matter has been put to rest permanently.

The administration would reap benefits of its support for SBA in many areas. One of the aspects which is deserving of discussion is in foreign relations. I understand that the USIA buildings in many countries have been displaying extensive wall exhibits on the subject of what the Federal Government is doing to aid and encourage small business in the United States.

It is probably fair to assume that such exhibits would be well received because in most countries, other than the United States, business enterprises are on a much smaller scale. Thus, many of their firms would be classified as family, independent, and small business. What I have just said applies particularly in developing countries which are seeking to build entrepreneurial classes from small beginnings. Our small business programs, as pictured by the USIA, have great potential for evoking a favorable impression among our friends and allies.

There are those who wish to paint an image of this country as "dominated by

a few large corporations." Those people should come to the United States and see what a free enterprise economy can do. It is worth noting that over the past 30 years, while our population has increased 51 percent, the number of businesses in the country increased 67 percent. Small business presently accounts for about 94 percent of all lines of industry and commerce in this country, including some 300,000 manufacturers. However, it would certainly be difficult for our Government, in all honesty, to maintain this posture if it proposed to dismantle the SBA and transfer its protective functions to a department where they will be admittedly ineffective. I know that many Senators would regret to see the administration placed in such a position.

CONSTANT VIGILANCE REQUIRED

It seems that the Congress must remain constantly alert toward the welfare of the small business community, and to focus attention upon weaknesses that may appear in the system. There are presently two such areas. First, there is the absence of leadership. The post of Administrator of the Small Business Administration has been vacant since September 8, 1965. The legal organization of the SBA makes it impossible to have anyone appointed to the post of Acting Administrator. Second, there is the complete abridgment of the loan program in October.

This seems to be quite an untidy state of affairs, but to small businessmen across the country, it is more than that. Hopes for starting businesses have undoubtedly been scrapped, and plans for expansion have been curtailed. For the 338 Oregon firms that failed, these lapses have been a cause of tragedy and despair.

The press is full of stories about the economy reaching new heights, but the small businessmen who need and are unable to obtain assistance from the SBA are not likely to be sharing these gains. This raises a serious question as to those who should receive the benefits of our economic expansion, and the role of the Federal Government in making such determinations.

The Senator from Alabama [Mr. SPARKMAN] in October of last year reported to the Senate that stringency of credits for exporting has quite possibly inhibited smaller businesses from entering and participating in the development of overseas markets.

The Senator from Rhode Island [Mr. PELL] and the Senator from New Jersey [Mr. WILLIAMS] have reviewed the domestic credit picture and demonstrated how the progressive restraints on credit over the past half year are tightening the screws on the small businessman. Senators JAVITS, PROUTY, and ALLOTT have voiced similar concerns.

It is pertinent to call attention to the fact that developments such as the decreased liquidity of commercial banks, as described by the Federal Reserve Bulletin of December 1965; the program of the Federal Reserve and its member banks to screen credit requests minutely during this year; and the increased needs

for cash to pay advance income tax collections, will hurt the small businessman far more than they will hinder the big corporations.

Under these circumstances, the importance of the Small Business Administration's loan program, as a source of last resort, becomes progressively more important. The presence of the SBA as a reservoir of counsel and assistance that the small businessman can call his own is also critical under these conditions.

To continue the impairment of SBA's effectiveness is thus to allow a predictable increase in competitive injury to small business, and to the people who are striving to make these businesses successful.

To do away with the SBA at this point would amount to a body blow to the independence of business in general in this country; to the 5 million small firms in particular; to some of our basic national values; and to our international reputation.

Mr. President, I feel that the growing body of opinion which has been expressed by Members of the Congress on this subject should be persuasive.

It is my hope that the administration will assure a bright and independent future for small business by early and favorable action to restore leadership and funds to the Small Business Administration. I have expressed this hope to President Johnson in a recent telegram. I ask unanimous consent that this telegram be inserted in the RECORD at this point.

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

FEBRUARY 2, 1966.

HON. LYNDON B. JOHNSON,
The President,
The White House,
Washington, D.C.:

Have been informed that there is under consideration a proposal to transfer functions of Small Business Administration to another department of Government.

Strongly urge that such a proposal not be submitted to Congress, but that every effort be made to strengthen the programs of SBA, particularly the loan fund. Have encountered numerous problems in Oregon due to lack of adequate loan funds for handling of ordinary SBA loans. Strengthening SBA as independent agency would be a step forward in the public interest.

Respectfully,

WAYNE MORSE.

CONCLUSION OF MORNING BUSINESS

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

**SUPPLEMENTARY MILITARY AND
PROCUREMENT AUTHORIZATION,
FISCAL 1966**

Mr. MUSKIE. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is S. 2791.

The Senate resumed the consideration of the bill (S. 2791) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Mr. MORSE. Mr. President, in my 20 years in the Senate, I have never made a speech that I considered of so much importance to my record, in accordance with my sights as to the interests of my country, as the speech I am about to deliver. I fully appreciate the fact that once again I occupy a minority position on the floor of the Senate. I am also well enough informed in the history of the Senate to know that repetitively in the history of this great legislative body minority points of view of one period frequently become majority points of view.

As I have said in my State in recent days, I say on the floor of the Senate now: I am perfectly willing to let the people of Oregon be my judge and history be my appraiser, for I am satisfied that the course of action in foreign policy that this administration is leading us into is a course of action that future generations of Americans will rue.

No one can understand my position on this issue of foreign policy unless he fully understands my very deep conviction that the United States is on the way toward leading mankind to a third world war. That is one of the major premises of my view. Follow the course of action that the President is now following, and it is unavoidable that the United States will end up in world war III, out of which will come no victors, not even our own country. Therefore, I urge the American people to analyze carefully the bill that is the pending business of the Senate, for the reasons that I shall now, at some length, set forth.

The pending bill, S. 2791, is the most open ended invitation to the continued expansion and escalation of the Vietnam war that could be requested by a war department or granted by a Congress. I read to the Senate the sentence which constitutes one of the major premises of this speech. Unless one understands the point of view of the senior Senator from Oregon in regard to this sentence, I am sure there will be great difficulty in understanding the basis for my position. So I repeat this sentence again:

"The pending bill, S. 2791, is the most open end invitation to the continued expansion and escalation of the Vietnam war that could be requested by a war department or granted by a Congress."

I read section 401(a) of Title IV:

SEC. 401. (a) Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other

Act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

That is a quotation from the bill. I did not misquote. That is what the bill provides. Let us comprehend it, if we can. It is difficult to do so, I know. But I shall repeat it:

SEC. 401. (a) Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

This is a bill, I digress to say, that goes far beyond fiscal year 1966. We are going to permit use of all Defense Department appropriations for fiscal years 1966 and 1967 "on such terms and conditions as the Secretary of Defense may determine" to finance all free world military activities in Vietnam.

I am one Senator who does not believe in government by men. I do not intend to give the present Secretary of Defense or any other Secretary of Defense such personal power. I do not intend to throw away our precious checks under our constitutional system for a 2-year period and vest them in the Secretary of Defense.

Therefore, I say we are providing a blank check on American defense spending for expanding this war into Laos and Thailand; and when we get through paying and equipping the armed forces of South Korea and the Philippines, we will see the war spread to those countries, too.

Under this bill, and in this title, we are making the Vietnam war an American war. No longer is there any pretense that military aid to the forces of South Vietnam is aid to a separate and independent military identity. Their forces are to be funded out of our American military defense spending. I predict that this provision, which is totally unlimited as to amount and as to countries, will serve to further destroy the integrity of such neighboring countries as Thailand and any other country that is included in it.

I pause to point out that I have colleagues in the Senate for whom I have a high regard, as they know, the Senator from Georgia [Mr. RUSSELL], the Senator from Massachusetts [Mr. SALTONSTALL], the minority leader, the Senator from Illinois [Mr. DIRKSEN], and the acting majority leader, the Senator from Louisiana [Mr. LONG], who have been on record in this debate as saying that there are no political questions involved, that it is merely an authorization bill.

They lose me in that argument, for this bill is pregnant with policy. This bill is a bill that seeks to put the Congress on record in support of a whole chain of policies. I worry about the chain reaction after those policies are adopted. This is an authorization bill that sup-

ports a policy of using American taxpayers' money by the millions of dollars, and it can go into the billions before we get through, in support of the armies of South Korea, the Philippines, and any other country that we can get to go in.

The bill authorizes these funds to make them "available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the 2 fiscal years 1966 and 1967."

Later I shall talk about financing mercenaries, but I cannot forget the history of the American Revolution and the attitude that our revolutionary forefathers had toward mercenaries. Mr. President, it does not make it any cleaner to have us finance mercenaries, but that is what we are doing, and that is what this bill would authorize. No longer will they be financed through military aid to their governments, but right out of our own Defense Department appropriations.

Can there be any doubt that when the American taxpayers fully appreciate that we are financing these indigenous armies as part of our own, the American people are also going to expect that they be subject to American command, and that their governments make whatever adjustments the United States deems necessary for the prosecution of the war? Or is it possible that we are going to turn American troops over to the command of these other armies?

Mr. President, I want to warn the American people, as I shall warn them throughout this speech this afternoon, that we have before the Senate a bill that is so semantically phrased and so cleverly worded that, unless there is an analysis of the bill placed at the availability of the American taxpayers at the crossroads and communities of America, the American people are going to live to discover that this administration has led them into obtaining a blanket authorization for a course of action that, in my judgment, cannot possibly be reconciled with the precious constitutional rights, checks, and guarantees.

I repeat the last paragraph. Can there be any doubt that when the American taxpayers fully appreciate that we are financing these indigenous armies as part of our own, the American people are also going to expect that they be subject to American command and that their governments make whatever adjustments the United States deems necessary for the prosecution of this war.

This is one way for countries to be subverted. This is how all hope of national integrity is sacrificed. This is how the United States will expand this war beyond South Vietnam until all of southeast Asia is aflame with guerrilla warfare at best and conventional warfare at worst.

This is how we are destroying whatever chance there might be that independent countries could be encouraged and built up as a bulwark against either communism or China, or both.

Once these small countries of southeast Asia become amalgamated into the American Department of Defense, as they are in this bill, not only do they lose

all hope of independence, but the United States becomes wholly responsible for them.

BILL AUTHORIZES EXPANSION AND EXTENSION OF WAR

This is not a bill that finances what has been done. It is a bill to finance a continued American penetration into southeast Asia.

Look at the language of section 302. The bill authorizes certain construction in support of military activities in southeast Asia, and for other purposes. Section 302 reads:

The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment in the total amount of \$200,000,000.

Do not tell the American people again, I say to the Secretary of State and to the President, that the United States seeks no military bases in South Vietnam or in southeast Asia.

I regret that my President said that in New York the other night, as he has said so many times. This bill cannot be squared with that statement. We are building large, powerful military installations in southeast Asia and in Thailand, and all the world knows we are not going to walk out on them. The provision in this bill for the building of those installations is the proof of the inconsistency between the statements of our President and what we are doing.

How well I remember, in 1964, as I campaigned in 14 States for my President, promises he made in regard to the course of action that he was going to follow vis-a-vis the war in Asia. He did not keep them.

Mr. President, differences between the semantic pronouncements of the President and America's course of action in southeast Asia cannot be squared, so I point out that in my judgment we shall continue to be very unconvincing to the people in the underdeveloped areas of the world, and, in fact, unconvincing to people throughout the world, when we say we seek no bases. For we are building them. This bill authorizes still more. They will be there for a long time, and so will we.

Once we proceed to build the bases called for in section 302 of this bill, reason dictates that our presence will be there for a long, long time to come. In fact, we will have to be there, if we are to carry out the objectives being announced by our President, the Secretary of State, and the Secretary of Defense, as I shall point out later.

Section 302 refers to installations and facilities "vital to the security of the United States." Who is to say what is vital to the security of our country? Not the Congress. Under this bill, it is the Secretary of Defense. It is he who is authorized by the bill to establish the outposts of American military command, that will thence have to be defended by all the resources of this Nation that may be required to defend them. These so-called vital interests are

not in the Western Hemisphere, for the short title of this bill explains that it refers to military activities in southeast Asia.

Since when, and in what act of Congress, is southeast Asia defined as vital to the security of the United States, justifying any unilateral action that may be needed on our part to defend it? The most that can be cited is the SEATO Treaty, which, however, does not define the area as vital, but refers to a "common danger" to all SEATO members, which danger has never been seen by our SEATO partners.

The resolution of August 1964 cites southeast Asia as an area where the United States regards "the maintenance of international peace and security" as vital to our interests. I submit that the continued intrusion of large-scale American military forces, bases, and navies in this area, as provided by the bill, will destroy what little international peace and security is left to the people of Thailand, Laos, Malaysia, and eventually Burma and Cambodia, for the war that is lapping at their shores will engulf them, too, if it is allowed to proceed on its present course.

This bill calls for the opposite of the so-called enclave theory. It calls for the construction of bases not only on the coastal areas of South Vietnam, but anywhere in the deep interior of Thailand, and possibly Laos.

Let the record show that the senior Senator from Oregon supports the enclave theory of General Gavin. I have listened to the administration witnesses, and in my judgment, they have not touched it as far as rebutting its soundness is concerned. Oh, there is talk that those of us who oppose this war in Vietnam have no program. We have a program, Mr. President, and we have offered it over and over again; but it is not a program of escalation. It is not a program of following a course of action in southeast Asia that we fear will lead to a war with Red China—and once we are in that war, I think it is absurd for anyone to think that Russia will sit on the sidelines.

Mr. President, I know the Pentagon would like to pooh-pooh the enclave theory. But, Mr. President, the enclave theory does not weaken the defense of the United States; it strengthens it, and makes possible a course of action where others can come in, on a multilateral basis, to keep the peace. But as we follow a program of expanding the war—and that is the administration's program, Mr. President—we make it that much more difficult for a multilateral peacekeeping action to be applied to the war in southeast Asia.

The enclave theory, as General Gavin pointed out, does not mean retreat. The enclave theory does not mean that we put our troops over there at the mercy of the opposition. To the contrary, the enclave theory gives protection to those troops, by not sending them out into more expanded conflict, to kill more of them.

I know an attempt is being made to create the image of those of us who are opposed to expanding this war, that we

are letting down our boys. My reply is that those who are seeking to follow the administration's course of action in southeast Asia will have to assume the responsibility for the letting of the blood of many of those boys, who would never bleed if we adopted the enclave theory. Because, Mr. President, the enclave theory gives us a strong defensive position, gives protection, may I say, to the South Vietnamese as well, and is a program that stops the escalating of the war and the advancing of aggression.

The administration simply does not want to face up to what the enclave theory would do as far as giving us a program that will make possible halting of the killing to the degree that is now going on, and giving a basis for our representatives before the United Nations to make a much stronger case for the United Nations to come in and declare a cease-fire, and announce to the opposing sides that it is going to send in, in accordance with the provisions of the United Nations Charter, whatever number of divisions are necessary to enforce a peace.

That is a program for which some of us have been pleading a long time. For the administration to say that it is no program is to beg the question. What is needed is an enforced cease-fire in southeast Asia. What is needed is for the signatories to the United Nations Charter to begin to live up to the obligations of their signatures. What is needed is not to keep the issue behind the scenes in New York City but to get it out into an open meeting of the Security Council and let the nations of the world on the Security Council stand up and be counted.

Mr. President, Drew Pearson has an interesting column in this morning's Post, and I ask unanimous consent to have that part of it dealing with this problem printed in the RECORD.

THE PRESIDING OFFICER (Mr. TYDINGS in the chair). Is there objection?

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

BRITISH HELD UP U.N. DEBATE
(By Drew Pearson)

There were two inside reasons why the United States appeared to walk up the hill to the U.N. Security Council on Vietnam, then walk down again—away from debate.

Reason No. 1 was because Prime Minister Harold Wilson of England asked us to.

Reason No. 2 was because the Russians, while not asking a postponement, made it diplomatically clear that it would put them in a better position with the Chinese.

The British request was made because Prime Minister Wilson was going to Moscow and hoped that he could do some good with the Russians prior to any forensic slugging match in the Security Council. He hoped to persuade the Russians to join Britain in reviving the former British-Russian partnership for peace in Indochina.

Wilson had previously requested President Johnson to hold off bombing North Vietnam until his trip to Moscow, but the President did not do so; so it was decided that the United States could at least honor the request for debate postponement in the U.N.

BITTER COMMUNIST BATTLE

Second inside reason was considered even more important—namely, the strategy of not playing into Chinese hands by putting the

Russians on the spot during their bitter debate.

On March 29, one of the most important Communist conferences in the last 48 years will be held in Moscow. It will see a final showdown between the Russians and the Chinese, with possibly a diplomatic break resulting.

Russian politicians have been traveling around the Communist world campaigning for the votes of Communist countries against the Chinese. The situation is not unlike an American election during which, at times, Khrushchev deliberately tried not to rock the international boat in favor of the American rightwing. Likewise, it was decided in the Johnson administration not to do anything which would rock the boat in favor of the Chinese.

The U.N. Security debate would have put the Russians on the spot by forcing them to veto peace talks. The Chinese have been pounding them with the accusation that they are the "lackeys of American imperialism," trying to pull "American chestnuts out of the Vietnam fire."

Ambassador Arthur Goldberg had a 2-hour session with President Johnson immediately after his return from Honolulu, at which time it was decided not to proceed with a U.N. showdown over Vietnam now. This column can reveal that the above reasons were among the most important factors discussed.

DAWDLING BUREAUCRACY

Chairman Paul Rand Dixon of the Federal Trade Commission, trained by Senator Estes Kefauver as a rootin'-tootin' trustbuster, is now following milk-and-water policies that would make Kefauver turn over in his grave.

For 5 years the Trade Commission has been dawdling over unfair monopoly charges brought against the Community Blood Bank in Kansas City. An FTC investigator made a thorough probe. Extensive hearings were held. It was conclusively shown that certain Kansas City pathologists, working inside certain hospitals, boycotted the blood of one blood bank in order to favor a doctor-organized blood bank.

Despite the finds of monopoly and trade discrimination, Chairman Dixon is still sitting, holding up action.

U.N. GO-ROUND

Before the last Security Council debate, Ambassador Goldberg was urged by one State Department official to charge the Russians with pussyfooting for peace. He declined. "I'm not running for office," he told his State Department friend. "I'm trying to make peace."

Henry Cabot Lodge, now Ambassador in Saigon, formerly Eisenhower's Ambassador to the U.N., made speech after speech before the TV cameras, verbally punching the Russians. It sounded great domestically, boosted him as a candidate for Vice President on the Nixon ticket. But it didn't help the cold war thaw which Eisenhower eventually worked out with Khrushchev.

Here is an illustration of how rough the debate is getting between the Russians and the Chinese. The Communist paper *Hung Chi* recently charged: "The new leaders of the Soviet Communist Party * * * want to sow dissension in Chinese-Vietnamese relations and help the United States in its peace plot. They want to find a way out for U.S. imperialism, to enable it to occupy South Vietnam permanently." Backing up the Chinese contention that Russia is collaborating with the United States, *Hung Chi* cited two books published inside Russia on American-Soviet relations which, it said, transformed Presidents Johnson, Kennedy and Eisenhower into "partisans of peace instead of arch war criminals."

Mr. MORSE. Mr. President, the column points out in essence that some

of our alleged allies in the United Nations have been trying to avoid a debate in the Security Council. The column states that the Prime Minister of Great Britain Mr. Wilson has been urging that the debate be kept behind the scenes. Russia does not wish debate to be a matter of public discussion because she has a large Communist conclave coming around March 29 and prefers to have the matter postponed. However, that should not stop the United States from insisting that the matter be brought out in the open. Great Britain and Russia and every other member of the Security Council have a treaty obligation. As was pointed out to me in a long telephone conversation this morning with one of our greatest living American historians, Professor Commager of Amherst, that is what the Security Council, he pointed out, is for. That is the commitment of the signatories to the United Nations Charter.

Mr. President, the time has come, in this hour of world crisis, to find out whether the United Nations Charter is to survive. If members of the Security Council are not willing to put it to use now, then, in my judgment, they will have to assume responsibility for murdering the United Nations. For I cannot imagine a crisis that will face mankind more serious than the present one. Nor can I imagine a crisis which dictates more clearly that every member of the Security Council should proceed to carry out that country's obligation under the terms of the charter.

Mr. President, what is needed is to have the Security Council proceed to exercise its peacekeeping functions, to announce to the United States and the South Vietnamese on the one hand, and to the North Vietnamese and Red China on the other, that the United Nations will keep the peace, that the United Nations will not stand by and let the warring factions in southeast Asia lead mankind into a massive war.

I have been heard to say so many times—and make this fleeting reference to it—that when the United Nations has followed its peacekeeping function, it has kept the peace. It is true that probably none of the other crises has been of the same magnitude as this one, but they could have developed into a world war. The United Nations does have a record of keeping the peace in the Congo, in Cyprus, in the Gaza strip, in the differences between Pakistan and India. It has also, without going as far as it was found necessary to go in those cases, exercised great influence with other potential threats to the peace of the world.

No member of the United Nations can justify stepping aside or avoiding Security Council action and not assume responsibility in history for walking out on that nation's responsibility as a member of the Security Council. But, I add, that if the Security Council will not take jurisdiction, or if one or more members of the Security Council veto the taking of jurisdiction, then my country should insist that the procedures of the General Assembly be brought into play. My country should insist upon the calling of

an extraordinary session of the General Assembly to consider the threat to the peace of the world.

I have no doubt that it will get whatever support it needs for the calling of such extraordinary session. I also have no doubt as to what course of action will be taken in the General Assembly for I think there is, now, at long last, a worldwide recognition that the holocaust in southeast Asia can very well, in the not too distant future, throw mankind into a massive war.

That is why I was heard to say at the time of the Honolulu conference—the President, having spoken there—that I hoped he would come back and go to New York City to the United Nations and make the plea for a United Nations' takeover in southeast Asia, and make the commitment that when the United Nations decrees a cease-fire order, the United States would respect it and abide by it and give it every cooperation in carrying it out.

It is said that the Vietcong, North Vietnam, and Red China do not belong to the United Nations. I know that. But, the commitment of the signatories to the United Nations Charter was not that they would only enforce the peace and keep the peace in disputes between member nations—read the charter—but the commitment of the signatories was that they would keep the peace or join in an effort to keep the peace wherever there was a threat to the peace, irrespective of whether that threat was being made by members or nonmember nations.

Mr. President, if that were not true, then the United Nations Charter became a scrap of paper the very moment it was signed in San Francisco.

Further, if we had that kind of alignment for peace, the ceasefire order would be but the beginning. It would then be necessary for the nations who have pledged to join together to keep the peace, to make a series of offers for control of the territory, and administration of the territory, and for the number of years it might take to make it possible for the people of the area to develop the knowledge, the wherewithal, and the conviction that they should support the principle of self-determination.

Mr. President, it means that under that kind of approach we might very well have a reconvening of the Geneva Conference. As I have said so many times in my discussions on that subject, it is sorely needed. It is no longer a taboo subject in this country. Even this administration is paying lipservice to the reconvening of the Geneva Conference. In fact, the American Ambassador has said on occasion that if the Geneva Conference were called, we would be at Geneva the next day.

Before I finish my speech, I shall point out what the reconvening of the Geneva Conference would mean. It would be quiet different from what the war hawks have wanted, for a reconvening of the Geneva Conference would mean negotiating with Communists as well as with free nations. We should and we are going to have to if there is going to be peace.

I shall share the deprecation of everything communism stands for and that is shared by any Member of the Senate, but those Communist nations have the same sovereign rights as the United States or any other nation. That just happens to be a reality of international law. In my judgment, it is hopeless to think that there can be any negotiation with them on bilateral relationship between the United States and these Communist nations. That is one of the great mistakes in the President's whole program, although he has not put it in those words.

It is very interesting to notice the side-stepping and toe dancing that characterize the verbalization of this administration with respect to the delicate and difficult problem of what is going to be our relationship with Communist nations. We are going to have to negotiate with them, but we ought to stop trying to advance the point of view that it can be done on a bilateral arrangement. That time has gone for all time in this dispute. We are going to have to negotiate with them as a party to a larger group, a multilateral group, where we will be on one side of the table, and the Communists on the other side of the table, and a group of noncombatant neutrals at the head of the table, operating the procedures at the table.

That is why I say I think that kind of negotiation, once we have the enclave program adopted, once we have the cease-fire ordered, and nations send over whatever number of men are necessary to enforce the cease-fire, will be the kind of negotiation that runs a very good chance of bringing the Communists to that table and making it possible for the United Nations or the Geneva Conference to work out a trusteeship or a protectorate or a program of joint action that will give us some hope of preserving the peace in southeast Asia and then building up the people.

When certain persons talk about building up the country, I talk about building up the people, so that in a matter of a few years they can decide for themselves the kind of country and the kind of government they want throughout Vietnam.

So I say, those who say we have no plan simply mean that those of us who are opposed to them refuse to support them in their warmaking plans. Ours is not a warmaking plan. It is a peace-keeping plan. Ours is a plan that seeks to bring to an end the killing and seeks to substitute for the killing the enforcement of a peace.

As I have said, this bill calls for the opposite of the so-called enclave theory. It authorizes construction of bases not only on the coastal areas of South Vietnam, but in the deep interior of Thailand, and possibly Laos.

According to Secretary McNamara's testimony on pages 52 and 53 of the hearings, about \$975 million of existing and new military construction money is to be spent in South Vietnam, the remaining \$666 million elsewhere in the general area to support our activities in South Vietnam.

One does not need to go to the Armed Services Committee room and read the

portions that are marked "deleted" in the printed hearings to know that deletions of this kind refer to countries like Thailand and Laos where our military penetrations are not a military secret, but supposedly a diplomatic secret.

U.S. OBJECTIVE IS TO DESTROY VIETCONG THROUGHOUT SOUTH VIETNAM

What is printed in the hearings is enough to destroy the claim that there is little difference between the Gavin-Kennan proposal for Vietnam and the administration objective.

In fact, I think the difference between the Gavin-Kennan program and the Johnson-Rusk-McNamara program is the difference between the high sunlight of noon and the black midnight of 12 o'clock at night—all the difference in the world. They are poles apart.

The administration objective in South Vietnam is to clear the country of the Vietcong and restore General Ky to full control over the people and territory of South Vietnam. That is what was in the President's Honolulu speech and here is the military funding that will be needed to carry it out.

May I digress to point out that there has been little talk by this administration that what it seeks to do is to entrench Ky in power; what it seeks to do is destroy the Vietcong. Not only that, as I shall point out later in this speech, the plan also, once he is entrenched, is to then give him support for the takeover of all Vietnam, because Ky, like our first puppet, seeks a reunification of all Vietnam on the terms of Ky, as Diem wanted it on the terms of Diem.

While making that point, let me also point out that this administration has little to say about who the Vietcong are. The Vietcong are South Vietnamese. We have had various estimates made in the record, but I think it is an understatement to say that 75 percent, and higher, of the Vietcong are South Vietnamese.

This administration only talks about the soldiery of the Vietcong. Mr. President, the Vietcong happen to be a population of people in South Vietnam engaged in a civil war with other South Vietnamese. Oh, I know the administration does not like to mention that it is a civil war, but so it is, and has been from the beginning.

The Vietcong consists not only of soldiers but of families, men, women, and children.

Then, we read in the morning newspaper, in the account of the action that took place yesterday, of women and children carrying the ammunition to their Vietcong soldiers and taking away the dead and the wounded, and it has been going on from the beginning.

This administration has falsely represented that the Vietcong represent only a group of terrorist soldiers. The Vietcong from the beginning have had a substantial part of the population of South Vietnam, in control of more than 50 percent of the land area of South Vietnam. Spokesmen for this administration in testimony admit that the Vietcong control probably as much as 60 percent or more of the land area of southeast Asia. We get a variety of figures

from them as to how many people they control, but it is understatement to say they control a substantial population, a substantial number, in the neighborhood of one-third of the population of South Vietnam.

Let me make it clear, as I have so many times during the last 2½ years, as I have spoken from this desk in opposition to our foreign policy in southeast Asia. There is no doubt about the inhumanity to man that has been practiced by the Vietcong soldiers. But why? Why has this administration tried to gloss over the fact that the terror and shocking brutality involved in this war in South Vietnam has not been limited to the Vietcong?

But if one reads the press of free foreign nations and sees the photographs in the foreign press of free nations, then, one recognizes the terror of the South Vietnamese Army, too.

How does one explain it? I do not know how to explain it except that we are dealing with a people with a different sense of human values, a different culture, and different background.

Most of them are illiterate. They are a people who have struggled for years and years in a war-torn country. I suspect that what has happened is that there has been a dulling of sensitivity. I suspect that what has happened is that the suffering caused by the horrors of war has destroyed many human values. But I do not like to see our country countenance it. I hate to read stories and see pictures in the foreign press depicting also the brutality of the South Vietnamese soldiery and see pictures of American Armed Forces standing by.

I referred a few moments ago to the long telephone conversation I had this morning with Professor Commager. He said:

I hope you will point out again, Senator, as you have before, the nature of this man Ky. There is no question that he is a tyrannical puppet of the United States. Now he is denying—I think it is obvious that he is denying it because it hurts his image—that he ever said that his main hero was Hitler; that he ever said that what South Vietnam needs are several Hitlers.

As Professor Commager said this morning, it should be made clear again that there is no question that Ky did say that. There is no question that the interview he had with the London Mirror was accurately reported. That is a pretty costly statement, so far as his image is concerned.

He is the kind of tyrant that our Government is sacrificing the lives of American boys to sustain, but they will not be sacrificed with my vote.

I have pointed out that we are dealing with a country, in South Vietnam, that is composed of a divided population—the Vietcong and the South Vietnamese, so-called. Not all Vietcongs are Communists. My guess would be that a substantial majority are Vietnamese Communists; but among the Vietcong are many who are not Communists. Interestingly enough, some of the top officials of the Vietcong are not Communists. The average American citizen thinks that the members of the Vietcong are merely roving bands of brigands.

But, Mr. President, there are Vietcongs who have families. There are Vietcongs who hold positions among their people.

We talk as though we have a right to establish on a permanent basis, a government in South Vietnam sympathetic to the United States, and to move next to supporting that government in a take-over for the reunification of Vietnam—south and north. This bill provides the funds that will finance that kind of foreign policy in southeast Asia.

My answer is that that is not our business. My answer is that it happens to be the business of the United Nations or, under the canopy of the United Nations, the business of the Geneva Conference. But it is not our program.

I say that the bill is a military funding bill that is needed to carry out the President's wrong foreign policy in southeast Asia.

I point to Secretary McNamara's statements on page 105 of the hearings in response to a question from Senator SMITH:

Senator SMITH. Mr. Secretary, are there any plans to escalate and step up the offensive in Vietnam?

Secretary McNAMARA. Well, there are preparations being made, and they are reflected in this fiscal 1966 supplement, for substantially increasing our deployments to South Vietnam and raising the rate of activity of our air units there. Whether or not we will carry out such higher rates of activities and actually deploy all of those additional forces is a decision that only the President can make, and no such decision has yet been made.

His instruction to us is to be prepared to meet such higher deployments and such higher rates of activity should the need for them arise.

I wish to go back to that statement. In the light of that statement, I am at a loss to understand the argument of any Senator who says that the pending bill is not a policymaking bill, that the bill is only financing what we are now doing.

What does Secretary McNamara mean when he says that preparations are being made and that they are reflected in the fiscal 1966 supplemental bill? Preparations for what? Preparations for the course of action raised by Senator SMITH's question when she asked: "Are there any plans to escalate and step up the offensive in Vietnam?"

The answer of the Secretary of Defense means "Yes."

He says they are reflected in this fiscal 1966 supplemental bill. The money is in there.

This is dangerous. It is dangerous to authorize in advance funds for an escalated war. This is a policy that should be rejected, and I say to the American people: "As fast as you come to understand the hidden policy in this bill, reject those who support it. It is your only hope. It is the only check you have got left, for you are losing your check in the Congress, as I think the vote next week will show. It is up to you, the people, whether you want to put your stamp of approval by way of a free ballot on such a policy. And, if you do, you have only yourselves to blame."

That is why this Senator has announced in his State that he will support

no candidate for office in his State who supports this policy of an escalated war.

What else does this statement mean? The Secretary of Defense says:

These preparations are reflected in this supplement for substantially increasing our deployments to South Vietnam.

That means men. That means that they are asking for authorization for funds to send increasing thousands of American boys into southeast Asia.

I want the American people to know that. I want the American people to know what is hidden in this bill, the policy called for by this bill. What else does the Secretary of Defense say? He says: "and raising the rate of activity of our air units there."

This means that they are putting in this bill authorization for funds that will permit them, at the decision of the Secretary of Defense subsequently, to have an escalated air program in southeast Asia. People try to pooh-pooh the position of those of us who are opposed to this war when we say that we are concerned that it is going to lead to a war with Red China and Russia.

Our fear—and it is not fear alone—is based upon inevitable cause-to-effect reasoning. If we escalate this war in the air, we are going to get ourselves involved in an airpower course of action that cannot avoid bringing in China and Russia.

That is General Gavin's great fear, and he testified to that effect time and time again during the day of hearings that we held. I say to the American people: "You, the American people, saw him and heard him."

That is General Gavin's concern. That was the concern of Ambassador Kennan, as he answered questions during a day of testimony. The American people saw and heard him.

That is the reason that these two great experts—one a great foreign policy expert, Ambassador Kennan, and the other a great military expert, General Gavin—tried to forewarn Congress and the people of this country: "If you follow the foreign policy of this administration in southeast Asia, you increase the great danger of a war with China and Russia."

Oh, but what so-called escape or exit do they leave in this bill? They say that this can happen under this bill only if the President so decides. I know. They think they put a Senator in a very difficult and thin ice position if they put him in a position in which he decides that he must say: "I don't want to give the President that discretion."

It is not a difficult position for me, for I will not give the Office of the Presidency of the United States, with my vote, at any time such arbitrary, unchecked discretion. It is not safe for freedom. It is not safe for a democratic form of government.

Listen to what the Secretary of Defense said:

Whether or not we will carry out such higher rates of activities and actually deploy all of those additional forces is a decision that only the President can make, and no such decision has yet been made.

I do not propose to put him in a position in which he can make it, not with my

vote. The bill should not be passed with that power in it, for either the President or the Secretary of Defense.

Let me say that the American people are entitled to have Congress see where it is going at all times. This is a blind-fold bill. This is a bill that covers up. I believe that Congress should reject this language of the bill and make it clear that it wants to know before the fact, not after the fact, what our course of action in Asia is going to be.

I continue with the hearings, Mr. President, on page 105:

Senator SMITH. If there aren't any ammunition shortages in the Vietnam fighting and if there aren't any plans to escalate and step up the fighting in Vietnam, then why have you recently opened a half dozen or more ammunition plants directed to start operations on increased ammunitions?

Secretary McNAMARA. To be prepared to support higher deployments and higher rates of activity. We have laid out over the period of the next 18 months—through June 1967—possible levels of deployment, and possible rates of activity which are higher than present levels of deployment and rates of activity, and in order to be prepared to support them, we are requesting funds to procure the ammunition for such higher deployments and higher rates of activity.

There you have it. There you have it in all of its dangerous implications. "We are asking you," he says in effect, "to buy a pig in a poke. We are asking you to give advance approval, but you do not know what you are approving, for an escalation of this war, if the President and the Secretary of Defense, under the authority given in the bill, decide that should be the course of action."

Who wants to talk to me any more about a government of law? Pass this bill, and you have taken the people of this country much farther down the road toward government by executive supremacy and government by secrecy. I have said it before, but I shall keep on saying it, because repetition is necessary for the learning process: We are already a long way down the road toward government by secrecy and government by executive supremacy.

Mr. President, we must stop this march toward government by executive supremacy and government by secrecy. We have got to insist that the American people be told the facts. We must insist, Mr. President, that this administration be not allowed to hide behind the emotional sanction that it is waving in front of the American people constantly these days: "We cannot tell you—it is not safe to tell you—you must trust us."

Well, Mr. President, when you find them untrustworthy in the future, that will not bring back the lives of large numbers of Americans, both in the armed services and in civilian life, which will be lost if they lead us into the third world war.

Elsewhere, Secretary McNamara was pressed by Senator McCLELLAN to describe and define our military strategy and tactics in Vietnam. The Senator's question appears on page 112 of the hearing record and it was:

Are we going to continue fighting what appears to be a holding action?

Secretary McNAMARA. I don't believe that we would characterize our present military strategy or present tactics as holding actions. On the contrary, we are taking the offensive, seeking to find and destroy the enemy bases and forces, and we propose to continue to follow that strategy and tactic, using whatever forces are required to accomplish it in order to convince the Vietcong and particularly the North Vietnamese who are directing their operations, that they cannot win in the south, and therefore, must cease their attempt to subvert and destroy the political institutions of the south.

Senator McCLELLAN. That is why it occurs to me that it is primarily a holding action. We are just going to hold on and show them they can't win.

Secretary McNAMARA. No, sir.

Senator McCLELLAN. We are not taking the initiative and offensive to bring them to that decision by a military defeat. But simply by showing them that they can't drive us off.

Secretary McNAMARA. No sir; I don't believe that is correct. We are seeking, as I say, to find and destroy their forces in South Vietnam. The point of difference that lies between us may be with respect to our objectives. We do have limited political objectives in South Vietnam. They are not to destroy the North Vietnamese Government, they do not involve application of military power to North Vietnam for any purpose other than to reduce the capability of the North Vietnamese to support and direct the Vietcong activities in the south. Nor are our objectives in the south designed to provide permanent military bases for us there, nor are they designed to force South Vietnam into association as a member of Western alliance. Our objectives are limited solely to preserving the independence of the South Vietnamese and their right to determine their own destiny.

Now, following that limited objective, we have developed this military strategy which I have outlined.

Senator McCLELLAN. I understand in a general way our political objectives. We are not trying to take over the North Vietnamese Government or to destroy it as such. We are simply trying to make certain first, of course, as you say, that the South Vietnamese Government is preserved and the integrity of that country is preserved. That is No. 1, I am sure.

But we are fighting North Vietnam.

Secretary McNAMARA. We are what, sir?

Senator McCLELLAN. We are fighting North Vietnam. I don't care how or what words you use or what phraseology, we are fighting North Vietnam, she is our enemy, not just the Vietcong. And the point I am getting at, is, is it our policy just simply to use only limited means to destroy and make limited effort to destroy North Vietnam's war potential, warmaking power, while we simply sit down there and try to hold the fort, so to speak, and convince them, "Well, you can't drive us out. This may take 10 years, 5 years, or what."

"I want to get, I want to know if that is really our policy as of now, just to stay there and show them they can't drive us out, and that is the end of it.

Secretary McNAMARA. No, sir; I don't believe it is. As I have said, our military strategy which is associated with the political objective of preserving the right of the South Vietnamese to determine their own destiny is to find and destroy the Vietcong and North Vietnamese forces operating in South Vietnam.

A few sentences later, the Secretary added:

If the circumstances change, if the North Vietnamese add greater force, if the military risk associated with our present policy increases beyond the limits we presently see,

it might be desirable or necessary in the future to modify that strategy (deleted).

Mr. President, after that word "deleted," let me say to the American people, "You should know what was deleted. You are the ones who are going to do the dying if this goes askew."

This, of course, is quite in keeping with the Honolulu speech of the President at the Honolulu airport on February 6, when he said:

We will leave here determined not only to achieve victory over aggression, but to win victory over hunger, disease, and despair.

Mr. President, I digress to invite the attention of the Senate to the fact that General Taylor and others at the hearings had a little difficulty in recalling who talked about victory. I pointed out in the hearings that the President has been talking about victory.

Mr. METCALF. Mr. President, will the Senator from Oregon yield for a moment?

Mr. MORSE. I am glad to yield to the Senator from Montana.

Mr. METCALF. I believe that the American people are finding it difficult, even as Members of the Senate and Members of the House of Representatives are, to find out what goes on in some of these hearings. I just opened the record of the hearings at random, after the Senator from Oregon mentioned the word "deleted," to page 265, and I read as follows:

I am asking for your personal opinion.
General JOHNSON. [Deleted.]
Senator SYMINGTON. [Deleted.] Mr. Chairman, may I have this question off the record?
Chairman RUSSELL. Yes. Off the record, Mr. Reporter.
(Discussion off the record.)
Chairman RUSSELL. Back on the record.
Senator SYMINGTON. One final group of questions.
[Deleted.]

USE OF NAVAL AND AIR SUPPORT

General Wheeler pretty well handled my good friend General Gavin's statement the other day.
[Deleted.]

And so on, and so on. All the essential information in this volume has been deleted. The people of America cannot find out from reading it, and Members of Congress cannot find out from reading it, unless they go into the secret room and go through the information which has been deleted. This document is essentially useless for consideration of this very important bill.

Mr. MORSE. Let me say to my good friend, the Senator from Montana, that I could not agree with him more. Let me warn him that such talk is dangerous in the view of many.

Mr. METCALF. All of us believe in security, of course. But time after time, if we try to read this document—and again I open it to page 172—we find as follows:

Secretary McNAMARA. [Deleted.]
Senator JACKSON. [Deleted.]
Secretary McNAMARA. [Deleted.]

How can anyone follow an essential discussion of what we need in Vietnam, or any other place, if none of the information is given to us?

Mr. MORSE. That is my point. That is the best definition I can give the Senator of government by secrecy and the dangers which I have pointed out in regard to it.

Here we have a Secretary of Defense who hides behind executive privilege, and the Chairman of the Joint Chiefs of Staff who also hides behind executive privilege, which they can do if they wish, and refuse to come out in an open, public hearing and discuss policy. As the Senator from Montana has stated, neither he, nor I, nor anyone, so far as I know, would ask for disclosure of any security information. There is no danger of that. That is why I believe it is so unfortunate that my President took to the television and supported Secretary McNamara and General Wheeler in their refusal to come before a public hearing and discuss public policy, because the President underwrote government by secrecy when he did that. The President must be checked.

Everyone knows—and I have seen it happen innumerable times, it happened the other day in the Rusk testimony—that whenever a Senator asks a question which the administration witness thinks involves a security matter, he merely says:

Mr. Senator, I cannot answer that in a public hearing. I should like to have you lay it aside and I will answer it in executive session.

It is automatically laid aside, and we subsequently meet and go into it in executive session.

But, we are talking about policy in this bill. We are talking about the policy of escalation. We are talking about the policy of giving to our President this unchecked power. This should all be discussed in a public hearing.

Mr. METCALF. But those are the essential questions which they have refused to answer. Those are the essential questions that the American people are hungry to know—

Mr. MORSE. And are entitled to know.

Mr. METCALF. They are seeking to know and they are entitled to know.

Mr. MORSE. That is right.

Mr. METCALF. Many of them are.
Mr. MORSE. That is right. That is part of the burden of my argument. That is why I believe we speak at a historic time. I doubt if we can find another time in the history of the Republic where the danger is as great as it is at the present hour in the development of a government by executive supremacy and secrecy. I believe that it is so dangerous—as someone said to me this morning—that we, who oppose this war, have burned all our bridges. Well, I believe it is so dangerous that, if that is true, I am willing to burn the bridges.

The warning must be raised.

I hope we can get a vote on the issue. I hope it is true, as I read in the press today, that the great Senator from Georgia [Mr. RUSSELL]—and I know of no greater one in the Senate—when next week I offer my amendment to this bill that seeks to rescind the resolution of August 1964, will offer a substitute, and that the substitute will be a reaffirmation

of that resolution, and that the Senate will vote on it and then let the American people know.

I cannot force that vote, but this question having been raised as a logical outcome of my colloquy with the Senator from Montana [Mr. METCALF], I want to say the American people are entitled to that vote. They are entitled to adjudicate those of us who vote on that resolution for or against.

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

Mr. MORSE. I yield.

Mr. METCALF. The whole point the Senator was making and that I was trying to make is that the people of America do not know the facts. They have not been informed. They cannot possibly find out from the administration, or executive department. So, no matter how the Senate votes, no matter how the House of Representatives votes, the people of America do not know the facts and the conditions under which we are voting.

Mr. MORSE. The Senator is right. That is my case.

Mr. METCALF. That is a tremendously unfair situation.

Mr. MORSE. That is my case.

Aside from the issue of our legal commitment in Vietnam, there is the quite separate question of our objective there. It has been repeated often by the administration that our objective is to restore our own American choice of a government to all of South Vietnam. We say we welcome elections, but, of course, we mean elections held after the country and the people have been pacified. And by pacification, we mean that American troops go through the countryside and wipe out whatever Vietcong resistance can be found and the local South Vietnam troops occupy the cleared area and establish a half-military, half-civilian authority in our wake. When we have established that condition throughout all of South Vietnam, then presumably we will be ready for an election.

This new authorization for weapons and bases and additional manpower is another installment in the war effort it will take to accomplish that objective. And as Secretary McNamara pointed out, if North Vietnam responds to this particular American escalation in the ways it has in the past, then there will have to be new and further steps taken beyond those contemplated in this bill.

NEW MANPOWER INCREASES PROVIDED IN BILL

I call the attention of Senators to the tables furnished by the Secretary of Defense which appear on pages 14, 15, and 16 of the hearings. There we see that the plans of the Defense Department call for increases in active duty military personnel by a net total of 452,843 to be financed by this measure. That increase is planned to be realized by the end of fiscal year 1967.

It is in there. Three hundred forty-seven thousand of these men are expected to be added by June of 1966.

I say to the American people that this bill provides in its very terms—it is not spelled out but it was revealed in the hearings—for sending to South Vietnam, if they so decide to send them, 400,000

additional men. Send them over there. Send them over there to escalate the manpower.

I should think that Senators would see how obviously dangerous it is. I do not know how anyone can vote for this bill providing for that kind of manpower escalation without writing an entire series of checks into it requiring step-by-step approval by Congress.

Let me say that this is not all. This is not the limit. This is the manpower they discussed in the Armed Services Committee.

I want the American people to know my fear. My fear is that if this bill is passed and there is authorized this kind of escalation and it results, as I think it will result, in a war with China, there will be a minimum of 3 million American troops on the mainland of China within 24 months after war breaks out. That is, total war. We have no right to play with that danger. We have no right to support a bill that is based upon U.S. unilateral military action primarily in Asia, and then pretend, as the President did in his speech in New York City the other night, that we seek peace.

Surely Senators who continue to delude themselves that this pending measure merely finances what has already been done and what is now being done have not read the hearings. The purpose of the new authorization is substantially to increase our ground and air operations in southeast Asia and to provide both the manpower and the material to do it. Our immediate objective is to eliminate the Vietcong forces from South Vietnam and to establish General Ky as the unchallenged authority throughout South Vietnam.

I have been heard to say on this floor that with the extent of manpower and firepower we are prepared to put into South Vietnam, we can probably occupy the entire area and suppress the rebellion. I do not see how the Vietcong have stood up to our pounding from air, sea, and land as long as they have. We have now proved the duplicity of our statements of last year that we were using nontoxic gases for humane purposes. We are now dropping tear gas from helicopters to drive the Vietcong into the open just before we unleash B-52's upon them with their loads of 51 bombs each, each bomb weighing 750 pounds.

The fact is that we are using gas in Vietnam just the way it has always been used in warfare—not to subdue the violent without injuring the innocent, but to render an enemy incapable of defending himself so he may more easily be killed. It was that purpose of gas that was outlawed by international convention and it is that convention that applies to our use of gas in Vietnam as much as it applies anywhere else.

What does our country offer as an alibi? "It is tear gas," one should read the articles of war. They do not say that a country cannot use gases except tear gas. They prohibit all gases, and for the reason I pointed out in my speech.

The article of war is violated when we use a gas that puts an enemy in a position where he cannot defend himself and thus it is made possible to kill him

because he has been incapacitated by gas. It is the gas that is prohibited.

In other words, we are bringing to bear upon the Vietcong the ultimate in sophisticated scientific weapons. We are all horrified at decapitations and disembowelings that are committed by the Vietcong by hand. But we apply on a far larger scale the more impersonal but equally horrifying terror weapons of the laboratory. Under the new escalation contemplated by this bill, I do not doubt that the Vietcong as an organized fighting force will be destroyed unless they get help by means of an equivalent build-up from North Vietnam, from the Soviet Union, or from China.

I spoke some minutes ago about the terror of the Vietcong and the terror of the South Vietnamese, pointing out that horrible picture that was published some time ago of a Vietcong prisoner with a rope around his neck and forces of the South Vietnam conducting a tug of war over his helpless body.

From the evidence and the pictures published, we know of other acts of terror on the part of the South Vietnamese and the Vietcong. We use napalm bombs. We burn out villages. We kill women and children with them. We have the admission from our Government that of the 793,000 refugees, a majority of them became refugees because of American bombing. People are aghast to read of our poisoning of rice fields.

I said the other day that I met with 31 ministers, at their request, in Madison, Wis., last Saturday morning, as they presented to me a letter which I placed in the RECORD last Monday. Mr. President, you should have heard those ministers protest the immorality of our war-making. Read their letter. It is one of the most symbolic protests I have heard in this whole debate, a public confession of those 31 ministers that they have failed to live up to the spiritual obligations in their pulpits, while we have followed the shocking course of warmaking action.

Mr. President, the church bells of America should toll as a symbol of the course of action our Government has followed in this war.

I know there are those who will try to read into the remarks of the senior Senator from Oregon criticism of our soldiery. There is no basis for that. But there is criticism in my remarks of the policymakers of my Government in conducting this war. I mean that criticism, for I think they have put us in a very difficult position with respect to negotiating a peace. That is why I think others must come in to do most of the negotiating for both sides in the controversy. If we follow our present course of action, we shall be bogged down in South Vietnam for a long, long time.

UNITED STATES WILL HAVE TO OCCUPY SOUTH VIETNAM INDEFINITELY

But even if the Vietcong do not receive outside help, the American occupation will have to continue indefinitely, and it will be opposed not by conventional, standup battle, but by underground terror bombings and assaults of the kind that have been waged against foreign

occupations since the beginning of human history.

It was brought out time and again in our hearings that a U.S. defense of coastal areas only would cause the collapse of the Saigon government, despite its 700,000 armed forces who are presumably pitted against 230,000 VC's. That is the extent of the viability of the Saigon government. We cannot even restrain the use of U.S. forces to certain areas without its collapsing.

It was also ironic that the Secretary of State should try to advance the concept that if both the United States and North Vietnam withdrew completely, the Saigon government could prevail over the Vietcong. All the figures and all the information available to us completely refutes that contention, for the Defense Department estimates that some 15,000 Vietnamese troops are present in South Vietnam, whereas 205,000 U.S. troops are present.

North Vietnamese or no North Vietnamese, it is only the U.S. Armed Forces that are holding up General Ky. All the northerners could go home tomorrow, and Ky would still fall if the Americans did not remain. That is the evidence of the Defense Department figures.

What they mean is that we can never go home if it is our objective to restore General Ky or one of his successors to power throughout South Vietnam and keep him in power.

ALTERNATIVE IS A BIGGER WAR

The alternative to a buildup in U.S. forces while the opposition remains stationary, is a buildup in U.S. forces matched by an equivalent increase in Communist forces.

I have not read every word of the hearings before the Armed Services Committee. But I have gone through them rather carefully. And I find not one mention of what the Defense Department, meaning the administration, believes the response of the opposition will be to our buildup projected under this bill. Is it assumed that North Vietnam, Russia, and China will do nothing? If that is the assumption, on what is it based?

Or is there evidence that North Vietnam will increase its own military strength in the South? Or will the Soviet Union pour more equipment into North Vietnam to be used in the South? We are preparing another escalation in the war, and we are doing it in this bill without so much as a hint as to what the response of the opposition may be.

I have quoted Secretary McNamara's statement on page 115 of the hearings, wherein he said that if the North Vietnamese add greater force, if the military risk associated with our present policy increases beyond the limits we presently see, it might be desirable to change our strategy of not seeking to destroy the government of North Vietnam. But as to the possibilities and expectations of the administration as to what the response of North Vietnam will be, I find nothing. Nor are we given any hints about possible reactions and responses from the two great Communist powers, China and Russia.

We have already been through the experience of the failure of the bombing of the north to force Hanoi to the bargaining table. We were all assured a year ago that air raids on North Vietnam would quickly demonstrate to her the potential destruction the U.S. Air Force and Navy could visit upon her and bring her to the sensible conclusion that in the face of such overwhelming power she should seek the best peace she could get at the negotiating table.

That expectation has proved false. The reaction of Hanoi was just the opposite. The Defense Department and Secretary Rusk contend now that she has increased her support to the Vietcong; and certainly her negotiating conditions have hardened. Felix Greene, a British citizen whose political views are said to be leftist, reported to an audience at the University of Oregon last week that his travels in North Vietnam convinced him that our bombing is unifying the people of North Vietnam behind their Government. Whether his opinions are suspect or not, we have no observers of our own in North Vietnam to tell us differently, and certainly Greene is right in asserting that bombing attacks have usually had the effect of solidifying public opinion in support of a war rather than destroying the will to resist.

It is true, however, that articles written by other foreign correspondents, as they report in foreign newspapers, tell the same story that was told by Felix Greene to the University of Oregon audience last week.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the article telling of Mr. Greene's appearance at the University of Oregon, which was published in the Eugene Register-Guard of February 16, 1966.

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

FELIX GREENE DECLARES AT UNIVERSITY OF OREGON: "U.S. BOMBING RAIDS UNIFYING NORTH VIETNAM"

(By Karen Waggoner)

"We are caught in a series of unfolding events—like a Greek tragedy," said Felix Greene Tuesday night at the University of Oregon.

But the tragedy he described was not Greek. It was American and Vietnamese.

Greene is a British citizen who has maintained a residence in California for about 20 years. The only American-based correspondent to travel frequently in the Communist Chinese mainland, Greene spoke to an overflow audience in 150 Science. Those who were not already standing joined in giving him a standing ovation.

Greene returned recently from spending much of the winter in China and North Vietnam. He said he talked extensively with peasants, military leaders, editors and professors and obtained an exclusive interview with North Vietnamese President Ho Chi Minh.

"We cannot understand Vietnam without knowing China," he said. He then outlined three great events which he feels have influenced the mood of the Chinese people:

China's remarkable economic recovery after the setback of the early 1960's. "There is no shortage of food in China," Greene said—rather there is a problem of storage and refrigeration.

The "defection" of the Soviet Union. China has decided that Russia can no longer be considered a fraternal country in communism. The Chinese feel they are the lone upholders of Marxism, Greene said.

The Vietnamese war. The Chinese are certain they will be drawn into a major conflict with the United States, Greene observed, and they are preparing for an invasion of their country. According to Greene's observations, cities in southeast China have been partially evacuated and the civilian militia has been enlarged.

But he saw the mood of the people as relaxed and confident. "They know that they could win what most modern military leaders have warned against—U.S. involvement in a land war with China," Greene said.

"North Vietnam," Greene said, "is a country over which war hangs like a cloud." Hanoi's boulevards, he observed, are scarred with air raid shelters; most of the children have been evacuated, and jeeps, trucks, and buses creep about camouflaged.

The "Hanoi industrial complex" of U.S. military jargon, Greene said, is purely a myth. The town boasts only a largely evacuated textile plant, a bicycle plant, a small iron works, and a few truck repair shops, Greene said, yet few targets hit by our air raids are even this formidable.

Greene said he traveled through heavily bombed areas just before the bombing lull and brought back pictures of a hospital, a school, a small bridge, and an old folks' home destroyed by bombs.

"What the bombing has done is what bombing has always done—it has unified and solidified the people," Greene said.

"The U.S. offer for peace talks," said Greene, is as senseless as Hitler's request for discussions after the fall of France." Greene asked what the attitude in this country would have been if Japan had requested peace talks immediately after Pearl Harbor.

The Vietnamese people are emotionally involved in this war, he said. During an air raid an "amazing thing happens." The girls jump into trenches with their guns and the old people bring tea to the soldiers, he said.

"What irritates Washington most," Greene said, is the Vietnamese confidence that they will win. They beat France, he said, and do not stand in awe of a major power.

Mr. MORSE. What does Secretary McNamara, Secretary Rusk, or the President think will be the response of Hanoi to the increased deployment of troops and increased air activities provided for in this bill? Senators do not know. If the administration has any opinion, it has not revealed it.

BILL WILL MAKE POLICY OF ESCALATING WAR

In voting on this bill, Senators are not voting on whether or not to finance a given policy. We are being asked to make the policy in this bill.

For most of the discussion about Vietnam, the administration has quoted the 1954 letter from President Eisenhower to Premier Diem as the foundation for American intervention in Vietnam. Then, on August 17, 1965, President Eisenhower repudiated the idea that his pledges or commitments to Diem involved American military intervention. He said of it:

We said we would help that country. We were not talking about military programs, but foreign aid.

Mr. President, I used in the hearings the other day the newspaper clipping setting forth President Eisenhower's statement just referred to. I now have that newspaper clipping, written by Max

Frankel, entitled "Military Pledge to Saigon Is Denied by Eisenhower," which was published in the New York Times of Wednesday, August 18, 1965.

I ask unanimous consent that the article be printed at this point in the RECORD.

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

**MILITARY PLEDGE TO SAIGON IS DENIED
BY EISENHOWER
(By Max Frankel)**

WASHINGTON, August 17.—Former President Dwight D. Eisenhower demurred gently today at President Johnson's frequent suggestion that U.S. military actions in Vietnam were the consequence of a Republican commitment given 11 years ago.

Although asserting strongly at a news conference that "the Communists must be stopped in Vietnam," Mr. Eisenhower denied that he had ever given a unilateral military commitment to the Government of South Vietnam. His administration saw no need for such a commitment in 1954, he said, and was offering aid, not "military programs."

General Eisenhower's statement appeared to be a mild objection to President Johnson's interpretation of a letter he wrote to Ngo Dinh Diem, then the President of South Vietnam, in October 1954. The disagreement is significant because of the continuing debate about whether the United States must fight in Vietnam to keep its "word" and "honor."

LETTER OFTEN QUOTED

President Johnson contends that he feels compelled to honor the commitments given not only by his Democratic predecessor, President Kennedy, but also by General Eisenhower. The President has often cited and quoted from the 1954 letter as evidence.

Last June, for instance, Mr. Johnson read the entire letter at a news conference and then remarked: "In the case of Vietnam, our commitment today is just the same as the commitment made by President Eisenhower to President Diem in 1954—a commitment to help these people help themselves."

When asked about the letter today, Mr. Eisenhower said: "We said we would help that country. We were not talking about military programs, but foreign aid."

The former President said "there was no commitment given in a military context, except that as a part of SEATO." This was a reference to a protocol appended to the Southeast Asia Collective Defense Treaty in September 1954, extending the treaty's protective provisions to Laos, Cambodia, and South Vietnam, which were not eligible to sign.

LETTER EXPRESSED CONCERN

Laos and Cambodia have since described themselves as neutral, outside the pro-Western treaty arrangement. The U.S. program of massive military assistance to South Vietnam was undertaken in 1961 without application to SEATO, apparently because Washington was unable to obtain the then necessary unanimous support of the other members—Britain, France, Pakistan, New Zealand, Australia, the Philippines and Thailand.

Mr. Eisenhower's letter to President Diem spoke of Washington's grave concern about the future of South Vietnam in the face of enemies without and within. He was therefore offering aid, Mr. Eisenhower wrote, "to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means."

The main emphasis of the Eisenhower letter was upon "needed reforms" and "standards of performance" that the United States expected in return for its aid. The former President said he hoped the Diem government would be "so responsive to the nation-

alist aspirations of its people, so enlightened in purpose and effective in performance" that it would be respected by friends and foes alike.

The general view here is that the Diem government failed in its later years to meet those standards, a failure that is thought to have contributed to its overthrow in 1963.

In talking with reporters after a meeting this morning with House Republican leaders, Mr. Eisenhower said that he had received intimate briefings on Vietnam and that it would be unwise for him to discuss the specific situation at the moment. But he said that if the Communists are not stopped in Vietnam, "it would be harder and tougher to try it somewhere else."

LETTER EXPLAINED

This afternoon, after meeting with Republican Senators, he was asked about the meaning of the 1954 letter. "At the time," he replied, "we did not see the need for a major military effort in Vietnam."

It was after the overthrow of Mr. Diem and eight or nine subsequent governments, he added, that the United States found itself where it is today. He did not say whether he blamed the Kennedy administration for contributing to Mr. Diem's downfall.

Administration officials, meanwhile, reported today that Edward G. Lansdale, a retired Air Force general with extensive experience in Asia, would leave for Vietnam next week to become a special assistant to the new U.S. Ambassador, Henry Cabot Lodge.

As a colonel on the joint U.S. military advisory group in the Philippines 15 years ago, he won recognition for his energetic but unorthodox contributions to the defeat of Communist Huk rebels. Later, he served for 3 years in Vietnam, as a friend and adviser of President Diem.

Mr. Lodge met the general 2 years ago and apparently was impressed by his belief that military action against guerrillas was useless unless enhanced by political economic programs insuring safety to the South Vietnamese people.

General Lansdale is known as an individualist who believes in personal action free of the more customary bureaucratic restraints, a method of operation often attributed also to Mr. Lodge.

Mr. MORSE, Mr. President, since then, the administration has stopped referring to that letter and to the pledges of previous Presidents. It has instead begun invoking the SEATO treaty as the basis for the American intervention.

Not even at the time of the Tonkin Bay resolution was the SEATO treaty said to be involved. All that Congress was asked to pass upon at that time was the question of whether we would endorse the action of the President in defending American military vessels against attack in international waters. That was the issue. SEATO was not invoked then, and the Senator from Arkansas [Mr. FULBRIGHT] said in explaining the resolution at the time that the Southeast Asia Collective Defense Treaty was not at issue.

He did say in answer to a question from the Senator from Kentucky [Mr. COOPER] that the resolution could be considered as the constitutional process whereby the United States could act under paragraph 1 of article IV of that treaty. But that was not the request of the administration at the time. Further, I completely disagree that there is the slightest justification for contending that the resolution could be considered as the constitutional process whereby the

United States could act under paragraph 1 of article IV.

It was clear in August of 1964 that the landing of 200,000 American soldiers was in no way contemplated.

**SEATO RATIFICATION FOLLOWED ASSURANCES THAT
NO LAND ARMY IN ASIA WOULD BE CREATED**

And in fact, the landing of an American army in southeast Asia was never contemplated under the SEATO treaty at all. Secretary Rusk sought in his appearance before the Foreign Relations Committee the other day to create the impression that Congress has always conceded the grave risks involved in SEATO. He said:

The far-reaching implications of this commitment were well understood by the Committee when it recommended, with only the late Senator Langer dissenting, that the Senate consent to the ratification of the treaty.

I suggest that the Secretary of State and every other Senator go back and read the hearings of November 1954 on the treaty. They will find something quite different than what Secretary Rusk testified to. They will find assurance after assurance and assumption after assumption that adherence to the treaty was with the understanding that no American army would be landed in Asia.

Secretary Dulles told the Foreign Relations Committee:

I might say in this connection, departing somewhat from order of my presentation, that it is not the policy of the United States to attempt to deter attack in this area by building up a local force capable itself of defense against an all-out attack by the Chinese Communists if it should occur. We do not expect to duplicate in this area the pattern of the North Atlantic Treaty Organization and its significant standing forces. That would require a diversion and commitment of strength which we do not think is either practical or desirable or necessary from the standpoint of the United States.

I remind Senators that here, in this pending bill, we are being asked to do what we were told would not be done under SEATO, and that is to establish a land force in southeast Asia entirely financed and equipped and paid for by the United States. Indigenous armies are to be incorporated into our own defense setup. It is true that NATO countries participate in the organization's military forces on a much higher level of equality with the United States than do Thailand, Laos, South Korea, and the Philippines under this bill. But we are still doing under it what Secretary Dulles told us in 1954 would not be done.

I continue to quote from the Dulles testimony:

We believe that our posture in that area should be one of having mobile striking power, and the ability to use that against the sources of aggression if it occurs. We believe that is more effective than if we tried to pin down American forces at the many points around the circumference of the Communist world in that area.

It may very well be that other countries of the area will want to dedicate particular forces for the protection of the area under this treaty. But we made it clear at Manila that it was not the intention of the United States to build up a large local force including, for example, U.S. ground troops for that area, but that we rely upon the deterrent power of our mobile striking force.

Later, in answer to a question from Senator George, who was then chairman of the Committee on Foreign Relations, about the differences between NATO and SEATO, Secretary Dulles again assured the Senate that no land forces would be committed to southeast Asia under it:

Secretary DULLES. There is a very sharp difference, which I think I suggested in my statement, between what we contemplated under the Manila Pact, and the North Atlantic Treaty.

NATO, of course, is the North Atlantic Treaty "Organization"; that is what the O stands for. That is not an inherent or necessary part of the treaty.

As a matter of fact, when the North Atlantic Treaty was before the Senate and the Senate consented to its ratification, there was at that time no serious thought of creating a North Atlantic Treaty Organization. That came as a later development.

In the case of the Manila Pact, we have tried to avoid the use of the word "SEATO." I did not use it in my presentation. It is not in the documents before us. We are trying to get away from that word because it implies a Southeast Asia Treaty Organization comparable to the North Atlantic Treaty Organization. That organization is designed in the case of the North Atlantic Treaty to build up a defensive force on the Continent of Europe which itself would be sufficient to resist attack by the Red armies.

As I point out, that is not now the purpose under this treaty. We do not intend to dedicate any major elements of the U.S. Military Establishment to form an army of defense in this area. We rely primarily upon the deterrent of our mobile striking power. That we made clear to our associates in the treaty, and that is our policy.

It would involve, in the opinion of our military advisers—Admiral Davis is here and can confirm that—it would involve an injudicious overextension of our military power if we were to try to build up that kind of an organization in southeast Asia.

We do not have the adequate forces to do it, and I believe that if there should be open armed attack in that area the most effective step would be to strike at the source of aggression rather than to try to rush American manpower into the area to try to fight a ground war. So that we do not intend, Mr. Chairman, to have under this treaty any such local combined forces as have been created in Europe under the North Atlantic Treaty, and which goes by the name of NATO.

I repeat again, for the benefit of the present Secretary of State, the basis on which the Senate ratified SEATO; it was the policy not to create a land force under SEATO or to send American forces to be part of it—

That we made clear to our associates in the treaty—

Said Secretary Dulles—
and that is our policy.

And it was the policy for which the Senate ratified the treaty. Yet Secretary Rusk said on February 18, 1966:

These then are the commitments we have taken to protect South Vietnam as a part of protecting our own peace and security. We have sent American forces to fight in the jungles of that beleaguered country because South Vietnam has, under the language of the SEATO Treaty, been the victims of "aggression by means of armed attack."

Secretary Rusk either has not read the legislative history of the treaty, or he forgot to tell us about it the other day.

I say to the Secretary of State and to President Johnson, you are pursuing a policy under the cloak of SEATO that the Senate was assured would not be followed when it ratified the treaty.

I say that also for the benefit of my friends in the American Bar Association, for they are supposed to know something about legislative history and how it is made. The undeniable fact is that Secretary of State Dulles, when he presented the SEATO Treaty to the Senate for ratification, pointed out that SEATO did not mean what Secretary Rusk, the other day, said it means.

I will tell you what is the matter with Rusk. He is drowning in a sea of diplomacy, without a liferaft, and he is grasping for straws, trying to justify an unsound course of action now by pleading SEATO. But his predecessor in office, Dulles, put him out of court, by his own testimony which I just read, at the time that Dulles asked the Senate to ratify the treaty.

That treaty has to be interpreted, for its meaning, in the light of the representations that a Secretary of State solemnly and in good faith made to the Senate.

The administration does not have a leg to stand on in its belated reliance on SEATO.

So I say to my Secretary of State and my President: You are pursuing a policy today that was not suggested, was not contemplated, and was not requested of Congress in August of 1964, when it adopted the Tonkin Bay resolution.

Senators are voting now, here, and in this bill to change the policy of avoiding a land war in Asia. We are being asked now to change the SEATO policy from one of rejecting a large-scale ground force of American and other forces into one of creating and financing just such a force.

We are being asked to provide in the bill the military organization comparable to the NATO organization, which was repudiated by our Secretary of State when this treaty was up for ratification.

I tell Senators that you are buying a pig in a poke when you vote for this bill. This is not the funding or the followup of a policy established through the constitutional processes of the United States.

This is the policy being made in this bill. And it calls for the beginning of an American adventure into land war in Asia. It calls for the assumption of financial responsibility for the armed forces of Thailand, South Korea, South Vietnam, and possibly the Philippines, not one of which countries is able to finance either its own military forces or its own domestic stability.

I take you to the testimony of Secretary McNamara on the pending bill. On page 7 we read:

Included in our supplemental request for fiscal year 1966 is about \$200 million for the support of South Vietnam's armed forces and other free world military assistance forces engaged in that country. These requirements have heretofore been financed in the military assistance program. However, now that large U.S. and other free world military assistance forces—e.g., Korean—have joined in the defense of South Vietnam, the maintenance of separate financial and

logistic systems for U.S. and military assistance forces is proving to be entirely too cumbersome, time consuming, and inefficient. The same problem was encountered at the outset of the Korean war. It was solved, then, by programing, budgeting, and funding for all requirements under the military functions appropriations and providing a consolidated financial and supply system for the support of United States, Korean, and other friendly forces engaged in that effort. This arrangement gave the field commanders maximum flexibility in the allocation of available resources and improved the support of the forces employed. We are proposing essentially the same solution for the problems now being encountered in South Vietnam.

Under the proposed arrangement, all unexpended balances of fiscal year 1966 and prior year military assistance funds for South Vietnam would be transferred to and merged with the accounts of the military departments; and all additional funds required for the support of the forces of South Vietnam and other free world military assistance forces in that country would be authorized for and appropriated to the accounts of the military departments. The remainder of the military assistance program would be legislated separately.

And in the committee report, we find the words:

Section 401 would authorize separate and later appropriations action that would make Department of Defense appropriations during the fiscal years 1966 and 1967 available for the support of the South Vietnamese and other free world forces in South Vietnam and for related costs.

Hereafter, if we pass the bill, the Defense budget will apply to all the countries furnishing any forces at all in South Vietnam.

That is a change in the policy of SEATO in a magnitude that Senators do not seem to understand. It is the exact opposite of what Secretary Dulles assured the Senate would be the policy of the United States.

SEATO IS NOT BEING USED FOR COLLECTIVE DEFENSE

Moreover, despite the name of the treaty—Southeast Asia Collective Defense Treaty—it is not being used for that purpose at all. After dropping references to the Eisenhower letter, the administration relied upon paragraph 2 of article IV of SEATO which permits us to consult with other members in case of some subversion or revolution within the treaty area.

But the weakness of this intervention is emphasized by the fact that we are under no obligation whatever to act under this provision. In fact, Secretary Dulles also nailed down that situation in the hearings of November 1954. In a colloquy with Senator Green, of Rhode Island, he said:

Senator GREEN. Is there not some provision in the treaty—I thought I saw it as I glanced through it—that we join in putting down insurrections in these countries?

Secretary DULLES. No, sir. There is provision that if there is a subversion, threatened subversion, of the political independence of any country, then we will consult together what to do about it.

Senator GREEN. That is subversion then. Secretary DULLES. Yes, sir.

Senator GREEN. Well, isn't that another word for insurrection?

Secretary DULLES. I would think insurrection is a form of subversion, yes.

Senator GREEN. Then we are obliged to help put down a revolutionary movement.

Secretary DULLES. No. If there is a revolutionary movement in Vietnam or in Thailand, we would consult together as to what to do about it because if that were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult together as to what to do about it.

Well, Mr. President, the administration as of the last month or so is not relying on that section any more. That one blew up in their faces. The bubble burst. So now Secretary Rusk is frantically grabbing for the straw which is not going to float him.

ARMED AGGRESSION UNDER SEATO

The administration, as of the last month or so, is now relying instead upon paragraph 1 of that article. That paragraph states:

Each party recognizes that aggression by means of armed attack in the treaty area against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

Mr. President, I wish I had a transcript of the telephone conversation I had this morning with Professor Commager whom, as I stated earlier today, I believe to be one of the two or three greatest living American historians. All I wish to do is give my interpretation of his reaction to Mr. Rusk's alibi. Professor Commager is completely at a loss to understand it. He says that he has just completed writing an article pointing out his views as to the complete erroneousness of Mr. Rusk's position. I hope to have a copy of that article by Monday or Tuesday of next week, at which time I shall discuss it and make it a part of the RECORD.

Mr. President, this great American historian in effect said to me that there is not a scintilla of support for Mr. Rusk and the administration belatedly falling back upon SEATO to justify their course of action in South Vietnam.

There is no establishment that an aggression by means of armed attack has occurred insofar as the treaty members are concerned. Where is the finding of the SEATO foreign ministers council that an armed attack upon South Vietnam from North Vietnam has occurred? The only such finding has been made by the United States. As the Senator from Arkansas [Mr. FULBRIGHT] has pointed out so often in the recent hearings of the Foreign Relations Committee, the reason we have no substantial help from other countries in Vietnam is that no one has considered the war there to be an armed aggression of the kind that would threaten the peace and security of themselves. When Indonesia, Malaya, Burma, Cambodia, Japan, and India, all non-SEATO members, made

no such finding, that is bad enough, but neither have our other major SEATO partners—Pakistan, France, and Britain.

Surely the evidence of even our own Defense Department is skimpy in this respect. Its latest figures, dated February 14, 1966, indicate that 11,100 North Vietnamese troops are in the south. When 11,000 troops enter to buttress a local force of an estimated 73,000 regulars and another 100,000 militia, while 200,000 American troops enter to buttress 700,000 South Vietnamese forces, it is no wonder that the world is skeptical of our allegation that an armed aggression from the north has occurred.

Mr. President, when the world knows of our bombing in North Vietnam before we even claimed an armed attack by them; when the world knows of our joining with South Vietnam in violations of the borders of North Vietnam; when the world knows that we were involved in the Tonkin Bay incident by giving coverage to South Vietnamese boats which we fully equipped—they know that we are not in a position to talk about attack or aggression. They know that history will record the mutuality of aggression by the United States and the South Vietnamese, and by the Communists.

What company to be in. No, we have no case on SEATO. That will be the finding.

But the administration claims to see it, even if the other powers with much more at stake than we do not see it. And it is, again unilaterally so far as other treaty powers are concerned, invoking paragraph 1 of article IV of SEATO to combat it.

Mr. President, reciprocity is one of the most basic principles of international law. I wish to stress it in this argument, that I am not talking about another abstract principle, but reciprocity is one of the most basic principles of international law.

Where do we stand on reciprocity?

If one partner refuses or is unable to perform this treaty obligation, the other parties are relieved of any obligation to perform. The general principle was stated in a thorough article as follows:

However widely the various meanings of the word "reciprocity" may differ, one idea underlies them all—that of the interrelation of action and counteraction, or, to put it more exactly, that of one side's action, whether consummated or expected, providing the motivation for that of the other side. (Lenhoff, "Reciprocity: The Legal Aspect of a Perennial Idea," 49 Northwestern University Law Review 627.)

I was no little amused to hear of the resolution which the house of delegates of the American Bar Association passed the other day. The Committee on Foreign Relations sent them a wire asking them to send it the memorandum in support of the resolution. I shall await that memorandum with great interest. But, I hope, if they have not got it prepared that they will read Mr. Lenhoff's article published in the Northwestern University Law Review, because the American Bar Association was unkind enough to suggest that the Senator from Oregon did not have any legal authority for his position.

Well, Mr. President, I have been putting legal authority in the RECORD for 2½ years, but I am afraid that on this subject they are guilty of nonreading as to my position.

To continue, applying this principle to Vietnam we find that the obligation under SEATO becomes a self-imposed one, apparently, without any reciprocal obligation by our treaty partners. We have 300,000 men involved in this conflict—if we include those in the naval service in the waters surrounding Vietnam. According to the Department of Defense, our seven SEATO treaty partners had a total of some 1,600 men in Vietnam as of January 15, 1966. Australia had 1,400; New Zealand had 150; Thailand had 17; the United Kingdom had 12; the Philippines had 70; France and Pakistan had none and will never have any because they do not support our policy. Arthur and Don Larson have stated the question of reciprocity under the SEATO treaty this way:

It must be remembered that our obligation under this treaty does not run to South Vietnam. South Vietnam is not a party, and indeed has on its part agreed to nothing. The commitment of the treaty runs to the other signers. As long as the other signers acknowledge no obligation to us to send troops in the present circumstances we have no such obligation to them.

We are using SEATO not as a collective commitment among interested and affected parties, but as an American hunting license to do what we choose to do in Vietnam. We are using it as license to bomb whom we choose, to fight whom we choose, to send American military forces where we choose, without any regard whatever for the fact that the other treaty partners have not made any finding of an armed aggression from the north that for them, would bring paragraph 1 of article IV into operation.

Even Secretary Rusk will not go so far as to say that we have a legally binding obligation under SEATO. Prior to his testimony before the Committee on Foreign Relations on January 28, he had never stated that we were in Vietnam because of a SEATO obligation. This is an afterthought.

On two specific instances—mark this, and mark it well—in the last few years the Secretary has told the committee in executive session that we were not acting in Vietnam under SEATO. One was during his testimony on the southeast Asia resolution.

From this floor this afternoon I ask the Secretary to deny it.

Therefore, I am unable to reconcile his statements to us in executive session and his statement to the committee on February 18 that:

It is this fundamental SEATO obligation that has from the outset guided our actions in South Vietnam.

The Secretary tells us one thing privately and another publicly. We can only wonder whether he was holding out on the committee in August of 1964 or trying now to deny that there is a change in American policy from what it was then.

I have shown that the only obligation under paragraph 2 of article IV of

SEATO is that the parties consult to decide what, if anything, to do about the problem under discussion. Consultation at the SEATO ministers meetings has, up to now, resulted only in ringing statements which, in practical effect, urge the United States to do more in Vietnam.

We have not asked for SEATO action in Vietnam.

We have not called the SEATO foreign ministers together and asked that they invoke paragraph 1 of article IV.

We have not sought a collective finding of an armed aggression within the treaty area.

We have simply heard the American Secretary of State Rusk declare it. When did the hostilities in Vietnam cease being a subversion and become an armed attack? Even Mr. Rusk has not said. Presumably it was a few days before his testimony of January 28, 1966; otherwise, the United States would have been guilty of violating the requirement of paragraph 1 that all actions taken under it be reported to the Security Council.

This is the point Professor Commager stressed so emphatically in my conversations with him over the telephone this morning, pointing out the failure of the United States to follow the provisions of the United Nations Charter.

In April of 1964, the previous rule whereby SEATO members had agreed to act only by unanimous vote was altered to permit a majority to take collective action if there were no negative vote. Abstentions would not count as negatives.

Why has not the United States sought a majority decision that armed aggression has occurred? Do we fear that even a majority of the other seven treaty partners would not share our finding? Or do we fear that France or Pakistan or others would cast a negative vote?

Since SEATO is clearly not acting as a collective defense body, have the members which do have troops in Vietnam reported their actions to the Security Council as the treaty requires? Or were we acting as a self-appointed agent for the handful of soldiers that Australia and New Zealand have sent when we made our long-delayed report to the Security Council 3 weeks ago? I am glad we at last made it.

There are too many loose ends lying around for a case to be made for justifying our action in Vietnam as a formal response under this treaty. To dragoon the American people into a war on so casual an invocation of a treaty is to call into question all our mutual and collective defense agreements, for the administration is laying down the principle now that only the United States has duties under these treaties and that we seek and expect no reciprocal duties and contributions from any of these so-called partners. Apparently we do not seek even a common understanding with them of the existence of a common danger in the treaty area.

This indeed, is to transform a collective defense agreement into a hunting license for unilateral American interventions.

If the administration wants to continue to insist on an obligation to the Ky government, it should clear the air and state that this is a unilateral gesture without foundation in international law. But the contention that we have a binding legal obligation under SEATO is too farfetched for me to accept.

General Taylor is at least refreshingly honest about the U.S. commitment. He does not seem to have fallen for the phony legalisms we hear from Secretary Rusk about our commitment to the Vietnamese Government. "Our obligation is to the people of South Vietnam," not the government, he said. This is an interesting observation but one which any international lawyer would find quite humorous. Obligations are made to governments and through them to their people.

To accept General Taylor's thesis would place this Nation in the unusual position of going over the heads of the official governments which we deal with every day and making any commitment we choose—directly to the people of the country. If international relations are reduced to this absurdity we might as well do away with the Senate's treaty-making powers—our treaties would be what the President promised. I am not ready to permit President Johnson, or any President, to commit this Nation in advance to a course of conduct which could lead to war without congressional approval.

That is why I say that if it does wish to invoke that provision, it must come to Congress for a resort to the "constitutional processes" referred to in that same provision.

By the testimony of Secretary Rusk, and of Secretary of State Dulles who presented SEATO to the Senate, the policy of the United States against committing or sponsoring land forces in Asia is going to be changed. I deny that that question has ever been put before the Senate. The resolution of 1964 did not contemplate such a change in policy, and the casual discussions on the Senate floor of the future possibility of invoking SEATO under other circumstances do not suffice.

I say to this administration, "If you want to invoke paragraph 1 of article IV of SEATO, you must come to Congress and ask for a declaration of war. That is the only way the constitutional processes whereby the paragraph can be invoked will be served. If you can sustain a finding that an armed aggression by North Vietnam has occurred, then this Government is obliged to declare war before it sends a vast army into South Vietnam."

The 1964 resolution is not a declaration of war. It is not a delegation of the authority to declare war. It authorizes nothing, and in fact, the word "authorizes" does not appear in it at all. The context and purpose of that resolution was to repel an attack upon U.S. ships in international waters; the context and purpose of the pending bill is to create a land army, to include American forces, to act to meet a formal armed aggression in complete reversal of the historic

American policy of not putting land forces in Asia.

For the President to try to justify his current military policy under the language passed by Congress for a quite different situation is a failure to fulfill the language of the SEATO treaty itself.

It is a failure to fulfill the language of the Constitution of the United States, which empowers Congress to declare war and does not empower the President to make war in the absence of a declaration of war.

ARE WE MAKING A BONA FIDE EFFORT TO SEEK UNITED NATIONS ACTION?

Although we have, at long last, formally laid the Vietnam war before the United Nations, there is still much to be said of our role there. The intervention in Vietnam continued for some 4 years or more before we observed the procedures of the U.N. Charter. We have placed the United States in the unenviable position of picking and choosing those occasions when we will use the U.N. for the purposes for which it was intended, and those when we will flout the plain provisions of the charter.

I do not envy the job of Ambassador Goldberg in trying to explain our actions. We have done much to destroy the effectiveness of the United Nations in our shameful disrespect for that body during the Vietnam conflict. It has set back for many years the slow and painful process of working toward peaceful settlement of international disputes. Although the President has at last formally brought the dispute before the Security Council this does not make our past conduct any more legal.

As I have said so many times, we have been in violation of the charter for the last several years. Our initial failure was in refusing to obey the mandate of article 33 and "first of all seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means." It was not until the President's speech at Johns Hopkins last April 17, 5 years after our involvement began to grow, that we indicated an honest willingness to engage in negotiations. This is far from living up to the spirit in the words "first of all."

We seem to have thought that since we were big and powerful we could get away with ignoring this mandate. Goodrich and Hambro, in their book of commentary on the United Nations Charter, place the question typified by Vietnam in this perspective:

It should also be clear that a dispute between a very small and a very powerful state cannot be brushed aside as unimportant or lacking in danger from the point of view of its consequences to the peace. It is not sufficient to say that the small state would never endanger peace and security by attacking its powerful adversary. If the very strong power, to take a purely theoretical example, should seek to help itself and intimidate the small state, there would still be present a danger to the peace of the world.

If we really believe in the United Nations it is not for us to decide when we will and when we will not live up to the

charter. The charter is not a water faucet to be turned on and off to suit our purposes.

Each time the administration has upped the ante of our military effort in Vietnam, it has sought to minimize it by giving lipservice to the United Nations. So, when we had the Tonkin Bay resolution presented to Congress, we requested the Security Council of the U.N. to consider the matter at the same time.

But what did we ask it to consider? Not the threat to the peace that existed even then in southeast Asia.

Not at all. Our Ambassador told the Security Council on August 5, 1964:

I have asked for this urgent meeting to bring to the attention of the Security Council acts of deliberate aggression by the Hanoi regime against naval units of the United States.

That is all. That is all we took to the Security Council in 1964. The naval incident in the Gulf of Tonkin between American and North Vietnamese vessels.

I was very disappointed to hear the Secretary of State the other day make statements that I thought endangered a misleading of the American people in regard to our relationship with the United Nations, giving the impression that we have been taking this Vietnam issue to the United Nations time and time again.

There was a formal presentation of our charge that Hanoi was violating our rights on the high seas in respect to the attacks on our naval vessels. But there was nothing said about the situation in South Vietnam into which we had injected thousands of U.S. soldiers.

The other language of the Secretary of State, that he was careful not to specify and particularize, deals with informal discussions behind the scenes in the United Nations. There was nothing formal and nothing official.

I recall that on one occasion U Thant came to Washington, D.C., and there were some consultations here. Ambassador Stevenson and Ambassador Goldberg had informal but unofficial conferences in New York City. That is not laying the matter before the United Nations. The Secretary of State knows that.

A matter is laid before the United Nations by following the formal procedures of charter.

We did recently, when at long last, but unfortunately with an olive branch in one hand and bombs in the other, we laid the whole issue before the Security Council. It was years late.

We are there now, formally. We put the whole issue there. As I said earlier this afternoon, in discussing it from another angle, I hope my Government will use all of its prestige, all of its influence, to try to get the issue out in open debate before the Security Council and let the world see who it is now that seeks a peaceful solution. If that cannot be done, or if it is done and our request is vetoed, then I renew my plea that my President and my Ambassador at the United Nations make a historic plea to an extraordinary session of the General Assembly to try to have the members of the General Assembly—and I think they will be successful—to assume their re-

sponsibilities for peacekeeping and agree to use their peacekeeping forces to enforce a cease-fire in Vietnam. Then the General Assembly can proceed to work out the myriad of understandings, concessions, compromises, and conscionable agreements that will be necessary to bring order and peace to that troubled area of the world under the aegis of either the United Nations or the reconvened Geneva Conference.

We say that we are willing to go back to the Geneva Conference. We certainly ought to be willing to go back and work within the framework of the original agreement, with such modification as can be worked out on the part of those who will then have the solemn responsibility of trying to end this threat to the peace of the world.

On many subsequent occasions, as I have just referred to them, President Johnson and other administration spokesmen said they had spoken with the Secretary General to see what he might do to intercede with North Vietnam on behalf of peace. That is a perfectly agreeable procedure, and is in fact one of the steps that should occur under the injunction of article 33:

Parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choosing.

But requesting help from the Secretary General did not relieve of the obligation to follow the other injunctions of the charter.

Having the judge over for lunch, or calling on him in his chambers, is not the same as going to court. And we have been obliged to go before the court of the Security Council ever since we first sent our forces into the Vietnam war.

It was not until January 30 of 1966 that we finally squared ourselves with the procedures of the charter. It was highly unfortunate that at the same time we did ask the U.N. to take jurisdiction, we made its job much harder and the possibility of its effective action more remote, by increasing the intensity of the war at the same time.

And under this bill, we will increase the scope and intensity of the war even more. We are doing it on our initiative, not that of North Vietnam. We are going to expand the level of our manpower, the scale of our air raids in both north and south, and the geographic area of the war here in this bill.

That is why I question how bona fide our appeal to the United Nations is, when we also hear our administration downgrade, belittle, and minimize the chances for any effective U.N. action.

On January 30, 1966, Ambassador Goldberg did address a letter to the President of the Security Council, as follows:

I have the honor to request that an urgent meeting of the Security Council be called promptly to consider the situation in Vietnam.

"The situation in Vietnam" is the issue that should have been put before the Security Council in August of 1964, and even before that.

At least, it is there now. And the United States has also presented a proposed resolution to deal with it. Our resolution, presented to that meeting, has five operative parts. They are that the Security Council:

1. Calls for immediate discussions without preconditions * * * among the appropriate interested governments to arrange a conference looking toward the application of the Geneva accords of 1954 and 1962 and the establishment of a durable peace in southeast Asia.

2. Recommends that the first order of business of such a conference be arrangements for a cessation of hostilities under effective supervision.

3. Offers to assist in achieving the purposes of this resolution by all appropriate means, including the provision of arbitrators or mediators.

4. Calls on all concerned to cooperate fully in the implementation of this resolution.

5. Requests the Secretary General to assist as appropriate in the implementation of this resolution.

The press carries stories nearly every day that the United States really has little faith that anything will come of that resolution. We are hearing again about the need for discussion on a bilateral basis among the large powers in order to find a means of settlement.

Let me add quickly, Mr. President, because I almost forgot to do so, that these five points in no way constitute a term of reference by way of a limitation upon the jurisdiction of the Security Council now. These are only the suggested solutions of our country; they in no way limit the alternatives the Security Council may consider. The Security Council is free to consider not only these proposals, but the proposals of anyone else, both inside and outside the Security Council.

But the stories are appearing again to suggest that the United States would prefer to keep the subject of Vietnam on a bilateral basis, rather than through the U.N.

But what is coming of these private consultations? What is the Soviet Union doing to try to prevail upon North Vietnam either to cease its activities or negotiate? All that I have heard is to the effect that neither the United States nor Britain has been able to achieve any progress in getting the Soviet Union committed to a use of its influence to stop the war.

The non-U.N. diplomatic channels, by the admission of our own administration, are simply getting nowhere in ending the war or producing peace talks.

That is why I say that if we encounter a Soviet or French veto in the Security Council, we should seek action by the General Assembly. There is plenty of precedent for that, and in fact, the United States has taken the lead in earlier situations in moving a stalemated issue from the Security Council to the General Assembly.

We did it in the case of Korea, and we did it again in the case of the Congo. The charter itself gives to the General

Assembly the function of discussing "questions relating to the maintenance of international peace and security."

This authority is contained in article 11, which also provides that it "may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both."

However, article 12 states that the Assembly shall not make any recommendation with regard to a dispute while it is pending before the Security Council. But it may discuss it at any time, and may make recommendations when the Security Council is no longer considering it.

It made them in the case of Korea and in the case of the Congo, with the urgent support of the United States.

Surely we can stand for no less in a conflict to which we are a party. We must, it seems to me, if we are to fulfill our obligations under the charter to help keep the peace through its organs and procedures.

A VOTE FOR BILL IS A VOTE TO SEND MORE AMERICANS TO FIGHT IN ASIA

Certainly the effort will be made to cast into disrepute any opposition to this measure with the charge that opposition means a failure to support the boys who have been sent there. But I say that support for it means that the Americans already there are only the first installment on the thousands more who will be sent, and the deaths which have already occurred are only the first of hundreds that will follow. For in this bill, we are undertaking to clear all of South Vietnam of the Vietcong, and we have not the slightest idea whether this operation will meet with overt intervention from other powers on the other side.

I am not in favor of enlarging and expanding the war.

That is the reason why I discussed at some length, earlier this afternoon, my complete support of the program outlined by Ambassador Kennan and General Gavin. I am not in favor of sending more and more troops to Vietnam to do what President Johnson himself said only a year and a half ago Asians should do for themselves.

Only 5 years ago, we had 3,000 soldiers in Vietnam and Congress was told we had to support them with more men and equipment. So the next year we had 11,000 there and again Congress was told it must support them with more men and equipment. In 1963, we had 16,000 there, and Congress was told they had to be supported. So in 1964, the figure rose to 23,000. That was only a year and some months ago, and we were told that we had to pass the Tonkin Bay resolution in order to support those 23,000 men. So now we have supported the 200,000 and added more, to a total of 200,000.

I think that one figure is 205,000 on the land, some 95,000 more on naval units and in units within, shall I say, the precincts of South Vietnam, making a total in round numbers of some 300,000.

And now some Senators believe they must support the 200,000 with 400,000 and after that, the next figure being

heard is 600,000. There is already talk of 800,000. I said earlier this afternoon that, in my judgment, if we end up in a war with Red China, within 24 months or so it will be 3 million. Where will we get them? What will we do with our other commitments elsewhere in the world? How can that be called support for the men now there?

It is so dangerous that it is unthinkable. It is so fantastic that I am at a loss to understand a colleague who could consider it favorably.

Mr. President, such a program is not a program of supporting men. It is a program of supporting utter folly. It is not limiting our losses, but exposing the men already there to dangers of land war in Asia that American official policy has opposed throughout all our history, right down to the adoption and ratification of the SEATO treaty itself.

A vote for this bill is not a vote to support the men already there. It is a vote to double the men already there, to expand the war into Thailand, and to provide American financing for a military force in Asia that Secretary Dulles assured us was not the policy of the United States when we ratified the treaty in 1954.

WAR AUTHORITY RESIDES IN CONGRESS

These are some other considerations that my colleagues should bear in mind as we debate the Vietnam policy issues. First, let us consider the question of whether the Congress has delegated to the President the power to wage war in Vietnam. Article I, section 8 of the Constitution, as I have said so many times, gives Congress the explicit responsibility to declare war. It was no accident that our Founding Fathers placed this responsibility in the hands of the people, speaking through their representatives in Congress. Well aware of the British King's power to make war, the authors of the Constitution clearly did not wish to give one man comparable power in our system.

During the Constitutional Convention, the business of declaring war was always treated as a legislative function. In none of the drafts was there any question of where this power should reside. Earlier drafts gave the Congress the power of "making war." The change in this phrasing to "declare" brought the only debate on the war power during the Convention. This debate demonstrates quite clearly the constitutional drafters' intentions. The noted constitutional authority, James Grafton Rogers, relates the incident in this way:

Pinckney objected to the assignment of "making war" to the legislative. Congress would be too slow, he said. The Senate would be a better designation. Butler suggests the President should be given the authority. "Mr. Madison and Mr. Gerry moved" to insert "declare" striking out "make war," leaving to the Executive the power to repel sudden attacks. Sherman, Gerry, Ellsworth, and Mason all protested against leaving war altogether to the Executive. On a vote of eight States to one "declare" was chosen with some explanation that this word left the "conduct" of the war to the Executive while the Congress only could declare it.

My footnote is to Farrand, "Records of the Federal Constitution," volume 2, page 318.

Mr. President, as we turn back these pages of history, as I have just done in this part of my manuscript, we see the human equation. We realize that then, as now, men representing free people weighed, debated, discussed, and evaluated alternatives, and finally selected the language which, in definitive terms, wrote the guarantees into our Constitution.

It is so easy for people to overlook the fact that the same processes recur continually in a democracy: the same processes now taking place in Congress in regard to this great historic issue. We in this Congress are coming to grips, in my judgment, with basic abstract principles of constitutionalism that may very well be as vital to the lives of future generations of Americans as the great constitutional debate to which I have just referred became vital to the rights of each one of us living in the year 1966.

For after all, these basic principles of government are never settled with finality in a democracy. That is why we have that great school of constitutional jurisprudence that points out that this organic document is dynamic and not static; it is a living word, and not a dead hand.

What I am trying to do today, in part, is to make Senators aware, if I can, that I think their obligation, in this critical hour, is as historic as the obligation of those who wrote the Constitution when they reached a final judgment on article I, section 8 of the Constitution, and vested the power to declare war in the Congress. For here is a bill which really deals with an attempt—and it is an abortive attempt, but it can have its effect—at giving to the President of the United States an Executive power that should never be vested in him.

In "The Federalist" Hamilton wrote:

The President is to be Commander in Chief of the Army and Navy of the United States. In this respect his authority will be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It will amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the Confederacy, while that of the British King extends to the declaring of war and to the raising and regulating of fleets and armies—all which, by the Constitution under consideration, would appertain to the Legislature.

That is Hamilton.

Some people say declarations of war are outdated, that events move too quickly and world affairs are too complex for adhering to the letter of the Constitution. This misses the point the Founding Fathers tried to drive home—the people must be brought into this decisionmaking process. James Grafton Rogers stated the underlying rationale of the Founding Fathers this way:

War must be "declared," because it reaches many people. A declaration is in part a summons to citizens. It also gives notice that many legal rights are changed. Treaties are canceled. Trading and even corresponding with enemies is no longer proper. Enemy persons and property are restrained. Con-

tracts and debts suspended. Our ships at sea and our own property and citizens abroad have only the protection force can provide. Vast and autocratic control of people by the Government is released by a declaration of war—the right to control prices, ration food and clothing, even to seize factories and to arrest our own people without the right to demand the charges against them or secure public trial.

The Constitution says, therefore, in effect, "Our country shall not be committed formally to a trial of force with another nation, our people generally summoned to the effort and all the legal consequences to people, rights and property incurred until the House, Senate and the President agree."

Mr. President, that has been the plea of the Senator from Oregon over 2½ years. I do not know how many times I have pointed out the effect of a declaration of war. I have argued here on the floor of the Senate—but I wish to make it a part of this speech—that a declaration of war, as Grafton Rogers points out in the quotation that I have just read, and expands and expounds upon it in the text itself, changes immediately our international relations with every other nation in the world.

That is why I have said so many times that, in my judgment, one of the reasons why this administration has not proposed a declaration of war is that such a proposal would leave no room for doubt on the part of the American people that the administration is leading the country to war; not to peace.

A declaration of war would probably result in certain war acts on the part of the United States that would be bound to bring us into immediate conflict with many noncombatant nations in the world. I have cited over and over again, but I wish to cite once more, that if we had a declaration of war against North Vietnam, what would undoubtedly follow would be either an embargo or a mining of Haiphong Port and Harbor.

That would lead to great difficulties with many neutral, noncombatant nations, including Great Britain, Canada, France, Italy, and the Scandinavian countries and would raise the question as to whether they would lower their flags to that blockade.

I have pointed out many times, but it needs to be pointed out again for the RECORD, that I seriously doubt the Union Jack would ever be lowered to such a blockade because, if it were lowered, it would be the first time in the history of the British Empire that the Union Jack was ever lowered to a blockade to which the British Empire was not a party.

Mr. LONG of Louisiana. Mr. President, will the Senator from Oregon yield at that point?

The PRESIDING OFFICER (Mr. Long of Missouri in the chair). Does the Senator from Oregon yield to the Senator from Louisiana?

Mr. MORSE. I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Southern States had considerable difficulty in obtaining supplies during the Civil War, and my recollection is that the Union Navy did not let any ships come through its blockade. Therefore, would the Senator from Oregon explain why British

ships did not come to our aid at that time?

Mr. MORSE. Because the British Government, as the Senator well knows from reading his American history, was sort of a "Jekyll and Hyde" in that war, and my statement stands.

Mr. LONG of Louisiana. My recollection is that they provided us with a very fine ship which sank a great many Yankee ships. At least, the British built the ship, and we had the use of it. I believe the name of the ship was the *Alabama*, which did a magnificent job. It sank many Yankee ships.

It seems that the Union side was continually outraged about that, for a long period of time; but my recollection is that the British did not send any ships through the Union blockade. The South sorely felt that they should, that we were a nation fighting for its independence, and that the British should have sent their ships through the blockade, just as France came to the aid of the Colonies at the time we were fighting for our independence from Great Britain.

Mr. MORSE. I stand on my statement. I do not know what the Senator is replying to. The history of the British Empire is that it does not lower its flag to a blockade unless it is one to which it is a party and has approved.

Mr. LONG of Louisiana. What I was saying was that Britain seemed to approve enough of the South to let us have this fine battleship, the *Alabama*, during the Civil War, which was of such great help, and for which the South was deeply grateful to England.

Mr. MORSE. How is that an answer to my observation? My observation is a historic observation. I am merely saying that we do not get the British Empire to lower the Union Jack unless we can get the British Empire to agree that they will respect a blockade or will be a party to it.

Let me ask the Senator from Louisiana, does he believe that the Union Jack is going to be lowered to a blockade in Haiphong Harbor?

Mr. LONG of Louisiana. I was not even advocating a blockade.

Mr. MORSE. I am not asking the Senator whether he advocates a blockade—

Mr. LONG of Louisiana. I respectfully suggest to the Senator that he has made a great number of statements which I believe to be very much in error. In fact, I refer him to the unanimous vote of the American Bar Association that some of his statements are in error. With regard to this particular matter, the Senator said that the Union Jack is never lowered to a blockade. It has not been lowered because they do not send their ships in to make it necessary to lower the Union Jack.

Mr. MORSE. The Senator does not quote my full statement. Why does not the Senator quote the full statement? I stated that the Union Jack is never lowered to a blockade, that the history of the British Empire shows that the Union Jack is never lowered to a blockade unless the blockade is approved by them or they are a party to it. I am asking the Senator the question, does he believe—

Mr. LONG of Louisiana. I would say that there is no record that the British Empire approved of the blockade that the United States placed on the Confederate States during the War Between the States. As a matter of fact, they let the Confederacy buy this fine battleship which raided Yankee merchant ships on the high seas, which would indicate that they did not disapprove.

Mr. MORSE. Will the Senator from Louisiana tell me what he is trying to prove?

Mr. LONG of Louisiana. The Senator stated that there is no record of the Union Jack ever being lowered to a blockade—

Mr. MORSE. That is not what I said.

Mr. LONG of Louisiana. Unless the British Government approved of the blockade. Then what did the Senator say?

Mr. MORSE. I repeat and I will say it again, Do we believe that the Union Jack would be lowered to an American blockade in Haiphong Harbor? Then I stated, What is the history of the British Empire? It does not lower its flag to any blockade unless the British Empire approves of that blockade or is a party to it.

Mr. LONG of Louisiana. I am saying to the Senator that during the American Civil War, there was no showing whatever that Britain approved of the Union blockade which it conducted against the Confederate States—no showing whatever.

As a matter of fact, the indications would be that the British Government had enough sympathy for what the blockade was doing to the South, to expect that British merchant ships, being the true traders that they were, would have been sent through that blockade, but they did not attempt to go through. They did not lower the Union Jack. They just did not send in the ships. The same thing was true with the blockade of Cuba a short time ago.

We turned the Russian ships back. We did not have to turn any British ships back. They understood the blockade was there and their ships stayed away.

Mr. MORSE. Who had their support?

Mr. LONG of Louisiana. They just did not come in.

Mr. MORSE. Why does not the Senator go back to the spring of 1962, when there was all this talk about blockading Cuba, which was never stretched? What was the position of Canada and Great Britain, and a good many of our NATO allies then? They advised our Government not to stretch a blockade. That is the point I am making.

We did not blockade any shipping into Cuba in 1962 except Russian ships carrying missiles.

Mr. LONG of Louisiana. Well, the generality of the Senator's statement—

Mr. MORSE. I ask the Senator, what does he believe will happen—and we should find out—if we have a declaration of war and we blockaded Haiphong?

Mr. LONG of Louisiana. Well, based on what the Senator has said, if we placed a blockade on Haiphong Harbor and British ships did not go through, or even if they did, it would not conflict

with the generality of what the Senator has stated.

It would in effect be in sympathy and approval of a blockade that we have. The Senator just got through saying that Britain warned us not to go through with the blockade of Cuba, but the Senator will notice that not a British—

Mr. MORSE. We did not have one at the time I am talking about. But when we get to the fall of 1962 and those Russian missiles were in place in Cuba, then our allies rallied to our cause and Great Britain and France and all the other allies in NATO supported us. But, that is because we had a case. Prior to that time, we did not have a case.

Mr. LONG of Louisiana. I am not advocating a blockade at this time. I am saying that my recollection of history is that this Nation blockaded on occasion when Britain was not alined with the blockade.

I have specifically in mind our Civil War. Britain was not alined with the North against the South. At that point Britain was a neutral, although her sympathies were to a considerable extent with the South.

Mr. MORSE. They did not go through the blockade. Therefore I fail to understand what the Senator is trying to prove.

Mr. LONG of Louisiana. Based on the Senator's own statement, the assumption is meaningless. If we were to put a blockade around Vietnam, the British ships would not try to go through it, as they did not try to go through the blockade in the Civil War, or through the blockade of Cuba during the missile crisis.

Mr. MORSE. If we blockaded North Vietnam, I do not believe the Union Jack would respect that blockade. I believe there are a good many other flags that would not respect the blockade either.

Certainly the Russian flag would not respect the blockade. I know of no surer way of getting into war with Russia than to start sinking some Russian ships seeking to go into Hanoi Harbor.

Mr. LONG of Louisiana. The Senator says they would not respect the blockade. They did respect it once before, or twice before. I merely say that the Senator makes this statement, and that he is satisfied with its accuracy.

He had repeated it so many times, however, that I felt once in a while I should say there is no reason for saying that what he says is necessarily so. To quote the words of one of the songs from Porgy and Bess, "It Ain't Necessarily So."

Mr. MORSE. I am issuing the warning to the American people. It is a factor that should be considered.

There are two possible reasons for the existence of hostilities in the absence of a congressional declaration of war in Vietnam. One, that the conflict there is not a war; or two, that the Congress has delegated to the President the power to wage a war.

There is no question in my mind about the existence of a war in Vietnam. This is not an emergency situation where the President was compelled to act without congressional approval to protect vital national interests. We had 800 men

there in 1960, 3,000 in 1961, 11,000 in 1962, 16,000 in 1963, 23,000 in 1964, and 300,000 in and around Vietnam today. Senators who should know predict that we may eventually have 600,000 men there.

This was not an emergency buildup. There has been a steady escalation which now points toward a major war. The mothers, wives, and friends of the 300,000 Americans fighting over there know that this is a war. After seeing how quickly action was completed on the new GI bill of rights, I think even the Congress realizes that this is now a real war.

I do not question the President's power as Commander in Chief of the Armed Forces to protect vital national interests by military action when necessary. I am well aware that our Nation's history is replete with instances where military action has been taken in foreign lands without a congressional declaration of war.

DIFFERENCE FROM KOREAN WAR

There can be war without a declaration of war. As a practical matter there is no way the Congress can stop a President's military adventures, except through its control of the purse strings. But never before in history has the President engaged this Nation in a major conflict without a firm basis in national and international law. It is said that the war in Korea was fought without a declaration by the Congress. The important distinction is that in Korea we were fighting under the banner of the United Nations in fulfillment of our treaty obligations. We should have had a declaration of war.

Article 39 of the charter provides for a determination of the existence of any "threat to peace, breach of the peace, or act of aggression" by the Security Council and for its determination of what measures shall be taken to restore peace.

On June 27, 1950, the Security Council passed a resolution calling on member nations to assist the Republic of Korea in repelling the attack from the north. It may be argued that this was not sufficient authority for President Truman to send 280,000 troops to fight on Korean soil. I do not wish to become involved in that issue now. But I do want to stress the differences between the two situations. Instead of fighting to uphold the United Nations Charter and the peacekeeping decisions of the Security Council and the General Assembly, as we did in Korea, we are violating both its letter and its spirit by our conduct in Vietnam. We are guilty of abusing the very instrument we fought to uphold only 15 years ago.

The Department of State seems to believe that declarations of war are old fashioned. In a memorandum submitted to the Committee on Foreign Relations some months ago, the Department made a number of remarkable statements. It stated, for example, that—

In this century declarations of war have come to imply dedication to the total destruction of the enemy.

I must assume from this statement that the Department has no intention of recommending that the President ask Congress to declare war unless our goal is total destruction of the enemy.

This is a novel interpretation of history, for as recently as World War I, President Wilson asked for a declaration of war simply "to bring the Government of the German Empire to terms and end the war." If the Congress accepts the Department's current interpretation of its constitutional power to declare war, it will be guilty of complete abdication of its responsibilities.

The memorandum also states that a declaration of war has no bearing on whether use of force is lawful or unlawful under international law and that—

The only relevant legal question is whether the use of force is justified.

To carry this logic to the extreme would take us back to the law of trial by force. Our officials mouth great platitudes about building a body of law for the settlement of international disputes through peaceful means. Every nation at war believes its position is sound and that its use of force is justified. I have no doubt that North Vietnam thinks we, not they, are the aggressors. As long as nationals continue to flaunt the United Nations Charter and decide for themselves when force is justified, international law will be little more than a jungle where power settles everything.

One interesting line in the State Department memorandum states that a declaration of war would "reduce our adversary's own reasoned approach to a solution." I had not been aware until I read this that the Department of State considered the Vietcong or North Vietnam "reasonable" in any way. In fact, the public pronouncements coming out of the Department try to make us believe that we are dealing with the devil himself. Perhaps the Congress has not received all of the signals coming into Mr. Rusk's antenna.

According to the memorandum:

The President has power under article II, section 2, of the Constitution as Commander in Chief to deploy U.S. military forces to Vietnam for the purpose of assisting South Vietnam to defend itself from armed aggression by North Vietnam.

Under this logic we could escalate our involvement to a nuclear war with China and Russia without a congressional declaration of war, since we started out only in assisting South Vietnam. This is the old case of the camel getting its nose under the tent.

Throughout the development of our involvement, the Congress has been forced into positions where its hands have been tied by decisions already taken within the executive branch. The Executive has tried to force the Congress into retroactive rubberstamping of actions already taken. The Foreign Relations Committee is now faced with a \$415 million supplemental aid bill, most of it for Vietnam. AID has already borrowed \$56 million from other funds appropriated by the Congress in the expectation that the Congress would come through promptly with the additional funds and take it off the hook. If the Congress does not vote the funds soon, our Government will be in default on its solemn obligations to international organizations from which most of the money was borrowed. AID will then

charge that the Congress, not the Executive, is the party responsible. I am tired of the Executive trying to black-jack the Congress this way. There can be nothing in the nature of a true partnership between the two branches under these conditions.

CONGRESS HAS NOT DELEGATED WARPOWER
IN ASIA

Since the Congress has not declared war, the President's course of action must be founded on a delegation of authority by the Congress if it is to be legal under our constitutional system. The President misses no opportunity to state that the Congress has approved his actions, and the war generally, by approving the southeast Asia resolution. This was not a blank check as the President has interpreted it and the congressional intent has been distorted beyond recognition by what this administration has done. Let us look at the record for a moment.

Before I do, one will read an interesting debate back in August 1964, if he will turn back to it and see the number of reservations made by Members of the Senate before they voted. They tried to protect their flanks, may I say good-naturedly, by saying they were not granting a blank check, they were not giving unchecked power, when they were voting for the resolution.

As I indicated in the debate, I did not believe their arguments were very convincing then, and I do not now. But we will see whether any of them want to give the blank check now, for if there ever was a bill in which Congress gave a blank check to the President, it is the pending bill.

On August 2 and 4, 1964, U.S. Navy destroyers became involved in incidents with North Vietnamese torpedo boats. The President ordered retaliatory action by bombing naval facilities in North Vietnam. On August 5, he asked the Congress for an expression of support for his action.

When the southeast Asia resolution passed the Senate on August 7, there were only some 16,000 men in Vietnam. Their mission was to advise and train the military forces of South Vietnam; they were not engaged in offensive combat operations except in their advisory capacity with the Vietnamese troops. By that time 200 American boys had lost their lives in Vietnam. Our total military and economic aid program for the fiscal year which had just ended was about what we spend for 2 months' ammunition now. Only 2 days after the President signed the resolution he said this:

Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys must do. They ask us to take reckless action which might risk the lives of millions and engulf much of Asia and certainly threaten the peace of the entire world.

This was the setting for the Congress action on the southeast Asia resolution.

Today we have 205,000 men in Vietnam and about another 100,000 afloat or working out of offshore bases. Our men are no longer advisers, they are deeply involved in combat operations; nearly 2,700 boys have now lost their lives over there. This fiscal year alone we will

spend on the Vietnam war almost as much as we spent for the entire cost of the Korean war.

Early this afternoon I discussed the position of President Eisenhower and the statements he made, which I put in the RECORD; that he made no commitment to South Korea; that he was talking in terms of aid.

Of course, there are many Republicans in and out of Congress, in positions of leadership, who are pointing out to the people of this country that no Republican administration has sent any military personnel to South Vietnam.

My intuition tells me that we are going to hear much of that in the months ahead. My political intuition tells me that we are going to hear it said in many places in the campaign of 1966, that it was the Democrats who sent boys to die in South Vietnam, and not the Republicans.

I would like to see us get on bipartisan and not partisan terms on this issue. I think we could if Republicans and Democrats would rally 'round the type of program that I have discussed earlier this afternoon and which is shared by a good many people in this country.

I submit that Congress had no intention of approving in advance a war of this magnitude in August 1964. I shall always be proud to be able to say that I was one of the two Members of this body who refused to be stampeded into voting for that resolution. I think many Senators regret that they voted for it.

The record should be crystal clear as to what was contemplated when Senators voted on the resolution.

I wish to digress from the manuscript to pay very deserved tribute to the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT]. It takes a big man, and I believe it takes a true statesman, to do what he did, which was similar to what great President Kennedy did after the Bay of Pigs: to assume responsibility for his leadership on this resolution.

Many of us heard BILL FULBRIGHT on the nationwide CBS television interview. He said in effect that he had come to the conclusion that he had made a mistake; that he had not given the matter the thought and the analysis that he wishes now he had given to it.

We heard him say something to the same effect the other day in the Committee on Foreign Relations. That takes a big man. I am very proud to follow his leadership on so many aspects of this great, critical issue. He and I differ in some particulars, but I am proud to be associated with the common objectives that we have in mind. I am proud to support BILL FULBRIGHT as he takes the criticism and is subjected to the unfair attacks that are made upon him, and in many of the articles that I have read, gross misrepresentations of his point of view.

He said on that same program that a great power, a great nation, can change a bad policy without losing face. He proved that a great statesman can do the same thing. I have heard it said that a fool defends his mistakes, whereas a wise

man corrects his errors. Our Government could profit from his example.

BILL FULBRIGHT has had many great hours and made many monumental contributions to world peace and freedom in the 21 years we have served in this body, so when I refer to the colloquy that took place in 1964, I refer to it only as a matter of historic record, without the slightest implied criticism of the chairman of the Committee on Foreign Relations.

I have made the foregoing comments this afternoon as part of the historic record that I think should be made.

The chairman of the Committee on Foreign Relations, who was handling the resolution, in a colloquy with the junior Senator from Wisconsin [Mr. NELSON] a few minutes before the vote, made clear his intent, the intent of the committee, and, I think, the intent of the Senate. Senator NELSON stated:

However, my concern is that we in Congress could give the impression to the public that we are prepared at this time to change our mission and substantially expand our commitment. If that is what the sense of Congress is, I am opposed to the resolution.

He proposed an amendment which contained this declaration of policy:

Our continuing policy is to limit our role to the provision of aid, training, assistance, and military advice, and it is the sense of Congress that, except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the southeast Asian conflict.

In responding, the junior Senator from Arkansas, who was handling the resolution, said about the proposal:

It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated. In other words, it states that our response should be appropriate and limited to the provocation, which the Senator states as "respond to provocation in a manner that is limited and fitting," and so forth.

The Senator has put into his amendment a statement of policy that is unobjectionable. However, I cannot accept the amendment under the circumstances. I do not believe it is contrary to the joint resolution, but it is an enlargement. I am informed that the House is now voting on this resolution. The House joint resolution is about to be presented to us. I cannot accept the amendment and go to conference with it, and thus take responsibility for delaying matters.

I do not object to it as a statement of policy. I believe it is an accurate reflection of what I believe is the President's policy, judging from his own statements. That does not mean that as a practical matter I can accept the amendment. It would delay matters to do so. It would cause confusion and require a conference, and present us with all the other difficulties that are involved in this kind of legislative action. I regret that I cannot do it, even though I do not at all disagree with the amendment as a general statement of policy.

Mr. NELSON. Judging by the RECORD of yesterday, many Senators do not interpret the resolution in the same way.

Mr. FULBRIGHT. Senators are entitled to have different views. However, most members of the committee, with one or two exceptions, interpret it the same way.

If the President thinks this is a blank check to be filled out in American lives

and treasure as he sees fit, the Constitution has become a meaningless document and the Congress has gone the way of the dinosaur.

I do not question the authority of the President to take the initial actions—such as the sending of advisers—which started us on this road to a major war in Asia; but there is a constitutional line beyond which he cannot logically go without a formal declaration of war.

I am unable to point to the day and action when this line was crossed. But there is no doubt in my mind that it has been crossed and that we are now in an undeclared war, contrary to the letter and the spirit of the Constitution. Only the American people acting through their elected representatives have the right to declare war and this right has not been delegated to anyone for use in southeast Asia.

POWER OF THE PURSE IS A MAJOR CHECK UPON EXECUTIVE

Clause 1 of section 8, article I of the Constitution gives to the Congress the power to pay the debts and provide for the common defense and general welfare of the United States. Clause 7 of section 9 of the same article states:

No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

The power of the purse is, in the first clause, given to Congress and in the second, it is specifically forbidden to the executive. It is a limitation upon the executive, and does not restrict Congress in appropriating moneys in the Treasury.

Our pending measure is not the expenditure in the strict sense; but it is the law under which appropriations shall be drawn from the Treasury by subsequent statute. Surely the control of public expenditures by Congress is a time-honored check upon the executive branch that our constitutional framers were very careful to write into our basic law.

In fact, in the Federalist No. 58, Madison declares:

The House of Representatives cannot only refuse, but they alone can propose, the supplies requisite for the support of government. They, in a word, hold the purse—that powerful instrument by which we behold, in the history of the British Constitution, an infant and humble representation of the people gradually enlarging the sphere of its activity and importance, and finally reducing, as far as it seems to have wished, all the outgrown prerogatives of the other branches of the government. This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

The noted constitutional authority, Edward Corwin, tells us:

Congress has, to repeat, vast powers to determine the bounds within which a President may be left to work out a foreign policy. Indeed, it may effectively block Presidential policy by simply declining to pass implementing legislation—for example, appropriations. It results that, in proportion as the prosecution of a foreign policy—the Marshall plan for instance—requires lavish expenditure, so is the insistence of the body

that controls the Nation's purse strings that it be accepted as a partner in the determination of the objectives of our diplomacy likely to increase.

That statement is taken from Professor Corwin's great book, "The President: Office and Powers, 1787-1957," at page 192.

I suggest to Senators that this authorization bill may be the last time Congress will have an opportunity to exercise a braking influence upon the war in Vietnam before it becomes irreversible. I hope that before voting, Senators will consider the testimony of Secretary Dulles in 1954, setting forth the policy of the United States not to try to create any land army to meet an armed aggression under article IV of SEATO. That policy was sound when Dulles declared it and when the Senate accepted it.

It is being reversed in this bill. Once we are committed to contributing American forces to it, and paying for the rest, we stand to face not only North Vietnam, but China, on the mainland of Asia.

Do not think for a moment that there is no policy issue in this bill, for it is the policy issue of involving Americans completely and almost alone in an Asian land war.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the war message of President Wilson, delivered on April 2, 1917, and the war message of President Franklin Roosevelt following Pearl Harbor.

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

WILSON'S SPEECH FOR DECLARATION OF WAR AGAINST GERMANY, APRIL 2, 1917

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

On the third of February last I officially laid before you the extraordinary announcement of the Imperial German Government that on and after the first day of February it was its purpose to put aside all restraints of law or of humanity and use its submarines to sink every vessel that sought to approach either the ports of Great Britain and Ireland or the western coasts of Europe or any of the ports controlled by the enemies of Germany within the Mediterranean. That had seemed to be the object of the German submarine warfare earlier in the war, but since April of last year the Imperial Government had somewhat restrained the commanders of its undersea craft in conformity with its promise then given to us that passenger boats should not be sunk and that due warning would be given to all other vessels which its submarines might seek to destroy, when no resistance was offered or escape attempted, and care taken that their crews were given at least a fair chance to save their lives in their open boats. The precautions taken were meager and haphazard enough, as was proved in distressing instance after instance in the progress of the cruel and unmanly business, but a certain degree of restraint was observed.

The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warn-

ing and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents. Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium, though the latter were provided with safe conduct through the proscribed areas by the German Government itself and were distinguished by unmistakable marks of identity, have been sunk with the same reckless lack of compassion or of principle.

I was for a little while unable to believe that such things would in fact be done by any government that had hitherto subscribed to the humane practices of civilized nations. International law had its origin in the attempt to set up some law which would be respected and observed upon the seas, where no nation had right of dominion and where lay the free highways of the world. This minimum of right the German Government has swept aside under the plea of retaliation and necessity and because it had no weapons which it could use at sea except these which it is impossible to employ as it is employing them without throwing to the winds all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world. I am not now thinking of the loss of property involved, immense and serious as that is, but only of the wanton and wholesale destruction of the lives of noncombatants, men, women, and children, engaged in pursuits which have always, even in the darkest periods of modern history, been deemed innocent and legitimate. Property can be paid for; the lives of peaceful and innocent people cannot be. The present German submarine warfare against commerce is a warfare against mankind.

It is a war against all nations. American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of, but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way. There has been no discrimination. The challenge is to all mankind. Each nation must decide for itself how it will meet it. The choice we make for ourselves must be made with a moderation of counsel and a temperateness of judgment befitting our character and our motives as a nation. We must put excited feeling away. Our motive will not be revenge or the victorious assertion of the physical might of the Nation, but only the vindication of right, of human right, of which we are only a single champion.

When I addressed the Congress on the 26th of February last, I thought that it would suffice to assert our neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence. But armed neutrality, it now appears, is impracticable. Because submarines are in effect outlaws when used as the German submarines have been used against merchant shipping, it is impossible to defend ships against their attacks as the law of nations has assumed that merchantmen would defend themselves against privateers or cruisers, visible craft giving chase upon the open sea.

It is common prudence in such circumstances, grim necessity indeed, to endeavor to destroy them before they have shown their own intention. They must be dealt with upon sight, if dealt with at all. The German Government denies the right of neutrals to use arms at all within the areas of the sea which it has proscribed, even in the defense of rights which no modern publicist has ever before questioned their right to defend. The intimation is conveyed that the armed guards which we have placed on our merchant ships will be treated as beyond the pale of law and subject to be dealt with as pirates would be. Armed neutrality is ineffectual enough at best; in such circumstances and in the face of such preten-

sions it is worse than ineffectual: it is likely only to produce what it was meant to prevent; it is practically certain to draw us into the war without either the rights or the effectiveness of belligerents.

There is one choice we cannot make, we are incapable of making: we will not choose the path of submission and suffer the most sacred rights of our Nation and our people to be ignored or violated. The wrongs against which we now array ourselves are no common wrongs; they cut to the very roots of human life.

With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war.

What this will involve is clear. It will involve the utmost practicable cooperation in counsel and action with the governments now at war with Germany, and, as incident to that, the extension to those governments of the most liberal financial credits, in order that our resources may so far as possible be added to theirs. It will involve the organization and mobilization of all the material resources of the country to supply the materials of war and serve the incidental needs of the Nation in the most abundant and yet the most economical and efficient way possible. It will involve the immediate full equipment of the Navy in all respects but particularly in supplying it with the best means of dealing with the enemy's submarines. It will involve the immediate addition to the Armed Forces of the United States already provided for by law in case of war at least 500,000 men, who should, in my opinion, be chosen upon the principle of universal liability to service, and also the authorization of subsequent additional increments of equal force so soon as they may be needed and can be handled in training. It will involve also, of course, the granting of adequate credits to the Government, sustained, I hope, so far as they can equitably be sustained by the present generation, by well conceived taxation.

While we do these things, these deeply momentous things, let us be very clear, and make very clear to all the world what our motives and our objects are. My own thought has not been driven from its habitual and normal course by the unhappy events of the last 2 months, and I do not believe that the thought of the Nation has been altered or clouded by them. I have exactly the same things in mind now that I had in mind when I addressed the Senate on the 22d of January last; the same that I had in mind when I addressed the Congress on the 3d of February and on the 26th of February.

Our object now, as then, is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those principles. Neutrality is no longer feasible or desirable where the peace of the world is involved and the freedom of its peoples, and the menace to that peace and freedom lies in the existence of autocratic governments backed by organized force which is controlled wholly by their will, not by the will of their

people. We have seen the last of neutrality in such circumstances.

We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrong done shall be observed among nations and their governments that are observed among the individual citizens of civilized states.

We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship. It was not upon their impulse that their Government acted in entering this war. It was not with their previous knowledge or approval. It was a war determined upon as wars used to be determined upon in the old, unhappy days when peoples were nowhere consulted by their rulers and wars were provoked and waged in the interest of dynasties or of little groups of ambitious men who were accustomed to use their fellow men as pawns and tools.

We are accepting this challenge of hostile purpose because we know that in such a government, following such methods, we can never have a friend; and that in the presence of its organized power, always lying in wait to accomplish we know not what purpose, there can be no assured security for the democratic governments of the world. We are now about to accept gage of battle with this natural foe to liberty and shall, if necessary, spend the whole force of the Nation to check and nullify its pretensions and its power.

We are glad, now that we see the facts with no veil of false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included: for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience.

The world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of nations can make them.

Just because we fight without rancor and without selfish object, seeking nothing for ourselves but what we shall wish to share with all free peoples, we shall, I feel confident, conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fairplay we profess to be fighting for.

I have said nothing of the Governments allied with the Imperial Government of Germany because they have not made war upon us or challenged us to defend our right and our honor. The Austro-Hungarian Government has, indeed, avowed its unqualified indorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the Ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States on the seas, and I take the liberty, for the present at least, of postponing a discussion of our relations with the authorities at Vienna. We enter this war only where we are clearly forced into it because there are no other means of defending our rights.

It will be all the easier for us to conduct ourselves as belligerents in a high spirit of right and fairness because we act without animus, not in enmity toward a people or with the desire to bring any injury or disad-

vantage upon them, but only in armed opposition to an irresponsible government which has thrown aside all considerations of humanity and of right and is running amuck.

We are, let me say again, the sincere friends of the German people, and shall desire nothing so much as the early reestablishment of intimate relations of mutual advantage between us—however hard it may be for them, for the time being, to believe that this is spoken from our hearts. We have borne with their present Government through all these bitter months because of that friendship—exercising a patience and forbearance which would otherwise have been impossible.

We shall, happily, still have an opportunity to prove that friendship in our daily attitude and actions toward the millions of men and women of German birth and native sympathy who live among us and share our life, and we shall be proud to prove it toward all who are in fact loyal to their neighbors and to the Government in the hour of test.

They are, most of them, as true and loyal Americans as if they had never known any other fealty or allegiance. They will be prompt to stand with us in rebuking and restraining the few who may be of a different mind and purpose. If there should be disloyalty, it will be dealt with with a firm hand of stern repression; but, if it lifts its head at all, it will lift it only here and there and without countenance except from a lawless and malignant few.

It is a distressing and oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

PRESIDENT ROOSEVELT'S MESSAGE ASKING FOR WAR AGAINST JAPAN, DECEMBER 8, 1941

Yesterday, December 7, 1941—a date which will live in infamy—the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan.

The United States was at peace with that nation and, at the solicitation of Japan, was still in conversation with its government and its Emperor looking toward the maintenance of peace in the Pacific. Indeed, 1 hour after Japanese air squadrons had commenced bombing in Oahu, the Japanese Ambassador to the United States and his colleague delivered to the Secretary of State a formal reply to a recent American message. While this reply stated that it seemed useless to continue the existing diplomatic negotiations, it contained no threat or hint of war or armed attack.

It will be recorded that the distance of Hawaii from Japan makes it obvious that the attack was deliberately planned many days or even weeks ago. During the intervening time the Japanese Government has deliberately sought to deceive the United States

by false statements and expressions of hope for continued peace.

The attack yesterday on the Hawaiian Islands has caused severe damage to American naval and military forces. Very many American lives have been lost. In addition American ships have been reported torpedoed on the high seas between San Francisco and Honolulu.

Yesterday the Japanese Government also launched an attack against Malaya. Last night Japanese forces attacked Hong Kong. Last night Japanese forces attacked Guam. Last night Japanese forces attacked the Philippine Islands. Last night the Japanese attacked Wake Island. This morning the Japanese attacked Midway Island.

Japan has, therefore, undertaken a surprise offensive extending throughout the Pacific area. The facts of yesterday speak for themselves. The people of the United States have already formed their opinions and well understand the implications to the very life and safety of our Nation.

As Commander in Chief of the Army and Navy, I have directed that all measures be taken for our defense.

Always will we remember the character of the onslaught against us.

No matter how long it may take us to overcome this premeditated invasion, the American people in their righteous might will win through to absolute victory.

I believe I interpret the will of the Congress and of the people when I assert that we will not only defend ourselves to the uttermost but will make very certain that this form of treachery shall never endanger us again.

Hostilities exist. There is no blinking at the fact that our people, our territory, and our interests are in grave danger.

With confidence in our Armed Forces—with the unbounded determination of our people—we will gain the inevitable triumph—so help us God.

I ask that the Congress declare that since the unprovoked and dastardly attack by Japan on Sunday, December 7, a state of war has existed between the United States and the Japanese Empire.

Mr. MORSE. I ask unanimous consent that, following the printing in the RECORD of the war messages of President Wilson and President Roosevelt, there be printed in the RECORD two telegrams and my reply to one.

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

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

EUGENE, OREG.,
February 23, 1966.

SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D.C.

HONORABLE SENATOR MORSE: The hearings before the Senate Foreign Relations Committee have had a salutary effect upon public understanding of the grave issues involved in the Vietnam conflict. We congratulate you and Senator FULBRIGHT for your courage and urge that your efforts continue until a thorough understanding and consensus is reached.

LANE COUNTY DEMOCRATIC PRECINCT
COMMITTEE MEN AND WOMEN MEETING
IN HARRIS HALL.

DETROIT, MICH.,
February 7, 1966.

SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Fifty trade unionists who comprise the steering committee for a broad union conference on peace and U.S. foreign policy met

in this connection Sunday and unanimously requested you be sent the following message:

"We have followed your efforts to halt the war in Vietnam with the greatest admiration. We support your protest at the resumption of air strikes against North Vietnam, likewise the present critical hearings now being held by the Senate Foreign Relations Committee, also your current effort to secure repeal of the Senate August 10, 1964, resolution on Vietnam. We submit that we have no commitment to the present government in Saigon nor can we have regardless of events in Honolulu. We submit that only the people acting through the Congress have the legal right to commit this Nation to this or that course of action. We congratulate you on your courage and high resolve to get this country on the road toward peace. We wish to extend to you our cordial invitation to the conference to be held in Detroit at the Central Methodist Church House, Woodward at Adams, Sunday, March 6, at 3 p.m."

MAX MARK,
Member, Local 1295, American Federation of Teachers.

ART FOX,
Member, Ford Local 600 UAW.

CHUCK WALTERS,
Member, Dodge Local 3 UAW 9309 Memorial, Detroit, 48228.

FEBRUARY 24, 1966.

Mr. CHARLES WALTERS,
Dodge Local 3, UAW,
Detroit, Mich.

DEAR Mr. WALTERS: I want to tell you how much I appreciated your recent wire in support of my position on our country's involvement in southeast Asia. The large number of wires such as yours which I have received in the past few weeks has indeed been encouraging.

Although I sincerely wish I could be with you on March 6, I regret that I shall not be able to do so as I have a longstanding previous commitment on my calendar for that date.

With appreciation and best wishes for a successful conference.

Sincerely,

WAYNE MORSE.

Mr. MORSE. Mr. President, I have sought in my speech today to set forth the major premises of the position of the senior Senator from Oregon on the pending bill and the main premises for the opposition of the senior Senator from Oregon to conducting the war in southeast Asia on the scale and in keeping with the policies that have characterized it to date.

I have sought in this speech to answer, once again, the charge that continues to be made, without any reference to the proposals that we who are opposed to the war have submitted, over and over again, proposals for a different course of action. I went into some detail this afternoon in a discussion of the major features of such a program. I have sought, as I said at the beginning, to fulfill what I consider to be a trust that I owe to my position in the Senate and that I owe to the people of the sovereign State of Oregon, who elected me, and that through them I owe to the people of the United States.

Now I should like to have the attention of the acting majority leader for a moment. I have spoken at much greater length than I thought would be necessary, and I shall not speak longer tonight. I have certain materials that I shall want to discuss on Monday, including a more detailed reference to some of the constitutional and international law authori-

ties, and a reference to an article that has just been written and is in manuscript form, about which the author, a professor at Amherst University, spoke with me at some length over the long-distance telephone this morning.

On Monday, before I offer my amendment, I shall recapitulate briefly the main points of my position, and also to discuss in the RECORD the Geneva accords of 1954, and the extent to which it is my view that we stand in violation of them. I shall want to relate those violations to my great concern as to what our policy is going to be if, as, and when we succeed in eliminating the Vietcong and establishing Ky in charge of South Vietnam, with the announced purpose, which has always characterized the leaders of the Government of South Vietnam, of the reunification of all of Vietnam—of course on their terms.

I am sure that that recapitulation will not be of an unreasonable length. But I thought my acting majority leader ought to know, so that he will not feel that I have in any way misled him. I do not intend to.

I am in a position that is not unknown to the Senator from Louisiana. I have seen, in my years here in the Senate, the Senator from Louisiana in the minority, and sometimes he speaks at some length.

I say good-naturedly that there are so many on the other side to talk and so few of us, and so much to be said, that I have to consume more time than some of my colleagues wish I would consume.

Mr. LONG of Louisiana. Mr. President, if the Senator would permit a statement by me, I have made speeches at length when I have been right and when I have been wrong. I am not sure when I have been wrong, but I have made enough long speeches to be sure that I could not have been right all the time.

Mr. MORSE. The Senator has never heard me say that I consider myself to be right all the time. However, he has heard me say that sometimes it seems to me that when I commit a mistake, mine is always a blooper and the other fellow's is merely a mistake.

I have never felt myself more right than I have felt myself to be right in the last 2 years in the position I have taken on this issue.

I am willing to come in early Monday morning. I shall discuss some of these matters that I have not taken the time to discuss today. I think I have done rather well in getting through as much of my material as I have.

Mr. President, I do want to call to the attention of the Senate, as my last point, and give the source of the citation of Mr. Commager this morning. Mr. Commager said he thought I ought to refresh my memory as to the position taken by the Government at the time of the Suez crisis. I had quite forgotten about it. I did immediately check with the library. I shall want to discuss that and have the material put in the RECORD.

I did not have time to do this before I rushed over here to make my speech. I have not had time to do my paperwork on it. I believe I owe it to Professor Commager to point out the source of this

information and the soundness of what Professor Commager pointed out this morning, that at the time of the Suez crises both President Eisenhower and Secretary Dulles took a position that I think is particularly apropos of the problem that confronts us.

Their statement issued at the time was that the use of military force to solve international disputes could not be reconciled with the principle of the United Nations Charter to which we have all subscribed.

They also supported the view that the United Nations is alone charged with the responsibility of sending people to the Middle East and throughout the world.

The professor pointed out to me—and I checked it with the library, not that I needed to check it, but he wanted me to—that the Soviet Union proposed a joint action with the United States at that time, and Secretary Dulles rejected the Soviet proposal as unthinkable and said that any intervention by the United States or any action except by a duly constituted United Nations peace force would be counter or contrary to everything the United States is charged by the United Nations to do.

I think that is true. I think Dulles was right, and that President Eisenhower was right. However, I want to doublecheck it, and be sure that I have not taken it out of context.

I did want to make the statement today, before his weekend was over, but I want the Senator to know that, in fairness to all concerned, I intend to make a very brief statement upon the research I shall do over the weekend as to the application of the Suez crisis by way of analogy to the present crisis.

It is material of that type that I shall be discussing on Monday, plus what I have said would be the discussion of the declaration of the Geneva accords.

With that understanding, I see no reason why we cannot start voting, even on Monday. If we come in early and stay reasonably late Monday night, and come in early on Tuesday and stay reasonably late on Tuesday night, I see no reason why we cannot dispose of this issue with finality by that time.

Mr. LONG of Louisiana. Mr. President, I do not care to deny to any Senator the right to make his position clear, nor to insist that his position be understood by the Senate.

I am not going to run roughshod over anyone.

Starting on Monday I am going to start asking for unanimous consent to vote. Even though it is repeatedly denied, I shall continue to ask for it.

This matter is extremely urgent. I know that the President thinks so, and I know that those who are in charge of the Department of Defense seem to think so. I believe that the distinguished Senator from Georgia [Mr. RUSSELL], the chairman of the committee, thinks so.

We are eager to vote on the measure. I do understand how strongly the Senator feels about the matter. He has made that amply clear during the last year, or perhaps during the last 2 years. I completely respect the position of the

Senator and I know that he respects mine. I am sure that he, as a veteran, and one of our best minds, thinks the same.

Senators certainly have a right to make their position clear. I respect the right of the Senator.

I am prepared to say to the Senator—and for the benefit of anyone concerned—that as far as I am concerned, there will be no vote on this measure tomorrow.

I do want the Senate to meet tomorrow because I would like to be in a position to say to those Senators who might come in and say: "I have a speech to make and I want to explain my views on the matter," that the Senate was in session on Saturday. I can then ask them why they did not come in on Saturday.

However, if they will not make their speeches on Saturday—and I fully realize the right of Senators to insist that the matter go over to Monday—I am not going to try to interfere with that right.

I know what a futile and useless thing it would be to try to pass the bill Saturday.

I have been a party in opposition to measures here on occasions when I felt that we were gaining some headway while we were carrying on a rather lengthy debate.

I respect the right of persons who feel they are making headway to do that. I do not think anyone is engaged in a filibuster if he is picking up votes. If he is merely standing still and spinning his wheels, I am inclined to think that he should recognize that fact himself.

The Senator has made a fine argument for his case. While I do not agree with his argument, I have heard it many times and I must admit that he makes a good, logical presentation.

I can assure the Senator that there will be no votes on the pending measure tomorrow. If the Senator wishes to address the Senate on Monday, I shall be glad to ask unanimous consent that he be recognized after the morning hour on Monday. Otherwise, the Senator can take his chances on obtaining the floor.

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

Mr. LONG of Louisiana. I yield.

Mr. MORSE. I should not like to place myself in any privileged position on Monday. I will be recognized early on my own turn. I would rather leave it that way.

I am sorry not to be in a position to speak tomorrow, but I shall not be able to complete the research in time for a speech tomorrow. I would prefer not to speak until I am absolutely settled, myself, that I have done my bookwork thoroughly. I know the President's position of leadership in regard to this matter, and I have been so busy all afternoon that I do not know what has been going on in the cloakrooms. But nobody has whispered to me that they have any speakers lined up for tomorrow. My suspicion is that there is not a single one of them.

Mr. LONG of Louisiana. If nobody else shows up, I shall be here.

Mr. MORSE. I know. I hope I am wrong, but I think we are going to be

here without speakers. Then we shall have to handle the matter in a parliamentary way.

I wish someone had come to the Senator from Louisiana—I think they owed it to him—and told him they would be here to speak tomorrow. Such information as I got as late as lunch was that no one would be here tomorrow to make a speech; and I think we shall be in a position, then, where we will have to meet and adjourn; and in my own view, that is a waste of time, if I am correct in my major premise that nobody will be here to speak. If someone were prepared to speak, the Senator from Louisiana, as acting majority leader, would know it by now; or at least he is entitled to have been notified by now as a matter of courtesy, if nothing else. There is one thing I have always tried to do, and that is work with my leadership on these parliamentary matters.

My honest belief is that unless something has happened while I have been holding the floor here this afternoon, there is not a single prospective speaker to show up tomorrow. If that is true, then I think there is a serious question as to whether the Senate should call us back tomorrow.

Mr. LONG of Louisiana. Mr. President, I have sent wires, as of now, to 100 U.S. Senators, including myself, saying, "If you have a speech to make, please come make your speech."

If we cannot dispose of any speeches on the Vietnam authorization, then perhaps we can dispose of some speeches that somebody might wish to make on the high cost of living, or the prospect of a tax bill, or something else; and insofar as they do, we are that much further along. Even if we dispose of nothing but having a Senator make an insertion in the RECORD on some matter totally irrelevant to this debate, we will be at least that much closer to the time we will be able to vote on this measure.

I have called on Senators wishing to make speeches to make them. If there is nobody else who wishes to make a speech, if the spirit moves me, perhaps I shall make a speech.

Mr. MORSE. I shall be here. I hope the spirit does move the Senator; I would like to listen to him.

But the Senator may have seen me smile about 30 minutes before I finished my speech, when there was handed me another speech, which I have no intention of making today or tomorrow. It is on the problem of the matter of what is going to be the future status of the Small Business Administration. I have joined with others in sending a wire to the President in opposition to the transfer that is contemplated. But I thought the Senator would be pleased to know I am not making that speech tonight.

Mr. LONG of Louisiana. It is perfectly all right with me.

Mr. MORSE. And I do not contemplate making any speeches irrelevant to the pending business tomorrow.

Mr. LONG of Louisiana. Mr. President, I have nothing else to do this evening. It is perfectly all right with me if the Senator wishes to speak. I will stay and hear it, knowing that the Senator

would not read the speech if he did not think it worthy of being heard here.

Mr. MORSE. It is a speech worthy of being made on the floor of the Senate.

Mr. President, I ask unanimous consent, because it is so apropos to parts of my speech, to have printed in the RECORD a memorandum of law, prepared by a group of American lawyers, which holds a view different from that of the American Bar Association, together with a letter of transmittal from that group submitting the memorandum to the President of the United States under date of January 25, 1966.

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

LAWYERS COMMITTEE ON AMERICAN
POLICY TOWARD VIETNAM,
New York, N.Y., January 25, 1966.

HON. LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.

MR. PRESIDENT: Following the issuance by the Department of State in March 1965 of a memorandum captioned "Legal Basis for U.S. Actions Against North Vietnam," our committee, in consultation with leading authorities in the fields of international law and constitutional law, undertook to research the legal issues, culminating in the memorandum of law (here enclosed).

Our committee's memorandum of law has been endorsed, among others, by Profs. Quincy Wright, of the University of Virginia; Wolfgang Friedmann, of Columbia University; Thomas I. Emerson, of Yale; Richard A. Falk, of Princeton; Norman Malcolm, of Cornell; D. F. Fleming, of Vanderbilt; David Haber, of Rutgers; Roy M. Mersky, of the University of Texas; William G. Rice, of the University of Wisconsin; Chancellor Robert M. MacIver, of the New School for Social Research; Profs. Robert C. Stevenson, of Idaho State University; Alexander W. Rudzinski, of Columbia; Darrell Randell, of the American University in Washington, D.C.; and Profs. Wallace McClure and William W. Van Alstyne, both from Duke University and the World Rule of Law Center.

For the reasons documented in our memorandum our committee has reached the regrettable but inescapable conclusion that the actions of the United States in Vietnam contravene the essential provisions of the United Nations Charter, to which we are bound by treaty; violate the Geneva accords, which we pledged to observe; are not sanctioned by the treaty creating the Southeast Asia Treaty Organization; and violate our own Constitution and the system of checks and balances which is the heart of it, by the prosecution of the war in Vietnam without a congressional declaration of war.

The principal argument advanced in the State Department's memorandum is that our Government's action in Vietnam is justified under article 51 of the United Nations Charter sanctioning "individual or collective self-defense if an armed attack occurs against a member of the United Nations." However, South Vietnam is indisputably not a member of the United Nations and, indeed, under the Geneva accords of 1954, is merely a temporary zone. Moreover, since the Geneva accords recognized all of Vietnam as a single state, the conflict in Vietnam is "civil strife" and foreign intervention is forbidden. We do well to recall that President Lincoln, in the course of our Civil War to preserve the union of the North and the South, vigorously opposed British and French threats to intervene in behalf of the independence of the Confederacy.

In addition, the right of collective self-defense under article 51 is limited to those nations which are within a regional community which history and geography have

developed into a regional collective defense system. The United States—a country separated by oceans and thousands of miles from southeast Asia and lacking historical or ethnic connections with the peoples of that area—cannot qualify as a bona fide member of a regional collective defense system for southeast Asia.

The State Department's memorandum also contends that the actions of the United States "being defensive in character and designed to resist armed aggression, are wholly consistent with the purposes and principles of the charter and specifically with article 2, paragraph 4." Yet article 2, paragraph 4, declares in clear and unambiguous language that "all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the purposes of the United Nations."

The State Department's memorandum also attempts to justify our Government's actions in Vietnam on the ground that the "North Vietnamese have repeatedly violated the 1954 Geneva accords." But this statement ignores our Government's antecedent violations of the pledges we made. On July 21, 1954, Under Secretary of State Walter Bedell Smith in a declaration confirmed by President Eisenhower, pledged that our Government would not "disturb" the Geneva accords and would "not join in an arrangement which would hinder" the rights of peoples "to determine their own future." However, the United States departed from these pledges when, on July 16, 1955, the Diem regime announced, with American backing, that it would defy the provision calling for national elections, thus violating the central condition which had made the Geneva accords acceptable to the Vietminh. And the United States also chose to ignore the ban on the introduction of troops, military personnel, arms, and munitions into Vietnam and the prohibition against the establishment of new military bases in Vietnam territory—provisions set out in the Geneva accords. It is an historical fact that the refusal to hold the elections prescribed by the Geneva accords, coupled with the reign of terror and suppression instituted by the Diem regime, precipitated the civil war.

In the light of the foregoing, more fully detailed and documented in the enclosed memorandum, we submit, Mr. President, that the State Department has incorrectly advised you as to the legality of U.S. actions against Vietnam.

We further submit, Mr. President, that the frequent citation of the pledges given by Presidents Eisenhower and Kennedy to aid South Vietnam afford no justification for U.S. intervention in Vietnam. President Eisenhower has stated that his administration had made no commitment to South Vietnam "in terms of military support on programs whatsoever." President Kennedy insisted that the war in Vietnam was "their war" and promised only equipment and military advisers. Hence the historical facts fall to support the point advanced. Beyond this, these Presidential pledges do not even have the status of treaties, not having been ratified by the Senate. Manifestly, the obligations assumed by our Government under the United Nations Charter, with the advice and consent of the Senate, transcend any Presidential pledge undertaken vis-a-vis the South Vietnamese regime.

Our Government has often urged that our presence in South Vietnam is solely to preserve freedom for its people and to uphold the democratic process. Yet the series of regimes supported by the United States in South Vietnam have been authoritarian in character, quite without popular support and largely indifferent to the welfare of the local population. Ambassador Henry Cabot Lodge, on June 30, 1964, commenting on the

consequences of massive American involvement in Vietnam, stated, "Well, that means we become a colonial power and I think it's been pretty well established that colonialism is over. I believe that if you start doing that you will get all kinds of unfortunate results: you'll stir up antiforeign feeling; there'll be a tendency to lay back and let the Americans do it and all that. I can't think that it's a good thing to do."

As we have stated, our committee has also come to the painful conclusion that our Government's action in Vietnam violates the clear provision of our Constitution which vests in Congress exclusively the power to declare war—a power not constitutionally granted to the President. The debates in the Constitutional Convention at Philadelphia make explicitly clear that warmaking was to be a purely legislative prerogative and the President was not to have the power to wage a war or "commit" our Nation to the waging of a war, although the Executive was intended to have the power to repel sudden attacks.

In pointing out that the President lacks constitutional power to make war, our committee does not imply that a declaration of war by the Congress is desirable. Rather, we mean to point out that the failure to abide and conform to the provisions of our Constitution inevitably lead to tragic situations.

In alerting the American people to the unconstitutionality of the war being waged in Vietnam, we are following the example followed by Abraham Lincoln who, in a speech made on January 12, 1848, before the House of Representatives opposing the war undertaken by President Polk, set out the reasons which impelled him to vote for a resolution which declared that "the war with Mexico was unnecessarily and unconstitutionally commenced by the President."

Our committee conducted its research because of a deep sense of responsibility as members of the bar and because of our dedication to the principle of world peace through law. It was the American lawyers who conceived and nurtured this principle, and after holding conferences on four continents (San Jose, Costa Rica; Tokyo, Japan; Lagos, Nigeria; Rome, Italy), finally convened the First World Conference on World Peace Through Law at Athens, Greece, in July 1963.

In the proclamation of Athens, the declaration of general principles for a world rule of law, among other things, declared that "all obligations under international law must be fulfilled and all rights thereunder must be exercised in good faith."

Mr. President, we submit that our Government's intervention in Vietnam falls far short of the declaration of principles at Athens, Greece, in July 1963, and is in violation of international agreements. The rule of law is the essential foundation of stability and order, both between societies and in international relations. When we violate the law ourselves, we cannot expect respect for the rule of law by others. Our present unilateral intervention is an offense, we submit, against the spirit of American institutions.

As lawyers, we feel that the national interest is best served—indeed it can only be served—by (a) a commitment that our Government will be bound by and implement the principles of the Geneva accords of 1954, and that the main provisions thereof be the basis for the establishment of an independent, unified neutral Vietnam; (b) an invocation of the provisions of the United Nations Charter to assure peace in southeast Asia; and (c) a declaration that there will be no further bombing of Vietnam, that we will agree to a cease fire, and publicly declare that the United States is willing to negotiate directly with the National Liberation Front—a point endorsed by leading Senators and Secretary General Thant and mandated by article 33 of the United Nations Charter re-

quiring that the "parties to any dispute * * * shall first of all, seek a solution by negotiation * * * or other peaceful means of their own choice," and that all elements of the South Vietnamese people should be represented in that country's postwar government.

Respectfully yours,

ROBERT W. KENNY,
Honorary Chairman.
WILLIAM L. STANDARD,
Chairman.

AMERICAN POLICY VIS-A-VIS VIETNAM, IN LIGHT OF OUR CONSTITUTION, THE UNITED NATIONS CHARTER, THE 1954 GENEVA ACCORDS, AND THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

MEMORANDUM OF LAW

(Prepared by Lawyers Committee on American Policy Toward Vietnam, Hon. Robert K. Kenny, Honorary Chairman)

Executive committee

William L. Standard, Chairman; Carey McWilliams, Vice Chairman; Joseph H. Crown, Secretary.

Lawyers Committee on American Policy Toward Vietnam, 38 Park Row, New York, N.Y.

AMERICAN POLICY VIS-A-VIS VIETNAM

The justification of American involvement* in Vietnam has troubled lawyers in the light of the literal language of our Constitution and the United Nations Charter. Though the United States initially entered South Vietnam only to advise, American troops, now numbering 125,000,¹ have moved from a passive to an active combat role. American forces have mounted repeated air strikes against targets in North Vietnam. In such action, raising the threat of large-scale war, consonant with our Constitution, our obligations under the United Nations Charter, the provisions of the southeast Asia collective defense treaty?

Observance of the rule of law is a basic tenet of American democracy. Hence it is fitting that American lawyers examine the action pursued by our Government to determine whether our Government's conduct is justified under the rule of law mandated by the United Nations Charter, a charter adopted to banish from the earth the scourge of war.

We shall explore and assess the grounds advanced to justify the course of conduct pursued by our Government vis-a-vis Vietnam. In section I, we examine American policy in the light of the United Nations; in section II, in the light of the Geneva accords and the southeast Asia collective defense treaty; and in sections III-IV in the light of our Constitution. Mindful of the grave importance of the issues, we have exercised the maximum diligence in the preparation of this memorandum which is fully documented.

I—THE UNITED STATES IN VIETNAM: THE UNITED NATIONS CHARTER

The Charter of the United Nations was signed on behalf of the United States on

*For a historical background, see Robert Scheer, "How the United States Got Involved in Vietnam" (A Report to the Center for the Study of Democratic Institutions, Post Office Box 4068, Santa Barbara, Calif., 93103); sample copy free.

¹ President Johnson, in his news conference of July 29, 1965, stated:

"I have today ordered to Vietnam the Air Mobile Division and certain other forces which will raise our fighting strength from 75,000 to 125,000 men almost immediately. Additional forces will be needed later, and they will be sent as requested." (Presidential Documents, vol. 1, No. I, p. 15, Aug. 2, 1965.)

June 26, 1945, by the President of the United States, and was ratified on July 28, 1945, by the Senate.² Thus, the United States became a signatory to the Charter, along with 55 other nations (there are now 114), obligating itself to outlaw war, to refrain from the unilateral use of force against other nations, and to abide by the procedures embodied in the Charter for the settlement of differences between states. In essence, the obligations assumed by member nations under the United Nations Charter represent the principles of international law which govern the conduct of members of the United Nations and their legal relations.

The Charter of the United Nations is a presently effective treaty binding upon the Government of the United States because it is the "supreme law of the land."³ Indeed, the Charter constitutes the cornerstone of a world system of nations which recognizes that peaceful relations, devoid of any use of force or threats of force, are the fundamental legal relations between nations. The following provisions of the Charter are relevant:

(a) "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the purposes of the United Nations" (ch. I, art. II(4)).

(b) "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations or shall decide what measures shall be taken * * * to maintain or restore international peace and security." (Ch. VII, 39.)

It is thus plain that signatory members of the United Nations Charter are barred from resorting to force unilaterally and that only the Security Council is authorized to determine the measures to be taken to maintain or restore international peace (apart from the question as to whether or not the General Assembly has any residual authority by virtue of the "Uniting for Peace" resolution for this purpose when the Security Council is unable to meet its responsibilities⁴).

It may be recalled that in 1956, Israel justified its attack on the Egyptian forces in the Sinai Peninsula "as security measures to eliminate the Egyptian Fedayeen 'Commando' bases in the Sinai Peninsula from which raids had been launched across the Israeli frontier." Starke, "Introduction to International Law," fourth edition, London, 1958, at page 83 et seq.

When Great Britain and France introduced their troops into the Sinai Peninsula, under

² See Historical Note under title 22, United States Code, sec. 287. By the act of Dec. 20, 1945, c. 583, 59 Stat. 619 (22 U.S.C. 287-287e), Congress enacted "The United Nations Participation Act of 1945," empowering the President to appoint representatives to the United Nations and to render various forms of assistance to the United Nations and the Security Council under specified terms and conditions.

³ The treaties to which the United States is a signatory are a part of the fundamental law, binding upon all officials and all governmental institutions. Art. I, sec. 2, clause 2, of the U.S. Constitution confers power upon the President to make treaties with the concurrence of two-thirds of the Senate. Art. VI, clause 2, of the U.S. Constitution provides that treaties so made, together with the Constitution and the laws of the United States made pursuant thereto, are "the Supreme Law of the Land." *Missouri v. Holland*, 252 U.S. 416, 432-434; *Hines v. Davidowitz*, 312 U.S. 52, 62-63; *United States v. Pink*, 315 U.S. 203, 230-231; *Clark v. Allen*, 331 U.S. 503-508.

⁴ The constitutional validity of the "Uniting for Peace" resolution adopted in 1950, is disputed.

claim of a threat to their vital interests, the "preponderant reaction of the rest of the world was to condemn this action as inter alia, a breach of the United Nations Charter." Starke, "Introduction to International Law," fourth edition, London, 1958, at pages 85-88.

When the Soviet Union suggested a joint military operation with the United States to restore the peace in the Middle East, Secretary of State John Foster Dulles rejected this proposal as "unthinkable" (New York Times, November 6, 1956). Dulles declared:

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

At a news conference on November 8, 1956, President Eisenhower, answering an announcement of the Soviet Union at that time, declared that the United States would oppose the dispatch of Russian "volunteers" to aid Egypt, saying that it would be the duty of all United Nations members, including the United States, under the clear mandate of the United Nations Charter to counter any Soviet military intervention in the Middle East. The President said:

"The United Nations is alone charged with the responsibility of securing the peace in the Middle East and throughout the world." United Nations Action in the Suez Crisis. Tulane Studies in Political Science, volume IV entitled "International Law in the Middle East Crisis."

To the fundamental, substantive and procedural requirements and conditions vesting sole authority in the United Nations to authorize utilization of force, there are only two exceptions set forth in the charter. The first exception is found in article 51 of chapter 7:

"Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures to maintain international peace and security."

Article 51 of the charter marked a serious restriction on the traditional right of self-defense. As was stated by Prof. Phillip C. Jessup in his work, "A Modern Law of Nations," published in 1947 (at pp. 165-166):

"Article 51 of the charter suggests a further limitation on the right of self-defense: it may be exercised only 'if an armed attack occurs.' * * * This restriction in article 51 very definitely narrows the freedom of action which states had under traditional law. A case could be made out for self-defense under the traditional law where the injury was threatened but no attack had yet taken place. Under the charter, alarming military preparations by a neighboring state would justify a resort to the Security Council, but would not justify resort to anticipatory force by the state which believed itself threatened."⁵

The traditional right of self-defense, even prior to the adoption of the United Nations charter, was limited. As stated by Secretary of State Daniel Webster in the Caroline

⁵ In support of his views, Professor Jessup noted:

"The documentary record of the discussions at San Francisco does not afford conclusive evidence that the suggested, interpretation of the words 'armed attack' in Article 51 is correct, but the general tenor of the discussions, as well as the careful choice of words throughout Chapters VI and VII of the Charter relative to various stages of aggravation of dangers to the peace, support the view stated." (Jessup, "A Modern Law of Nations," p. 166.)

case,⁶ and as adopted in the Neurenberg Judgment in 1945, any resort to armed force in self-defense must be confined to cases in which "the necessity of that self-defense is instant, overwhelming and leaving no choice of means and no moment of deliberation."⁷

In expressly limiting independent military action to instances of armed attack, the founding nations explicitly and implicitly rejected the right to the use of force based on the familiar claim of "anticipatory self-defense," or "intervention by subversion," or "pre-emptive armed attack to forestall threatened aggression," and similar rationale. Such concepts were well known to the founding nations if only because most of the wars of history had been fought under banners carrying or suggesting these slogans. More importantly for our purposes here, however, the United States was aware of these precepts before the Senate ratified the United Nations Charter and consciously acquiesced in their rejection as a basis for independent armed intervention.⁸

It has been authoritatively said that the exceptional circumstances stipulated in article 51 are "clear, objective, easy to prove and difficult to misinterpret or to fabricate."⁹ The wording was deliberately and carefully chosen.^{10 11}

Hence article 51 can under no circumstances afford a justification for U.S. intervention in Vietnam, since the Saigon regime is indisputably not a member of the United Nations and, indeed, under the Geneva Accords of 1954, South Vietnam is merely a temporary zone not even qualifying politically as a state (See Section II infra), even if it be assumed that an "armed attack," within the meaning of article 51, has occurred against South Vietnam. For, as has been shown, article 51 is operative only in the event of "an armed attack against a member of the United Nations." Hence, neither the right of individual self-defense nor the right of collective self-defense can become operative.

It has been claimed that United States intervention in Vietnam is sanctioned under article 51 on the ground (1) that South Vietnam is an independent state; (2) that South Vietnam had been the victim of an armed attack from North Vietnam and (3) that the United States, with the consent of South Vietnam, was engaging in "collective self-defense" of that country, as claimed by the United States in a communication to the United Nations Security Council in March 1965 (U.N. Chronicle, vol. 2, p. 22). To sustain this claim, all three elements must be satisfied.

This claim is untenable, however, on several grounds. First, South Vietnam was not recognized as an independent state at the 1954 Geneva Conference (see sec. II, infra). Even if it had become a de facto state in the course of events since 1954, the

infiltrations from North Vietnam cannot be deemed to constitute an "armed attack" within the purview of article 51.

Since the Geneva Accords recognized all of Vietnam as a single state, the conflict whether of the Vietcong or Ho Chi Minh against South Vietnam is "civil strife" and foreign intervention is forbidden, because civil strife is a domestic question—a position insisted upon by the United States in its civil war of 1861. Ho Chi Minh can compare his position in demanding union of Vietnam with that of Lincoln, when Britain and France were threatening to intervene to assure the independence of the Confederacy (and with the added point that the national elections mandated for 1956 in the Geneva Accords were frustrated by South Vietnam with apparent support of the United States; see sec. II, infra). Nor should it be overlooked that Lincoln had very little support from the people of the South, who generally supported the Confederacy, while Ho Chi Minh has a great deal of support from the people in South Vietnam organized in the National Liberation Front whose military arm is the Vietcong. There is, therefore, a basic issue whether the hostilities in Vietnam constitute external aggression (by North Vietnam) or "civil strife." Here it should be noted that the United Nations is authorized to intervene where civil strife threatens international peace, as the United Nations did in the Congo, in accord with article 39 of the charter—but individual states are not permitted to intervene unilaterally.

The third element requisite for the invocation of the right of collective self-defense under Article 51 presupposes that the nations invoking such right are properly members of a regional collective system within the purview of the United Nations Charter. The point here involved is: Can the United States validly be a genuine member of a regional system covering southeast Asia. Article 51 and Article 53, dealing with regional systems, were interrelated amendatory provisions intended primarily to integrate the inter-American system with the United Nations organization (see fn. 8, 13, 15). The concept that the United States—a country separated by oceans and thousands of miles from southeast Asia and bereft of any historical or ethnic connection with the peoples of southeast Asia—could validly be considered a member of a regional system implanted in southeast Asia is utterly alien to the regional systems envisaged in the charter. The "Southeast Asia Collective Defense Treaty"—connecting the United States with southeast Asia, architected by Secretary of State Dulles, is a legalistic artificial formulation to circumvent the fundamental limitations placed by the United Nations Charter on unilateral actions by individual members. However ingenuous—or disingenuous—the Dulles approach, SEATO is a caricature of the genuine regional systems envisaged by the U.N. Charter. A buffalo cannot be transformed into a giraffe however elongated its neck may be stretched. The Dulles approach to collective defense treaties employed legal artifice to circumvent the exclusive authority vested in the United Nations to deal with breaches in the peace. Articles 51 and 53 were intended to make a bona fide integration of regional systems of cooperation with the world system of international security—but these envisaged regional systems which historically and geographically developed into a regional community—not contemplating a regional system which fused a region like southeast Asia with a country on the North American Continent. SEATO is not a regional agency within the letter or spirit of the U.N. Charter as to authorize the United States to claim the right of collective self-defense even if there had been an armed attack on a member of the United Nations

geographically located in southeast Asia. If artifices like SEATO were sanctioned, the path would be open for the emasculation of the United Nations organization and the world system of international security assiduously developed to prevent the scourge of war.

Hence article 51 cannot be properly invoked for (1) South Vietnam does not have the political status of a state; (2) even if South Vietnam were deemed a de facto state, the infiltrations do not constitute an "armed attack" within the purview of article 51; and (3) the United States cannot claim the right of "collective self-defense" in respect of a regional system involving southeast Asia.

Apart from article 51 (inapplicable to the situation here), the only other exception to the renunciation of the "threat or use of force" by member states is found in chapter VIII of the charter dealing with regional arrangements. Article 53 of said chapter contains two paragraphs of particular significance:

(a) "The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against an enemy state, as defined in paragraph 2 of this article." (Ch. VII, art. 53(1).)

Paragraph two of that article provides:

(b) "The term enemy state as used in paragraph 1 of this article applies to any state which during the Second World War has been an enemy of any signatory of the present charter."

With respect to regional arrangements therefore, it is clear that no enforcement action may be undertaken without the authorization of the Security Council of the United Nations, save and except in only one instance; against any state which, during World War II, was an enemy of any of the charter,¹² to wit, Germany, Italy and Japan. Since Vietnam was manifestly not an "enemy state" within the purview of article 53(b), enforcement action under SEATO is unauthorized and cannot be justified in view of the express restrictions set out under article 53(a) of the United Nations Charter.

In summary, the United Nations Charter obligates all of its signatory members to refrain from the threat or use of force, and only the Security Council (apart from the residual authority (see footnote 4) granted the General Assembly under the "uniting for peace" resolution) is authorized to determine the existence of any threat to the peace, breach of the peace or act of aggression and to determine the measures to be taken to maintain or restore international peace. To these salient provisions, there are only two exceptions: the first, the right to self-defense if an armed attack occurs against a member of the United Nations; and, the second, the right of nations to enter into appropriate "regional arrangements," subject, however, to the provision that no enforcement action shall be taken under such arrangements without the authorization of the Security Council, the only exception to the latter requirement being with respect to measures against an enemy state, as defined in the charter.

¹² The reason for this exception appears clear. When the charter was signed in San Francisco on June 26, 1945, peace treaties had not yet been finally signed by the allied nations with each of the enemy states. Reparations, sanctions, territorial changes, had not then been finalized. And so, in order to permit necessary flexibility in these respects, this sharply limited exception, permitting action against an enemy state in World War II by an allied government, was spelled out.

⁶ See, Louis Henkin (Professor of Law and International Law and Diplomacy, Columbia University), 57 "American Society of International Law Proceedings," 1963, at p. 152. Moore's "Digest of International Law," vol. II, p. 412.

⁷ Henken, *ibid.*

⁸ Hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., July 9-13, 1945, at p. 210.

⁹ Henkin, *ibid.*

^{10 11} " * * * at the Conference itself, every word, every sentence, every paragraph of the Charter's text was examined and reconsidered by the representatives of 50 nations and much of it reworked." (Report to the President on the results of the San Francisco Conference [by the Chairman of the U.S. Delegation, i.e., the Secretary of State, June 26, 1945], hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st Sess., at p. 41.)

We have shown that none of the aforementioned exceptions can be invoked by the U.S. Government with respect to its conduct in Vietnam. It follows therefore that the fundamental requirements of the United Nations Charter with respect to the renunciation of force and the threat of force are directly applicable to the actions of the United States.

One other noteworthy charter provision is article 103 which subordinates all regional and treaty compacts to the United Nations Charter.

"In the event of a conflict between the obligations of the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail." (Ch. XVI, art. 103.)

This supremacy clause was drafted to meet the predictable reassertion of dominance by the great powers within their respective geographic zones or hemispheres. Because of the unhappy history of a world fragmented by such "spheres of influence," the supremacy clause and the restrictions on the use of force under regional agreements emerge as limitations upon the superpowers even within their own geographic zones. It is significant that the United States not only accepted these limitations, but actively supported their incorporation within the charter.¹³

¹³ Hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong. 1st sess., supra, n. 6, at p. 306.

On May 15, 1945, Secretary of State Stettinius issued a statement at the San Francisco Conference regarding the Act of Chapultepec vis-a-vis the United Nations organization which declared (so far as here pertinent); Hearings on U.N. Charter, op. cit., p. 306:

"As a result of discussions with a number of interested delegations, proposals will be made to clarify in the charter the relationship of regional agencies and collective arrangements to the world organization.

"These proposals will—

"1. Recognize the paramount authority of the world organization in all enforcement action.

"2. Recognize that the inherent right of self-defense, either individual or collective, remains unimpaired in case the Security Council does not maintain international peace and security and an armed attack against a member state occurs. Any measures of self-defense shall immediately be reported to the Security Council and shall in no way affect the authority and responsibility of the Council under the charter to take at any time such action as it may deem necessary to maintain or restore international peace and security.

"3. Make more clear that regional agencies will be looked to as an important way of settling local disputes by peaceful means."

The first point is already dealt with by the provision of the Dumbarton Oaks proposals (ch. VIII, sec. C, par. 2) which provides that no enforcement action will be taken by regional agencies without the authorization of the Security Council. It is not proposed to change this language.

The second point will be dealt with by an addition to chapter VIII of a new section substantially as follows:

"Nothing in this chapter impairs the inherent right of self-defense, either individual or collective, in the event that the Security Council does not maintain international peace and security and an armed attack against a member state occurs. Measures taken in the exercise of this right shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council

Article 103 makes clear that the obligations of the United Nations Charter prevail vis-a-vis the obligations of the SEATO treaty. Indeed, article VI of the SEATO expressly recognizes the supremacy of the United Nations Charter (see sec. II infra). Moreover the frequent citation by President Johnson of the pledges given by Presidents Eisenhower, Kennedy, and himself to aid South Vietnam afford no justification for U.S. intervention in Vietnam.¹⁴ In the first place, these pledges or commitments do not even have the status of treaties, for these Presidential pledges have not been ratified by the Senate. And even if these Presidential pledges had been solemnly ratified by the Senate, any obligations thereunder must yield to the obligations imposed under the United Nations Charter by virtue of the supremacy clause embodied in article 103. Nor would the illegality of U.S. intervention in Vietnam be altered by the circumstance that the Saigon regime may have invited the United States to assume its role in the Vietnam conflict. The supremacy clause of the charter manifestly prevails and cannot be annulled by mutual agreement of third parties.

It is by virtue of the supremacy clause that the Secretary General of the United Nations has called the world's attention to the emasculation of the authority of the United Nations resulting from actions taken by regional agencies without reference to the Security Council.

We believe that any fair study of the United Nations Charter will affirm the observations of Prof. Lewis Henkin, of Columbia University, when he speaks "of the law of the charter":

"So far as it purports to prescribe for the conduct of nations, it consists, basically, of one principle: Except in self-defense against armed attack, members must refrain from the threat or use of force against other states * * * the rule of the charter against unilateral force in international relations is the essence of any meaningful concept of law between nations and the foundation on which rests all other attempts to regulate international behavior. It is a rule which all nations have accepted and which all have a common interest essential to law."¹⁵

under this charter to take at any time such action as it may deem necessary in order to maintain or restore international peace and security."

The third point would be dealt with by inclusion of a specific reference to regional agencies or arrangements in chapter VIII, sec. A, par. 3, describing the methods whereby parties to a dispute should, first of all, seek a peaceful solution by means of their own choice.

The United States delegation believes that proposals as above outlined if adopted by the Conference would, with the other relevant provisions of the projected charter, make possible a useful and effective integration of regional systems of cooperation with the world system of international security.

This applies with particular significance to the long established inter-American system.

¹⁴ President Johnson, in his news conference of July 28, 1965, declared:

"Moreover, we are in Vietnam to fulfill one of the most solemn pledges of the American Nation. Three Presidents—President Eisenhower, President Kennedy, and your present President—over 11 years have committed themselves and have promised to help defend this small and valiant nation" (Presidential Documents, vol. 1, No. 1, p. 15). President Eisenhower has stated that his administration had made no commitment to South Vietnam "in terms of military support on programs whatsoever" (the New York Times, Aug. 18, 1965, p. 1).

¹⁵ Henkin, in 57 "American Society of International Law Proceedings," 1963, supra,

It appears difficult to escape the conclusion therefore, in the light of the aforesaid, that the action of the U.S. Government in Vietnam contravenes essential provisions of the United Nations Charter. The U.S. Government has decided for itself to use armed forces in South Vietnam and to bomb North Vietnam without authorization of the Security Council or the General Assembly of the United Nations. The failure of the United States to honor its obligations under the United Nations Charter is a regrettable but inescapable conclusion which we as lawyers have been compelled to reach. We, as lawyers, urge our President to accept the obligations for international behavior placed upon us by our signature of the United Nations Charter.

II—THE UNITED STATES IN VIETNAM: THE 1954 GENEVA ACCORDS AND THE SEATO TREATY

Officials of the U.S. Government have nevertheless asserted, on different occasions, that the actions of the United States in Vietnam are consistent with the U.S. duties and obligations under the United Nations Charter and sanctioned by the treaty creating the Southeast Asia Treaty Organization (SEATO).¹⁶ The conduct of the U.S. Government has been justified as support of a legitimate government defending itself against insurrection from within and aggression from without. We have demonstrated above that even if this latter position were accepted on its face, unilateral conclusions and actions taken by the Government of the United States upon the basis of such conclusions are violative of the firm obligations under the United Nations Charter. However, we do not let the matter rest with this assertion, but proceed to an examination of the validity of the claims made by the U.S. Government in support of its conduct in Vietnam.

The Geneva agreement, under which the war between Vietnam and the French was terminated, effected the division of Vietnam into north and south, at the 17th parallel. The said "agreement on the cessation of hostilities in Vietnam," entered into in Geneva on July 20, 1954, provided that the division of Vietnam at the 17th Parallel was only "a provisional military demarcation line," on either side of which the opposing forces could be "regrouped"—"the forces of the Peoples Army of Vietnam to the north of the line and the forces of the French Union to the south" (ch. I, art. 1).¹⁷

n. 6, at p. 148. See also in further explication of Professor Henkin's succinct conclusion: Statements of Hon. Edward R. Stettinius, Jr., Secretary of State, the testimony of Senator Millikin, and the testimony of Mr. Pasvolosky, Special Assistant to the Secretary of State for International Organization and Security Affairs, in hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., supra, n. 8, at pp. 34-147, 210, 95-100 and 304-307; Jessup, "A Modern Law of Nations" (1947); Proclamation of Athens and Declaration of General Principles for a World Rule of Law, adopted by the First World Conference on World Peace Through Law, Athens, Greece, July 6, 1963; Francis T. P. Plimpton, U.S. Representative to the United Nations, State Department Bulletin, vol. XLIX, No. 1278, Dec. 23, 1963, pp. 978-979.

¹⁶ Geneva Conf. Doc. No. IC/42/Rev. 2, in 1 "American Foreign Policy"; 1950-55 Basic Documents 750; New York Times, July 24, 1954, p. 4.

¹⁷ It is relevant to note that at the time this provision was agreed upon, the Vietminh occupied all but a few "islands" of territory to the north of the 17th parallel as well as approximately two-thirds of the territory south of that line. See map showing areas of South Vietnam under Vietminh control at end of May 1953 in Henri Navarre, "Agonie de L'Indo-Chine" (1953-54) (Paris,

The Geneva agreement makes plain that the division of the 17th parallel was to be temporary and a step in the preparation for a general election to elect a government for a unified nation. Pending such election, "civil administration in each regrouping zone [was to] be in the hands of the party whose forces are to be regrouped there" [art. 14(a)].

The day after the aforesaid cease-fire agreement was entered into, representatives of Cambodia, the Democratic Republic of Vietnam (Vietminh), Laos, France, the Peoples Republic of China, the U.S.S.R., and the United Kingdom affirmed The Final Declaration of the Geneva Conference on the Problems of Restoring Peace in Indochina, July 21, 1954.¹⁹ The declaration emphasized that the north-south division was solely a means of ending the military conflict and not the creation of any political or territorial boundary. Article 6 of the declaration stated:

"The Conference recognizes that the essential purpose of the agreement relating to Vietnam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and shall not in any way be interpreted as constituting a political or territorial boundary."

This constitutes a recognition of the historical fact that Vietnam is a single nation, divided into two zones only temporarily for administrative purposes pending an election. This being so, the action of the North Vietnamese in aiding the South Vietnamese, to the extent that it has taken place, neither affect the character of the war as a civil war nor constitutes foreign intervention. It cannot be considered an armed attack by one nation on another.

The United States is in fact a foreign nation vis-a-vis Vietnam; North Vietnam is not. The latter by the Geneva Agreement was to participate in an election not to determine whether North and South Vietnam should be united, but to select a government of the nation of Vietnam, constituting all of Vietnam—north, south, east, and west. It was the refusal on the part of the Diem regime and the subsequent "governments" of the south, supported by the United States, to participate in such elections that opened the door to the present conflict.

It was also stated in the declaration that the clear objective of settling political problems and unifying the nation was to be by means of free general elections. Article 7 of the declaration provided:

"The Conference declares that so far as Vietnam is concerned, the settlement of political problems effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Vietnamese people to enjoy the fundamental freedoms, guaranteed by democratic

1956) p. 37. Thus, by the cease-fire agreement the Vietminh gave up substantial areas of territory in what is now called South Vietnam.

An article in the New Republic, May 22, 1965, p. 29, by the Honorable Henry W. Edgerton, senior circuit judge of the U.S. Court of Appeals for the District of Columbia, brilliantly delineates the provisional character of the "Government" of South Vietnam and casts doubt on the juridical claim to the existence of that government.

¹⁹ See "Further Documents Relating to the Discussion of Indo-China at the Geneva Conference" June 16-July 21, 1954 (London) (Her Majesty's Stationery Office, Cmd 9239), 1954 (referred to as "Geneva Accords"). The French-sponsored Bao Dai regime, which was not endowed as yet with any real political substance, did not sign the Geneva accord; not until 1956 did France relinquish control over South Vietnam; the Republic of Vietnam was proclaimed on Oct. 26, 1955, but French troops were not completely evacuated from the country until Nov. 1, 1956.

institutions established as a result of free general elections by secret ballot. In order to insure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, national elections shall be held in July 1956, under the supervision of an International Commission."²⁰

The reference to "national elections" reinforces the evidence of the historical status of Vietnam as a single nation. To present the picture, as the United States repeatedly has done, as though North Vietnam were an interloper having no organic relationship to South Vietnam is to ignore both the applicable legal principles and treaties and the facts of history.

Although the United States participated in the discussion leading up to the Geneva accords, it did not sign the final declaration. Instead, the U.S. Government, through its Under Secretary of State, Walter Bedell Smith, made its own unilateral declaration²⁰ on July 21, 1954. In this declaration, the United States took note of the Geneva agreements and declared that the United States would "refrain from threat or the use of force to disturb them, in accordance with article 2(4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force."

Referring to free elections in Vietnam, the United States declaration stated:

"In the case of nations now divided against their will, we shall continue to seek to achieve unity through elections supervised by the United Nations to insure that they are conducted fairly."²¹

Thus the United States recognized the fact that Vietnam was a single nation. Nevertheless the justification of United States policy today ignores this admitted fact. The United States persists in its denial that it is intervening in a civil war. It seeks to justify the bombing of North Vietnam by the United States on the basis that North Vietnam is a foreign aggressor in South Vietnam.

Nor is this all. The United States further pledged "that it will not join in any arrangement which will hinder" the reunification of Vietnam, and concluded with the hope that:

"The agreement will permit Cambodia, Laos, and Vietnam to play their part, in full independence and sovereignty in the peaceful community of nations, and will enable the peoples of the area to determine their own future."

No election was ever held pursuant to the Geneva Accords, although both the International Control Commission (composed of India, Poland, and Canada) and the United Nations announced readiness to supervise such elections. South Vietnam announced that it did not regard itself obliged to take part in the elections because the participation of North Vietnam would render such

²⁰ Note that article 7 stipulates that the elections were to be antecedent to and a necessary condition for the "fundamental freedoms, guaranteed by democratic institutions" and that the elections were to be held "in order to insure . . . that all the necessary conditions obtain for free expression of the national will." This particular portion of the Geneva Accord has frequently been quoted out of context, with the key phrases in reverse order, in order to justify the refusal to hold elections on the grounds that the necessary conditions did not exist.

²¹ See "Extracts From Verbatim Records of Eighth Plenary Session," Geneva Accords.

²² Nowhere in its own declaration did the United States recognize the political partition of Vietnam; insofar as it referred to the country, it designated it as "Vietnam," not "South Vietnam" and "North Vietnam."

elections not free, a position apparently supported by the State Department.²² In 1955, following the Geneva Accords, then Prime Minister of State Diem repudiated the Geneva Agreements and refused to hold the elections. Former President Dwight D. Eisenhower, in his Memoirs, suggests a further reason for Diem's refusal to hold elections pursuant to the Geneva Accords:

"I have never talked or corresponded with a person knowledgeable in Indo Chinese affairs who did not agree that had elections been held at the time of the fighting possibly 80 percent of the population would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai."²³

The consequences of the repudiation of the Geneva Accords were delineated by Senator ERNEST GRUENING in a speech to the Senate on April 9, 1965:

"That civil war began—let me repeat, because this is crucial to the issue—when the Diem regime—at our urging—refused to carry out the provision contained in the Geneva Agreement of 1954 to hold elections for the reunification of Vietnam. That was one of the underlying conditions of the Geneva agreement. The civil war began and has continued with intensified fury ever since * * *. For over 800 years, before its conquest by France, Vietnam was a united country. After defeating the French in 1954, the Vietnamese went to the conference table at Geneva, agreeing to a settlement only on condition that reunification elections be held. Yet, nowhere in President Johnson's speech of April 7, 1965, at Johns Hopkins University is there held out a hope of ultimate reunification of Vietnam. He conditioned the ultimate peace "upon an independent South Vietnam instead."

In view of all of the aforesaid, the assumptions and justifications for our governmental policy in Vietnam do not appear to have support, either in law or in fact. The conduct of the U.S. Government in Vietnam appears plainly to violate the terms of the Geneva Accords and to repudiate solemn pledges to "refrain from the threat or the use of force" to disturb the Geneva Accords.

Moreover, nothing in the provisions of the southeast Asian Collective Defense Treaty would appear to justify the conduct of the U.S. Government in Vietnam. The SEATO Treaty was signed in Manila some 7 weeks after the signing of the Geneva Agreement on the Cessation of Hostilities in Vietnam. The SEATO Treaty became effective in Feb-

²² See, Question No. 7, "Questions and Answers on Vietnam," Department of State publication No. 7724, August 1964, p. 8. See also footnote 19, George McT. Kahin and John W. Lewis, professors of government at Cornell University, in their article, "The United States in Vietnam," which appeared in the June 1965 issue of the Bulletin of Atomic Scientists, note (op. cit. p. 31):

"When on July 16, 1955, the Diem government announced, with American backing, that it would defy the provision calling for national elections, it violated a central condition which had made the Geneva Accords acceptable to the Vietminh. Regardless of what sophistry has been employed to demonstrate otherwise, in encouraging this move the United States departed from the position taken in its own unilateral declaration. And France in acquiescing abandoned the responsibility which she had unequivocally accepted a year earlier."

(Citing—Allan B. Cole, ed., "Conflict in Indo-China and International Repercussions," a documentary history, 1945-1955 (Ithaca, N.Y.) 1956, pp. 226-228; and Donald Lancaster, "The Emancipation of French Indo-China" (Oxford, 1961), pp. 370-372.

²³ Dwight D. Eisenhower, "Mandate for Change: The White House Years, 1953-1956" (London, 1963), p. 372.

ruary 1955, following the treaty ratification by eight member states—the United States, France, Great Britain, Australia, New Zealand, Thailand, Pakistan, and the Philippine Islands.

By the preamble and by article I of the SEATO Treaty, the parties acceded to the principles and supremacy of the United Nations Charter in accordance with article 103 thereof, which it will be recalled, provides as follows:

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

The supremacy of this provision was expressly reiterated by the eight SEATO nations under article VI of said treaty, in which each solemnly agreed that the SEATO Treaty:

"* * * does not affect the rights and obligations of any of the parties under the Charter of the United Nations, or the responsibility of the United Nations for the maintenance of international peace and security."

The key provisions of the SEATO Treaty are to be found in article IV. Paragraph 1 thereof permits the use of force by one or more member states only in the event of "aggression by means of armed attack." But where the integrity or inviolability of any territory covered by the treaty is threatened "by other than armed attack" or "by any fact or situation which might endanger the peace of the area," then, paragraph 2 of article IV requires, as a prerequisite to intervention, that "the parties shall consult immediately in order to agree on the measures to be taken. * * *"

The consent of all eight SEATO nations was originally required before any military action under article IV could be undertaken by any of them (New York Times, May 28, 1962). Later, this rule was modified so that action could be undertaken if there was no dissenting vote—i.e., an abstention would not count as a veto (New York Times, April 19, 1964). At the last two annual meetings of the Ministerial Council of SEATO, France has refused to support a communique pledging SEATO backing for South Vietnam against the Vietcong (New York Times, April 15-16, 1964; May 3-6, 1965; see also, Los Angeles Times, May 3-4, 1965). It would appear that with the threat of a French veto a formal SEATO commitment in Vietnam has not been sought by the United States. However, even if there had been unanimity among the SEATO nations, the provisions of article 53 of chapter VIII of the United Nations Charter will still prevail:

"But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council. * * *"

Manifestly, no such authorization has ever been conferred, either by the Security Council of the United Nations, or by the General Assembly, from which it follows that American action in Vietnam clearly cannot be supported by reference to SEATO.

So long as the United States remains a member of the United Nations, our right to intervene is circumscribed by the provisions of the United Nations Charter. As members of SEATO, our right to intervene is limited, both by the requirement for unanimity among all of the eight treaty nations and, in addition, by the superseding requirement of article 53 of chapter VIII of the United Nations Charter, prohibiting any enforcement action under a regional arrangement without the authority of the Security Council. Our justification for acting contrary to our solemn obligations under the United Nations Charter appears tenuous and insubstantial. The fact of the matter is that the U.S. Government has simply acted as its

own judge of its own interests in patent disregard of the fundamental law embodied in the United Nations Charter.

III—CONSTITUTIONAL ASPECTS OF UNITED STATES INTERVENTION IN VIETNAM

This disregard of the rules of the charter, inherent in U.S. intervention in Vietnam, is compounded by the fact that such intervention is also violative of our own Constitution. Whatever doubts may have existed prior to the President's "Report to the Nation Following a Review of U.S. Policy in Vietnam"²¹ (set out at his news conference on July 28, 1965), as to whether U.S. action in Vietnam constituted the conduct of a war, the President in that report made it explicitly clear that "this is really war," noting that "our fighting strength" was being raised from 75,000 to 125,000 "almost immediately" and that "additional forces will be needed later, and they will be sent as requested." Can the President's conduct be squared with our Constitution (apart from the obligations imposed upon member states by the United Nations Charter)?

It is the genius of our constitutional system that ours is a government of checks and balances. A dangerous concentration of power is avoided by the separation—in Articles I, II, and III of the Constitution—of the legislative, executive, and judicial powers. The doctrine of "separation of powers" is fundamental to, and is one of the "great structural principles of the American constitutional system."²² The Supreme Court has recently characterized this "separation of powers" as "a bulwark against tyranny," *United States v. Brown — U.S. —*, 33 Law Week 4603 (June 7, 1965). The Supreme Court had earlier said:

"The power to make the necessary laws is in Congress; the power to execute in the President. Both powers imply many subordinate powers. Each includes all authority essential to its due exercise. But neither can the President, in war more than in peace, intrude upon the proper authority of Congress, nor Congress upon the proper authority of the President." *Ex parte Milligan*, 4 Wall 2, 139 (1866).

Classically stated by Blackstone²³ and derived from Plato, Aristotle, Polybius, Cicero, Machiavelli, Harrington, Locke, and Montesquieu,²⁴ this constitutional separation of powers was deliberately carried over by the Framers into the conduct of foreign affairs. For, contrary to widely held assumptions, the power to make and conduct foreign policy is not vested exclusively in the President, but is divided between him and Congress, with each endowed with complementary, but separate²⁵ powers and responsibilities.²⁶

²¹ Presidential Documents, vol. 1, No. 1 (Aug. 2, 1965), pp. 15-19. See also State Department bulletin, April 26, 1965, p. 606; State Department bulletin, May 24, 1965, passim; State Department bulletin, May 31, 1965, p. 838, Krock, "By Any Other Name, It's Still War," New York Times, June 10, 1965.

²² Corwin, "The President: Office and Powers" (New York, 1957), p. 9.

²³ Blackstone, "Commentaries on the Law of England," 146 (7th ed. 1775).

²⁴ Cf., Sharp, "The Classical American Doctrine of 'Separation of Powers'," 2 U. of Chi. L. Rev. 385 (1935).

²⁵ "One of the most striking facts in the institutional philosophic history of the United States (is) that the legislative-executive quarrels during the colonial period convinced the colonists of the desirability of a separation of powers rather than a union of powers." Wright "Consensus and Continuity," p. 17 (Boston, 1958).

"The doctrine of separated powers is implemented by a number of constitutional provisions, some of which entrust certain jobs exclusively to certain branches, while

Thus, in making and carrying out general foreign policy, Article II, Section 2 requires the President to have the "Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur." And the President also requires the advice and consent of the Senate to "appoint Ambassadors, other public Ministers and Consuls."

When statecraft fails and the question becomes the ultimate one of war or peace, the Constitution imposes a tight rein upon the President. His participation ends at the threshold of the decision whether or not to declare war. Under Article I, Section 8, Clause 11, that power is confided exclusively to the Congress.²⁷ There is no mention of the President in connection with the power to "declare war." Under the Constitution, Congress alone must make this decision. The Clause does not read "on recommendation of the President," nor that the "President with advice and consent of Congress may declare war." As former Assistant Secretary of State James Grafton Rogers has observed: "The omission is significant. There was to be no war unless Congress took the initiative." Rogers, "World Policing and The Constitution," p. 21 (Boston, 1945).

"Nothing in our Constitution is plainer than that declaration of war is entrusted only to Congress." *Youngstown Sheet and Tube Company v. Sawyer*, 343 U.S. 579, 642 (1952) (Jackson, J.).

That the President lacks constitutional power to make war is underscored by the historic statement made by President Woodrow Wilson on the night of April 2, 1917, when he addressed the Congress in a joint session:

"I have called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making."²⁸

President Franklin Roosevelt also heeded his constitutional responsibilities and was also mindful and sensitive of the constitutional limitations applicable to the President when, before a joint session of the Congress on December 7, 1941, he requested the Congress for a declaration of war following Pearl Harbor.

others say that a given task is not to be performed by a given branch." *United States v. Brown*, supra—U.S., 33 Law Week, at p. 4605.

²⁶ Story, "Commentaries on the Constitution" (Boston, 1833), passim, Dahl, "Congress and Foreign Policy" (New Haven, Conn., 1950); Robinson, "Congress and Foreign Policy-Making: A Study in Legislative Influence and Initiative" (Ill., 1962).

²⁷ Article I, Section 8, Clause 11 of the Constitution reads:

"The Congress shall have the power:

* * *
"1. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

²⁸ President Wilson went on to say:

"With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war."

The decision to place the responsibility for declaring war exclusively in Congress as the direct representative of the people, and not even to provide for the President's participation in that decision was a most deliberate one by the Framers.

The Constitutional Convention had been urged to rest the power to declare war, the "last resort of sovereigns, ultima ratio regum," in the executive, or, alternatively, in the Senate. 3 Story, "Commentaries on the Constitution," par. 1166. The arguments were made that "large bodies necessarily move slowly" and "despatch, secrecy, and vigor are often indispensable, and always useful towards success." Story, *ibid.*

When the issue was debated at the Convention, Mr. Gerry stated that he "never expected to hear in a republic a motion to empower the Executive alone to declare war." Madison and Gerry "moved to Insert 'declare,' striking out 'make' war; leaving to the Executive the power to repel sudden attacks." The motion carried. Farrand ed., "Records of the Federal Convention" (New Haven, 1911), II, pp. 318-319.³²

Nowhere in the debates is there support for the view that the President can wage a war or "commit" our Nation to the waging of a war. On the contrary, warmaking was to be a purely legislative prerogative. The only use of force without a declaration of war that was contemplated as the debates clearly show, was "to repel sudden attacks."³³

These constitutional provisions that only Congress shall have the power to declare war and that Congress has the sole responsibility to raise and support the armies, to provide for a navy, and to impose the taxes to provide the funds to carry on a war, reflected a profound distrust of executive authority and a corresponding reliance upon the legislature as the instrument for the decisionmaking in this vital area. Bemis, "The Diplomacy of the American Revolution" (New York, 1935), pp. 29-35.

These provisions reflected things painfully learned during the early colonial period, when every major European war had its counterpart on the American frontiers. The Colonies were therefore determined to end the imperial authority to decide for them what wars they should enter and what the outcome of those wars should be. Savelle,

³² The Framers concluded and provided that "the power of declaring war is not only the highest sovereign prerogative; but that it is in its own nature and effects so critical and calamitous, that it requires the utmost deliberation, and the successive review of all the councils of the nation. War, in its best estate, never fails to impose upon the people the most burdensome taxes, and personal sufferings. It is always injurious and sometimes subversive of the great commercial, manufacturing, and agricultural interests. Nay, it always involves the prosperity, and not infrequently the existence of a nation. It is sometimes fatal to public liberty itself, by introducing a spirit of military glory, which is ready to follow, wherever a successive commander will lead; and in a republic whose institutions are essentially founded on the basis of peace, there is infinite danger that war will find it both imbecile in defense, and eager for contest. Indeed, the history of republics has but too fatally proved, that they are too ambitious of military fame and conquest, and too easily devoted to the views of demagogues, who flatter their pride and betray their interests. It should therefore be difficult in a republic to declare war; but not to make peace." Story op. cit., § 1166.

³³ Manifestly the residuary power left to the President—"to repel sudden attack" contemplated attacks on the country's geographical territory—not "sudden attacks" in far-off lands, such as southeast Asia. Cf. Tonkin Bay Joint Resolution of Aug. 6-7, 1964, discussed in section IV, *infra*.

"The American Balance of Power, and the European Diplomacy 1713-78," in Morris ed., "The Era of the American Revolution" (New York, 1939), pp. 140-169.

The Convention was not only determined to deny warmaking power to the President, but was also unwilling to entrust it to the Senate alone. To assure the fullest consideration, the Framers therefore provided that the House of Representatives, larger and more representative than the Senate, should also be brought in to decide this vital question. The action and decision of the whole Congress were therefore constitutionally made necessary to this fateful undertaking.

"The Constitution says, therefore, in effect, 'Our country shall not be committed formally to a trial of force with another nation, our people generally summoned to the effort and all the legal consequences to people, rights and property incurred until the House, Senate and the President agree.'" Rogers, "World Policing and the Constitution" (Boston, 1945), p. 35.

Concededly there have been many instances, when the President has sent U.S. Armed Forces abroad without a declaration of war by Congress.³⁴ These have ranged from engagements between pirates and American ships on the high seas to the dispatch of our Armed Forces to Latin American countries.

These precedents cannot justify the present actions without bringing to mind Swift's comment on "precedents" in "Gulliver's Travels":

"It is a maxim among these lawyers, that whatever hath been done before, may legally be done again; and therefore they take special care to record all the decisions formerly made against common justice and the general reason of mankind. These, under the name of precedents, they produce as authorities to justify the most iniquitous opinions; and the judges never fail to directing accordingly."

Here it is important to distinguish our country's involvement in the Korean war. For the United States fought under the aegis of the United Nations pursuant to a definitive resolution of the Security Council authorizing and directing the employment of Armed Forces of member states, so that the United States was thus performing its solemn obligations undertaken in becoming a signatory of the United Nations Charter, a treaty which is the "Supreme Law of the Land." But in the Vietnamese situation, there has been no authorization by the Security Council; indeed the Security Council has not even been seized of the matter, has not been requested to entertain jurisdiction of the present conflict.

It is therefore unfortunately vitally necessary, although trite, to recall that "the Government of the United States has been emphatically termed a government of laws, and not of men." *Marbury v. Madison*, 1 Cr. 137 (1803). Under a government of laws, the President is not free from the checks of the Constitution of the United States; the President is not free to assume the powers entrusted solely to the Congress. Ours is not a government of executive supremacy.³⁵

³⁴ See U.S. Senate Committee on Foreign Relations and Committee on Armed Services, hearing, "Situation in Cuba," 87th Cong., 2d sess., Sept. 17, 1962 (Washington, G.P.O., 1962), pp. 82-87; Rogers, op. cit., especially pp. 93-123.

³⁵ "With all its defects, delays, and inconveniences, men have discovered no technique for long preserving free government except that the executive be under the law, and that the law be made by parliamentary deliberations." Mr. Justice Jackson, concurring in *Youngstown Sheet and Tube Company v. Sawyer*, supra, 343 U.S. at 655 (1952).

Here it is fitting to recall that on May 6, 1954, at a time when the fall of Dien Bien Phu was imminent, then Senator Lyndon Johnson, as Democratic leader of the Senate, at a Jefferson-Jackson dinner, criticized the Eisenhower administration in these terms:

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

"The function of Congress is not simply to appropriate money and leave the problem of national security at that."³⁶

A New York Times survey (June 14, 1965) reports widespread "uneasiness" over the President's foreign policies: that the American academic world "is intellectually and emotionally alienated from the President, to whom it gave such strong support in the election"; that there is "increasing—and mutual—hostility between the President and many segments of the press"; that many Democratic Members of Congress are "restive and unhappy . . . over what they regard as [the President's] high-handed manner of making and carrying out decisions on foreign affairs"; that many friendly governments abroad "are apprehensive about Mr. Johnson's use of national power"; that among these views are expressions of "dismay," the unreliability of CIA and FBI reports which the President accepted, the lack of clear policy, the disregard of "principles, support or advice."

It is therefore imperative that Congress guard zealously against any executive usurpation of its exclusive power to declare, or to decline to declare war.

President Johnson has not been unmindful of the damaging consequences inherent in the violation of the separation of powers. As recently as August 21, 1965 the President vetoed a \$1.7 billion military construction bill, calling it "repugnant to the Constitution." In a stern message to Congress, the President described certain sections of the bill as clear violations of the "separation of powers"; warned Congress to stop meddling in the prerogatives of the executive branch (New York Times, August 21, 1965, p. 1). Yet the President has not hesitated to intrude upon the exclusive power vested in Congress to declare war.

IV—CONGRESS HAS NOT DECLARED WAR IN VIETNAM; ITS JOINT RESOLUTIONS ARE NEITHER A SUBSTITUTE FOR A DECLARATION OF WAR NOR DO THEY MAKE PRESIDENT JOHNSON'S WAR-MAKING CONSTITUTIONAL

Congress has not declared war in Vietnam and the President does not claim that any declaration of war supports his actions in Vietnam. In fact, the President is reported to be extremely reluctant to ask Congress directly to declare war.³⁷ Instead, the President is reported (New York Times, June 19, 1965, p. 10) to believe that authority for his actions may be inferred or extracted from the Tonkin Bay Joint Resolution of August 6-7, 1964 (H.J. Res. 1145; Public Law 88-408, 78 Stat., 384, 88th Cong., 2d sess.) and the Joint Resolution of May 7, 1965 (H.J. Res. 447; Public Law 89-18; 79 Stat. 109, 89th Cong., 1st sess.) making a supplemental appropriation to the Defense Department for the Vietnam operations.

The Tonkin Bay resolution is not a declaration of war. At most, it is an ultimatum—if that. It "approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces

³⁶ Jackson, "Role and Problems of Congress with Reference to Atomic War," May 17, 1954, publication No. L 54-135, Industrial College of the Armed Forces.

³⁷ Wall Street Journal, June 17, 1965, "The U.S. May Become More Candid on Rising Land-War Involvement," pp. 1, 16.

of the United States and to prevent further aggression." It goes on to express the view that "the maintenance of international peace and security in southeast Asia 'is vital' to the national interests of the United States" and declares the readiness of the United States to take all necessary steps, including the use of armed forces, to assist any member or protocol SEATO state to defend its freedom. The resolution, however, provides that all such steps shall be "consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty."

It is clear that Congressmen who voted for the Tonkin Bay Joint Resolution were not voting a declaration of war in Vietnam. The resolution does not mention North Vietnam nor China; indeed it does not even mention Vietnam. It was "passed in the fever of indignation that followed reported attacks by North Vietnamese torpedo boats against U.S. fleet units in Tonkin Bay." CONGRESSIONAL RECORD, volume 111, part 10, page 12990. There is no evidence that Congress thought or understood that it was declaring war. It took no contemporaneous action which would have implemented a declaration of war. And the remarks of several Members of the House and Senate during and since the debate on the resolution reinforce the conclusion that the Tonkin Bay Resolution was not regarded as a declaration of war. Congress manifestly cannot delegate to the President its exclusive power to declare war; and even under the specific terms of the Tonkin Bay Resolution, the President's actions neither conform nor are consonant with the Constitution—and, as we have seen in the earlier analysis, the President's actions are not consonant with the Charter of the United Nations, nor with the SEATO Treaty.

In passing the May 7, 1965, resolution, authorizing a supplemental appropriation for the Vietnam operations, Congress was confronted with a fait accompli which severely circumscribed its action. Its constitutional check on the will or errors of the Executive was by the President's message, reduced to its power of the purse. Such a circumscription will not necessarily prevent unwise or unpopular decisions or allow for the exercise of the full discretion which the Constitution intended Congress to have, and for it alone to exercise. Nevertheless, a resolution authorizing an appropriation does not constitute a declaration of war, nor can it constitutionally authorize the President to wage an undeclared war.

The presidential assumption of powers vested exclusively in the Congress concern arrogations of power which convert republican institutions, framed for the purpose of guarding and securing the liberties of the citizen, into a government of executive supremacy. If the Constitution has such elastic, evanescent character the provisions for its amendment are entirely useless; presidentially-determined expediency would become then the standard of constitutional construction.

Under the rule of law, compliance with the forms and procedures of the law are as imperative as compliance with the substance of the law. A lynching is a totally inadequate substitute for a trial, regardless of the guilt of the victim. What Mr. Justice Frankfurter wrote in another context is equally applicable here: "The history of liberty has largely been the history of observance of procedural safeguards." *McNabb v. United States*, 318 U.S. 332, 347 (1947).

Under our system, constitutional powers must be exercised in a constitutional manner by constitutionally established institutions. Disregard of fundamentals in an area concerning the highest sovereign prerogative affecting the very lives and fortunes of its citizens in the interest of a short term ex-

pediency undermines "constitutional morality" to such an extent that the maintenance of the order itself is endangered." Friedrich, "The Philosophy of Law in Historical Perspective," p. 216 (Chicago, 1963).

Finally, it cannot be overemphasized that even a declaration of war by the Congress would not negate the violations of our obligations assumed under the United Nations Charter or negate the violations of international law inherent in United States intervention in Vietnam.

Conclusion

A learned authority in international affairs has stated:

"Bluntly, all the rules about intervention are meaningless if every nation can decide for itself which governments are legitimate and how to characterize particular limited conflict. Unless we are prepared to continue a situation in which the legality of intervention will often depend upon which side of the fence you are on, and in which, therefore, our policy becomes one of countering force with force, we must be willing to refer questions of recognition (i.e., legitimacy of the government involved) and characterization of a disorder (i.e., whether an armed attack from abroad or a civil war) to some authority other than ourselves. The United Nations is the most likely candidate for the role."³⁸

The United States has not observed the letter or spirit of its treaty obligations with respect to the action taken in Vietnam. World order and peace depend on the willingness of nations to respect international law and the rights of other nations. The United Nations is a symbol of the rejection of fatal policies which led to World War II, and an acceptance by the peoples of the world of the principles of collective security, and the avoidance of war and the use of armed forces in the settlement of differences between nations. The United Nations was intended to insure the preservation of international peace, security, and justice, through rules of law, binding upon all member nations. The fundamental condition for the effective functioning of the United Nations is the observance on the part of all signatory nations of the obligations assumed under the charter. Only in this way can the awesome potential of a third world war be prevented.

We have concluded that the U.S. Government is in violation of its treaty obligations under the U.N. Charter. We urge upon the Government that all steps be immediately taken to undo this illegality by an immediate return to an observance of the letter and spirit of the provisions of the U.N. Charter.

This is a solemn hour in history. We have a moral obligation to history to return to the high purposes and principles of the United Nations—to honor the pledges we solemnly assumed—to settle international disputes by peaceful means—to refrain in international relations from the threat or use of force.

At this fateful hour, we do well to recall the prophetic dream of President Franklin D. Roosevelt, the architect of the United Nations, who upon his return from the Yalta Conference in his last address to the Congress in March 1945, said:

"The Crimea Conference * * * ought to spell the end of the system of unilateral action, the exclusive alliances, the spheres of influence, the balances of power, and all the other expedients that have been tried for centuries—and have always failed. We propose to substitute for all these, a universal organization in which all peace-loving nations will finally have a chance to join."

³⁸ Roger Fisher, professor of law at Harvard University, "Intervention: Three Problems of Policy and Law" found in *Essays on Intervention*, a publication of the Marshon Center for Education in National Security, Ohio State University Press, pp. 19-20.

Should we not, 20 years after President Roosevelt's hopeful dream—20 years after the advent of the nuclear age with the awesome potentiality of incineration of our planet and the annihilation of our civilization and the culture of millenia—should we not "spell the end of the system of unilateral action * * * that has been tried for centuries—and has always failed"?

Mr. MORSE. In closing, I wish to thank the Senator from Louisiana for the courtesies he has extended to me. It grieves me as much as he has told me it pains him that we find ourselves in such diametrically opposed positions on this issue, but it is our duty to follow the course of our judgment; and I hope that if anyone is planning to make a speech, he will extend to the Senator from Louisiana the cooperation of coming and making it tomorrow, rather than on Monday. There may be some instances in which Senators are not prepared to make their speeches tomorrow, but will be on Monday. I shall understand that also.

I yield the floor.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL 12 O'CLOCK NOON ON MONDAY, FEBRUARY 28, 1966

Mr. LONG of Louisiana. Mr. President, while the Senator from Oregon is here, and before he leaves, I have agreed to everyone else's unanimous-consent requests today, and when we meet tomorrow, I am fully aware of the fact that it might be difficult to obtain a quorum, if someone cares to insist on it. I shall not insist that we stay in session, in the event that a quorum cannot be obtained.

I ask unanimous consent that when we meet tomorrow, in the event a quorum is not present, the Senate then stand in adjournment until noon on Monday.

Mr. MORSE. I think we certainly should do that.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

SUPPLEMENTARY MILITARY AND PROCUREMENT AUTHORIZATION, FISCAL 1966

Mr. LONG of Louisiana. Mr. President, the Senator from Oregon has made a very strong argument for his position. He has done so repeatedly. As one Senator, I have consistently disagreed with the full burden of that for which he contends.

The Senator made reference to the fact that an amendment was offered at the time when we had the resolution in August of 1964, authorizing the President to take all necessary steps to resist further aggression. The Senator said—and I assume he correctly quoted the debate; I have no reason to think otherwise—that an amendment was offered saying that we would send no troops there unless we were further provoked.

At the time of that resolution, Mr. President, even if that amendment had been agreed to, the President would still

have been completely within the authorization had he put the same troops there that are there today, because when the forces of North Vietnam proceeded to react to the fact that the United States struck back at Communist aggression, the President would, in good conscience, have been in a position to say that we had been provoked, that this was outright, overt aggression by the forces of North Vietnam invading South Vietnam, and upon that basis, we would send into South Vietnam what forces were necessary to defeat the aggressor and stop his further aggression.

The legislative history made at that time would have been well within the resolution, even if the Nelson amendment had been agreed to, as I understand it.

The Senator has made an eloquent argument that this Nation should go to the Security Council with this matter. It has gone to the Security Council, and we have seen what happened. Nothing. If the Security Council gets around to acting on it and making some recommendation, it would finally be vetoed by the Soviet Union. We knew that.

I suppose if the Security Council had been as it is was in earlier days, we would have been there sooner, as the Senator has suggested we should have been. But keep in mind, Mr. President, that the hopes the world entertained for the Security Council have been dashed by the Security Council a great number of times. I quit counting after it passed the 100 mark. The Security Council, nowadays, does not have the business that it had back in the early days of the United Nations, not really the volume of business that would have been anticipated, because the Soviet Union has completely frustrated it by repeated vetoes to the extent that people know in advance that the Soviet Union is going to veto the matter, and they are on notice about the futility of many peacekeeping measures for which the Security Council was organized. This causes me to ask: Why do we not disband the United Nations in part and relegate it to doing that which it is capable of doing and organize something better to take its place with regard to those things that it cannot do in the hope that the fallacies upon which the Security Council and the United Nations were organized might yet be achieved by something better organized to serve the purpose?

For example, I recall as a serviceman wearing our Navy's uniform, when the United Nations was being organized, listening to the discussions about the veto of the great powers in the Security Council. The question was being asked then, What would happen if the great powers could not work together, suppose the United States and the Soviet Union, Great Britain, France, or China were not able to work together, what would happen then? The answer was given, well, if these great powers cannot work together, nothing would happen, nothing would be achieved. Thus, the whole thing was set up on the theory that the great powers would work to-

gether. Then we found that one of our allies in the war was intransigent and difficult to work with, and so determined to extend its domination over its neighbors that all efforts to make the United Nations work were being constantly frustrated by Russian vetoes. Over a period of time, we came to realize that we had to find some other way to try to achieve our objectives.

The United Nations gets credit for one big plus. When the Russians stomped out in anger and disgust at the sight of the Nationalist Chinese on the Security Council, contending that that seat should be occupied by the Red Chinese, during the period that they were not there, aggression occurred in South Korea. Hurrah—hurrah—for once, the Security Council was able to vote a meaningful resolution, which was the position of the United States to resist aggression from North Korea.

During that brief period, while the Soviets were out of the Security Council in protest, the United Nations did succeed in voting that something good might happen. The United States then proceeded to send its troops in, taking the casualties, and did 90 percent of the fighting. The allies that we had in the United Nations succeeding in doing 10 percent—with the United States paying their expenses, of course, for doing that 10 percent. Many of them were recipients of our aid at the time. However, we appreciated what they were able to do.

For some nations, it was a considerable effort, particularly for Turkey, which gave us substantial help. Turkey is a relatively small country, compared to our own.

In the case of Vietnam, we were on notice that if we went to the Security Council nothing would happen, that North Vietnam would throw our note back in our face when we approached them, to try to negotiate or reason with them, as we had tried to do before, and it would be vetoed by the Soviet Union.

As one of those who once served as a delegate to the United Nations, we were well aware of what would happen if all the friends of Red China would get together—the whole Communist bloc plus some smaller, backward nations where Chinese embassies were very active. They would all be on their feet vilifying the United States, saying every horrible thing that the tongue of man could turn to, which would be published and republished, along with all kinds of false charges and accusations that could be dreamed up by the small and backward countries. These Communist lies would be distributed by their polly parrot repeaters at great length and headlined across the Communist world and read wherever Communists could hope that it might have effect upon someone.

But, to please Senators—and when the Pope came out suggesting the same thing—the President decided to go along with them and have a try at this frustrating experience—and that is all it has been.

Thus, in the last analysis, we get down to the fact that if we are going to resist

Communist aggression, the United Nations is not going to save us, Mr. President.

Somewhere along the line people have to have the courage to stand up and face aggression. When they sign a contract with someone and the other fellow breaks his word a hundred times, and does not perform in good faith once, we have to take the view that if the contract is not binding on the other fellow it is not binding on them.

That is our reaction to the so-called Geneva accords which the Senator has discussed, and which he will undoubtedly discuss again.

Mr. President, this Nation has many times placed its soldiers on the field of battle. I recall that the Constitution states that Congress shall declare war, but it is also clearly within the power of the Commander in Chief to put troops in the field of battle in the absence of a declaration of war. In other words, the Commander in Chief can make war, although Congress alone can declare war.

Now, we have committed acts of war more than 125 times in the absence of a prior declaration according to the document which was prepared for the joint Committees on Foreign Relations and the Armed Services, at the time the conduct of the war in Korea was being discussed.

In the absence of a declaration of war, when we were provoked we have either defended positions, put troops ashore somewhere, or engaged in fighting—many, many times.

I heard someone contend that the number is 175 rather than 125. In any event, it is a very large number.

Sometimes, we expressed our approval of the acts of the President, after the fact. In a small number of cases—it is a relatively small number, indeed, such as the declaration of war in World War II—did we actually declare war prior to the existence of a state of war between this Nation and some other nation.

Most declarations of war have declared that since a certain date—a date prior to the declaration—a state of war has existed between this Nation and some other nation.

In most instances, in passing a declaration of war, we have merely recognized the state of facts which have already existed at the same time, recognizing that the Commander in Chief already had the power to commit troops to action prior to a declaration of war by Congress.

The entire war in Korea was fought under such circumstances, without the declaration of war.

The late Senator Taft stood on the Republican side of the aisle repeatedly criticizing President Truman for putting our forces in Korea and keeping them there in the absence of a declaration of war by Congress. He was not one of those who objected when the troops were first sent in, but he made a logical, legal argument.

In the case of Vietnam, President Johnson was doing what he could to

help the small nation of South Vietnam defend its independence. Our ships were there as a part of that effort. Our ships were attacked on the high seas by the North Vietnam torpedo boats and we struck back. Not only did we strike back, but we also struck at the bases from which those torpedo boats had come. That was an act of war.

In other words, it was an act of war by us, but it was provoked by the attack made upon us, which was also an act of war.

We then passed a resolution, stating first, that we approved of what the President had done.

Then, well recognizing that from North Vietnam could be expected a very severe reaction, knowing they might decide to do a great number of things, any one of which would be an act of war, either against us or against the friendly government in South Vietnam, we said that we further authorized the President to take whatever action he deemed necessary to resist further aggression.

I do not have the resolution in my hand at this moment, but as I read that resolution, it not only authorized the President to take whatever steps in his judgment were necessary to defeat and resist further aggression, but it gave him a mandate to do so. He was the judge of whether the steps he was taking were sufficient.

When the enemy troops marched down from North Vietnam, if, in the President's judgment, use of American troops was necessary to meet the threat from the troops sent down by North Vietnam, in my judgment the President had not only the right but the duty to use the forces this Nation had available to it to defeat the aggression that occurred.

Therefore, the President has violated no international agreements.

Article 51 of the United Nations Charter clearly states that any nation has a right to engage in collective self-defense. In fact, it states that nothing in the charter—which refers to every article in the United Nations Charter—would impair the right of any nation to engage in individual or collective self-defense.

We had a collective defense treaty involving the whole area of southeast Asia. We added to that treaty a protocol to include South Vietnam.

When the aggression occurred there, we had the treaty obligation to do certain things, with a certain amount of latitude. We had a right to decide how far to go. But we had no right to ignore the aggression.

When Congress passed the resolution last year with regard to the Gulf of Tonkin incident and the Communist aggression there, we expected that the Communists might strike back at us. We made specific reference to the southeast Asia collective defense treaty, saying that we felt that treaty was involved and it was our obligation to act under it.

The British, it is true, have not come in. The British have perhaps 50,000 troops in southeast Asia, in the Malayan

States and elsewhere, defending the position of their Empire against Communist aggression and seeking to bring the people of that area into a self-governing status under which they will have free elections and rule themselves, hoping that the end of British colonialism will not mean the beginning of an existence under Communist slavery.

We signed the treaty. We made reference to the treaty. We have urged our allies to comply with the treaty. Five of them have sent help to Vietnam. One of them has sent a large number of troops.

However one may criticize our allies, whatever may be their weaknesses, with all the misapprehensions we may have about them, it is my judgment that any noncommunist government is better than any Communist government on the face of the earth. I do not know of any anti-Communist government that I regard as being worse than a Communist government. If one can show me one that is, I would like him to point it out to me, because I would like to know of such a Communist government that is better able to or that offers better prospects for its people or for their aspirations for freedom than any anti-Communist government.

I would like to know what Communist government is better than any anti-Communist government. At least, in an anti-Communist government, if the citizens do not like the government, and it has all the faults that one can conceive of, the people can change it.

As a neophyte Senator, I remember all the things that were said against Chiang Kai-shek, and they impressed me. I wondered if the world would not be better off if he were defeated. Of course, I learned better.

Then we heard many things said against the Batista government. So Batista was thrown out. This Nation stood silently by and did not lift its hand in the last stages of the Batista government, when a Communist war of liberation was taking over.

There is an old saying:

Fool me once, shame on you; fool me twice, shame on me.

We have seen how these wars of liberation work out. We should have learned that we should resist that kind of Communist takeover in the future.

We have a great many lawyers who agree with the position those on our side take. The Senator has said he has mustered some lawyers on his side. I assume he has. I put in the RECORD a list of international law professors, outstanding men, and those professors of international law agree with the argument I have made.

The American Bar Association voted by a vote of 279 to 0 in agreement with the position I have taken.

I agree that some one group of lawyers, or perhaps even a considerable number, might agree with the opposite side, but there are perhaps a hundred thousand lawyers of sorts in the country. When we consider that there was a unanimous

vote by the American Bar Association, that is rather impressive to this Senator.

One Senator feels that this Government was acting unlawfully.

What we are doing, in my judgment, is in the finest traditions of America. We are helping a friend whom we have a treaty obligation to help resist aggression. We are helping that friend resist Communist aggression.

The last time I read the figures, and I am sure the number has increased by now, more than 50,000 innocent civilians in South Vietnam were murdered by the Communists because they did not want to swear allegiance to the Communists in South Vietnam—45,000 troops from South Vietnam have been killed fighting in battle for their country. A far greater number of them have been wounded in fighting for their country. When one compares the size of that country to the size of this country and considers the losses those people have sustained in fighting against the Communists, those losses are greater by comparison than the losses this Nation has ever sustained in any of the wars we have engaged in in our history. They even exceed the sacrifices made by both sides during the War Between the States, which, relatively speaking, was a war in which this Nation suffered its greatest losses.

So, Mr. President, whatever differences one may have, in support of our Government and in support of our men who are fighting there, I felt I should briefly state for the record how I feel about what this great Nation is doing to help those who deserve to be free and who are fighting to preserve and protect themselves from the snares of Communist slavery.

Every generation has been called upon in the history of this country to bear arms in defense of the Nation and in defense of freedom somewhere in the world.

While we regret that we must call upon our succeeding generation to do so it has been my privilege to observe the training of many of these young men and to see their spirit and courage.

There is no doubt in my mind that they will be entirely worthy of those who fought in the same great fighting units of which they are presently a part.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand adjourned until 10 o'clock tomorrow.

The motion was agreed to; and (at 6 o'clock and 32 minutes p.m.) the Senate adjourned until tomorrow, Saturday, February 26, 1966, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 25, 1966:

PEACE CORPS

Jack Hood Vaughn, of Virginia, to be Director of the Peace Corps.

DEPARTMENT OF STATE

Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

George A. Avery, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for a term of 3 years expiring June 30, 1968.

NATIONAL CAPITAL TRANSPORTATION AGENCY

Brig. Gen. Charles M. Duke, U.S. Army, to be member of the Advisory Board of the National Capital Transportation Agency.

Paul L. Sitton, of the District of Columbia, to be member of the Advisory Board of the National Capital Transportation Agency.

U.S. ARMY

The following-named officers for promotion in the Regular Army of the United States,

under the provisions of title 10, United States Code, sections 3284 and 3299.

To be lieutenant colonels, Women's Army Corps

Bouton, Irma V., XXXX
 Brinegar, Maurice O., XXXX
 Deady, Virginia R., XXXX
 Howes, Alice N., XXXX
 Stout, Ariel E., XXXX
 Thompson, Ruth D., XXXX

EXTENSIONS OF REMARKS

Mrs. Lyndon B. Johnson Delivers Significant Address on Highway Beautification at American Road Builders National Convention

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, February 25, 1966

Mr. RANDOLPH. Mr. President, on February 23, 1966, Mrs. Lyndon B. Johnson was the principal speaker at the American Road Builders Convention in Denver, Colo.

The theme of the 3-day conference of the highway construction industry and related industries was highway beautification, a field in which Mrs. Johnson has provided inspiring leadership. The significance of this conference was attested to by the presence on the program of Representatives GEORGE H. FALLON, chairman of the House Public Works Committee, and WILLIAM C. CRAMER, ranking minority member. Representing the administration were the Under Secretary for Transportation of the Department of Commerce, Alan S. Boyd, his Deputy, Lowell K. Bridwell, and Rex M. Whitton, Federal Highway Administrator. Much of the credit for a successful conference belongs to Maj. Gen. Louis W. Prentiss, retired, executive vice president of the American Road Builders Association, deputy executive vice president, Burton F. Miller, other staff members, and all persons who spoke during the event.

Mrs. Johnson's address on the closing day of the convention was the high point of the meeting, as evidenced by an attendance of over 900 persons. The First Lady's commitment in this field was expressed not only in her penetrating remarks, but also in her willingness and desire to greet personally more than 700 guests in the receiving line.

I commend to Members of the Senate, Mrs. Johnson's concept of "the new slide rules of public values" to be applied not only to highway construction but to the entire range of public works. The First Lady's challenge to Government agencies to improve their relationships with the public is a matter of first-rate importance to us all. I ask unanimous consent to insert in the CONGRESSIONAL

RECORD the text of Mrs. Johnson's speech and my introductory remarks.

There being no objection, the speech and introductory remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, INTRODUCING MRS. LYNDON B. JOHNSON AT THE AMERICAN ROAD BUILDERS ASSOCIATION CONVENTION LUNCHEON SESSION, DENVER HILTON HOTEL, DENVER, COLO., FEBRUARY 23, 1966

The theme of this convention of the American Road Builders Association is timely in its emphasis on highway beautification.

These years of the middle and late 1960's will, I believe, be acknowledged by later commentators as a period of our greatest effort to preserve the treasures of the American landscape and the values of our natural resources. A full measure of the credit for this awakening of a new national consciousness belongs to our First Lady.

For the first time, in our time, a concern for esthetic values has brought beauty out of the galleries and studios onto the highways and byways of America. And it is one of the ironies of our culture that the area of esthetic values—which many American men have customarily left to the direction and governance of women—has been brought into the mainstream of political and commercial life by the wife of the President of the United States.

There is irony here, but also much wisdom. The commitment for beauty is a part of our life and should not be cloistered. As the President stated in response to the White House Conference on Natural Beauty last year, "Beauty cannot be a remote and just an occasional pleasure. We must bring it into the daily lives of all our people. Children, in the midst of cities, must know it as they grow. Adults, in the midst of work, must find it near."

Thus, if we are to create a truly Great Society, esthetic values must become an organic component of the visual scene—protecting natural beauty still unmarred, eliminating the ugly, and restoring those areas that have been despoiled.

Our programs for beauty must apply to our public buildings as well as our public highways, our cities as well as our countryside. For beauty is not mere ornamentation added to something already created—it is an organic quality, infusing the whole, and interwoven with the very fabric of our experience.

There have been but a few First Ladies whose force of character and personality have propelled them beyond being solely a wife and helpmate to the President. These women have left their imprint on the tone and quality of American life. Such a person is Mrs. Lyndon Johnson, who will be long remembered for having challenged all citizens to a new regard for the preservation and creation of beauty.

REMARKS BY MRS. LYNDON B. JOHNSON, AMERICAN ROAD BUILDERS ASSOCIATION, DENVER, COLO.

Senator, members of the American Road Builders Association, the President asked me to bring you his personal greetings today. Both of us deeply appreciate the wholehearted support which your organization has given to the highway beautification program.

So I am glad to have this opportunity to thank you in person and also to discuss with you what I feel is the most exciting public works program in the history of mankind.

By 1973, the country—you primarily—will have completed the Interstate Highway System.

This highway program is staggering in its size. It is 35 times as large as the Panama Canal, Grand Coulee Dam, and St. Lawrence Seaway combined.

Above that, in the next 6 years, you are planning to build half-a-million miles of road.

Your creations, your works are as public as any can be. They are public property. They are open to all and for the service of all. And inevitably they affect the lives of the people, for better or for worse. Therein lies both the glory and the burden of road-building.

Whether we will one day stand in pride and be able to say "well done" depends very much on the skill and imagination and sheer determination we put forth in the next 6 years.

And that is why I accepted your invitation to come here today and say to you that your countrymen are counting on you. I know because I hear from them day after day.

There is a rising tide of desire in this country to make our towns and our landscapes everything they can be—in beauty as well as in service.

I'm not bringing you any news because I know that this is very much on your minds, too, and that the meetings you attend, more and more, discuss and are concerned with such new demands as "social and esthetic values," "scenic vistas," "historic routing"—an unheard-of vocabulary today.

But let's take a look at why it is a most necessary vocabulary today.

We are the road-buildingest nation on earth. There are 3,600,000 miles of streets and roads in our land—nearly a mile of pavement for every square mile of land, and a lot more of this country is going under concrete and asphalt.

In disturbing that much of the turf of this beautiful country, we have a special obligation—not only in terms of land use, but also in an esthetic sense. We are obliged to leave it looking as good if not better than the way we found it.

The scope of this obligation becomes staggering when you look at the statistical side of the story. Every day, American industry is producing enough cars to form a bumper-to-bumper line 125 miles long. Last year, we had 90 million registered vehicles traveling our Nation's streets and roads. In the