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SENATE

THURSDAY, MARCH 10, 1966

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, Maker of heaven and earth, by whom the innumerable worlds are sustained in illimitable space, we stand in awe of Thy divine majesty. But we stand in grateful adoration when we learn from Thee that Thou art mindful of man.

We pray that Thou wilt enable us to share something of this in Thy nature—that we, too, may be mindful of man. Our temptation is to be mindful of self, and unconcerned for man.

But we bless Thy name that the Founding Fathers of this Nation were concerned about human dignity and justice and liberty—that they were truly mindful of man.

We remember with gratitude the many acts of this body reflecting concern for human welfare. And we pray that there may always be in this honored place of high decision a concern for what happens to people as a result of legislation.

In this day of confused and conflicting counsel having to do with statistics—statistics in finance and education, in social movements and military strategy—we beseech Thee that the man may not be lost in the mass; but that always there may be wisdom and human concern that considers what happens to people.

So may there be something godlike in the actions and decisions of this day, something bearing witness that Thy servants in this honored place are mindful of man—even as Thou art mindful of us. In Christ's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 9, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

CXII—347—Part 5

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations for postmasters.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

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

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Maj. Gen. Austin Wortham Betts, U.S. Army, to a position of importance and responsibility designated by the President, in the grade of lieutenant general, which was referred to the Committee on Armed Services.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations for postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

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

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

APPOINTMENT OF DR. ANDREW F. BRIMMER TO THE FEDERAL RESERVE BOARD

Mr. ROBERTSON. Mr. President, recently the President nominated Dr. An-

drew F. Brimmer as a Governor of the Federal Reserve Board. In view of the fact that Dr. Brimmer was eminently qualified for service on the Board, it gave me pleasure to conduct the hearing of the Banking and Currency Committee when his nomination was before us for action. The committee voted unanimously to recommend his confirmation. I was invited to attend the ceremonies in the historic East Room of the White House, at which the President not only emphasized his support of the operations of the Federal Reserve Board as an independent agency of the Government, but praised the new member of the Board in terms seldom exceeded for any Presidential appointee.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the President's remarks at this ceremony.

There being no objection, the President's remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT SWEARING-IN CEREMONY OF ANDREW BRIMMER AS A MEMBER OF THE FEDERAL RESERVE BOARD, THE EAST ROOM

Mr. Brimmer, Mr. Vice President, members of the Brimmer family, Chairman Martin, members of the Federal Reserve Board, most distinguished guests, Members of Congress, ladies and gentleman, 33 years ago this week not a single bank in America was open for business. It was a time of depression and despair as Americans lost confidence not only in their dollar but in their system of Government itself.

Today all of that seems to be behind us. Our banking system is sound and there is confidence in the American dollar. Instead of depression or recession, we are beginning our sixth year of uninterrupted prosperity, the longest in America's peacetime history.

No accident of history brought about this change. It has come because we have learned the economic facts of life and we now realize that rescission and inflation are not inevitable. They can be avoided through sound economic fiscal policies. It has come because we have learned how we can work together cooperating with each other for the benefit of all the people of our land.

The great abundance of America is the result of responsible cooperation between business and banking, between labor and Government. No member of that partnership, from Government's viewpoint, is more important or has greater responsibilities than the Federal Reserve System of this country. The seven distinguished Governors of the Federal Reserve System share the task of deciding how much money and credit should be supplied to America's economy and that, ladies and gentlemen, is no easy burden.

The entire Nation, every worker and every housewife, every businessman and every farmer, is affected by the progressive spirit and the wisdom and the prudence of the men who sit on that Board.

In the choice of those men who sit there, the President of the United States has no more far-reaching decision to make. Today the Federal Reserve System of our Nation has a new Governor. I am proud of this choice. His qualifications, I think, are rare. For if it is true, as some have said, that not one man in 100,000 really understands the complexity of high finance and monetary policy, Dr. Andrew Brimmer is one that, I believe, does understand it.

He has been both student and teacher in major universities on both the east and west coasts of this land. He worked for several years in the Federal Reserve Bank of New York City. He is a doctor of economics from Harvard, a professor of economics on leave from Wharton School of Finance at the University of Pennsylvania to serve in the little cabinet as Deputy Assistant Secretary for Economic Affairs in the important Department of Commerce.

He was also in charge of the voluntary program carried out by the businessmen of America which has done so much to correct our balance-of-payments problems by reducing our deficit from \$2.8 billion last year to \$1.3 billion this year.

Dr. Brimmer was born on a farm in the State of Louisiana. His achievements in life are his own. Through his own intelligence and by his own efforts he rose to the highest academic honors. In the process, he developed a deep feeling for Americans in every walk of life. He is still a young man at age 39.

Last month, in fact, he received the Arthur S. Flemming Award which is presented to the 10 outstanding young men in Government service. I don't know of a recommendation that I have received from any man in Government that was stronger than the recommendation Secretary Connor made of Dr. Brimmer and the work that he had done in the Commerce Department.

So, ladies and gentlemen, Dr. Brimmer brings energy and high professional standards, profound qualities of heart and mind to one of the most critical assignments in our public life today. He will recognize the challenges as they arise and I hope he will help us face them with intelligence, with knowledge, and with moderation.

I do not expect Dr. Brimmer to be an easy-money man or a tight-money man. He knows, as I think we all do, that the complexity of today's economy defies such a simple and rigid qualification. I expect Dr. Brimmer to be a right-money man, one who, I believe, will carefully and cautiously and intelligently evaluate the Nation's needs and the needs of all of its people and recommend the policies which his conscience and his judgment tells him will best serve the national interest.

He takes office at a time when there is much to be done by all working together, cooperating. We must continue to sustain high employment without inflation. We must complete the adjustment of our balance of payments with other nations. We must meet the heavy demands of our military and economic effort in Vietnam without losing our momentum for social progress here at home.

To achieve all of this is not going to be easy. It is going to be difficult. It is going to try the best that is in all of us. The decisions are going to be many and they are going to be difficult, but I think that the people of America can all be glad that Dr.

Andrew Brimmer will be helping us to make them.

So I welcome each of you to this historic East Room this morning to witness the swearing in of this most gifted American to this most responsible post.

LEGISLATIVE SESSION

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Post Office and Civil Service, without amendment:

S. 2573. A bill to validate the action of the Acting Superintendent, Yosemite National Park, in extending the 1955 leave year for certain Federal employees, and for other purposes (Rept. No. 1061).

By Mr. RANDOLPH, from the Committee on Post Office and Civil Service, with an amendment:

H.R. 1647. An act to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes (Rept. No. 1062); and

H.R. 10553. An act to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships (Rept. No. 1063).

By Mr. MONRONEY, from the Committee on Post Office and Civil Service, without amendment:

H.R. 432. An act to amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary, and for other purposes (Rept. No. 1064); and

H.R. 8030. An act to provide for the discontinuance of the Postal Savings System, and for other purposes (Rept. No. 1065).

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

S. 2719. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the purchase of Alaska by the United States from Russia (Rept. No. 1066);

S. 2831. A bill to furnish to the Scranton Association, Inc., medals in commemoration of the 100th anniversary of the founding of the city of Scranton, Pa. (Rept. No. 1067); and

S. 2835. A bill to provide for the striking of medals in commemoration of the 75th anniversary of the founding of the American Numismatic Association (Rept. No. 1068).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated February 28, 1966, that appeared to have no perma-

nent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

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

By Mr. LONG of Missouri:

S. 3072. A bill to amend the Communications Act of 1934, as amended, to prohibit threatening and harassing telephone communications; to the Committee on Commerce.

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

By Mr. PASTORE:

S. 3073. A bill for the relief of Teresina Del Toro; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 3074. A bill to designate the Veterans' Administration cemetery at Houston, Tex., as the "Albert Thomas Veterans' Memorial Cemetery"; to the Committee on Interior and Insular Affairs.

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

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

S. 3075. A bill to direct the Secretary of the Interior to cooperate with the States of New York and New Jersey on a program to develop, preserve, and restore the resources of the Hudson River and its shores and to authorize certain necessary steps to be taken to protect those resources from adverse Federal actions until the States and Congress shall have had an opportunity to act on that program; to the Committee on Interior and Insular Affairs.

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

PROHIBITION OF THREATENING AND HARASSING TELEPHONE COMMUNICATIONS

Mr. LONG of Missouri. Mr. President, the telephone in recent years has become an essential part of most American homes. It provides a necessary means of communication in modern society. It is relied upon to seek help in emergencies; it is relied upon to conduct business; and it is relied upon to visit with friends. However, the telephone also provides a means for other persons to invade the privacy of the home. Telephone companies estimate that an annual average of 375,000 complaints are filed of abusive telephone calls that threaten, harass, or torment the recipient.

No person should have to tolerate this invasion of his home—this invasion of his privacy. Many States have enacted legislation to prohibit abusive use of the telephone but a good number have not. The Federal Government has undertaken through the Federal Communications Act to establish a comprehensive scheme of regulation of the telephone system. Thus, it seems fully appropriate that Federal action be taken to curtail this major abuse. In doing so, I see no reason to limit the scope of the action to

interstate calls since the misuse of the telephone system is equally great when the call is intrastate. Many of our large metropolitan areas like Washington sit astride State lines. There seems no logic whatsoever in distinguishing between calls made between Virginia and the District and calls made completely in the District. The harm to the citizen is the same and the abuse of the telephone system is the same.

It is easy to give examples of the types of calls that should be outlawed. However when one attempts to draft legislative language the task is quite troublesome. Use of the telephone is closely tied to freedom of speech. It would be unwise, I believe, to place too severe limitations on the use of the telephone. As a general rule, persons who visit with each other on the telephone should be free to express themselves as they please. Otherwise, we would be faced with a law which as a practical matter could not be enforced. Also, too strict language could impose a danger to legitimate collection efforts and legitimate complaints as to business or government actions. We certainly do not want to impede the use of the telephone as a free and open means of communication.

In an effort to curtail abuses of the telephone system without unduly hampering legitimate use, I am introducing a bill that would make unlawful only those telephone calls which threaten physical injury, harass, or torment. In my opinion, the provision as to calls that harass or torment would cover obscene calls whether they were overtly obscene or only suggestive. It also would cover calls where nothing is said but are made at all hours of the day and night.

The bill distinguishes between threatening calls and harassing calls. It reaches one telephone call in which physical injury to another is threatened. However, repeated harassing or tormenting calls would have to be made by a person or by others acting in his behalf to a party before he would be subject to prosecution for such calls. Thus, one abusive call could be made without violating the law but the second call would bring the bill into play. While this leaves considerable possibilities for abuse of the telephone system I believe it necessary to prevent abuse of freedom of communication.

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

The bill (S. 3072) to amend the Communications Act of 1934, as amended, to prohibit threatening and harassing telephone communications, introduced by Mr. LONG of Missouri, was received, read twice by its title, and referred to the Committee on Commerce.

A TRIBUTE TO THE LATE ALBERT THOMAS OF TEXAS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a

bill to designate the Veterans' Administration cemetery at Houston, Tex., the "Albert Thomas Veterans' Memorial Cemetery."

Mr. Thomas was always a trusted friend and an able colleague. His long and hard-earned record of public service speaks for itself. He was born in Nacogdoches, Tex., in 1898, and attended public schools there. Service as an Army lieutenant during the First World War interrupted his undergraduate schooling, but after the war he returned and received a B.A. from Rice Institute in Houston. Thereafter, he was graduated from the University of Texas School of Law in 1926.

Upon his return to Nacogdoches, he was elected to the office of the district and county attorney. Later, he was appointed to be the assistant U.S. attorney for the southern district of Texas where he served until 1936.

Since 1936, Albert Thomas has served more than 29 years as the Representative of the people of the Eighth District of Texas. During that time, he has shown that hard work and integrity are their own rewards. Through the years, his efforts have yielded benefits both for the people of his district and of the Nation, as well. His work is reflected in projects such as the Manned Space Center in Houston; in solutions to the problems of flood control in the coastal areas of Texas; and in the improvement of the Houston navigable ports and harbors which serve the entire Southwest. Indeed, the very cemetery to be named by this bill is a product of Mr. Thomas' unending efforts, and I feel that the tribute proposed here today is but slight recompense for the debt this country owes this fine statesman.

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

The bill (S. 3074) to designate the Veterans' Administration cemetery at Houston, Tex., as the "Albert Thomas Veterans' Memorial Cemetery," introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DEVELOPMENT, PRESERVATION, AND RESTORATION OF RESOURCES OF THE HUDSON RIVER

Mr. WILLIAMS of New Jersey. Mr. President, the Hudson River is one of our truly great resources offering immense economic, natural, scenic and recreational value to all our citizens.

Historically, the Hudson has made invaluable contributions to the full development of this country, and particularly the entire Northeast. But today, after years of exploitation and abuse, this mighty river has been overrun by uncontrolled urban and industrial growth until now it stands merely in the shadow of its former greatness. We must act now to restore and preserve the Hudson so

that we may continue to enjoy her full resources.

A number of exciting and imaginative proposals have been made to rejuvenate the Hudson riverway and its surrounding lands. Last September I was happy to introduce a bill to establish a Hudson National Scenic Riverway. During this session of Congress, the President in his messages on clean rivers and conservation committed his administration to a major effort to revitalize our riverways and make them more habitable and more navigable.

Today, I am delighted to introduce a bill, along with the Senator from New York [Mr. KENNEDY], which recognizes that some sort of interim protection must be granted to the Hudson riverway while we develop the detailed plans which are necessary for long-range development of this beautiful area. This legislation, which authorizes the Secretary of the Interior to review all actions of the Federal Government which could adversely affect the natural resources of the Hudson River and surrounding shoreline, is a vitally needed measure. It will provide the necessary guarantees for maintaining the Hudson riverway in its current condition until the States of New Jersey and New York can work out the details of a bistate compact for congressional approval.

I look forward to early hearings on this crucial legislation so that the safeguards contained in the bill can be put into effect as quickly as possible. Moreover, the hearing process will bring to light any modifications in language which might prove useful or facilitate administration of the act for the Secretary of the Interior.

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

The bill (S. 3075) to direct the Secretary of Interior to cooperate with the States of New York and New Jersey on a program to develop, preserve, and restore the resources of the Hudson River and its shores and to authorize certain necessary steps to be taken to protect those resources from adverse Federal actions until the States and Congress shall have had an opportunity to act on that program, introduced by Mr. WILLIAMS of New Jersey (for himself and Mr. KENNEDY of New York), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. KENNEDY of New York. Mr. President, I am glad to join Senator WILLIAMS of New Jersey in introducing this legislation, and I am glad to join Congressman OTTINGER and the more than 30 Congressmen who are introducing a similar bill in the other body today. Congressman OTTINGER has been a leader in working on the conservation of the Hudson, and I am pleased to be associated with him in that effort. He has played a major role not just in the drafting of the bill we propose today, but also

in the entire fight to preserve the Hudson for us and our children.

It is critical that we develop as soon as possible a comprehensive Federal-State program, perhaps by way of an interstate compact, to restore and preserve the beauty of the Hudson and to clean and purify its waters. The States of New York and New Jersey, and the Federal Government through Secretary Udall and other officials, have indicated their commitment to accomplish this.

Nevertheless, it is imperative that there be no further encroachment on the beauty of the Hudson and no further waste of its resources while the States and the Federal Government are developing a cooperative approach. The purpose of the legislation we introduce today is to prevent such encroachment from occurring, as well as to put Congress on record in favor of a joint State-Federal program to conserve the Hudson.

I am not irretrievably committed to the particular and detailed provisions of the moratorium which the bill provides. What I am committed to is the long-range preservation and development of the Hudson and the immediate prevention of further encroachment while a long-range program is being developed.

In pursuit of the long-range goal, I introduced last year S. 1386, which would have created a national scenic riverway on one particularly scenic section of the Hudson. Today's bill would encourage the preservation and development of the entire Hudson and would provide interim protection for the entire Hudson.

What the exact, final features of that interim protection are to be can be explored by way of hearings. There are many ways in which the present proposal can be varied to secure the agreement of everyone concerned without interfering with the overall purpose to prevent further encroachments while a long-range plan is evolving. All of the possibilities can and should be explored by way of hearings.

The basic points, I would emphasize, are that we must encourage quick development of a long-range plan for the preservation of the Hudson, and we must insure that further encroachments on its beauty do not occur while we are developing such a program. Those are the purposes of the bill we introduce today. We can develop and perfect those purposes as we proceed with the consideration of the bill.

SUPPLEMENTAL CONVENTION WITH THE NETHERLANDS RELATING TO TAXES ON INCOME AND CERTAIN OTHER TAXES—REMOVAL OF INJUNCTION OF SECRECY

Mr. SPARKMAN. Mr. President, there was transmitted to the Senate today Executive B, 89th Congress, 2d session, a supplemental convention, signed at Washington on December 30,

1965, modifying and supplementing the convention between the United States and the Netherlands with respect to taxes on income and certain other taxes signed at Washington on April 29, 1948. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the convention; that the convention and accompanying papers be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

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

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the supplementary convention, signed at Washington on December 30, 1965, modifying and supplementing the convention between the United States of America and the Kingdom of the Netherlands with respect to taxes on income and certain other taxes signed at Washington on April 29, 1948.

I transmit also for the information of the Senate the report of the Secretary of State with respect to the protocol.

The imposition and collection of taxes upon the same income by both the United States and a foreign country may, and often do, result in double taxation of a severe character. Such double taxation is an undesirable impediment to international trade and economic development. An income tax convention is an important step toward removing double taxation, either by reciprocal exemptions in prescribed situations or by the allowance against the taxes of one of the countries of a credit for taxes paid to the other country with respect to the same income.

Income tax conventions are presently in force between the United States and 22 other countries, including the Netherlands. Conventions of this kind concluded with three additional countries are presently under consideration in the Senate. From time to time revisions are made in these conventions in the light of changes in tax systems or policies and of experience in the administrative application of the conventions.

The supplementary convention with the Netherlands would make substantial revisions in the 1948 convention, now in force as modified by supplementary protocols of 1955 and 1963. The revisions will result in benefits for taxpayers, whether individuals or corporations, of one of the countries receiving income from sources in the other country. These benefits will arise from improvements in the convention whereby it will be modernized and brought more closely into line with more recent income tax conventions concluded by the United States, also reflecting certain principles expressed in the model income tax convention proposed by an

Organization for Economic Cooperation and Development.

One of the principal purposes of the supplementary convention is to modify the provisions on dividends in order to make it possible for the Government of the Netherlands, in the case of dividends derived from Netherlands sources by U.S. residents and corporations, to impose withholding tax on such dividends at rates corresponding to those which the United States may impose under the existing convention with respect to dividends paid by U.S. corporations to Netherlands residents or corporations. Article V of the supplementary convention, containing the revisions for this purpose, thus is designed to assure reciprocal treatment with respect to dividends.

The scope of the exemption for professors or teachers of either country who perform teaching or research functions at an educational institution in the other country would be expanded by article X of the supplementary convention. Likewise, the scope of the exemption for students and business apprentices would be expanded by article XI of the supplementary convention, so that, instead of being applicable only to remittances received from abroad for the purpose of maintenance or studies, the exemption would extend also to gifts received from abroad, to certain grants, allowances, and awards, and to income from personal services up to certain amounts.

Important revisions are made also in the provisions regarding interest, royalties, and capital gains. Article VI would provide for a reciprocal exemption of interest, not including interest from mortgages secured by real property. Article VII would expand the definition of what constitutes royalties for the purposes of the provisions on this subject. Article VIII would provide for reciprocal tax exemption, with certain exceptions, for capital gains other than those arising from the sale of real property.

Other revisions, effecting useful modifications in the convention, relate to a variety of subjects. Article I amends the definitions of "United States" and "permanent establishment." Article II amends the provisions dealing with taxation of industrial and commercial profits derived in one of the countries by an enterprise of the other country. Article III modifies the rule authorizing allocation of income among related enterprises. Article IV modifies the provisions regarding income derived from real property so as to exclude from their application interest from mortgages secured by real property and to provide that mineral royalties may be taxed in the country where the mine, quarry, or natural resource giving rise to the royalty is located. Article VIII A modifies the "governmental salaries" provisions by limiting the exemption for compensation and pensions paid by one of the countries or its political subdivisions to an individual in the other country so as to

apply only to compensation and pensions paid to a citizen of the paying country for services rendered to that country or its political subdivision in the discharge of governmental functions. Article IX makes drafting changes in the provision dealing with personal services and expands the class of persons for whom the employee may work and be able to take advantage of the specified exemption. Article XII makes improvements in the provisions dealing with the relief afforded by each country against double taxation. Article XIII amends the provisions under which a taxpayer can initiate consideration of his case if a problem of double taxation is involved. Article XIV broadens the nondiscrimination provision by making it applicable to a permanent establishment which a citizen or corporation of one of the countries has in the other country as well as to corporations the capital of which is wholly or partly owned by citizens or corporations of the other country. Article XV provides that, so far as the Kingdom of the Netherlands is concerned, the supplementary convention shall apply only to that part of the kingdom situated in Europe. Article XVI contains the provisions regarding ratification, exchange of instruments of ratification, and entry into force.

The supplementary convention has the approval of the Department of State and the Department of the Treasury. I recommend that the Senate give it early and favorable consideration.

LYNDON B. JOHNSON.
THE WHITE HOUSE, March 10, 1966.

ADDITIONAL COSPONSOR OF BILL

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the special school milk bill, S. 2921.

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

ADDITIONAL COSPONSORS OF BILL

Under the authority of the order of the Senate of February 23, 1966, the names of Mr. DOMINICK, Mr. PELL, and Mr. SALTONSTALL were added as additional cosponsors of the bill (S. 2969) to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes, introduced by Mr. McINTYRE (for himself and other Senators) on February 23, 1966.

NOTICE OF HEARINGS ON PROPOSED DEPARTMENT OF TRANSPORTATION

Mr. McCLELLAN. Mr. President, last week the administration's bill to establish a Department of Transportation was introduced and referred to the Commit-

tee on Government Operations. This proposal, to create a 12th Cabinet Department, is complex and comprehensive. It seeks to bring together transportation functions and activities now carried on by some 35 existing departments and agencies. The proposed new department would, under the terms of the pending bill, have a budget of \$6.2 billion, and almost 95,000 personnel. This would rank it fifth in size, in terms of budgets of the executive departments, and fourth in terms of personnel.

It is an ambitious proposal affecting numerous Government activities which touch the lives of many of our citizens and major industries. There is thus widespread interest in this proposed legislation.

In view of this interest, hearings on the proposal will be conducted by the full Committee on Government Operations, with Senator ABRAHAM RIBICOFF, chairman of the Subcommittee on Executive Reorganization, serving as cochairman. The initial hearings will be held on March 29 and 30, at 10 a.m. in room 3302, New Senate Office Building.

Persons interested in testifying or filing a statement on this legislation should contact the Clerk of the Committee on Government Operations, room 3304, New Senate Office Building.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 10, 1966, he presented to the President of the United States the enrolled bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, communicated to the Senate the intelligence of death of Hon. JOHN F. BALDWIN, late a Representative from the State of California, and transmitted the resolutions of the House thereon.

The message announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes, and it was signed by the Vice President.

SCHOOL MILK MEANS TEST WOULD BE HARSH IN SMALL TOWNS AS WELL AS LARGE CITIES

Mr. PROXMIRE. Mr. President, the administration's proposed Child Nutrition Act would, as I have stated so often before on this floor, cut the special milk program for schoolchildren by 80 percent. It would do so by providing milk only to needy children or those who attend a school which does not have a lunch program.

By restricting 50 percent of the funds which would be made available under the proposed legislation to the needy the administration is promoting the kind of means test which was so roundly criticized when it was applied to our senior citizens as a prerequisite to medical assistance.

The Department of Agriculture claims that these means tests are not really means tests at all, generally speaking, but determinations made on a subjective and humane basis by homeroom teachers and school nurses. When I showed that this was not the case at all in our large cities—that a means test was, indeed, used, the Department said that large cities might find it necessary to use a means test because of the teachers' lack of knowledge of home conditions in such an impersonal environment. However, the Department felt that this was not true in smaller towns.

A few days ago I received a number of forms from small Missouri towns that required just as much information as the large city forms on the financial condition of parents whose children were applying for free school lunches. These towns were Essex-Gray Ridge, Hickman Mills, East Madison, Sturgeon, Mill Creek, Sikeston, and Eugene. These can hardly be classed as large, impersonal towns. Essex has a population of 511, Madison a population of 528. Sikeston is the largest town on the list, with a population of more than 13,000, but many of these towns are so small they are not listed in the Rand McNally Road Atlas.

I think these materials, which are available in my office for anyone who wishes to examine them, demonstrate beyond a reasonable doubt that a tough

objective means test that would be repugnant to many parents is now used in the school lunch program and would be used in the school milk program if the new proposal is put into effect. I do not object to using a means test to determine who should receive free milk. I do object to withdrawing all Federal support for school milk purchases unless the child can prove he or she is needy enough to get free milk.

ORDER OF BUSINESS

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware? The Chair hears none, and it is so ordered.

FHA IGNORES ADVERSE RECOMMENDATIONS OF LOCAL UNDERWRITERS AND APPRAISERS IN APPROVING MULTIFAMILY HOUSING PROJECT IN HOUSTON

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to another FHA multifamily housing project wherein again the adverse recommendations of the local underwriters and appraisers were completely ignored. This time the local director overrode the local underwriters and supported by the Washington headquarters, ordered the approval of a project referred to as the Clarewood House, Houston, Tex., which was built with a \$4,700,000, 100-percent, Government-guaranteed, 40-year mortgage.

Last year I referred to the Comptroller General certain allegations concerning the handling of this project, and on February 23, 1966, he submitted his report to the Congress.

The Comptroller General in his report confirms these allegations and strongly condemns the local director for his arbitrary action and the Washington headquarters for sustaining his decisions.

The Comptroller General criticized the local director for arbitrarily increasing the appraised value of the land by \$237,500 above the appraisal of the underwriters.

Secondly, the director is criticized for having approved this project on the basis that it was financially sponsored by the First Methodist Church, Houston, Tex., thereby eligible for a 100-percent FHA guaranteed mortgage to cover its entire construction. At the same time the director knew that the First Methodist Church, Houston, was not and had no intention of sponsoring the project; however, claiming this church as a sponsor made the promoters eligible for a \$1.2 million higher mortgage with 100-percent Federal guarantee.

Mr. Neal Pickett, the director of the Houston office, knew at the time of the approval that the church was not accepting responsibility for the project. The local underwriters and appraisers had all warned Mr. Pickett that the tax-exempt status of the project would be

rejected by the State since it was without church sponsorship.

To illustrate what this one decision cost the Government I quote from page 17 of the Comptroller General's report:

We do not know whether the county attorney's opinion would have been the same when the mortgage commitment was issued in August 1962; however, the effect of local taxes on the amount of mortgage debt a project's rental income can support is significant. In the case of this project, had local taxes, which we estimate to be about \$80,000 annually, been considered as an item of expense, project net income including the increased rental rates would, under FHA procedures, have supported a mortgage of about \$3.5 million rather than a mortgage of \$4.7 million which was insured by FHA.

Thus this decision gave the sponsors a \$1,200,000 Government guarantee on a mortgage to which they would not have been entitled had the director not deliberately concealed the fact that the church was not a sponsor.

There can be no question but that the director was aware of the lack of church sponsorship at the time he approved the commitment over the objections of all his own underwriters. Furthermore, if, as claimed, the Washington headquarters was not aware of this situation, it can only mean that the director deliberately withheld from his Washington superiors information which, had it been known, would either have resulted in the project's rejection or if approved would have reduced the Government commitment by \$1,200,000.

Let us examine the record.

First, I ask unanimous consent to have printed in the RECORD at this point the letter addressed to me dated February 23, 1966, signed by Mr. Frank H. Weitzel, Acting Comptroller General.

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

COMPTROLLER GENERAL OF THE
UNITED STATES,

Washington, D.C., February 23, 1966.

HON. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: Herewith is a copy of a report to the Congress on our review of certain aspects of the approval by the Federal Housing Administration, Department of Housing and Urban Development, of mortgage insurance on a 40-year, \$4.7 million mortgage for the "Clarewood House" housing project for the elderly located in Houston, Tex. Our review was made pursuant to the request expressed in your letter to us dated February 24, 1964.

Our review indicates that the approval of mortgage insurance for this project in November 1962 was contrary to the agency's prescribed policy because the project did not have the long-term support of a sponsoring organization having a recognized interest in providing housing for the elderly and having demonstrated reliability, substance, and ability to give reasonable assurance of the successful continuity of the project throughout the term of the mortgage. Also, we are of the opinion, in view of the information available, that agency officials' action in establishing a land valuation for insuring purposes which was substantially higher than the valuation determined by the agency's technical staff appraisers was questionable and their action in increasing estimated project rental income over the rental income anticipated by the mortgagor was not adequately sup-

ported. These actions resulted in a larger insured mortgage and thereby increased the risk of loss to the Government in the event the project is not successful.

In addition, our review showed that, as a result of the agency's assumption that the project would be exempt from local taxation, the mortgage which the agency insured was over \$1 million more than the amount that would have been insurable had local taxes been considered as an item of project expense. Some time after the approval of insurance for the \$4.7 million mortgage, the county attorney concluded that the project would be subject to local taxes, which we estimate will amount to about \$80,000 annually.

We do not know whether the county attorney's opinion would have been the same when the mortgage commitment was issued. However, as the effect of local taxes on the amount of mortgage debt a project's rental income can support is significant and, because we found that many other mortgages on housing projects for the elderly were insured on a tax-exempt basis, we proposed that the agency revise its procedures to require that, in determining the mortgage amount to be insured, local taxes be considered as an item of expense unless an appropriate legal officer of the State or locality furnished an opinion that the project appeared to be exempt from local taxation. We were subsequently advised by agency officials that its procedures would be revised to strengthen controls in this area in accordance with our proposal.

In commenting on the matters presented in this report, the Commissioner of the Federal Housing Administration expressed the opinion that, although the agency's processing of the project was confused and, in some respects, poorly handled, the action taken resulted in a proper mortgage and a sound sponsorship. The Commissioner's comments have been recognized in the body of the report. In addition, the comments of the mortgagor for the project are recognized in the report.

Housing projects for the elderly owned by nonprofit mortgagors are eligible for insured mortgages generally equal to 100 percent of the construction cost. Therefore, the owners of such projects are generally required to invest little or no equity capital in their projects. In such circumstances we believe that the risk of loss to the Government is greater than that encountered under other insurance programs where project mortgages are insured for less than 100 percent of the cost and the owners are required to invest some of their own capital. Accordingly, we are recommending that the Commissioner stress the importance to agency officials of close adherence to existing procedures and requirements and that he impress upon these officials the need to guard against the assumption of unnecessary risks when insuring such mortgages.

Sincerely yours,
FRANK H. WEITZEL,
Acting Comptroller General of the
United States.

Mr. WILLIAMS of Delaware. I quote excerpts from that letter:

Our review indicates that the approval of mortgage insurance for this project in November 1962 was contrary to the agency's prescribed policy because the project did not have the long-term support of a sponsoring organization having a recognized interest in providing housing for the elderly and having demonstrated reliability, substance, and ability to give reasonable assurance of the successful continuity of the project throughout the term of the mortgage * * *. We are of the opinion, in view of the information available, that agency officials' action in establishing a land valuation for insuring sup-

poses which was substantially higher than the valuation determined by the agency's technical staff appraisers was questionable. * * *

In addition, our review showed that, as a result of the agency's assumption that the project would be exempt from local taxation, the mortgage which the agency insured was over \$1 million more than the amount that would have been insurable had local taxes been considered as an item of project expense.

LACK OF SPONSORSHIP

Before issuing the commitment the director, Mr. Neal Pickett, notified Washington that the project had the support of an eligible sponsoring church of considerable substance. On August 27, 1962, the director in the Houston office issued a commitment to insure a \$4,700,000 mortgage to the Sharpstown Tower Corp.—the promoters—for financing the Clarewood House project. This commitment was issued on the basis that it had the sponsorship of the First Methodist Church, Houston, Tex.

The application for this mortgage was first filed early in 1962, at which time the promoters, the Sharpstown Tower Corp., claimed the First Methodist Church, Houston, Tex., as the sponsoring organization.

But they did not have the sponsorship of the First Methodist Church; in fact, the official board had taken action to reject any proposals that it may be associated with this project.

On April 11, 1962, 5 months before the approval of the loan, Mr. Marvin Collie, chairman of the board of the First Methodist Church in Houston, had appointed a committee to study a request that the church sponsor this project and report back to the official board.

On June 13, 1962, at 6 p.m. the official board of the First Methodist Church met at the Quillian Memorial Center to consider this report. I quote from the minutes of that meeting:

Judge Werlein made a report to the board, acting as chairman of the committee which had been appointed by Marvin Collie on April 11, 1962, concerning a proposal that First Methodist Church take some important part in the promotion and financing of a very large apartment house in Sharpstown for the housing of senior citizens of this community. Judge Werlein said that the committee felt that our church could not become financially involved or interested in the building project contemplated.

As further evidence that the decision of this board was not unknown to the director or the promoters, I point out that six of the seven promoters in the Sharpstown Tower Corp. were not only members of the First Methodist Church of Houston but also members of the board of stewards of that church. Furthermore, Mr. Neal Pickett, the FHA Director, was a member of this church, and he was present at the meeting when the action by the official board of the church to reject the sponsorship of this project was taken.

On that point I ask unanimous consent that there be printed in the RECORD an article published in the Houston Post of January 28 (or 29), 1963, entitled "Pickett on Hand for Clarewood Decision."

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

[From the Houston Post, Jan. 28 or 29, 1963]
PICKETT ON HAND FOR CLAREWOOD DECISION—TOP FHA OFFICE LEARNED ABOUT CHURCH PULLOUT 3 MONTHS LATER

(By Harold Scarlett)

The Federal Housing Administration in Washington did not learn for 3 months of a Houston church's decision against backing a Sharpstown apartment project—even though the Houston head of the FHA attended the meeting at which the decision was made.

Ray Niblack, an FHA Assistant Commissioner in Washington, told the Houston Post Monday:

"We first learned of the absence of support of the First Methodist Church through our regional multifamily housing representative in Fort Worth in early September."

A committee of the church's board of stewards decided the church could not financially back Clarewood House, an 11-story apartment project for the elderly, at a meeting on May 31, 1962.

The committee chairman was Associate Justice Ewing Werlein of the First Court of Civil Appeals.

Justice Werlein in his committee report listed C. A. Neal Pickett as one of the committee members who attended the May 31 meeting.

Pickett is the Houston district director of the FHA.

Church backing of the apartment project for senior citizens had been considered by FHA officials in Washington as an important factor in an application for 100 percent FHA insurance of the \$4.7 million loan for the project.

C. Franklin Daniels, assistant FHA commissioner for multifamily housing, says some concern arose in FHA headquarters when it was finally learned that the church was not behind the project.

"We had to work out something," Daniels said. "The project was well underway."

The "something" turned out to be a \$300,000 letter of credit put up to guarantee any initial operating deficits before Clarewood House gained enough tenants to pay its way.

Pickett was asked about the apparent breakdown of communications inside the FHA on the church's decision.

"To the best of my ability, Washington was kept fully advised as to all developments at all times," Pickett replied.

He said all information he sent to Washington was channeled through the Fort Worth regional office of the FHA. However, he said he could not specifically recall when he might have notified higher FHA officials of the church's decision.

"It wouldn't have made any difference anyway," he said. "We could have gone non-subsidized."

Pickett, a member of the church, said he attended a meeting of the stewards committee, but he added:

"I told them I couldn't serve and couldn't vote because I was the FHA Director. Besides, no decision was taken at the meeting I attended."

Werlein, however, said the committee held only one meeting, and Pickett was present.

"The decision was reached that day," Werlein said.

"There may never have been a vote taken. I can't quite recall. But the majority view was that the church could not support the project financially and that's the way I wrote it up in my report."

Marvin K. Collie, an attorney who was then president of the board of stewards, said the committee's report was adopted by the full board at its next meeting in June.

Later, after news stories linked Clarewood House to the church, Dr. Charles Allen, the church pastor, ran a statement in the all-church newspaper, the Houston Times, last August 26, saying support of the project was against church policy.

It was understood that the church stewards felt the church should not compete with privately owned apartment projects which already had plenty of vacancies suitable for elderly people.

A team of staff members of the Housing and Home Finance Agency, the FHA's parent agency, has started checking into the Clarewood House loan.

Their inquiry came after the Houston Post disclosed the FHA had appraised the apartment site at twice the price for which land on either side had recently sold.

Frank W. Sharp, also a member of the First Methodist Church, got \$2 a square foot or \$730,760 for the land.

It was paid to him by the Sharpstown Tower Corp., a nonprofit corporation organized to build and operate Clarewood House.

A corporation officer has said Sharp put up the \$300,000 letter of credit to get the FHA loan through after the church declined to back the project.

Mr. WILLIAMS of Delaware. Mr. President, I quote from that article:

A committee of the church's board of stewards decided the church could not financially back Clarewood House, an 11-story apartment project for the elderly, at a meeting on May 31, 1962.

The committee chairman was Associate Justice Ewing Werlein of the First Court of Civil Appeals.

Justice Werlein in his committee report listed C. A. Neal Pickett as one of the committee members who attended the May 31 meeting.

Pickett is the Houston district director of the FHA.

Pickett, a member of the church, said he attended a meeting of the stewards committee, but he added:

"I told them I couldn't serve and couldn't vote because I was the FHA director. Besides, no decision was taken at the meeting I attended."

Werlein, however, said the committee held only one meeting, and Pickett was present.

"The decision was reached that day," Werlein said.

Mr. Pickett was determined that in spite of the decision of the official board of the First Methodist Church not to accept any responsibility or to sponsor this project, he would help the promoters get a 100-percent Government-guaranteed mortgage. First, a letter dated July 13, 1962, was obtained from Dr. Charles Allen, minister of the First Methodist Church, in which Dr. Allen endorsed the project as worthwhile and said he would do what he could to help. But this letter was signed only by the minister and very clearly makes no pretense of binding the official board or the trustees of this church. Mr. Pickett knew that only the official board or the trustees had any authority to pledge the financial backing of his church.

But with this letter as an excuse Mr. Pickett proceeded. At a press conference in early August the president of the Sharpstown Tower Corp. boasted that the project was moving forward with the blessing and financial support of the First Methodist Church of Houston, Tex., as sponsors.

When this notice appeared in the press the official board of the church became concerned, and this time they took action to establish beyond any doubt the fact that the First Methodist Church of Houston never had been, nor did it have any intention of ever being, the sponsor of this project, nor was it in any way connected therewith.

To clear up any possible misunderstanding there was printed in the official church bulletin of Friday, August 24, 1962, an announcement entitled "The Pastor's Message." I quote from that bulletin, which was given wide circulation both to the membership and to the public.

Recently there has appeared in local newspapers, stories that might give the inference that First Methodist Church of Houston, our board of stewards, or our board of trustees, were involved in some manner with an apartment or residential venture in this community. This is to advise our membership and the public generally that this church, its board of stewards, and its board of trustees, have never had any connection whatsoever, directly or indirectly, with any such venture, or any other similar project. Any such affiliation or promotion is contrary to the stated policy of the board of stewards, the governing body of the First Methodist Church of Houston.

Once again I point out that six of the seven-man board acting as promoters of the Sharpstown Tower Corp. and that the director, Mr. Neal Pickett, were all members of this church.

Certainly they knew the church was not sponsoring this project; but notwithstanding this knowledge, 3 days later, on August 27, 1962, Director Pickett signed the commitment to insure a 100-percent Government-guaranteed \$4,700,000 mortgage with the Sharpstown Tower Corp. for the construction of the Clarewood House, and this commitment was specifically approved on the assumption that it had the financial support of the First Methodist Church of Houston, Tex. As the Comptroller General pointed out, by approving the project on the basis that it was financially endorsed by the First Methodist Church the project was considered as a nonprofit operation—subject to complete tax exemption and eligible for a 100-percent guaranteed first mortgage for the full construction and land costs.

I make no attempt to guess why Director Pickett was so determined to help these friends of his; but it is a fact that by this action Director Pickett increased the Government's liability by over \$1 million, and the fact that the director knew his decision was based on a false premise is in itself sufficient to raise a question of his competence.

UNJUSTIFIED INCREASE IN LAND VALUES

The appraisers and underwriters working in the Houston office placed a top valuation on the land used in the Clarewood project at \$1.35 per square foot, or a total of \$493,000.

This valuation was most liberal and represented a substantial profit since the county records show that land in the surrounding area was selling from 86 cents to a dollar per square foot. The sponsors of the project, however, were

not satisfied and claimed they had an advance understanding with someone in FHA that they would get a \$2 per square foot appraisal, or a total of \$730,600, and Mr. Neal Pickett, director of the Houston office, without any basis for sustaining such action, obligingly ordered the chief underwriter to jump the appraisal of the land to the full amount requested by the sponsors—\$2 per square foot, or a total of \$730,600. This action was taken over the determined opposition of all local appraisers and underwriters.

Since this loan was being approved with a 100-percent mortgage, this second action represented an additional windfall profit of \$237,500.

The office records show that prior arrangements had been made between the owner of the land and the promoters of the project that if this \$730,000 sales price was approved he would give \$100,000 back to the sponsors to underwrite the promotion costs, but this strange arrangement did not seem to be of interest or concern to the director.

At this point, I ask unanimous consent that a copy of the orders by the director, Neal Pickett, to Mr. George D. Humphreville, chief underwriter, under date of August 24, 1962, be printed in the RECORD.

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

AUGUST 24, 1962.

To: Mr. George D. Humphreville, Chief Underwriter.
From: Neal Pickett, Director.
Subject: Clarewood House.

It has been determined and it is hereby directed that in the processing of this application, the estimated available market price of the site is to be computed upon the basis of \$2 per square foot.

NEAL PICKETT.

Mr. WILLIAMS of Delaware. Mr. President, this order increasing the valuation of the land was dated August 24, 1962, the same day that the First Methodist Church was issuing its second public directive repudiating any connection whatsoever with the project.

Nevertheless, on August 27, 1962, 3 days later, the director, Mr. Pickett, signed the commitment for a \$4,700,000, 100-percent guaranteed mortgage, completely ignoring all these known factors.

QUESTIONABLE TAX-EXEMPT STATUS OF CLAREWOOD

Mr. Pickett was warned by the chief underwriter in the Houston office that since this Clarewood project was without the sponsorship of the First Methodist Church it would not qualify as a tax-exempt organization and therefore was not eligible for the 100-percent mortgage guarantee.

Again the director ignored this warning and overrode the recommendation of his own underwriters and approved the project as though tax exemption were automatic.

As predicted, the attorney general of Texas later issued a ruling rejecting the tax-exempt status of this project, thereby confirming the opinion of the local underwriters, and as stated earlier this action meant a \$1.2 million increase in the mortgage.

This blunder will cost the tenants of the project an extra 10 to 20 percent in rent.

I quote from the Comptroller General's report:

FHA's records indicate that the 10- to 20-percent rent increase, effective January 1966, was necessitated, at least in part, by the project's questionable tax status.

This Houston project represents another example of the laxity of the Washington office of the FHA in not insisting upon the regional director's complying with its regulations and rules. The result is that we have another unsound project which is already in default.

No payments have been made on the principal since June 1, 1964, and the Comptroller General's audit showed that the project as of January 1, 1965, had sustained a cumulative deficit exclusive of depreciation of \$446,000.

Director Neal Pickett's withholding information from the Washington office concerning the lack of sponsorship and his ignoring of the warning about the questionable tax status is serious, and his arbitrary action in raising the appraised valuation of the land by nearly a quarter of a million dollars was without any justification.

The Washington office must also accept some responsibility for this unsound project. They, too, were warned in ample time to stop the loan but failed to act.

In October 1962 a devastating report on the Houston office was compiled and forwarded to Washington. In this report the Clarewood project was described as ineligible and worthless as a nonprofit venture. The report also said the Houston area was already overbuilt with both single homes and apartment houses and that the Clarewood project was not economically feasible.

The commitment had been signed by Mr. Pickett on August 27, but the final closing on this loan was not scheduled until the week after this report was submitted to the Washington office. They had ample time to stop the loan but did not act.

Why was this warning ignored at the Washington level? Why is it that now all that we get is another promise to do better next time?

Mr. President, these wornout promises are not enough. It is time more affirmative action is taken.

The Washington office, instead of continuously trying to defend these unwarranted decisions, should begin taking some disciplinary measures against the employees responsible.

I recommend that its first action in this connection to be to recognize that the Director of the Houston office, Mr. Neal Pickett, needs to be replaced by a more competent administrator, and I suggest that this action be taken promptly.

I ask unanimous consent that excerpts from the Comptroller General's report on this project dated February 23, 1966, be printed in the RECORD.

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

CONCLUSIONS AND RECOMMENDATIONS

On the basis of our review, we question the soundness of the actions leading to FHA's

decision to insure a \$4.7 million mortgage to finance this project without the support of the original sponsoring organization. FHA's procedures with respect to mortgage insurance on housing projects for the elderly covering 100 percent of project costs appear to us to be carefully formulated to insure that such insurance is based on careful review and thorough evaluation of all factors pertaining to the projects. In our opinion, these procedures were not followed in this instance and the risk to the Government inherent in the insurance of mortgages has been increased.

RECOMMENDATIONS

We recommend that the Commissioner, FHA, stress the importance to all agency officials involved in approving mortgage insurance of the need for strict compliance with the agency's existing procedures. We recommend also that the Commissioner impress on these officials the need to guard against the assumption of unnecessary risks involved in insuring mortgages for housing projects for the elderly when such projects are not fully endorsed by sponsors having a proper and clearly identifiable interest in providing housing for the elderly and having demonstrated reliability, substance, and ability sufficient to give reasonable assurance of the successful completion and continuity of the project.

RETIREMENT OF WILLIAM S. CHEATHAM AS ADMINISTRATIVE ASSISTANT AND LEGAL COUNSEL TO SERGEANT AT ARMS

Mr. DIRKSEN. Mr. President, William S. Cheatham, who began his career at the U.S. Senate almost 45 years ago, has retired as administrative assistant and legal counsel to the Sergeant at Arms.

He started on his 12th birthday as a Senate page and after 4 years served as the first clerk to the secretary to the minority—then the Democratic side. A Republican Sergeant at Arms, although Cheatham was a Democrat, appointed him his one and only secretary on the day President Hoover was inaugurated, March 4, 1929.

In the course of the next 18 years he assisted three other Sergeants at Arms, one Republican and two Democrats, excepting for the time he served in the Air Corps during World War II. In his day there was no page school, so he completed grammar school in the public night school system, obtained a high school diploma by attending private night schools, and was later graduated from George Washington University with the degree of bachelor of arts and then from Georgetown University Law School.

He resigned from his Senate position in May of 1947 to become an Assistant Corporation Counsel for the District of Columbia where he tried a number of varied cases and sat as a member of several decisionmaking boards. After 5 years he left the District and went with the National Capital Planning Commission as its General Counsel and Secretary, where he remained for 4 years.

While away from the Senate 9 years, two Sergeants at Arms called on him to draft a number of legal documents. These included proposed legislation on housekeeping matters and the first motor

vehicle and traffic regulations for the Capitol Grounds. The Capitol Police Board had been required to promulgate these regulations under a new provision of statute transferring jurisdiction from the District to the Capitol authorities and making the comparable District regulations inapplicable to many miles of streets and drives on the Hill.

Early in January 1956 the then Sergeant at Arms, Joseph C. Duke, requested Bill Cheatham to return to the Senate and assist with the greatly expanded volume of problems.

On his return 10 years ago, in addition to his varied day-to-day duties, Bill presented all the Sergeant at Arms' budget and appropriations requests to the Senate Committee on Appropriations and worked on various matters with the Committees on Rules and Administration and Public Works; he closely cooperated with the U.S. attorney in defending suits arising out of Senate activities; and performed endless duties serving as the Sergeant at Arms' representative under the chairman of the Joint Congressional Committee on Arrangements for more than 2 months ahead of each presidential inauguration. He also played a major role in planning and arranging funerals for Senators who died in office and in escorting the official Congressional Funeral Committee to the services usually held in the home town of the deceased.

Bill's 4-year period at the Planning Commission was perhaps the stormiest in the Commission's history. It included law suits by citizens attempting to preserve upper Rock Creek Park from being substantially covered with a highway by the Maryland Roads Commission and battles concerning the problems involved with the Maryland Planning Commission. The local Urban Redevelopment Act caused many arguments between the Commission and the Redevelopment Land Agency. The landmark case under the redevelopment law was originally handled by Bill. When the Supreme Court decided to hear the case, Bill said he was very thrilled over the fact that Solicitor General Simon E. Sobeloff asked Bill to assist in preparing the Supreme Court argument. Bill said wistfully that this made the late Mr. Justice Felix Frankfurter happy too because "You see, my wife was secretary to Mr. Justice Harold H. Burton for 18 years and Mr. Justice Frankfurter would often ask me why I did not argue before the Court. Mr. Sobeloff invited me to sit by him as he presented his argument to the Court and afterward Mr. Justice Frankfurter said to me, 'Now you are getting close.'"

When he was asked if he would write a book like everyone else is doing, Bill replied that he did not have any current intentions of writing one. However, he explained that he already had appeared in print in the Saturday Evening Post of March 20, 1926, as excerpts from his diary as a page boy were quoted in a story by Mary Roberts Rinehart entitled "Willie Cheatham Looks at the Senate."

I just want to add that in my book Bill Cheatham was one of the finest and

one of the most courteous attendants of the Senate I ever encountered. I think he so richly merits the tributes we pay him today.

Mr. SPARKMAN. Mr. President, I wish to take advantage of this opportunity to say a word about Bill Cheatham. I have known Bill Cheatham for the nearly 20 years that I have been a Member of the Senate. He has certainly been one of the most faithful and efficient persons we have had in the Senate. I had a good bit of contact with him in reference to the program the Foreign Relations Committee carries on when ministers and parliamentarians from other countries come here. We nearly always have them up to talk with us, or have lunch, or have coffee, or a get-together of some kind, and we usually follow that by bringing them to the Senate floor.

We always relied on Bill Cheatham to handle things for us and he has done it in such a magnificent and efficient way that I shall always remember that.

There is one other thing that comes to my mind when I think of Bill Cheatham, and that is his dear old mother. For many, many years one could see her almost any day when the Senate was in session sitting up in the gallery. She is a sweet, kind, gentle woman.

I hate very much to see Bill Cheatham retire from the Senate. I wish for him and his mother many long years of happiness.

Mr. DIRKSEN. I am glad that the distinguished Senator from Alabama mentioned Bill Cheatham's mother. It was my privilege to learn of her a good many years ago when she was frequently in the corridors. I never see her but what I give her a little hug. She is sweet and gracious and interested in public affairs as if she were a youngster. I do not know her age. One never tells a lady's age anyway. Let us say that she lived in good health to a ripe age and still has never lost interest in public affairs.

Mr. SPARKMAN. I wish to mention two other things that come to mind. My birthday is the 20th of December. Every year when I am here I get a telephone call from her and she sings "Happy Birthday" over the telephone.

THE LEGALITY OF U.S. PARTICIPATION IN THE DEFENSE OF VIETNAM

Mr. PROXMIER. Mr. President, I rise for the purpose of calling to the attention of Senators the very comprehensive and convincing paper which has just been released by the Department of State entitled "The Legality of U.S. Participation in the Defense of Vietnam."

I do so because the legality of our position has been challenged repeatedly on the floor of the Senate and in part throughout the country. I think it has been answered by some of the most prominent and expert lawyers in the country.

The House of Delegates of the American Bar Association meeting in Chicago recently unanimously supported the legality of our position in Vietnam. A

number of professors and other legal experts have gone on record and their opinion has been placed in the RECORD.

I feel that because we are a country which believes in the legal process and a world of law, as well as a nation of law, it is important that we be precisely certain as to what justification in law there is for our prestige in Vietnam.

For this reason I call attention to this document which sets forth in detail the legal case for the following propositions:

I. The United States and South Vietnam have the right under international law to participate in the collective defense of South Vietnam against armed attack.

II. The United States has undertaken commitments to assist South Vietnam in defending itself against Communist aggression from the north.

III. Actions by the United States and South Vietnam are justified under the Geneva accords of 1954.

IV. The President has full authority to commit U.S. forces in the collective defense of South Vietnam.

Finally, I wish to call to the attention of the Senate a brief and concise summary conclusion which in a few hundred words summarizes our position simply and clearly.

I thank the distinguished Senator from Alabama.

Mr. President, I ask unanimous consent that the document entitled "The Legality of U.S. Participation in the Defense of Vietnam" be printed in the RECORD.

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

[From the Department of State, office of the Legal Adviser, Mar. 4, 1966]

THE LEGALITY OF U.S. PARTICIPATION IN THE DEFENSE OF VIETNAM

I. THE UNITED STATES AND SOUTH VIETNAM HAVE THE RIGHT UNDER INTERNATIONAL LAW TO PARTICIPATE IN THE COLLECTIVE DEFENSE OF SOUTH VIETNAM AGAINST ARMED ATTACK

In response to requests from the Government of South Vietnam, the United States has been assisting that country in defending itself against armed attack from the Communist north. This attack has taken the forms of externally supported subversion, clandestine supply of arms, infiltration of armed personnel, and most recently the sending of regular units of the North Vietnamese Army into the south.

International law has long recognized the right of individual and collective self-defense against armed attack. South Vietnam and the United States are engaging in such collective defense consistently with international law and with U.S. obligations under the United Nations Charter.

A. South Vietnam is being subjected to armed attack by Communist North Vietnam

The Geneva accords of 1954 established a demarcation line between North Vietnam and South Vietnam. They provided for withdrawals of military forces into the respective zones north and south of this line. The accords prohibited the use of either zone for the resumption of hostilities or to "further an aggressive policy."

During the 5 years following the Geneva Conference of 1954, the Hanoi regime developed a covert political-military organization in South Vietnam based on Communist cadres it had ordered to stay in the south, contrary to the provisions of the Geneva accords. The activities of this covert organization were directed toward the kidnapping and assassination of civilian offi-

cial—acts of terrorism that were perpetrated in increasing numbers.

In the 3-year period from 1959 to 1961, the North Vietnam regime infiltrated an estimated 10,000 men into the south. It is estimated that 13,000 additional personnel were infiltrated in 1962, and, by the end of 1964, North Vietnam may well have moved over 40,000 armed and unarmed guerrillas into South Vietnam.

The International Control Commission reported in 1962 the findings of its Legal Committee:

"There is evidence to show that arms, armed and unarmed personnel, munitions and other supplies have been sent from the zone in the north to the zone in the south with the objective of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the armed forces and administration of the zone in the south.

"There is evidence that the PAVN [People's Army of Vietnam] has allowed the zone in the north to be used for inciting, encouraging and supporting hostile activities in the zone in the south, aimed at the overthrow of the administration in the south."

Beginning in 1964, the Communists apparently exhausted their reservoir of southerners who had gone north. Since then the greater number of men infiltrated into the South have been native-born North Vietnamese. Most recently, Hanoi has begun to infiltrate elements of the North Vietnamese army in increasingly larger numbers. Today, there is evidence that nine regiments of regular North Vietnamese forces are fighting in organized units in the South.

In the guerrilla war in Vietnam, the external aggression from the north is the critical military element of the insurgency, although it is unacknowledged by North Vietnam. In these circumstances, an armed attack is not as easily fixed by date and hour as in the case of traditional warfare. However, the infiltration of thousands of armed men clearly constitutes an armed attack under any reasonable definition. There may be some question as to the exact date at which North Vietnam's aggression grew into an armed attack, but there can be no doubt that it had occurred before February 1965.

B. International law recognizes the right of individual and collective self-defense against armed attack

International law had traditionally recognized the right of self-defense against armed attack. This proposition has been asserted by writers on international law through the several centuries in which the modern law of nations has developed. The proposition has been acted on numerous times by governments throughout modern history. Today the principle of self-defense against armed attack is universally recognized and accepted.¹

The Charter of the United Nations, concluded at the end of World War II, imposed an important limitation on the use of force by United Nations members. Article 2, paragraph 4, provides: "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."

In addition, the charter embodied a system of international peacekeeping through the organs of the United Nations. Article 24 summarizes these structural arrangements in stating that the United Nations members "confer on the Security Council primary re-

¹ See, e.g., Jessup, "A Modern Law of Nations," 163 ff. (1948); Oppenheim, "International Law," 297 ff. (8th ed., Lauterpacht, 1955). And see, generally, Bowett, "Self-Defense in International Law" (1958).

sponsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."

However, the charter expressly states in article 51 that the remaining provisions of the charter—including the limitation of article 2, paragraph 4, and the creation of United Nations machinery to keep the peace—in no way diminish the inherent right of self-defense against armed attack. Article 51 provides: "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 the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

Thus, article 51 restates and preserves, for member states in the situations covered by the article, a long-recognized principle of international law. The article is a "saving clause" designed to make clear that no other provision in the charter shall be interpreted to impair the inherent right of self-defense referred to in article 51.

Three principal objections have been raised against the availability of the right of individual and collective self-defense in the case of Vietnam: (1) That this right applies only in the case of an armed attack on a United Nations member; (2) that it does not apply in the case of South Vietnam because the latter is not an independent sovereign state; and (3) that collective self-defense may be undertaken only by a regional organization operating under chapter VIII of the United Nations Charter. These objections will now be considered in turn.

C. The right of individual and collective self-defense applies in the case of South Vietnam whether or not that country is a member of the United Nations

1. South Vietnam Enjoys the Right of Self-Defense

The argument that the right of self-defense is available only to members of the United Nations mistakes the nature of the right of self-defense and the relationship of the United Nations Charter to international law in this respect. As already shown, the right of self-defense against armed attack is an inherent right under international law. The right is not conferred by the charter, and, indeed, article 51 expressly recognizes that the right is inherent.

The charter nowhere contains any provision designed to deprive nonmembers of the right of self-defense against armed attack.² Article 2, paragraph 6, does charge the United Nations with responsibility for insuring that nonmember states act in accordance with United Nations "principles so far as may be

² While nonmembers, such as South Vietnam, have not formally undertaken the obligations of the United Nations Charter as their own treaty obligations, it should be recognized that much of the substantive law of the charter has become part of the general law of nations through a very wide acceptance by nations the world over. This is particularly true of the charter provisions bearing on the use of force. Moreover, in the case of South Vietnam, the South Vietnamese Government has expressed its ability and willingness to abide by the charter, in applying for United Nations membership. Thus it seems entirely appropriate to appraise the actions of South Vietnam in relation to the legal standards set forth in the United Nations Charter.

necessary for the maintenance of international peace and security." Protection against aggression and self-defense against armed attack are important elements in the whole charter scheme for the maintenance of international peace and security. To deprive nonmembers of their inherent right of self-defense would not accord with the principles of the Organization, but would instead be prejudicial to the maintenance of peace. Thus article 2, paragraph 6—and, indeed, the rest of the charter—should certainly not be construed to nullify or diminish the inherent defensive rights of nonmembers.

2. The United States Has the Right To Assist in the Defense of South Vietnam Although the Latter Is Not a United Nations Member

The cooperation of two or more international entities in the defense of one or both against armed attack is generally referred to as collective self-defense. U.S. participation in the defense of South Vietnam at the latter's request is an example of collective self-defense.

The United States is entitled to exercise the right of individual or collective self-defense against armed attack, as that right exists in international law, subject only to treaty limitations and obligations undertaken by this country.

It has been urged that the United States has no right to participate in the collective defense of South Vietnam because article 51 of the United Nations Charter speaks only of the situation "if an armed attack occurs against a member of the United Nations." This argument is without substance.

In the first place, article 51 does not impose restrictions or cut down the otherwise available rights of United Nations members. By its own terms, the article preserves an inherent right. It is, therefore, necessary to look elsewhere in the charter for any obligation of members restricting their participation in collective defense of an entity that is not a United Nations member.

Article 2, paragraph 4, is the principal provision of the charter imposing limitations on the use of force by members. It states that they "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."

Action taken in defense against armed attack cannot be characterized as falling within this proscription. The record of the San Francisco Conference makes clear that article 2, paragraph 4, was not intended to restrict the right of self-defense against armed attack.³

One will search in vain for any other provision in the charter that would preclude U.S. participation in the collective defense of a nonmember. The fact that article 51 refers to armed attack "against a member of the United Nations" implies no intention to preclude members from participating in the defense of nonmembers. Any such result would have seriously detrimental consequences for international peace and security and would be inconsistent with the purposes of the United Nations as they are set forth in article 1 of the charter.⁴ The

right of members to participate in the defense of nonmembers is upheld by leading authorities on international law.⁵

D. The right of individual and collective self-defense applies whether or not South Vietnam is regarded as an independent sovereign state

1. South Vietnam Enjoys the Right of Self-Defense

It has been asserted that the conflict in Vietnam is "civil strife" in which foreign intervention is forbidden. Those who make this assertion have gone so far as to compare Ho Chi Minh's action in Vietnam with the efforts of President Lincoln to preserve the Union during the American Civil War. Any such characterization is an entire fiction disregarding the actual situation in Vietnam. The Hanoi regime is anything but the legitimate government of a unified country in which the South is rebelling against lawful national authority.

The Geneva accords of 1954 provided for a division of Vietnam into two zones at the 17th parallel. Although this line of demarcation was intended to be temporary, it was established by international agreement, which specifically forbade aggression by one zone against the other.

The Republic of Vietnam in the south has been recognized as a separate international entity by approximately 60 governments the world over. It has been admitted as a member of a number of the specialized agencies of the United Nations. The United Nations General Assembly in 1957 voted to recommend South Vietnam for membership in the Organization, and its admission was frustrated only by the veto of the Soviet Union in the Security Council.

In any event there is no warrant for the suggestion that one zone of a temporarily divided state—whether it be Germany, Korea, or Vietnam—can be legally overrun by armed forces from the other zone, crossing the internationally recognized line of demarcation between the two. Any such doctrine would subvert the international agreement establishing the line of demarcation, and would pose grave dangers to international peace.

The action of the United Nations in the Korean conflict of 1950 clearly established the principle that there is no greater license for one zone of a temporarily divided state to attack the other zone than there is for one state to attack another state. South Vietnam has the same right that South Korea had to defend itself and to organize collective defense against an armed attack from the north. A resolution of the Security Council dated June 25, 1950, noted "with grave concern the armed attack upon the Republic of Korea by forces from North Korea" and determined "that this action constitutes a breach of the peace."

2. The United States Is Entitled To Participate in the Collective Defense of South Vietnam Whether or Not the Latter Is Regarded as an Independent Sovereign State

As stated earlier South Vietnam has been recognized as a separate international entity by approximately 60 governments. It has been admitted to membership in a number of the United Nations specialized agencies, and has been excluded from the United Nations Organization only by the Soviet veto.

There is nothing in the charter to suggest that United Nations members are precluded

from participating in the defense of a recognized international entity against armed attack merely because the entity may lack some of the attributes of an independent sovereign state. Any such result would have a destructive effect on the stability of international engagements such as the Geneva accords of 1954 and on internationally agreed lines of demarcation. Such a result, far from being in accord with the charter and the purposes of the United Nations, would undermine them and would create new dangers to international peace and security.

E. The United Nations Charter does not limit the right of self-defense to regional organizations

Some have argued that collective self-defense may be undertaken only by a regional arrangement or agency operating under chapter VIII of the United Nations Charter. Such an assertion ignores the structure of the charter and the practice followed in the more than 20 years since the founding of the United Nations.

The basic proposition that rights of self-defense are not impaired by the charter—as expressly stated in article 51—is not conditioned by any charter provision limiting the application of this proposition to collective defense by a regional arrangement or agency. The structure of the charter reinforces this conclusion. Article 51 appears in chapter VII of the charter, entitled "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression," whereas chapter VIII, entitled "Regional Arrangements," begins with article 52 and embraces the two following articles. The records of the San Francisco Conference show that article 51 was deliberately placed in chapter VII rather than chapter VIII, "where it would only have a bearing on the regional system."⁶

Under article 51, the right of self-defense is available against any armed attack, whether or not the country attacked is a member of a regional arrangement and regardless of the source of the attack. Chapter VIII, on the other hand, deals with relations among members of a regional arrangement or agency, and authorizes regional action as appropriate for dealing with "local disputes." This distinction has been recognized ever since the founding of the United Nations in 1945.

For example, the North Atlantic Treaty has operated as a collective security arrangement, designed to take common measures in preparation against the eventuality of an armed attack for which collective defense under article 51 would be required. Similarly, the Southeast Asia Treaty Organization was designed as a collective defense arrangement under article 51. Secretary of State Dulles emphasized this in his testimony before the Senate Foreign Relations Committee in 1954.

By contrast, article 1 of the Charter of Bogotá (1948), establishing the Organization of American States, expressly declares that the Organization is a regional agency within the United Nations. Indeed, chapter VIII of the United Nations Charter was included primarily to take account of the functioning of the Inter-American system.

In sum, there is no basis in the United Nations Charter for contending that the right of self-defense against armed attack is limited to collective defense by a regional organization.

F. The United States has fulfilled its obligations to the United Nations

A further argument has been made that the members of the United Nations have conferred on United Nations organs—and, in particular, on the Security Council—exclusive power to act against aggression.

⁶ 17 UNCTO documents 288.

³ See, e.g., 6 UNCTO documents 459.

⁴ In particular, the statement of the first purpose:

"To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;"

⁵ Bowett, "Self-Defense in International Law," 193-195 (1958); Goodhart, "The North Atlantic Treaty of 1949," 79 "Recueil Des Cours," 183, 202-204 (1951, vol. II), quoted in 5 "Whiteman's Digest of International Law," 1067-1068 (1965); Kelsen, "The Law of the United Nations," 793 (1950); see Stone, "Aggression and World Order," 44 (1958).

Again, the express language of article 51 contradicts that assertion. A victim of armed attack is not required to forgo individual or collective defense of its territory until such time as the United Nations organizes collective action and takes appropriate measures. To the contrary, article 51 clearly states that the right of self-defense may be exercised "until the Security Council has taken the measures necessary to maintain international peace and security."⁷

As indicated earlier, article 51 is not literally applicable to the Vietnam situation since South Vietnam is not a member. However, reasoning by analogy from article 51 and adopting its provisions as an appropriate guide for the conduct of members in a case like Vietnam, one can only conclude that U.S. actions are fully in accord with this country's obligations as a member of the United Nations.

Article 51 requires that: "Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

The United States has reported to the Security Council on measures it has taken in countering the Communist aggression in Vietnam. In August 1964 the United States asked the Council to consider the situation created by North Vietnamese attacks on U.S. destroyers in the Tonkin Gulf. The Council thereafter met to debate the question, but adopted no resolutions. Twice in February 1965 the United States sent additional reports to the Security Council on the conflict in Vietnam and on the additional measures taken by the United States in the collective defense of South Vietnam. In January 1966 the United States formally submitted the Vietnam question to the Security Council for its consideration and introduced a draft resolution calling for discussions looking toward a peaceful settlement on the basis of the Geneva accords.

At no time has the Council taken any action to restore peace and security in southeast Asia. The Council has not expressed criticism of U.S. actions. Indeed, since the U.S. submission of January 1966, members of the Council have been notably reluctant to proceed with any consideration of the Vietnam question.

The conclusion is clear that the United States has in no way acted to interfere with United Nations consideration of the conflict in Vietnam. On the contrary, the United States has requested United Nations consideration, and the Council has not seen fit to act.

G. *International law does not require a declaration of war as a condition precedent to taking measures of self-defense against armed attack*

The existence or absence of a formal declaration of war is not a factor in determining whether an international use of force is lawful as a matter of international law. The

⁷ An argument has been made by some that the United States, by joining in the collective defense of South Vietnam, has violated the peaceful settlement obligation of article 33 in the charter. This argument overlooks the obvious proposition that a victim of armed aggression is not required to sustain the attack undefended while efforts are made to find a political solution with the aggressor. Article 51 of the charter illustrates this by making perfectly clear that the inherent right of self-defense is impaired by "Nothing in the present charter," including the provisions of article 33.

United Nations Charter's restriction focus on the manner and purpose of its use and not on any formalities of announcement.

It should also be noted that a formal declaration of war would not place any obligations on either side in the conflict by which that side would not be bound in any event. The rules of international law concerning the conduct of hostilities in an international armed conflict apply regardless of any declaration of war.

H. Summary

The analysis set forth above shows that South Vietnam has the right in present circumstances to defend itself against armed attack from the north and to organize a collective self-defense with the participation of others. In response to requests from South Vietnam, the United States has been participating in that defense, both through military action within South Vietnam and actions taken directly against the aggressor in North Vietnam. This participation by the United States is in conformity with international law and is consistent with our obligations under the Charter of the United Nations.

II. THE UNITED STATES HAS UNDERTAKEN COMMITMENTS TO ASSIST SOUTH VIETNAM IN DEFENDING ITSELF AGAINST COMMUNIST AGGRESSION FROM THE NORTH

The United States has made commitments and given assurances, in various forms and at different times, to assist in the defense of South Vietnam.

A. *The United States gave undertaking at the end of the Geneva Conference in 1954*

At the time of the signing of the Geneva accords in 1954, President Eisenhower warned "that any renewal of Communist aggression would be viewed by us as a matter of grave concern," at the same time giving assurance that the United States would "not use force to disturb the settlement." And the formal declaration made by the U.S. Government at the conclusion of the Geneva Conference stated that the United States "would view any renewal of aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

B. *The United States undertook an international obligation to defend South Vietnam in the SEATO Treaty*

Later in 1954 the United States negotiated with a number of other countries and signed the Southeast Asia Collective Defense Treaty. The treaty contains in the first paragraph of article 4 the following provision: "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."

Annexed to the treaty was a protocol stating that: "The parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purpose of article IV of the treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam."

Thus, the obligations of article IV, paragraph 1, dealing with the eventuality of armed attack, have from the outset covered the territory of South Vietnam. The facts as to the North Vietnamese armed attack against the south have been summarized earlier, in the discussion of the right of self-defense under international law and the Charter of the United Nations. The term "armed attack" has the same meaning in

the SEATO Treaty as in the United Nations Charter.

Article IV, paragraph 1, places an obligation on each party to the SEATO Treaty to "act to meet the common danger in accordance with its constitutional processes" in the event of an armed attack. The treaty does not require a collective determination than an armed attack has occurred in order that the obligation of article IV, paragraph 1, become operative. Nor does the provision require collective decision on actions to be taken to meet the common danger. As Secretary Dulles pointed out when transmitting the treaty to the President, the commitment in article IV, paragraph 1, "leaves to the judgment of each country the type of action to be taken in the event an armed attack occurs."

The treaty was intended to deter armed aggression in southeast Asia. To that end it created not only a multilateral alliance but also a series of bilateral relationships. The obligations are placed squarely on "each party" in the event of armed attack in the treaty area—not upon "the parties," a wording that might have implied a necessity for collective decision. The treaty was intended to give the assurance of U.S. assistance to any party or protocol state that might suffer a Communist armed attack, regardless of the views or actions of other parties. The fact that the obligations are individual, and may even to some extent differ among the parties to the treaty, is demonstrated by the U.S. understanding, expressed at the time of signature, that its obligations under article IV, paragraph 1, apply only in the event of Communist aggression, whereas the other parties to the treaty were unwilling so to limit their obligations to each other.

Thus, the United States has a commitment under article IV, paragraph 1, in the event of armed attack, independent of the decision or action of other treaty parties. A joint communique issued by Secretary Rusk and Foreign Minister Thanat Khoman of Thailand on March 6, 1962, reflected this understanding: "The Secretary of State assured the Foreign Minister that in the event of such aggression, the United States intends to give full effect to its obligations under the treaty to act to meet the common danger in accordance with its constitutional processes. The Secretary of State reaffirmed that this obligation of the United States does not depend on the prior agreement of all other parties to the treaty, since this treaty obligation is individual as well as collective."

Most of the SEATO countries have stated that they agreed with this interpretation. None has registered objection to it.

When the Senate Committee on Foreign Relations reported on the Southeast Asia Collective Defense Treaty, it noted that the treaty area was further defined so that the "free territory of Vietnam" was an area "which, if attacked, would fall under the protection of the instrument." In its conclusion the committee stated: "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."

The Senate gave its advice and consent to the treaty by a vote of 82 to 1.

C. *The United States has given additional assurances to the Government of South Vietnam*

The United States has also given a series of additional assurances to the Government of South Vietnam. As early as October 1954 President Eisenhower undertook to provide direct assistance to help make South Vietnam "capable of resisting attempted subversion or aggression through military

means." On May 11, 1957 President Eisenhower and President Ngo Dinh Diem of the Republic of Vietnam issued a joint statement which called attention to "the large build-up of Vietnamese Communist military forces in North Vietnam" and stated: "Noting that the Republic of Vietnam is covered by article IV of the Southeast Asia Collective Defense Treaty, President Eisenhower and President Ngo Dinh Diem agreed that aggression or subversion threatening the political independence of the Republic of Vietnam would be considered as endangering peace and stability."

On August 2, 1961 President Kennedy declared that "the United States is determined that the Republic of Vietnam shall not be lost to the Communists for lack of any support which the United States can render." On December 7 of that year President Diem appealed for additional support. In his reply of December 14, 1961, President Kennedy recalled the U.S. declaration made at the end of the Geneva Conference in 1954, and reaffirmed that the United States was "prepared to help the Republic of Vietnam to protect its people and to preserve its independence." This assurance has been reaffirmed many times since.

III. ACTIONS BY THE UNITED STATES AND SOUTH VIETNAM ARE JUSTIFIED UNDER THE GENEVA ACCORDS OF 1954

A. Description of the accords

The Geneva accords of 1954⁵ established the date and hour for a ceasefire in Vietnam, drew a "provisional military demarcation line" with a demilitarized zone on both sides, and required an exchange of prisoners and the phased regroupment of Viet Minh Forces from the south to the north and of French Union Forces from the north to the south. The introduction into Vietnam of troops reinforcements and new military equipment (except for replacement and repair) was prohibited. The armed forces of each party were required to respect the demilitarized zone and the territory of the other zone. The adherence of either zone to any military alliance, and the use of either zone for the resumption of hostilities or to "further an aggressive policy," were prohibited. The International Control Commission was established, composed of India, Canada and Poland, with India as Chairman. The task of the Commission was to supervise the proper execution of the provisions of the ceasefire agreement. General elections that would result in reunification were required to be held in July 1956 under the supervision of the ICC.

B. North Vietnam violated the accords from the beginning

From the very beginning, the North Vietnamese violated the 1954 Geneva accords. Communist military forces and supplies were left in the south in violation of the accords. Other Communist guerrillas were moved north for further training and then were infiltrated into the south in violation of the accords.

⁵ These accords were composed of a bilateral ceasefire agreement between the commander in chief of the People's Army of Vietnam and the commander in chief of the French Union Forces in Indochina, together with a final declaration of the conference, to which France adhered. However, it is to be noted that the South Vietnamese Government was not a signatory of the ceasefire agreement and did not adhere to the final declaration. South Vietnam entered a series of reservations in a statement to the conference. This statement was noted by the conference, but by decision of the conference chairman it was not included or referred to in the final declaration.

C. The introduction of U.S. military personnel and equipment was justified

The accords prohibited the reinforcement of foreign military forces in Vietnam and the introduction of new military equipment, but they allowed replacement of existing military personnel and equipment. Prior to late 1961, South Vietnam had received considerable military equipment and supplies from the United States, and the United States had gradually enlarged its military assistance advisory group to slightly less than 900 men. These actions were reported to the ICC and were justified as replacements for equipment in Vietnam in 1954 and for French training and advisory personnel who had been withdrawn after 1954.

As the Communist aggression intensified during 1961, with increased infiltration and a marked stepping up of Communist terrorism in the south, the United States found it necessary in late 1961 to increase substantially the numbers of our military personnel and the amounts and types of equipment introduced by this country into South Vietnam. These increases were justified by the international law principle that a material breach of an agreement by one party entitles the other at least to withhold compliance with an equivalent, corresponding, or related provision until the defaulting party is prepared to honor its obligations.⁶

In accordance with this principle, the systematic violation of the Geneva accords by North Vietnam justified South Vietnam in suspending compliance with the provision controlling entry of foreign military personnel and military equipment.

D. South Vietnam was justified in refusing to implement the election provisions of the Geneva accords

The Geneva accords contemplated the reunification of the two parts of Vietnam. They contained a provision for general elections to be held in July 1956 in order to obtain a "free expression of the national will." The accords stated that "consultations will be held on this subject between the competent representative authorities of the two zones from July 20, 1955, onwards."

There may be some question whether South Vietnam was bound by these election provisions. As indicated earlier, South Vietnam did not sign the ceasefire agreement of 1954, nor did it adhere to the final declaration of the Geneva Conference. The South

⁶ This principle of law and the circumstances in which it may be invoked are most fully discussed in the Fourth Report on the Law of Treaties by Sir Gerald Fitzmaurice, articles 18, 20 (UN Doc. A/CN.4/120 (1959)) "II Yearbook of the International Law Commission 37" (UN Doc. A/CN.4/SER.A/1959/Add. 1) and in the later report by Sir Humphrey Waldock, article 20 (UN Doc. A/CN.4/156 and Add. 1-3 (1963)) "II Yearbook of the International Law Commission 36" (UN Doc. A/CN.4/SER.A/1963/Add. 1). Among the authorities cited by the fourth report for this proposition are: II Oppenheim, "International Law" 136, 137 (7th ed. Lauterpacht 1955); I Rousseau, "Principes généraux du droit international public" 365 (1944); II Hyde, "International Law" 1660 et. seq. (2d ed. 1947); II Guggenheim, "Traité de droit international public" 84, 85 (1935); Spiropoulos, "Traité théorique et pratique de droit international public" 289 (1933); Verdross, "Völkerrecht," 328 (1950); Hall, "Treatise" 21 (8th ed. Higgins 1924); 3 Accoly, "Tratado de Direito Internacional Publico" 82 (1956-57). See also draft articles 42 and 46 of the Law of Treaties by the International Law Commission, contained in the report on the work of its 15th session (General Assembly, official records, 18th session, supplement No. 9 (A/5809)).

Vietnamese Government at that time gave notice of its objection in particular to the election provisions of the accords.

However, even on the premise that these provisions were binding on South Vietnam, the South Vietnamese Government's failure to engage in consultations in 1955, with a view to holding elections in 1956, involved no breach of obligation. The conditions in North Vietnam during that period were such as to make impossible any free and meaningful expression of popular will.

Some of the facts about conditions in the north were admitted even by the Communist leadership in Hanoi. General Giap, currently Defense Minister of North Vietnam, in addressing the 10th Congress of the North Vietnamese Communist Party in October 1956, publicly acknowledged that the Communist leaders were running a police state where executions, terror, and torture were commonplace. A nationwide election in these circumstances would have been a travesty. No one in the north would have dared to vote except as directed. With a substantial majority of the Vietnamese people living north of the 17th parallel, such an election would have meant turning the country over to the Communists without regard to the will of the people. The South Vietnamese Government realized these facts and quite properly took the position that consultations for elections in 1956 as contemplated by the accords would be a useless formality.¹⁰

IV. THE PRESIDENT HAS FULL AUTHORITY TO COMMIT U.S. FORCES IN THE COLLECTIVE DEFENSE OF SOUTH VIETNAM

There can be no question in present circumstances of the President's authority to commit U.S. forces to the defense of South Vietnam. The grant of authority to the President in article II of the Constitution extends to the actions of the United States currently undertaken in Vietnam. In fact, however, it is unnecessary to determine whether this grant standing alone is sufficient to authorize the actions taken in Vietnam. These actions rest not only on the exercise of Presidential powers under article II but on the SEATO Treaty—a treaty advised and consented to by the Senate—and on actions of the Congress, particularly the joint resolution of August 10, 1964. When these sources of authority are taken together—article II of the Constitution, the SEATO Treaty, and actions by the Congress—there can be no question of the legality under domestic law of U.S. actions in Vietnam.

A. The President's power under article II of the Constitution extends to the actions currently undertaken in Vietnam

Under the Constitution, the President, in addition to being Chief Executive, is Commander in Chief of the Army and Navy. He holds the prime responsibility for the conduct of U.S. foreign relations. These duties carry very broad powers, including the power to deploy American forces abroad and commit them to military operations when the President deems such action necessary to maintain the security and defense of the United States.

At the Federal Constitutional Convention in 1787, it was originally proposed that Congress have the power "to make war." There

¹⁰ In any event, if North Vietnam considered there had been a breach of obligation by the south, its remedies lay in discussion with Saigon, perhaps in an appeal to the co-chairmen of the Geneva Conference, or in a reconvening of the conference to consider the situation. Under international law, North Vietnam had no right to use force outside its own zone in order to secure its political objectives.

were objections that legislative proceedings were too slow for this power to be vested in Congress; it was suggested that the Senate might be a better repository. Madison and Gerry then moved to substitute "to declare war" for "to make war," "leaving to the Executive the power to repel sudden attacks." It was objected that this might make it too easy for the Executive to involve the Nation in war, but the motion carried with but one dissenting vote.

In 1787 the world was a far larger place, and the framers probably had in mind attacks upon the United States. In the 20th century, the world has grown much smaller. An attack on a country far from our shores can impinge directly on the Nation's security. In the SEATO treaty, for example, it is formally declared that an armed attack against Vietnam would endanger the peace and safety of the United States.

Since the Constitution was adopted there have been at least 125 instances in which the President has ordered the Armed Forces to take action or maintain positions abroad without obtaining prior congressional authorization, starting with the "undeclared war" with France (1798-1800). For example, President Truman ordered 250,000 troops to Korea during the Korean war of the early 1950's. President Eisenhower dispatched 14,000 troops to Lebanon in 1958.

The Constitution leaves to the President the judgment to determine whether the circumstances of a particular armed attack are so urgent and the potential consequences so threatening to the security of the United States that he should act without formally consulting the Congress.

B. The Southeast Asia Collective Defense Treaty authorizes the President's actions

Under article VI of the U.S. Constitution, "all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land." Article IV, paragraph 1 of the SEATO Treaty establishes as a matter of law that a Communist armed attack against South Vietnam endangers the peace and safety of the United States. In this same provision the United States has undertaken a commitment in the SEATO Treaty to "act to meet the common danger in accordance with its constitutional processes" in the event of such an attack.

Under our Constitution it is the President who must decide when an armed attack has occurred. He has also the constitutional responsibility for determining what measures of defense are required when the peace and safety of the United States are endangered. If he considers that deployment of U.S. forces to South Vietnam is required, and that military measures against the source of Communist aggression in North Vietnam are necessary, he is constitutionally empowered to take those measures.

The SEATO Treaty specifies that each party will act "in accordance with its constitutional processes."

It has recently been argued that the use of land forces in Asia is not authorized under the treaty because their use to deter armed attack was not contemplated at the time the treaty was considered by the Senate. Secretary Dulles testified at that time that we did not intend to establish (1) a land army in southeast Asia capable of deterring Communist aggression, or (2) an integrated headquarters and military organization like that of NATO; instead, the United States would rely on "mobile striking power" against the sources of aggression. However, the treaty obligation in article IV, paragraph 1, to meet the common danger in the event of armed aggression, is not limited to particular modes of military action. What constitutes an adequate deterrent or an appropriate response, in terms of military strategy, may change; but the essence of our commitment to act to

meet the common danger, as necessary at the time of an armed aggression, remains. In 1954 the forecast of military judgment might have been against the use of substantial U.S. ground forces in Vietnam. But that does not preclude the President from reaching a different military judgment in different circumstances, 12 years later.

C. The joint resolution of Congress of August 10, 1964, authorizes U.S. participation in the collective defense of South Vietnam

As stated earlier, the legality of U.S. participation in the defense of South Vietnam does not rest only on the constitutional power of the President under article II—or indeed on that power taken in conjunction with the SEATO Treaty. In addition, the Congress has acted in unmistakable fashion to approve and authorize U.S. actions in Vietnam.

Following the North Vietnamese attacks in the Gulf of Tonkin against U.S. destroyers, Congress adopted, by a Senate vote of 88 to 2 and a House vote of 416 to 0, a joint resolution containing a series of important declarations and provisions of law.

Section 1 resolved 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." Thus, the Congress gave its sanction to specific actions by the President to repel attacks against U.S. naval vessels in the Gulf of Tonkin and elsewhere in the western Pacific. Congress further approved the taking of "all necessary measures * * * to prevent further aggression." This authorization extended to those measures the President might consider necessary to ward off further attacks and to prevent further aggression by North Vietnam in southeast Asia.

The joint resolution then went on to provide in section 2:

"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."

Section 2 thus constitutes an authorization to the President, in his discretion, to act—using armed force if he determines that is required—to assist South Vietnam at its request in defense of its freedom. The identification of South Vietnam through the reference to "protocol state" in this section is unmistakable, and the grant of authority "as the President determines" is unequivocal.

It has been suggested that the legislative history of the joint resolution shows an intention to limit U.S. assistance to South Vietnam to aid, advice, and training. This suggestion is based on an amendment offered from the floor by Senator NELSON which would have added the following to the text:

"The Congress also approves and supports the efforts of the President to bring the problem of peace in southeast Asia to the Security Council of the United Nations; and the President's declaration that the United States, seeking no extension of the present military conflict, will respond to provocation in a manner that is 'limited and fitting.' 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."¹¹

Senator FULBRIGHT, who had reported the joint resolution from the Foreign Relations Committee, spoke on the amendment as follows:

"Mr. FULBRIGHT. 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. We do not wish any political or military bases there. We are not seeking to gain a colony. We seek to insure the capacity of these people to develop along the lines of their own desires, independent of domination by communism.

"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."¹²

Senator NELSON's amendment related the degree and kind of U.S. response in Vietnam to "provocation" on the other side; the response should be "limited and fitting." The greater the provocation, the stronger are the measures that may be characterized as "limited and fitting." Bombing of North Vietnamese naval bases was a "limited and fitting" response to the attacks on U.S. destroyers in August 1964, and the subsequent actions taken by the United States and South Vietnam have been an appropriate response to the increased war of aggression carried on by North Vietnam since that date. Moreover, Senator NELSON's proposed amendment did not purport to be a restriction on authority available to the President but merely a statement concerning what should be the continuing policy of the United States.

Congressional realization of the scope of authority being conferred by the joint resolution is shown by the legislative history of the measure as a whole. The following exchange between Senators COOPER and FULBRIGHT is illuminating:

"Mr. COOPER. The Senator will remember that the SEATO Treaty, in article IV, provides that in the event an armed attack is made upon a party to the Southeast Asia Collective Defense Treaty, or upon one of the protocol states such as South Vietnam, the parties to the treaty, one of whom is the United States, would then take such action as might be appropriate, after resorting to their constitutional processes. I assume that would mean, in the case of the United States, that Congress would be asked to grant the authority to act.

¹¹ CONGRESSIONAL RECORD, vol. 110, pt. 14, p. 18459.

¹² *Ibid.*

"Does the Senator consider that in enacting this resolution we are satisfying that requirement of article IV of the Southeast Asia Collective Defense Treaty? In other words, are we now giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?"

"Mr. FULBRIGHT. I think that is correct.

"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. If a situation later developed in which we thought the approval should be withdrawn it could be withdrawn by concurrent resolution."²³

The August 1964 joint resolution continues in force today. Section 2 of the resolution provides that it shall expire "when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress." The President has made no such determination, nor has Congress terminated the joint resolution.²⁴

Instead, Congress in May 1965 approved an appropriation of \$700 million to meet the expense of mounting military requirements in Vietnam. (Public Law 89-18, 79 Stat. 109). The President's message asking for this appropriation stated that this was "not a routine request. For each Member of Congress who supports this request is also voting to persist in our efforts to halt Communist aggressions in South Vietnam." The appropriation act constitutes a clear con-

²³ CONGRESSIONAL RECORD, vol. 110, pt. 14, p. 18409.

Senator MORSE, who opposed the joint resolution, expressed the following view on August 6, 1964, concerning the scope of the proposed resolution:

"Another Senator thought, in the early part of the debate, that this course would not broaden the power of the President to engage in a land war if he decided that he wanted to apply the resolution in that way.

"That Senator was taking great consolation in the then held belief that, if he voted for the resolution, it would give no authority to the President to send many troops into Asia. I am sure he was quite disappointed to finally learn, because it took a little time to get the matter cleared, that the resolution places no restriction on the President in that respect. If he is still in doubt, let him read the language on page 2, lines 3 to 6, and page 2, lines 11 to 17. The first reads:

"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."

"It does not say he is limited in regard to the sending of ground forces. It does not limit that authority. That is why I have called it a predated declaration of war, in clear violation of article I, section 8 of the Constitution, which vests the power to declare war in the Congress, and not in the President.

"What is proposed is to authorize the President of the United States, without a declaration of war, to commit acts of war". CONGRESSIONAL RECORD, vol. 110, pt. 14, pp. 18426-18427.

²⁴ On Mar. 1, 1966, the Senate voted, 92 to 5, to table an amendment that would have repealed the joint resolution.

gressional endorsement and approval of the actions taken by the President.

On March 1, 1966 the Congress continued to express its support of the President's policy by approving a \$4.8 billion supplemental military authorization by votes of 392 to 4 and 93 to 2. An amendment that would have limited the President's authority to commit forces to Vietnam was rejected in the Senate by a vote of 94 to 2.

D. No declaration of war by the Congress is required to authorize U.S. participation in the collective defense of South Vietnam.

No declaration of war is needed to authorize American actions in Vietnam. As shown in the preceding sections, the President has ample authority to order the participation of U.S. Armed Forces in the defense of South Vietnam.

Over a very long period in our history, practice and precedent have confirmed the constitutional authority to engage U.S. forces in hostilities without a declaration of war. This history extends from the undeclared war with France and the war against the Barbary pirates, at the end of the 18th century, to the Korean war of 1950-53.

James Madison, one of the leading framers of the Constitution, and Presidents John Adams and Jefferson all construed the Constitution, in their official actions during the early years of the Republic, as authorizing the United States to employ its Armed Forces abroad in hostilities in the absence of any congressional declaration of war. Their views and actions constitute highly persuasive evidence as to the meaning and effect of the Constitution. History has accepted the interpretation that was placed on the Constitution by the early Presidents and Congresses in regard to the lawfulness of hostilities without a declaration of war. The instances of such action in our history are numerous.

In the Korean conflict, where large-scale hostilities were conducted with an American troop participation of a quarter of a million men, no declaration of war was made by the Congress. The President acted on the basis of his constitutional responsibilities. While the Security Council, under a treaty of this country—the United Nations Charter—recommended assistance to the Republic of Korea against the Communist armed attack, the United States had no treaty commitment at that time obligating us to join in the defense of South Korea. In the case of South Vietnam we have the obligation of the SEATO Treaty and clear expressions of congressional support. If the President could act in Korea without a declaration of war, a fortiori he is empowered to do so now in Vietnam.

It may be suggested that a declaration of war is the only available constitutional process by which congressional support can be made effective for the use of U.S. Armed Forces in combat abroad. But the Constitution does not insist on any rigid formalism. It gives Congress a choice of ways in which to exercise its powers. In the case of Vietnam the Congress has supported the determination of the President by the Senate's approval of the SEATO Treaty, the adoption of the joint resolution of August 10, 1964, and the enactment of the necessary authorizations and appropriations.

V. CONCLUSION

South Vietnam is being subjected to armed attack by Communist North Vietnam, through the infiltration of armed personnel, military equipment and regular combat units. International law recognizes the right of individual and collective self-defense against armed attack. South Vietnam, and the United States upon the request of South Vietnam, are engaged in such collective defense of the south. Their ac-

tions are in conformity with international law and with the Charter of the United Nations. The fact that South Vietnam has been precluded by Soviet veto from becoming a member of the United Nations, and the fact that South Vietnam is a zone of a temporarily divided state, in no way diminish the right of collective defense of South Vietnam.

The United States has commitments to assist South Vietnam in defending itself against Communist aggression from the north. The United States gave undertakings to this effect at the conclusion of the Geneva Conference in 1954. Later that year the United States undertook an international obligation in the SEATO Treaty to defend South Vietnam against Communist armed aggression. And during the past decade the United States has given additional assurances to the South Vietnamese Government.

The Geneva accords of 1954 provided for a cease-fire and regroupment of contending forces, a division of Vietnam into two zones, and a prohibition on the use of either zone for the resumption of hostilities or to "further an aggressive policy." From the beginning, North Vietnam violated the Geneva accords through a systematic effort to gain control of South Vietnam by force. In the light of these progressive North Vietnamese violations, the introduction into South Vietnam beginning in late 1961 of substantial U.S. military equipment and personnel, to assist in the defense of the south was fully justified; substantial breach of an international agreement by one side permits the other side to suspend performance of corresponding obligations under the agreement. South Vietnam was justified in refusing to implement the provisions of the Geneva accords calling for reunification through free elections throughout Vietnam since the Communist regime in North Vietnam created conditions in the north that made free elections entirely impossible.

The President of the United States has full authority to commit U.S. forces in the collective defense of South Vietnam. This authority stems from the constitutional powers of the President. However, it is not necessary to rely on the Constitution alone as the source of the President's authority, since the SEATO Treaty—advised and consented to by the Senate and forming part of the law of the land—sets forth a U.S. commitment to defend South Vietnam against armed attack, and since the Congress—in the joint resolution of August 10, 1964, and in authorization and appropriations acts for support of the U.S. military effort in Vietnam—has given its approval and support to the President's actions. United States actions in Vietnam, taken by the President and approved by the Congress, do not require any declaration of war, as shown by a long line of precedents for the use of U.S. Armed Forces abroad in the absence of any congressional declaration of war.

RETIREMENT OF SENATOR McNAMARA

Mr. FONG. Mr. President, I wish to extend best wishes to my friend and colleague, the able and distinguished senior Senator from Michigan, who recently announced he would not seek reelection this year.

It was with great surprise that I learned the news of his decision to retire. His robust appearance and diligence to the heavy duties of his office led me to assume he would seek another term.

It has been my privilege to serve with PAT McNAMARA on the Committee on Public Works, where he has been chairman for the past 3 years, and on the Special Committee on Aging, where he is chairman of the Health Subcommittee.

I have always found him willing to consider suggestions and amendments of other members of his committees. As a member of the minority party, I am especially appreciative of his willingness to let the minority set forth its views and participate actively in drafting legislation. I am especially appreciative of his cooperation on legislative and administrative matters involving my State of Hawaii.

Of course there were times of disagreement, as sometimes occur among members of different political parties. But it is to PAT McNAMARA's everlasting credit that he could disagree without being disagreeable.

It is to his credit, too, that he has been a staunch advocate of economic development measures; harbor and flood control projects; road construction; and pollution control throughout the United States.

PAT McNAMARA will leave the Senate knowing he has played a leading role in such vital public works legislation as Federal highway acts, nationwide flood control measures, disaster relief, the Economic Development Act, the Appalachian Regional Development Act, public works acceleration, and air and water pollution control acts.

In the field of aging, he was instrumental in establishing a separate Administration on Aging in the Department of Health, Education, and Welfare. He was a leader in enactment of medical care for older Americans.

These are but a few of the important and far-reaching activities of PAT McNAMARA during his 12 years in the U.S. Senate.

As his term of office nears its end, PAT McNAMARA can take pride and satisfaction in knowing he has compiled an extensive record of service to his State and Nation.

He will also take with him the affection and respect of his colleagues.

In closing, I want to extend my warmest aloha to PAT McNAMARA and best wishes for many rewarding and fruitful years after he leaves the Senate.

TAX CREDIT FOR COLLEGE TUITION

Mr. RIBICOFF. Mr. President, although my proposal to provide a tax credit for college tuition was not accepted by the Senate yesterday, the issue is far from dead. It will continue to be an issue because it fills a vital need in our society. It brings desperately needed assistance to the working people, the lower and middle income groups, at a time when they need it most. The point is well made in an editorial in the *Hartford Times* of March 8, 1966, which I

ask unanimous consent to have printed in the RECORD.

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

TAXING COSTS OF COLLEGE

Apparently there's to be no income tax relief soon for parents who feel the severe financial pinch of the costs of college education for their sons and daughters.

Unfortunately, administration leaders have torpedoed Senator RIBICOFF's efforts to get congressional approval of a maximum tax credit of \$325 for certain college expenses. They say that if adopted, the Government would lose \$1 billion at a time when war costs are mounting and the Treasury can ill afford such a drain.

In any instance of tax abatement, unless the need for which the tax is levied disappears, granting relief only means that the burden will fall elsewhere. Furthermore, every time a particular category of taxpayers is exempted (in this case parents) a new special-privilege group is established.

However, the category that Senator RIBICOFF is trying to help is in the vast middle class, upon which college costs fall most heavily.

Our tax laws today are honeycombed with exceptions, exemptions, and special advantages for people of wealth and business interests able to maintain high-priced lobbyists in Washington to plead their case. There is no such lobby for the middle-class parent.

Happily, even if all attempts fail this year, Senator RIBICOFF says, he doesn't intend to relax his efforts to get some kind of tax relief for college costs. He says he will make his tax credit proposal "year in and year out" because he is sure the administration will eventually realize something must be done.

We shall never make any substantial gains in tax relief until a sweeping tax reform program is launched. This Congress has long refused to do. The pleas of able and distinguished men to do something constructive about our hodgepodge of tangled tax laws have been futile.

THE REORGANIZED CIA

Mr. YOUNG of North Dakota. Mr. President, the Central Intelligence Agency is undoubtedly the most misrepresented and maligned agency of our Government.

This is understandable because they are in the business of gathering intelligence from all over the world. They are always vulnerable to attack because it has long been the policy of the CIA—and I think rightfully so—not to attempt to defend itself no matter what charges are leveled against them.

Mr. President, I was pleased to read a column in the *Washington Post* this morning, March 10, by a noted columnist, William S. White, entitled "Reorganized CIA—Making Use of Outside Skills."

From my knowledge of the CIA and their operations—and it is considerable—I believe this article to be an accurate and fair appraisal of the CIA and I wish to associate myself with the comments of Mr. White and especially with reference to its Director, Admiral Raborn.

Mr. President, I ask unanimous consent to have this article inserted 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:

REORGANIZED CIA—MAKING USE OF OUTSIDE SKILLS

(By William S. White)

The highly secret Central Intelligence Agency is broadening its communication with Congress, with private American scientists, and with American industry.

Almost, indeed, it might be said that CIA is for the first time gingerly entering ordinary American life—or as much of that ordinary life as its unavoidably clandestine basic cast can possibly permit.

This, the most sensitive of the instrumentalities of the American Government in the cold war has not, of course, dropped and cannot drop its inherent cloak-and-dagger covering for some operations.

Within the limits of bedrock and unalterable security precautions, however, Adm. W. F. Raborn, its Director, has reorganized its whole inner structure and approach to make a wide use of outside skills and talents—and information—never before so widely available to CIA.

The production of scientific and technical intelligence, in consequence, has been immensely increased. This has been principally through the cooperation of world-famous American men of science who have been brought in as cleared consultants. Some American industrial concerns have made large direct contributions of their own.

That Raborn, a professional admiral yet, has become the chief of the CIA in order to liquidate some of its old passion for extreme apartness is not without its irony. When he took over the Agency there was much expressed fear that with a military mind at its head it would more and more tend to operate in darker and darker alleys.

The simple truth is that this has not happened. Nor has Raborn put in some GI system requiring endless saluting of the boss. In truth he has gone to the reverse. CIA was never so little a one-man operation as it is now. The admiral has given to the professional operative who is his deputy, Richard Helms, a degree of power never before held by any man other than the Director himself.

Helms, in truth, actually conducts the day-by-day operations of the Agency. He sits as the CIA representative on the U.S. combined Intelligence Board. He, as well as Raborn, briefs Members of Congress. The admiral, in short, cheerfully acknowledges Helms' superior savvy as a career intelligence operative. Raborn's simple purpose has been to merge his own executive managerial experience with the intelligence expertise of Richard Helms.

The intelligence community is a small and at heart a closed community and the introduction into CIA of a seadog outsider undoubtedly did not sit well at first within the ranks. But the best information available now is that professional morale is high and not low. This, at any rate, is the estimate of men not involved in the Agency but with certain supervisory powers over it.

The admiral seems to have found a way of running a taut ship without making it also a martial one—and a ship, moreover, which can take on outside and purely civilian passengers occasionally with no harm to them or to the professional crew.

One other fact is perhaps worth noting: Not once in Raborn's regime has CIA been caught napping in any major outbreak of trouble for us around the world.

One of his creations, a new form of special intelligence task force for special needs, involving senior operations officers from all arms of American intelligence, is on 24-hour

watch in every critical area of the earth. The busiest at the moment is Task Force Vietnam—but Task Force Vietnam is not alone.

These special forces serve with far more coldly objective minds—as does the CIA collectively—than is commonly thought by eager critics. Still, nobody is naive enough to suppose that the best possible work will totally free CIA of the instinctive skepticism and sometimes outright hostility of a public which has a healthy suspicion of secret establishments and an immense appetite for melodramatic spy fiction.

One of Raborn's central efforts is to reduce this skepticism, this hostility, by what in CIA language would be called the optimum possible.

THE EXAMPLE OF SWEDEN

Mr. GRUENING. Mr. President, on Wednesday the Government Operations Subcommittee on Foreign Aid Expenditures received aid from a developed and enlightened nation—Sweden. The aid was free. No strings were attached.

The Swedish three-member delegation came upon invitation to share with the subcommittee and all interested persons what Sweden is doing to make family planning information available upon request overseas and at home.

They came at their own expense from Stockholm to Capitol Hill.

The Swedish delegation was headed by the Director General of the Swedish International Development Authority, Mr. Ernst Michanek. With him were Dr. Ulf Borell, professor of obstetrics and gynecology and chairman of SIDA's Advisory Group on Family Planning and Mr. Carl Wahren, deputy head of the planning division of the Authority.

Sweden has pioneered in making birth control assistance an ever-increasing part of its foreign assistance program, having undertaken its first effort to help a developing country initiate a family planning program in 1958 when Ceylon requested assistance.

Because of growing interest in the population crisis I ask unanimous consent that the written statements given by Mr. Michanek and Dr. Borell be printed in the RECORD at this time.

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

STATEMENT BY MR. MICHANEK

SWEDISH FOREIGN AID IN FAMILY PLANNING

Mr. Chairman, we have come here to talk about the most urgent problem of the present-day world: the problem of hunger and overpopulation. This is, I submit, one and the same problem. The starvation in the developing countries is increasing because of the increase in population. The starvation and death of many millions of men, women, and children can be checked only if the enormous increase in population is checked. We can do something about this situation—and we must do it.

You have been kind enough to invite us to appear before this subcommittee. Your invitation was addressed to the Government of Sweden and based upon the activities undertaken by that Government in the field of population and family planning. I am most honored to represent Sweden here in my capacity as chief executive of the Swedish Government authority for international develop-

ment. With me are my chief adviser in the field of family planning, Dr. Ulf Borell, professor at the university and head of the department of gynecology at the Karolinska University Hospital in Stockholm, and Mr. Carl Wahren, administrator of foreign aid programs of health, family planning, and research.

In the discussion on foreign aid we speak of the vicious circle of poverty, ignorance, and disease, which prevent economic, social, and cultural development. In international and domestic policies we fight for human rights—rights concerning life, work, education, security for all, et cetera.

We consider it a human right for all parents to plan the size of their families—including the case of subfertility—and to be assisted with a view to getting the number of children they can provide for.

In Europe, and in North America, birth control has obviously been known and widely practiced for centuries. This goes for people of all nations and denominations—only that in some countries and some parts of the Western society family planning is discussed more openly than in others.

We have no right to reserve this knowledge for a few. On the contrary, we are under obligation to disseminate it—for ethical reasons, for reasons of morale, for social reasons, and—let us not forget—for economic reasons.

In the 19th century and still not many decades ago, Sweden, although very thinly populated, had a problem of overpopulation. More than a million Swedes emigrated to America for economic reasons. People even starved to death in years of crop failure. Sweden's population problem today is rather one of underpopulation in spite of the fact that we now have twice the population of a century ago: We have a shortage of manpower. Sweden is now an immigration country.

In Sweden we would never think of trying to deprive our people of their right to knowledge in questions of human reproduction. If I may speak in my former capacity as Sweden's Under Secretary of Labor and Social Affairs: We try in every way to see to it that all children born should be children welcome and should have a right to affection, adequate care, and education.

We think the rest of the world should have the same opportunities as are available in Sweden. This is why in our foreign aid program we have entered the field of population control.

Swedish foreign aid is not large. However, our \$65 million program this year represents five to six times more than only 5 years ago. All parties in Sweden are agreed that we must move still faster toward the goal of 1 percent of our gross national product being used for aid purposes. Our official foreign aid today financially represents one-third of that target figure, and our gross national product grows at the annual rate of some 4 percent.

As an ardent supporter of the United Nations, Sweden devotes half of her foreign aid funds to the multilateral assistance programs of the U.N. and its specialized agencies. In fact, this year Sweden—a nation of 8 million people—ranks second to none but the United States as contributor to the United Nations development program, carrying some 8 percent of the total costs against 40 for the United States.

Our foreign aid program includes bilateral programs in a few countries. We are financing and running some institutions for vocational and professional training. We have entered the field of financing food purchases for starving nations. We give credits for grain storage projects, agricultural water supply, and the like. And we are working in the

field of health, preventive medicine, nutrition, and family planning.

Swedish public opinion demands that we devote more of our efforts to family planning. But for reasons of lack of experience and particularly of shortage of personnel, financially only a modest part of our aid budget so far has gone into family planning. We are increasing this part, and eager to increase it more, but until such time as we have found ways of attracting badly needed experts—experienced doctors, demographers, sociologists, and the like—a strongly hampering factor will remain.

We are in no doubt regarding the interest and motivation among the population of the developing countries in such an increased activity. Apart from all evidence by way of research, reported to this committee from the competent quarters, many Swedes abroad report back how they are approached by local citizens from all strata of the community begging for information: "How do we go about having as few children as you have?" Cabinet ministers visiting Sweden from developing countries and their wives have asked to obtain knowledge for their own part. In an increasing number of cases we are now being approached by representatives of foreign governments requesting assistance.

As in other cases of requests for aid, because of our limited capacity, we would have liked to refer such questions to the multilateral programs which we support so strongly; i.e., to the United Nations. But for many long years the intergovernmental organizations have not been in a position to assist. This is why Sweden has felt compelled to try on her own to give foreign aid in the field of family welfare including family planning. Indeed we would have liked to cooperate multilaterally with other governments; but for many years we have had to pioneer among the industrialized countries for lifting the ban on family planning activities as part of the official aid programs.

I speak of governments. Before mentioning more about the official activities I wish to stress what has been done by nongovernmental institutions. The largest and most active private institutions working in this field are the Population Council of New York and the other American institutions working with the support of, above all, the Rockefeller and Ford Foundations. They deserve the highest praise for truly historic achievements. What they have done by way of research, investigations, planning, training, and pilot schemes in many developing countries—and in this country—is, in my opinion, without comparison the most important international effort so far to meet the requests from the developing countries for assistance in formulating and carrying through population programs.

These American institutions need no financial assistance from outside—but we have been happy to share with them problems, findings, and experience.

For many years, the pioneering International Planned Parenthood Federation, IPPF, with headquarters in London, which is a nongovernmental federation of national or local organizations all over the world has been devotedly working on family welfare programs. The Swedish International Development Authority has taken up cooperation with IPPF in order to pool experiences and resources, and Swedish financial assistance toward the budget of the IPPF has recently been granted.

In the United Nations the Swedish activities aimed at creating awareness of the problem of overpopulation began in the early 1950's. There were indications of an awareness among leaders of some developing countries, that problems were arising as medical

science and international efforts helped decrease the death rates rapidly, while birth rates remained unchecked. A Swedish demographer in the Population Commission of the United Nations brought up the issue of population policy in 1951, and was invited to India to study that country's situation and to advise the Government on family planning measures. But from the same year, sitting as a Swedish delegate to the United Nations Economic and Social Council, I remember being warned not to mention this question in official interventions at the risk of being brought to silence by procedural moves or otherwise.

In the following years Swedish delegates tried many times in the committees of the General Assembly or in U.N. functional commissions, in UNICEF, and the World Health Organization to bring the matter up for discussion. In 1960 Sweden and five governments from developing countries tried in the General Assembly to break the ice, but in vain. In 1962, 11 sponsor governments succeeded, by a very tight margin, though, in getting the matter discussed, but the most important paragraph of the proposed resolution was defeated; the United Nations was not allowed to include family planning in its technical assistance activities, even at the request of governments.

In the meantime, world population reached an increase rate of 80 million people a year.

In 1958, the Governments of Ceylon and Sweden agreed to cooperate in family planning, starting a pilot project for action cum research on the island. Research, training, and individual assistance was undertaken. By now we seem to be able to state that in the main research area the birth rate has gone down by some 30 percent. The Swedish project is since last year incorporated in the national program for family planning in Ceylon, in which the Government has engaged the whole health service system of the country. Subfertility cases are, of course, also treated. The project has now entered a "service cum training" phase. Under a new agreement between the governments, Sweden is also financing the supply of contraceptives for the national program.

For 4 years, Pakistan and Sweden have been cooperating in a family planning project. Swedish experts have helped in organizing a few pilot clinics, in training medical and paramedical personnel, in the preparation and production of audiovisual aids for the dissemination of knowledge in the field of contraception and in other ways. Last year a very ambitious family planning scheme for Pakistan, covering the 5-year plan period 1965-70, was prepared, as a result of cooperation between American experts, the Pakistanis and the Swedish team. And now the Swedish experts are involved in what I believe is so far the greatest effort in the world to introduce a large-scale national family planning program in a large country—a country of 100 million people, in which we know that the number of inhabitants will become 200 million before the end of this century if present trends prevail. Financial assistance is now being given by Sweden to cover the costs in foreign currencies by purchases abroad (and not in Sweden, by the way) of contraceptive supplies.

Other small programs aimed at linking the services in the field of maternal and child health with the teaching of contraceptive techniques have been introduced by Sweden in Tunisia, and in the Gaza strip as part of an assistance program for Palestine refugees.

A few other countries have made official or semi-official requests for assistance in the field of family planning, and the Swedish International Development Authority is now considering how best to deal with them. During the last 10 months I have myself studied family planning projects in Japan, Korea, Hong Kong, Singapore, Tanzania, and

Egypt, and my collaborators have been also in Turkey, Morocco, Tunisia, and Taiwan for the same purpose. We have also studied different activities at American universities in the field of research and training.

I mention this in order to stress in how many countries the governments are now aware of the problem and ready to take action, and many more could be mentioned. It was, therefore, late but very appropriate, that a number of United Nations bodies last year took a positive attitude to the population problem in general. In 1965 the first U.N. expert team was set up to study population programs in India at the request of the Government, and we are eagerly waiting for its report.

We hope that soon the time will be ripe for operative programs to be undertaken by the United Nations. In the meantime, the Swedish Government has made known that we are ready to support financially, by funds in trust, and if possible otherwise, operative programs which UNICEF, WHO, or others might be willing to start.

CONCLUSIONS

From our experience, although limited, I should like to draw some conclusions with respect to family planning activities.

1. Planning: A careful planning of field activities must precede operations and much of the planning must take place in the field. Planning teams should be composed of experts in various fields—medical, sociological, demographic, etc. Demographic surveys and sociological studies are particularly important for the planning and for the evaluation of results. The magnitude and the complex character of the problem indicates, that foreign personnel cannot do very much of the real down-to-earth fieldwork. International experts have their greatest role to play as planners, research leaders, advisers. The bulk of the job must be performed by national personnel.

2. The role of women: In the planning and execution of programs, the central role of women in the family planning must not be overlooked. After all, one of the most important aspects of the population policy is to improve the health, not to say save the lives of the mothers, to give women a status in the family and the community, and to strengthen their possibilities of really contributing to development.

3. Family planning and mother and child health: It seems important to integrate, wherever possible, family planning activities in mother and child health promotion and couple them with the preventive health services. Indeed it is important to include services for the subfertility cases in the program.

4. Personnel and training: The problem of operative personnel is particularly complicated in the case of family planning. It is difficult already to make a job description, still more difficult to find suitable persons—each field project is partly unique and must be adapted to local conditions. Specialized field personnel is needed for information services and motivation, for distribution of information material and contraceptive supplies, for training in various fields, for clinical services and for follow up studies. The personnel needed will in most cases be in need of special training. It is very important that training institutions get possibilities of taking up this special training, and that they can serve as international training institutes for personnel from abroad, from developing countries as well as from the donor side. I think the United Nations ought to take up a training program for field personnel. What has been done already in this field and in population research by American universities is of utmost importance—I might mention the universities of Chicago, Harvard, Johns Hopkins, the University of Michigan, Ann Arbor, and the

University of California, Berkeley. Indeed, it is difficult to get proper training for field activities in industrialized countries, but I have been very impressed by what I have seen myself of practical fieldwork in Chicago, undertaken by a university institution and the Planned Parenthood Association there.

The pioneer experiences of the Population Council of New York, the Ford Foundation, and the International Planned Parenthood Federation must be taken care of and utilized by all parties concerned—and may I say, Mr. Chairman, that this subcommittee is doing a great contribution by putting together so much useful information through this dialog.

5. Research: A lot of research remains to be done. In regard to contraceptive methods there is not yet a final answer to the question of methods: which are the most safe—pills or the intrauterine device or some other—and which are the simplest for women and men in various cultural and social environments? May I mention in this context that the programs should include several kinds of contraceptive methods to be in keeping with individual and cultural beliefs. We have found, for instance, that in cases of inconvenience or failure of one method a set of others must be at hand, otherwise women in many cases will resort to abortion. The institutions in the United States have already played a great role in research, and institutions all over the world must cooperate continually and if possible under some kind of overall planning. Research in other fields—demography, sociology, methods of communication, economy, etc.—should also aim at assisting in a proper evaluation of the impact of human reproduction to the individual, the family, the Nation. If it is true, and I believe it is, that a dollar paid into family planning services can save \$300 in costs for education, such facts should be given and disseminated more widely.

6. Coordination: International coordination is badly needed in family planning. We need a center for information and discussion and we must try to achieve a rational division of labor between different parties and institutions.

Aid-giving agencies have to consult each other and coordinate their investigations and operations. In other fields the United Nations bodies, consultative groups or consortia, are available for international coordination. In this field it is particularly important to get the private institutions involved in a coordination machinery which they can accept.

Mr. Chairman, 3 years ago I appeared here as a witness invited by the Subcommittee on Employment and Manpower under the chairmanship of Senator JOSEPH S. CLARK, of Pennsylvania, to speak about Sweden's labor market policies. On that occasion I said that I and my colleagues had not come here pretending to carry with us solutions or even suggestions. We confined ourselves to tell how we had tackled certain labor market problems in Sweden, and we hoped that our hosts would find the information useful in their efforts to meet problems confronting the United States.

This time I cannot be quite as modest as that. I am talking this time of a problem confronting the whole world, a problem of equal concern to all nations. This is a field of activity in which a concerted international action is necessary. Small countries like mine can do little more than speak of it, undertake some pilot projects, finance some subsidiary activities as a part of a great program.

The problem requires action on the part of all nations—and not least the leading nations of the world. The United States has started the engines—and we are hopeful.

But I dare say that we are waiting impatiently for the takeoff. We understand now that the U.S. Government is aware that this country must make a greater contribution to the solution of the world's greatest problem. I am sure it can do it. I trust it will do it. But, sir, time is running short.

STATEMENT BY MR. BORELL

Mr. Chairman, as chairman of the Swedish International Development Authority's Advisory Group on Family Planning and as professor of gynecology and obstetrics at the Karolinska Institute in Stockholm, I wish to thank the Subcommittee on Foreign Aid Expenditures for this opportunity to describe the methods and research in family planning in Sweden.

My remarks today are prepared to tell you more about the family planning methods used in Sweden, the Swedish legislation as it concerns abortion, present research in human reproduction in Sweden, and the need for international cooperation in demographic research projects.

If you should wish me to expand on a particular portion of my testimony, I will do so. This subcommittee has provided a public forum from which the population problems which affect all of us may be discussed and, perhaps, some new light will be directed toward the problem areas.

Let me begin by discussing the following:

1. FAMILY PLANNING METHODS USED IN SWEDEN

Already in the 1930's the birth rate was very low in Sweden, being 14 to 15 births per 1,000 inhabitants (now it is roughly 16). Oral contraceptives and intrauterine contraceptive devices were not available at that time, but the conventional contraceptive methods were widely used. Legal abortions were only few, illegal abortions—although statistics are not available, of course—were too many.

As Sweden has no problem of overpopulation there was no urgent national need for new contraceptive methods, all work done within the field of birth control being designed to help individual couples or families. It is only recently that the Swedish National Board of Health has sanctioned the use of oral contraceptives and intrauterine contraceptive devices, except for cases of gynecological diseases in Sweden; in such cases they have been long used. The effectiveness of the pills is superior to any other of the available contraceptive methods. Today, out of approximately 1.8 million women aged 15 to 49, about 150,000 take the pill, which can be obtained only on a doctor's prescription. This measure has been taken to follow up users of these drugs in order to enable early diagnosis of unforeseen side effects.

For a long time objections have not been raised against giving advice on family planning on a large scale. Swedish physicians, in general, are not inhibited by ethical or religious reasons from prescribing contraceptives.

The possible side effects of oral contraceptives have been much discussed by physicians and laymen, on television, on the radio, and in the press.

The Swedish National Board of Health has instructed the members of the medical profession to record and report any unusual complications suggestive of being due to oral contraceptive therapy. Cases of thromboembolic disease including thrombophlebitis have been reported, but there is no convincing evidence of a relationship between oral contraceptives and these diseases. Our experience concerning this point agrees with the observations made in other countries.

On the other hand, we have found that a slight risk of hepatic dysfunction was associated with oral contraceptive therapy. Following cessation of oral contraceptive ther-

apy, however, the disturbed hepatic function promptly returned to normal in all cases found. We have now made it a rule not to prescribe oral contraceptives to women with a history of hepatic disease or gall bladder trouble. The facts involved in the causation of hepatic dysfunction are unknown. It has been suggested that this complication was due to drug allergy or genetic factors. It is rather surprising that little attention has been reported to this side-effect in other countries as it is easy to detect.

Because hepatic disease is quite common in developing countries, special attention should be given to a possible increase in its incidence in users of oral contraceptives.

Swedish doctors engaged in family planning in Pakistan have tried to introduce oral contraceptives in several clinics in that country. Unfortunately, discouraging results were obtained. The majority of the women who had been given the drugs free of charge discontinued taking them after 1 or 2 months, probably because they had not been informed that they might experience initial side effects such as nausea and vaginal bleeding in the beginning of the treatment. In my opinion it is not expedient to give oral contraceptive therapy on a nationwide scale in developing countries because the routine work of doctors and their assistants in Pakistan, for example, is so exacting that they have no time left for giving detailed directions for use of oral contraceptives. This is a very time-consuming task particularly in the case of illiterate women.

A few developing countries such as South Korea and Taiwan appear successfully to have checked population growth by the use of intra-uterine contraceptive devices. These are easy to apply, and the risk of complications appears to be negligible.

Scientific surveys from different countries would indicate that increasing motivation for family planning brings in its wake an increasing incidence of abortions until an efficient family planning program has been implemented. I suggest that governments embarking upon national family planning should be aware of this possible interrelationship. The high degree of effectiveness of oral contraceptives, however, has meant that induced abortion is virtually unknown among users of oral contraceptives as unplanned pregnancies occur seldom, if ever. The intra-uterine contraceptive devices are less consistently effective than the pill due to the expulsion rate of approximately 15 to 20 percent. Thus, the widespread use of these devices might tend to increase the demand for abortion, at least in an initial stage.

2. THE SWEDISH LEGISLATION ON ABORTION

Prior to 1938 in Sweden, all artificial miscarriage was regarded as a punishable offense. It had nevertheless become an accepted practice that abortion should not be punishable if childbirth would be likely to endanger the woman's life or health. In this purely medical indication for abortion it was required that two physicians should be prepared to give a written statement confirming the necessity for an operation. The number of illegal abortions apparently was high at that time, roughly estimated at 20,000 a year.

Under the 1938 act the interruption of pregnancy was permitted in some well defined cases, where there were strong medical, medico-social, humanitarian or eugenic reasons. Of great importance was that a legal abortion could be performed if—due to the woman's illness, physical defect (medical reason) or weakness (medical-social reason)—childbirth would seriously endanger her life or health.

The law, however, hardly led to the anticipated reduction in the number of illegal

abortions. In 1946, a new indication for legal abortion was added, abortion being allowed also if the woman's living conditions were such "that her physical or mental powers would be seriously impaired through the birth or care of a child." Thus the advisability of abortion should be evaluated on the basis of environment, social, and financial conditions, as well as medical considerations.

In the beginning of the 1950's, the annual number of legal abortions was around 6,000, to compare with about 100,000 live births annually. During the second half of the decade, the annual legal abortion figures gradually dropped and reached the level of around 3,000 per 100,000 live births in 1960. In later years again the figures have increased to around 4,000, now to compare with 120,000 live births per year. My personal conviction is that the number of illegal abortions has decreased very substantially since the 1930's due to better contraceptive techniques, improved social welfare measures, etc.

Other preventive measures have been taken with a view to counteracting abortion. Legislation has, for example, been passed which prohibits dismissal from employment on account of pregnancy or childbirth. Services for the support and advice of pregnant women have been established. A number of social security and welfare measures have been added in order to improve the living conditions of children, to support the natural desire for raising a family, and to increase the feeling and the actual state of security of expectant mothers.

In view of the injury to the fetus caused by thalidomide, the Abortion Act was again revised in 1963. Abortion is now allowed if the child might be assumed to suffer from a serious disease or physical defect due to injury during its fetal life.

The Swedish Abortion Act of 1938, as amended, makes no distinction between Swedish and foreign citizens. In the last years an increasing number of foreign women have come to Sweden to get an abortion, particularly since the reporting of such a case in the world press. In 3 years, from 1962 to 1965, more than 700 foreign women applied for abortion at the Karolinska University Hospital, 292 of whom came from the United States. Only in 3 percent of all these cases an abortion was granted under our law. Legal abortion was performed in only 13 of the 292 cases from the United States (4.5 percent) after decision by the National Board of Health. In approximately 65 percent of the cases considered there was no indication at all for abortion according to the Swedish law; pure socioeconomic reasons were given, unmarried status referred to, and so forth.

To a large extent foreigners lack knowledge of the preventive emphasis in the Swedish abortion legislation, which aims at finding better alternatives than abortion by various relief measures. Since those who come to Sweden in these cases normally cannot be given social aid, the often long journey results only in disappointment and money spent in vain. In practice it is only on manifestly medical grounds that a foreign citizen can gain permission for abortion in Sweden. But as a rule in such cases abortion can be obtained in the applicant's homeland as well.

About 25 percent of the women to whom I have referred who came from the United States had been advised to come to Sweden by a physician in the United States in order to get a legal abortion. The remaining 75 percent had been misled by newspapers and magazines.

3. PRESENT RESEARCH IN HUMAN REPRODUCTION IN SWEDEN

Swedish research in human reproduction is characterized by the philosophy that

whenever possible, basic information on these processes should be obtained in clinical experimentation. At the Karolinska University Hospital in Stockholm, research is concentrated on the study of the endocrine regulation of reproductive processes in the human female.

The present research work at my department has two major directions; namely (a) Studies on the endocrine regulation of ovarian function; (b) Investigations of the endocrine regulation of gestation in the human being.

The mode of action of oral contraceptives and intrauterine devices is incompletely understood. We believe that an improved knowledge of the mode of action of these agents must result in improved methods of regulating fertility and sterility.

Present studies are directed toward the exploration of the mode of action of a new type of contraceptive pill and called low-level supplementation. This method is believed to interfere with fertility without ovulation.

The other line of research involves studies on the endocrine regulation of gestation in the human. These studies led to the development of a new concept, that of the fetal-placental functional unit, and we think that as a result of these studies it will be possible to find specific steps in the hormone production which are vulnerable to exogenous hormonal or pharmacological influences.

These studies were made possible in part by a research grant of \$500,000 from the Ford Foundation, but the work is also supported by the U.S. National Institutes of Health (just now a training grant of \$350,000 is pending), and the Medical Research Council of Sweden (\$12,000 yearly). In addition, the international pharmaceutical industry has also shown a great interest in supporting the basic research conducted in this laboratory.

During the past 3 years (1963-65), 25 post-doctoral fellows were trained in reproductive endocrinology at the laboratory. Eleven of these came from the United States.

It is hoped that this training program can be extended in the near future to include fellows also from South America and from the developing countries in Africa and Asia.

4. A DEMOGRAPHIC RESEARCH PROJECT

Engagement in the population problems in the economic development of developing countries requires adequate methods for analysis of the situation and trends and for the evaluation of the efforts. As for the population aspects, research is now carried out at the Demographic Institute, University of Gothenburg, Sweden. The purpose is to develop so-called demographic models as a scientific instrument for studying the interrelationships between the population changes and the economic and social development in various types of populations and economies.

It seems desirable to establish international cooperation in this field both through a suitable international body and through direct teamwork between individuals and institutes in various countries, developed as well as underdeveloped.

THE PRESIDENT'S MESSAGE ON CRIME AND LAW ENFORCEMENT

Mr. INOUE. Mr. President, I offer my heartiest congratulations to the President for his timely message on crime and law enforcement in the United States. Crime is one of the best publicized facts of American life today. One cannot pick up a magazine or pass a newsstand without being assaulted by headlines proclaiming the latest bloody murder or robbery.

These occurrences are alarming and deplorable. It is understandable that we should withdraw in fear, that our impulse should be to shut our doors on the threatening outside world. But as natural as that reaction may be, it is the wrong one. It can only make the problems worse.

We can hope to win the war on crime by uniting not in fear, but in an affirmative, forward program against the many factors which contribute to criminal conduct.

It is that need to unite and, united, to move actively forward that the President so wisely emphasizes to us in his exposition of the need to perform more than superficial surgery on our existing criminal justice system. He recalls to us the relevance for crime prevention of the many broad programs for social betterment which are now beginning. In the meantime, he reminds us of the importance of firm, and immediate, legislative action.

One measure the President proposes is legislative reform of the bail system. In the last several years, compelling evidence has been amassed which testifies that our present dependence upon money bail as a condition of pretrial release is unfair. This evidence also shows the feasibility of relying on other assurances of return for trial—assurances which do not discriminate between rich and poor defendants.

The country has been shown that thousands of defendants spend months in jail awaiting trial, unable to support their families or assist in the preparation of their defense simply because they lack the funds with which to post required money bail.

We have also learned that many of those same defendants can be trusted, on the basis of such facts, as their long residence in the community or their good employment record, to return to court without the need for money bail.

It is highly appropriate that this nationwide movement of realization and resulting reform should culminate in Federal legislation, revising Federal bail practices in keeping with this knowledge and thereby setting the States a good example as well.

A second necessary proposal would provide civil commitment and medical treatment for narcotics addicts. Again, we all know of the individual suffering and the harm to those on whom the addict preys to support his habit. Here is legislation which gives an opportunity to help the addict break his habit—to return him to society as a useful, contributing member instead of a dangerous, embittered and predatory outcast.

Another step the President urges is enactment of legislation to help authorities deal with the scourge of organized crime. This measure would permit witnesses who possess information about organized crime but refuse to divulge it voluntarily to be granted immunity from prosecution and compelled to testify.

Organized crime is growing and expanding its operations in new and truly fearsome dimensions. It is penetrating legitimate businesses, terrorizing law-

abiding citizens, enmeshing officials in cynical schemes to overlook or underperform their duty. The proposed immunity provisions would give the Government an important new tool in loosening the hold of this many-tentacled menace.

All these measures are important forward steps in our continuing efforts to cope with crime and improve our criminal justice system. I am pleased to join in urging passage of this legislation.

SEVENTH ANNIVERSARY OF TIBET DAY

Mr. JAVITS. Mr. President, in March of 1959, the Government of Red China completed the suppression of the historically autonomous country of Tibet. Tibet has always been a country of peace, a nation of deep religious principles, a Buddhist people following the teachings of the ruling Dalai Lama. Red China's rape of Tibet 7 years ago was not only a violation of every law of international decency, but a breach of Peiping's own promise, signed in a treaty of 1951, to respect Tibet's autonomy, and a complete disregard of Peiping's pledges at the Bandung conference to practice noninterference in the internal affairs of other countries.

As a result of the Chinese Communist takeover, the Dalai Lama was forced to flee to India, to keep the hopes of his people alive. Eighty thousand refugees followed the Dalai Lama into exile. The life of the refugees is not a happy one, but they prefer it to life under communism. Their brethren who have had to remain in Tibet have been subjected to forced labor and widely reported genocide.

The free world has not forgotten the people of Tibet and should commemorate their hopes for religious freedom and peace.

THREE GREAT LIGHTS

Mr. MUNDT. Mr. President, Freedom Foundation has given an award to Miss Lynda Hanson, a senior in the Yankton, S. Dak., high school for her editorial written in the school paper, the Waksape.

This is a very outstanding editorial. It is filled with patriotic sentiments. It indicates a maturity of thought and presents a challenge to young America.

I ask permission to have this editorial entitled "Three Great Lights" inserted in the CONGRESSIONAL RECORD at this point.

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

THREE GREAT LIGHTS—WILL THEY CONTINUE TO GLOW?

"And darkness was upon the face of the deep." Let us attempt to visualize such a darkened world, void of all light, of all direction.

"And then there was light." Light was everywhere. Every nook and cranny glittered—all kinds of light—the light of hope, the light of peace, the light of knowledge, to mention just a few. However, as time passed on, shadows fell upon different parts of the world and at times it seemed as

though the light merely flickered over areas, as a candle striving to glow in a raging storm.

And so it was in this, our America. As our forefathers strived to keep the light aglow, so that its feeble rays might show the direction to a new way of life, out of the efforts of a noble group of patriots emerged three brilliant candles: the Declaration of Independence, the Constitution, and the Bill of Rights. A new nation was born.

As time passed on, it appeared that some would have these candles extinguished but they had been entrusted to such men as George Washington, Benjamin Franklin, Abraham Lincoln, Woodrow Wilson, Franklin Delano Roosevelt, and Dwight Eisenhower, among others. Our America has remained strong and stable because of the confidence these men, as well as many women, have had in these three lights.

Thomas Jefferson speculated that God had endowed all men with "inalienable rights" which no one could take from them. He cited these rights as the right of life, the right of liberty, and the right to pursue happiness. We enjoy these rights daily as we bask in the light of the three candles. As Americans we have done this for many years, building a bigger and better Nation of free people.

We, like our forefathers, had to learn to live with neighbors who came from all parts of the world. We learned not only to tolerate each other, but to welcome and assist one another. This welding of people has contributed to the dynamic aspect of our society.

Indeed, disputes can be expected from such a people as we are, but invariably we managed to harmonize two principles—the principle of belief and the principle of freedom. At times our candles flickered momentarily, only to be sheltered by those who believed in our democratic way of life. Often cries of complaint and criticism were raised but they soon were muffled into murmurs of gratitude. In our modern world, democracy is too often taken for granted. Who can say that the finger of guilt is not to be pointed at him. Can we proclaim with sincerity, as we salute Old Glory, "This is my country."

However, as we utter these words, how do we, as students, endeavor to keep the lights shining brightly? We can point to our efforts for self-improvement and our recognition of the value of an education. Abraham Flexner, a great educator once said, "The common school is the greatest discovery ever made by man." This statement is significant to most of us but even a small minority is too many to have to be reminded of the value of an education. Our forefathers realized the importance of an educational system and planted its roots deeply among the people where it could grow and be well nourished. Our schools have always been well illuminated and must continue to be so to keep our Nation strong.

We Americans are known to be outward looking and forward looking, an endless line of pioneers striving to better our world. Unless we continue to look ahead as our forefathers did, we can expect a diminishing of the three great lights. This must never be because the future is tomorrow and we must be ready for it. We are people in process, proud of our adaptability, alert to change, quick moving, and yet sympathetic. As a nation, we made promises to the world and kept them for, as the poet, Archibald McLeish said, "America is promises."

As our three great lights illuminate our way of life to the world, we, as Americans, are obligated to assume the responsibilities as set forth by the signers of the Constitution. We must keep America strong, keep it free, and keep it filled with promises for the world that will assure the suppressed people that there is hope. Our candles will continue to light the way as they have in the past. The responsibility to keep the flames

glowing is ours. We can and we shall do it, for to do this means freedom for all mankind.

THE IMPACTED AID PROGRAM

Mr. PELL. Mr. President, I present, for appropriate reference, a resolution of the city council of my home city of Newport, R.I., memorializing Congress to support the Public Law 874 impacted aid program at its present level.

On February 28, 1966, I spoke in this Chamber on the hardships which would flow from a reduction of impacted aid funds to the affected communities. The city of Newport, R.I., will lose \$281,113 if the proposed cut in funds is sustained. A city of 50,000 cannot readily find moneys to replace such a loss. Six thousand Newport public school children should not be made to forgo a decent education, the result of implementing the proposed cutback in aid levels.

The many parents who are now or will be stationed at the Newport Naval Base, should not feel that service in Newport is a hardship due to the poor educational system to which they would have to send their children. And while on this particular subject, are we making a service career attractive when parents know that wherever they are stationed, the school system will be substandard due to the lack of Federal aid? I think not; and, over the years, this piece of false economy may be reflected by diminishing reenlistment rates.

Again, Mr. President, I say that the impacted aid program must continue at its present level, and I intend to do all I possibly can to insure that it does.

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

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

RESOLUTION 21-66

Whereas there is pending legislation in the Congress of the United States that would greatly curtail Federal aid for education in impacted areas; and

Whereas the city of Newport is an impacted area with its vast Federal naval installations, and is highly dependent upon Federal grants for education to implement local and State contributions; and

Whereas any decrease in the Federal grant would seriously impair our educational system: Now, therefore, be it

Resolved, That the Council of the City of Newport does hereby request the congressional delegation from the State of Rhode Island to take whatever action it deems feasible to defeat the passage of the proposed legislation; and be it further

Resolved, That certified copies of this resolution signed by the Honorable Dennis F. Shea, mayor of the city of Newport, and countersigned by the city clerk, be transmitted to Senators and Representatives in the U.S. Congress from Rhode Island.

Read and passed in council, February 23, 1966.

DENNIS F. SHEA, Mayor.

Attest: JOHN F. FITZGERALD, City Clerk.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, recently, a very excellent article on snooping appeared in Current Events,

an American education publication for junior high school students.

As this article expresses in the clearest language the threat posed by modern snooping gadgets, I ask unanimous consent to have it printed in the RECORD.

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

SNOOPERS, SNOOPERS EVERYWHERE—AND NOT A SINGLE PLACE TO HIDE

"We are fast becoming a nation of snoopers. The techniques and gadgets that for so many years were associated with international cloak-and-dagger operators are widely used today, not only by police and Government investigators, but by respectable businessmen and untold numbers of private investigative agencies, some respectable, some not."

In these words Representative CORNELIUS E. GALLAGHER, Democrat, of New Jersey, recently summed up the problem of invasion of privacy in the United States. He was not exaggerating.

Hearings in Congress last year, some initiated by Congressman GALLAGHER, piled up page after page of testimony about widespread snooping.

Snooping—the invasion of individual privacy—comes in many forms. Some are so commonplace in life today that many Americans seem unaware that they are forfeiting personal rights guaranteed under the fourth and fifth amendments to the Constitution.

Wiretaps, mail covers, "bugs," concealed TV cameras, lie detectors, truth drugs, "personality" tests, computers, two-way mirrors, sniper-scopes, and ingenious lock picks are just a few of the tools used today in the national snooping craze.

WHO ARE THE VICTIMS?

The effects of snooping touch the humblest neighborhoods. They also touch the White House, itself. In a speech in Texas a year ago reported by the United Press, Maj. Gen. Chester V. Clifton, military aide to President Johnson, said:

"Bugging is a big problem we have to handle. I have found many efforts to bug the White House."

The culprits in these efforts, the general implied, were foreign agents and American businessmen anxious to know ahead of others what the Presidential decisions would be.

Bugging is the use of radio receivers—some small enough to fit in a tie clasp—to record conversations of people who don't know they are being heard.

Some receivers are sensitive enough to pick up conversations in another room or on the next block.

Such "bugs" are among several devices developed from cold war spying between the United States and the Soviet Union and also from "miniaturization" techniques resulting from space research.

Few Americans deny the right of spy agencies such as the CIA to use these weapons to maintain national security. Our fate as a nation in the nuclear age may rest on whether we know in time what our enemies are up to. Some also favor using the new snoopers to fight organized crime—illegal gambling and racketeering—provided their use is approved beforehand by proper legal authority.

The problem is that spy tools are being adapted to other uses, many of which trample on individual rights in homes, businesses, hospitals, and even schools (bugs have been used to trap student smokers).

WHO ARE THE SNOOPERS?

The Federal Government is king of the snoopers, even without counting its activities in the field of national security.

Congressional hearings in 1965 revealed that:

The U.S. Post Office had "mail covers" on 24,000 persons in 1963 and 1964. A mail cover is a check on information on the outside of a letter—addresses and place and date of postmarks.

Federal tax collectors used a variety of tools, including two-way mirrors, to spy on suspected income tax cheats. A two-way mirror on a door or wall reflects normally inside a room. An observer stationed outside, however, can see through the mirror as if it were clear glass.

The FBI used "bugs" to eavesdrop on criminal suspects in Las Vegas, Miami, and Kansas City. Today, four FBI agents and a phone company face a \$6 million lawsuit for invasion of privacy.

Many other Government agencies use so-called lie detectors, or polygraphs, to test employees and job applicants at a cost of millions to the taxpayer.

Widespread snooping of this kind raises these important questions:

1. When does an organization's right to know end and an individual's right to privacy begin?

2. How can our laws be updated to deal with new space-age methods of snooping?

3. How can you catch snoopers anyway if their tools are becoming so effective that no one knows they are using them?

One expert on the matter, Senator EDWARD V. LONG, Democrat, of Missouri, suggests checking the problem at its source. He suggests laws regulating the manufacture, sale, and use of modern eavesdropping devices.

A THREAT TO RIGHTS

After last year's hearings in Congress, President Johnson, himself, struck a blow for the right of individual privacy. He ordered all Government agencies to stop wiretapping and other phone-listening activities except under special circumstances.

The great danger in mass snooping is the steady loss of personal privacy and its effect on our democratic society.

As Vance Packard, author and expert on the snooping question, said in a university lecture last December:

"Privacy must be at the heart of any concept we have of freedom. Respect for privacy is at the arc of any test between a free and a totalitarian society. The earmark of the totalitarian society is the fear of being watched and heard."

The individual's right of privacy is implied in the fourth and fifth amendments to the Constitution (both parts of the Bill of Rights). The fourth amendment affirms the right of the people to feel safe against "unreasonable searches and seizures"—those made on whim without proper warrant or legal authority.

The fifth amendment, among other things, protects the individual from being a witness against himself in criminal proceedings.

As practiced today, snooping in the United States would seem to chip away at both these guarantees of personal freedom. Homes can be searched electronically today without homeowners being aware of it. A person can unknowingly be a witness against himself when his conversations are bugged without his knowledge.

The law, as yet, has done little to deal with this new form of invasion of privacy. Laws do exist against telephone wiretapping and wiretap evidence. But modern snooping tools make wiretapping seem crude and old fashioned.

USE AGAINST CRIMINALS?

How far should law enforcement officers go in using snooping devices?

Some high officials, including former U.S. Attorney General ROBERT F. KENNEDY, have said that wiretapping might be used in the investigation of certain serious crimes, such

as murder and kidnaping. They claim that if policemen using such devices were required to have warrants, there should be little chance of abuse.

Judge Harold Medina, of the U.S. Appeals Court, however, warns that a firm check should be kept on such practices. In a foreword to "Liberty Under Law,"¹ he says:

"The average citizen says why not use wiretap evidence in court? They do catch crooks that way, don't they?"

"This citizen needs to know that wiretapping would not be used just against 'crooks.' When people tap wires they can find out a man's business secrets and his personal affairs. They can get information that could be used in politics in the worst sort of way."

Americans today submit to snooping that might have turned their forefathers red with rage. The colonists' opposition to invasion of privacy helped trigger the American Revolution and gain us nationhood.

In the 1760's officials of the Crown, armed with writs of assistance, broke into colonial homes on whim in search of smuggled goods. No such breach of home privacy was permitted in Britain itself at the time.

In fact, when the hated writs were being used in America, William Pitt the Elder, noted British statesman, was exulting in Parliament over Britain's right of privacy. He said:

"The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; it may shake; the wind may blow through it; the storms may enter; the rain may enter—but the King of England cannot enter. All his forces dare not cross the threshold of the ruined tenement."

Mr. Pitt, of course, had no idea of where science and modern technology would lead us. The electronic snooper can move in on home privacy today where once even the King of England feared to tread.

As yet we have few answers to this menace to precious rights, but at least the extent of the problem is becoming clearer.

REVIEW AND DISCUSSION

Main ideas to remember

1. Why is widespread snooping in business, government, schools, and elsewhere a danger to our democratic way of life?

2. In what way does modern-day snooping violate guarantees of privacy contained in the fourth amendment to the Constitution?

Talk it over

1. This week's lesson discusses the more spectacular methods of snooping in use in the United States today. Can you think of others more commonplace, but also a threat to individual privacy?

2. Someone has said, "Respect for individual privacy begins at home." Do you believe this? Explain your answer.

TAX ADJUSTMENT ACT OF 1966

Mr. PROUTY. Mr. President, before the vote on the passage of the tax bill yesterday, it was stated on the floor of this Chamber that my amendment to that bill would be dropped before the conferees reached the rotunda of the Capitol.

I am alarmed by such a suggestion. On my amendment, the Senate voted three separate times to include in the bill social security protection for 1½ million older Americans. Three votes must be considered a mandate to the Senate conferees to do everything possible to keep the amendment in the bill. To hear the Senate position capitulated before

¹Liberty Under Law, American Education Publications.

the first sound of the conference gavel is a perversion of the conference concept.

The eyes of a million and a half older Americans will be on that conference committee. To many, my amendment is the last hope in a long and devastating fight against the rigors of poverty.

From the rumors that circulated in this Chamber yesterday, it is fair to say that the administration is launching an all-out effort to persuade the conferees to kill my amendment and take away the \$1.45 per day my amendment provided for over a million needy aged.

If the committee bows to administration pressures; if it disregards the desperate plight of the elderly poor; if it fails to retain the essential elements of my amendment, which the Senate insisted on in three separate votes; I shall take my case to the people. I shall engage in extensive debate and discussion on the conference report until the overwhelming sentiment of this great Nation is marshaled to the fight for the elderly poor. I shall debate and discuss the proposal until the American people are made aware of the pressures that are being applied to the conferees to take food from the mouths and clothing from the backs of more than a million poverty-stricken older Americans who have nowhere else to turn.

I have received promises of support in my efforts, particularly from some who were accused of being uninformed and irresponsible because they acceded to the supplications of the old people and not the directives of the administration.

The Senate must not allow the perpetration of a great tragedy. My office has been deluged by hundreds of calls and letters asking where to apply for benefits. I do not want to have to tell them their elected officials sent their money abroad or to the moon. I do not want to be the one to have to tell them that they are the lost battalion in the war on poverty. I do not want to be the one to inform them how woefully shallow, shamefully thin, and sorrowfully small their Great Society really is.

TRIBUTE TO FORMER SENATOR HARRY F. BYRD, OF VIRGINIA

Mr. AIKEN. Mr. President, the absence of Harry Flood Byrd from this 2d session of the 89th Congress leaves a great void in our ranks.

A legislator in every sense of the word, he served his State and Nation well and, as chairman of the Finance Committee of this Senate, acted as a rudder in the conduct of the financial affairs of our Government.

Although no longer an official Member of this body where he served so long, I hope that his counsel and guidance will be available to our membership for many years to come. While I hope that he may enjoy a well-deserved rest now, I selfishly regret that he is not with us, not only because of our personal friendship, but because in these most troublesome days his counsel is not so readily available to the Senate.

Mr. CANNON. Mr. President, on November 11 of last year a great public

servant, Senator Harry Flood Byrd, announced to the Senate and to the Nation that he intended to resign the seat he had held in this august body since 1933.

Thus, our country was deprived of one of its greatest statesmen at a time of pressing national need. Senator Byrd, during his long and honorable service, achieved a standard of honesty, patriotism, and scholarship which few men ever attain. His unfailing courage and his relentless determination contributed greatly to the position of eminence this country enjoys throughout the world.

In every sense of the word, he was the guardian of the Treasury and placed his stamp of personal integrity on many major fiscal decisions of this country in modern times.

It was my good fortune, before his retirement, to have had frequent discussions with this outstanding man from Virginia, and I well remember I was consistently given better understanding, clearer insight, increased strength, and encouragement as a result of our friendship and those conversations.

Harry Flood Byrd was surely the foremost champion in our time of the cause of a balanced budget, fiscal responsibility and stability of a National Government. His was a difficult and often personally painful role in an age when spending has become synonymous with votes and when there is cause to wonder whether taxpayers appreciate the savings of billions of dollars by men such as Senator Byrd.

I think that his type of service will prove enduring and that appreciation of his devotion will grow with the years. Surely, none can doubt that our country is stronger for his devotion to it.

Mr. President, it is my wish that Harry Flood Byrd live out his years in peace and good health in his beloved Virginia which he so ably represented. I also hold every confidence that his example will prove an inspiration to his family, his State, and his Nation.

POSTMASTER GENERAL O'BRIEN SPEAKS ON VIETNAM

Mr. INOUE. Mr. President, many millions of words have been spoken and written about the Vietnam conflict since this Nation committed itself to help South Vietnam more than a decade ago.

But one of the finest public expressions of our national policy on Vietnam was made February 25 at Des Moines, Iowa, by Postmaster General Lawrence F. O'Brien.

I urge each and every one of my Senate colleagues to read Mr. O'Brien's words very carefully. I respectfully ask unanimous consent to have the full text of the Postmaster General's remarks at the Iowa congressional fundraising gala to be included in the RECORD.

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

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT THE IOWA CONGRESSIONAL FUNDRAISING GALA, DES MOINES, IOWA, FEBRUARY 25, 1966

It's good to be with you tonight.

One of President Johnson's favorite sayings is that "An ounce of work is worth

pounds of words." Hard work is the secret of a President's success, of a nation's success, and certainly of a party's success. And tonight this gala is celebrating the results of hard work in the past as well as anticipating and preparing for the important tasks that lie ahead.

Of course, we don't lack for evidence that you have performed diligently and that your diligence has paid real dividends.

Democrats, through hard work, took poor seeds of farm recession planted by Republican farm policy and produced a Democratic State legislature for the first time in 30 years as well as a great bumper crop of Democratic Congressmen in Washington.

The rollcall is certainly impressive.

BANDSTRA, CULVER, GREGG, HANSEN, SCHMIDHAUSER, and SMITH—each and every one of them an energetic and effective Congressman who is making his influence, and your influence, felt in Washington every legislative day.

And, of course, while we are calling the roll of leadership, let me salute your great Governor, Harold Hughes, and your outstanding State chairman, Lex Hawkins.

This evening I want to discuss a subject of great concern to all Americans, no matter where they live, no matter how they vote.

The subject is Vietnam.

During my 5 years in the White House, I saw this problem grow with ever increasing intensity. It became more and more menacing. It claimed a large portion of President Kennedy's daily attention, as it is now claiming President Johnson's.

While the scope of the conflict in Vietnam may continue, while the violence and terrorism may go on, while the demands on our patience and our strength may remain, I can tell you from my close association with President Kennedy and with President Johnson that one element is unchanged: our commitment to "pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival of the success of liberty."

On October 26, 1961, President Kennedy said: "The United States is determined to help Vietnam preserve its independence, protect its people against Communist assassins, and build a better life through economic growth." And he added "we know that the future of the Vietnamese people is not Communist slavery but the freedom and prosperity which they have defended and pursued throughout their history."

In February 1962, in a message to the Vietnamese people for their New Year's celebration, President Kennedy reiterated that pledge, saying: "Let me assure you of our continued assistance in the development of your capabilities to maintain your freedom and to defeat those who wish to destroy that freedom."

And in October 1963, he showed that increasing Communist aggression had only strengthened our resolve to see a free Vietnam. "The security of South Vietnam," President Kennedy declared, "is a major interest of the United States as of other free nations. We will adhere to our policy of working with the people and Government of South Vietnam to deny this country to communism and to suppress the externally stimulated and supported insurgency of the Vietcong. Effective performance in this undertaking is the central objective of our policy in South Vietnam."

Why did President Kennedy—and President Eisenhower before him—choose to commit this Nation to defend a country so far from our shores? Why is President Johnson continuing that commitment?

Why didn't these three Presidents choose instead to say, as did Chamberlain, that we should not be concerned over a faraway country and about a people of whom we know little? Chamberlain told the British people

that he brought them peace, and that they should "Go home and get a nice quiet sleep."

Chamberlain and many others did not recognize that Czechoslovakia was the front line of England. They did not see that a scrap of paper signed at Munich would soon mean, not a nice quiet sleep, but bombs in Manchester.

History is full of examples of dead societies that did not learn the harsh lessons of existence.

One of the lessons of existence in this 20th century is that appeasement is but a downpayment on a mortgage that comes due quickly and is payable in blood.

Former President Harry Truman remembered Chamberlain and Munich when he stopped communism in Korea.

His three successors were guided by the lessons of history in choosing to support freedom in Vietnam. One of President Kennedy's favorite stories dealt with Samuel Adams, who later started a little party of his own with some tea in Boston Harbor.

Sam Adams went to call on the British Governor after the Boston massacre. The Governor warned of mass arrests. Sam Adams replied that Americans would not knuckle under to threats and told the Governor that we would fight. Later, he wrote in his diary, "I saw his knees tremble."

It was not Sam Adams' knees that trembled.

For he was on the side of freedom.

And today, our knees must not tremble; our eyes must see clearly that failure to protect freedom in Vietnam will not end the Communist appetite for conquest.

How much better for France to have marched into the Rhineland in 1936, than to go down to defeat in 1940.

How much better for England to have supported its Czech ally in 1938 instead of narrowly averting invasion in 1940.

How much better it was to face down Russian missiles in Cuba in 1962, without trembling knees, than to permit the Communists to blackmail our Nation.

How much better to say, "this far and no further," in Vietnam today than to have to draw the line again and again tomorrow, and tomorrow, always closer to our shores.

Let us remember that in defending Vietnam we are defending Iowa, and Massachusetts, and all the free world.

In sending our fighting men to Vietnam we are assuring that far greater numbers are not called to fight, elsewhere, on another day at a greater cost.

President Johnson has said: "We did not choose to be the guardians at the gate, but there is no one else."

Yes, my friends, there is no one else.

If we do not show the same fortitude now that has marked us in other times and other crises there is no one else and there may be no other time.

In 1823 we could issue a Monroe Doctrine secure in the knowledge that a British fleet would uphold our brave words.

But in 1966, there is no other fleet, no other force, with the will and with the power.

If we do not stand firm, who will? If we cannot support freedom in Vietnam, who will?

If we cannot keep our commitment to that embattled nation, where will we keep it?

If we do not keep our trust with those who trust us now who will trust us or rely on us in the future?

If we look for some corner to hide our trembling knees while we let South Vietnam disappear will the appetite of communism decrease or will it grow?

These are the hard questions I saw John F. Kennedy and Lyndon B. Johnson grapple with.

They are not easy questions and those who suggest easy answers are not serving the Nation or solving the problems.

Thirty years ago this State was in the heartland of American isolationism. I think

we have all come a long, long way since then. For most Americans realize that whether they live in Iowa or in Massachusetts, they are united in the quest for a lasting peace with honor. It must, however, be a peace that will once and for all convince the aggressor that we mean business, that we will not sit on our hands while freedom is destroyed.

In a forceful summary of our policy, President Johnson once said: "We don't want to bury anyone and we don't intend to be buried."

The President made that statement in one of his first speeches as Commander in Chief and I believe that our continued firmness will drive this lesson home even in Peiping and in Hanoi.

Certainly defending freedom is our historic position—it is our position now and always will be. Every American who believes in our form of government—its accomplishments and its future—will, I am sure, give our President his loyalty, his support, and his prayers as the President pursues this awesome task: the preservation of this democracy.

PROPOSED CURTAILMENT OF PROGRAMS UNDER PUBLIC LAW 874

Mr. CANNON. Mr. President, recently I received a letter from a constituent in Tonopah, Nev., commenting on the foreseeable effects of any curtailment of Public Law 874.

My constituent, H. V. Jacobs, wisely points out that this law, which has been so successful and beneficial to our State, recognizes the increasing mobility of our citizens which is the key factor involved in Public Law 874. In my opinion, any curtailment in the existing benefits rendered to the States in the field of education would deal a crippling blow to the present generation attending public schools.

I ask unanimous consent that Mr. Jacobs' letter be printed at this point in the RECORD.

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

TONOPAH, NEV.,
February 26, 1966.

From: Haskell V. Jacobs, chairman, Nye County School Board.

To: the Honorable HOWARD CANNON.

Subject: Public Law 874.

In a recent board meeting we discussed existing and pending legislation on Federal financing of education and its overall benefit to the State of Nevada and to Nye County in particular.

It is our opinion that Public Law 874 as it now stands, is of far greater significance to Nye County than any recent legislation, and quite possibly to the State as a whole.

We believe Public Law 874 recognizes a problem peculiar to our fine, exploding population and increasing mobility of our working people.

Curtalement in any way of this particular legislation is a matter of grave concern to us. We see nothing in recent legislation that will restore to us what we lose through any curtailment of Public Law 874. This, to us, is a considerable amount of money. I submit the following figures as evidence. For the budget year 1962-63, Public Law 874 furnished us with revenue to the amount of \$33,922; for 1963-64, \$20,447; for 1964-65, \$28,981; for 1965-66, \$42,806; for 1966-67, \$43,000.

It is our opinion that a reduction in this particular area is in no way offset by new legislation.

We note with confidence and pride your efforts in our behalf in this particular matter.

Sincerely yours,

HASKELL V. JACOBS.

THE AMERICAN DELEGATION TO MEETINGS AT THE GATT TRADE CENTER IN GENEVA

Mr. BREWSTER. Mr. President, I have just returned from a week in Geneva representing the United States and the Senate Commerce Committee as congressional advisor to the American delegation to meetings at the GATT Trade Center in Geneva.

These meetings, which were called specifically to consider the ways and means of promoting increased trade with underdeveloped nations were of great importance to the United States and, of course, of particular interest to my own State and to the port of Baltimore through which so much American trade passes.

Mr. President, I am at the present time preparing a complete report on both my formal and informal meetings and conferences with the many representatives of different countries who were gathered in Geneva for the GATT meetings as well as those who were in attendance at the UNCTAD—United Nations Conference on Trade and Development—meetings which were in session simultaneously.

Mr. President, I think it important, in the meantime, that my colleagues in the Senate understand fully the nature of these two organizations and the extent of present American involvement and participation in other international activities which are centered in Geneva and which I had the privilege of visiting during my trip.

The General Agreement on Tariffs and Trade is an international trade agreement which came into force in 1948 and which embraces all the major trading countries of the free world.

It provides a multilateral forum for the reduction of trade barriers and the promotion of world trade in place of the previous cumbersome two-country approach. Equally important, the agreement provides an invaluable code of principles and rules to insure that the tariff reductions negotiated are not impaired by other restrictive devices.

In 1966, the United States is contributing \$338,590 for the entire GATT program, including such major operations as the Kennedy round of trade negotiations which is of vital importance to the trade of industrialized as well as developing countries. It is interesting to note that the costs of facilitating a trade expansion program for the developing countries through GATT are shared among the contracting parties and that the U.S. share is only 15 percent. The Trade Center budget for 1966 is \$306,000 of which the U.S. share is \$46,000.

In the course of my participation in the sessions of the meetings and the many corridor conferences, it was gratifying to note that the International Trade Center which the GATT established in May 1964 has already developed

a good record of service to the developing countries in need of the kind of trade promotion assistance not yet available in their own countries.

The representatives of the developing countries in attendance—there were 17 developing countries represented—were forthright in their appreciation of the center's operations. The emphasis of the center's activities has been on providing direct and practical assistance to promote the marketing of a wide variety of commodities by the newer nations both in other developing countries and in the large established markets of the world. Plans for the future indicate that the center will place special emphasis on assistance to countries wishing to establish or expand their own government trade development organizations.

It is clear that as the economies of the newer countries expand—as their own products find world markets—they will become more important customers for the machinery and plant equipment made in this country which can contribute so much to their future growth.

The United Nations Conference on Trade and Development, which was established in 1964, was still meeting when I left Geneva. The representatives to that meeting were involved in determining the variety of ways in which the trade of developing countries might be expanded.

Mr. President, I believe that the continued close attention of our Department of State and Department of Commerce to the programs and activities of both of these groups—of the GATT Trade Center and of UNCTAD—will be very much in our national interest. In addition, I believe that each of my colleagues and every American should appreciate more fully the astonishing amount of international activity which is the life of Geneva. The record of international cooperation which is being made there, through the good will of this Nation and many others, was most heartening and encouraging to me.

Geneva is the site of the European headquarters of the United Nations. There, too, are the headquarters of such U.N. specialized agencies as the World Health Organization, the World Meteorological Organization, the International Labor Organization, the International Telecommunication Union, and the United Nations Committee on Trade and Development. In Geneva are the home offices of such intergovernmental organizations as the General Agreement on Tariffs and Trade, the European Free Trade Association and the International Bureau of Education.

The Red Cross was founded in Geneva more than 100 years ago; and today that city remains the center of that organization's humanitarian efforts. Nearly 100 other voluntary, nongovernmental international associations also have their headquarters in Geneva. They include the World Council of Churches, the Interparliamentary Union and the International Commission of Jurists.

Geneva, in brief, is the scene daily, year in and year out, of an extraordinary complex of international activity affecting the lives of billions of people. More

than 100 major conferences are held there annually. More than 3,000 separate meetings were held last year during conferences at the Palais des Nations alone.

Much of what goes on in those meetings is undramatic and, therefore, little reported. But out of these sessions have come programs for improving health, raising agricultural standards, expanding education, increasing trade, utilizing outer space satellites for communications and weather forecasting, training manpower in industry, aiding refugees, helping in disaster areas, and inching toward world peace.

Although some still sadly recall Geneva as the scene of the ill-fated League of Nations, it also has been the scene of major conferences to keep the peace: The Indochina Peace Conference, 1954; the Big Four Summit Conference, 1955; the Laotian Conference, 1961-62.

For many years the United States, along with other nations, has worked patiently and persistently toward feasible disarmament. One step in that direction was the nuclear test ban treaty. Although that treaty was signed in Moscow, agreements leading to it were negotiated in Geneva. And today the United States is involved in Geneva with negotiating a nuclear nonproliferation treaty. U.S. negotiators there have been instructed by President Johnson "to walk the extra mile necessary to insure that the weapons of war submit to man's need for peace."

These efforts to contain the nuclear genie may be more dramatic in the sense of newspaper headlines; but they should not obscure other major efforts underway in Geneva to cooperate across national boundaries for the general welfare of mankind.

For instance, in the field of health, international collaboration through the World Health Organization has all but eliminated malaria from many parts of the world. This may not have much meaning to those of us who live in temperate climates and in advanced nations. But it is a development of immense importance to the health, happiness, and the productivity of hundreds of millions of men, women, and children, living in tropical regions.

People everywhere long have been victimized by the unexpected savagery of hurricanes or typhoons or blizzards or droughts. The toll in lives and economic loss has been staggering. Now, through techniques of weather analysis pioneered by the World Meteorological Organization, we are coming to understand better the forces of nature. We may not yet be able to control weather, but we are advancing to the point where better and faster forecasting will reduce the damage done by storms.

In the field of economics, the Kennedy round of tariff negotiations continues to be a major international conference at Geneva. Sixty-four nations of the General Agreement on Tariffs and Trade are meeting there regularly to negotiate the lowering of trade barriers on products of factory and farm. Their efforts represent the most ambitious step ever undertaken to liberalize world trade. If suc-

cessful, they will have a significant effect on trade among the industrialized nations and will constitute a major contribution to the economies of developing nations as well.

Thus the story of international cooperation in Geneva develops daily—in peacekeeping, in disarmament sessions, in trade negotiations, in science and economics, medicine and agriculture, education and communications. It is concrete evidence for all visitors to Geneva that the world now recognizes, as Secretary of State Rusk has said, that "poverty, ignorance, and disease are not ordained by Providence but are matters which men can do something about."

The United States obviously has a major stake in the development and success of these international programs. Our mission there is responsible for effectively representing U.S. interests in the shaping of U.N. agency programs and budgets and for supporting U.S. delegations to conferences throughout the year.

THE URGENT NEED FOR A GOOD FIREARMS BILL

Mr. DODD. Mr. President, for the information of my colleagues, I would like to elaborate on a portion of the message President Johnson delivered to the Congress yesterday concerning crime and law enforcement in the United States.

My comments concern that part of the President's message having to do with the misuse of firearms, a matter that sooner or later must be resolved by the Congress.

It is a problem that has been neglected for 28 years.

And because the Congress, for one reason or another, has not strengthened the Federal Firearms Act, the felons, the mentally ill, the narcotic addicts, and indeed the children of this country have used a weakness in the law to tap an arsenal of deadly weapons and use them every day to wreak havoc on the lives of the citizens of our Nation.

The press of America can and does refer to the Congress, and Members thereof, in terms of "hawk," "dove," "eagle," and even "super eagle." So be it as the press exercises its rights.

But I know this body is not an ostrich. It cannot forever close its eyes and this year for the 28th consecutive year refuse to pass legislation that would help to keep deadly weapons out of the hands of those who should not have them.

I speak of the gross misuse of deadly firearms in the country and of the legislation to control it, Senate bill 1592 which is presently before the Senate Juvenile Delinquency Subcommittee.

Even as President Johnson did in his annual crime message to Congress yesterday, I ask my colleagues to support this legislation and to help bring some degree of sanity into the regulation and the handling of guns in this country.

Only a few months ago an 8-year-old girl was sitting in a peach orchard near Damascus, Md. with a small boy on her lap. She was alive, playful, happy. Seconds later her head was split open by a .30 caliber rifle bullet and she died.

The explanation according to the police was that some people were practicing target shooting nearby with the death weapon.

Now, I want to make it clear that I do not cite this horrible case for the purposes of sensationalism, but I do cite it to arouse some emotions in all of us and in the American people across the land.

I do not cite it because it was an unfortunate and a tragic accident as no doubt some opponents of firearms laws will claim, but I cite it because it was an inexcusable and an avoidable accident, and because we have only our collective negligence to blame for the death of this little girl.

And finally, I cite this case because it should serve to tell us that while the aimless discharge of firearms may have been a manly sport in frontier America, it should be a felony level crime in our congested urban civilization of the 20th century.

Another instance of national significance and concern occurred just a month prior to the taking of that little girl's life. The riflemen of Watts terrorized that community for several days. Their actions were likened to guerrilla warfare.

The riots may have begun because of social conditions but they were sustained for many days because of the presence of guns in the hands of hundreds of hoodlums and criminals in that area.

The gunrunners were afraid of the frightening impact of the Watts riots.

They knew that this violent eruption would have far reaching implications on gun legislation. By an unbelievable perversion of logic the gunrunners actually pointed to the riots as proof that all citizens should be armed and that their homes should be protected, much as they were in the frontier days.

They completely overlooked the facts of firearms misuse in the riots.

I cite for the record.

First, there were no gun deaths of non-rioters caused by rioters either within or without the Watts area.

Second, there were two nonrioters, one a 3-year-old boy, accidentally killed by guns that were bought to protect the home against a danger that never materialized.

Third, snipers in the riot torn area of Watts prolonged the violence for days by frustrating the efforts of law enforcement officers, the fire department, and the National Guard in their attempts to restore order.

Fourth, the majority of these night fighters who were arrested with rifles and shotguns in their possession were criminals with prior records of arrest.

Seventy-two percent of these arrestees had prior records, yet they were armed.

Do they have a right to buy guns?

I believe not.

Are they able to obtain guns?

Unfortunately they are readily available.

And fifth, these weapons by no means were all stolen guns as the gun lobby quickly tried to establish. They were weapons that were owned by these criminals months and even years prior to the violence in August.

These are the problems with which S. 1592 would come to grips. Easy access to firearms through purchase by criminals, deranged persons, and immature juveniles has been documented by this subcommittee in our hearings of last year.

I submit that over and above the legislation presently in Congress these incidents and the thousands of unnecessary accidental deaths by guns and the thousands of criminally inflicted deaths by guns will increasingly dictate that the privilege of handling firearms be restricted to those who can do so safely and responsibly.

Let me impress upon all of you the grisly results of firearms misuse:

Accidental shootings every year claim the lives of 2,200 Americans.

Over 5,000 people are shot to death annually in criminal assaults.

Ten thousand deranged persons take their own lives every year with readily available guns. And they often kill members of their families or other innocent persons in the process.

One hundred and twenty thousand persons, many of them innocent bystanders, are maimed by firearms every year.

These shootings are in addition to 26,000 aggravated assaults and 40,000 armed robberies committed by gun wielding criminals against tens of thousands of hapless victims.

According to these figures, Mr. President, every 2 minutes somebody in the United States is killed, maimed, beaten or robbed with a gun. In fact, before I finish this statement a firearm will be used to injure, threaten, or kill 15 people.

There is no question in my mind that the gun wielder in the statistics outlined above should not have had been using a gun. I know those who are now statistics would agree with me.

I wish that each and every one of us could know the families, the parents, the children, the brothers and the sisters whose lives have been touched by death resulting from gunfire. I know that the grief, the sense of waste and the insanity of these acts would be sufficient to drive us into action.

More to the point, I would like some of the opponents of firearms laws to sit in the homes of the victims of misused weapons. I should point out not all opponents are irresponsible. Sincere, honest people oppose the bill for reasons they feel are valid ones. But all too often they are misguided, with their opposition based on misleading or distorted information.

Over and above those of us who are merely standing by while pistols, rifles, bazookas, and antitank guns are being shipped throughout the country into the hands of children, criminals and mental defectives, it is the irresponsible opponents of sound gun laws who must share the major responsibility for the unnecessary bloodshed and crime perpetrated with these instruments of destruction.

These are men who profess an interest in guns and their responsible use.

Yet, they do not show sufficient regard for their widespread misuse and destructiveness.

These are men who know that it takes a mature and levelheaded person to handle a gun safely.

Yet, they steadfastly insist it is better that just about anyone can own a firearm than it is to impose even the slightest controls over these deadly instruments.

These are men who know that the millions of domestic and foreign weapons which flood the country via the mail-order route are often unfit for any worthwhile purpose.

Yet, they insist that no controls be placed over this torrent of violence.

And what is even more preposterous, these opponents of any firearms legislation of any kind have mounted a campaign of falsehoods and deceptions regarding President Johnson's gun bill which defies reason.

Not satisfied with simply expressing their opposition to the bill, these men have through their several organizations, notably the National Rifle Association, deliberately deceived the public with respect to the provisions of the bill, and they have been deplorably two faced in their statements and actions in this matter. The officers of the National Rifle Association have indicated their support of some of the provisions we have proposed, yet newsletters going out under their organization's letterhead have misrepresented the bill and urged all gun enthusiasts to oppose it.

I know of internal warfare within the National Rifle Association. I know there are reasonable men there who are trying to bring order out of chaos. But their efforts have been doomed by the "fire from the hip" boys who have thrown red herrings at me and anyone else who asks that we catch up with the rest of the civilized world. Apparently the majority of the leadership of the National Rifle Association will have to be dragged, kicking and screaming, into the 20th century.

In a similar vein, bulletins distributed by other organizations with a special interest in firearms such as the National Shooting Sports Foundation have helped to mount an unbelievable propaganda campaign against this modest and, in my opinion, reasonable measure to help eliminate some of the most harmful practices in the interstate gun trade.

Together these opponents of S. 1592 have been guilty of dishonesty against the American people and I for one would charge them with intentionally perpetrating harm against this country.

Let me cite for you some of the gross fallacies generated by these men. And let me point out some of the pronouncements they have made to confuse the public.

These opponents of S. 1592 have spread the rumor that this legislation forms the first link in a chain of other measures that will lead to the abolishment of private ownership of firearms.

Nothing, of course, can be further from the truth. There is no provision in S. 1592 that can or is intended to prevent anyone from purchasing, owning and

using a pistol, rifle or shotgun in keeping with the laws of his community.

The opponents have said, again without reason, that the bill establishes the registration of firearms. This charge goes hand-in-hand with the deplorable implication that such registration would allow the disarming of our citizenry in the case of military invasion of our country.

Let me stress that it is a disservice to our people that responsible organizations of gun enthusiasts such as the National Rifle Association and others have not made an effort to dissolve the naive belief that the defenses of a country that has a complex military organization with the most sophisticated, destructive military hardware ever known to mankind would ever be reduced to a dependence on unorganized private citizens armed with rifles, shotguns, and revolvers.

There is no basis for the charge that S. 1592 will eventually lead to elimination of privately owned firearms by responsible, law abiding citizens.

There is no basis for the charge that S. 1592 will forbid hunters to bring their rifles and shotguns across State lines for legitimate sporting purposes.

There is no basis for the charge that the bill will give the Secretary of the Treasury or any other governmental official arbitrary powers to regulate the handling or ownership of guns by the public.

There is no possible explanation for the statement circulated in a newsletter of the National Rifle Association that Federal license fees for manufacturers of pistols, rifles and shotguns would cost \$1,000 a year under S. 1592.

The actual figure is \$500. The inflation of this fee to twice its size is characteristic of the magnitude of the falsehoods spread by the opponents of this measure.

And, finally, the gun lobby charges that "we have not made a case for inclusion of rifles and shotguns in S. 1592."

Overlooked as inconsequential, apparently, is the fact that 1,500 Americans are criminally shot to death by rifles and shotguns every year.

These opponents further maintain that long arms are rarely if ever used in the commission of crimes.

No proof of this is offered because they have none.

Mr. President, their position is more fancy than fact.

The majority of police departments who responded to a subcommittee questionnaire on rifle and shotgun misuse do not bear out the wishful thinking of the gun lobby.

In the majority of cases the police furnished me with information which proves that rifle and shotgun confiscations are increasing and have done so over the past 5 years. Several cities show sharp, indeed, drastic increases in the misuse of these arms. In the crimes of robbery and aggravated assault the information that I have received leaves no doubt in my mind that there is a serious problem of misuse with these firearms.

There must be a measure of control over these deadly weapons which claim

1,500 lives annually in this land. Otherwise our overall effort to control crime and reduce its parasitic spread would be significantly frustrated.

I have owned and used firearms for many years and know that many other Senators participate in shooting sports for the relaxation or the competition they afford. And I can well understand how many of our people can develop and have developed an interest in collecting firearms and in target shooting and related sports. But, I hope that the many pleasures that are derived from sporting activities involving these weapons will not blind us to the fact that the gun is essentially an instrument of destruction.

I am the first to acknowledge that firearms played a noble role in the hands of patriotic Americans at the time our forefathers wrested freedom and independence from the mighty British Empire for a handful of Colonies.

Firearms have been used with bravery and distinction in two global encounters with outside enemies on foreign soil and they are being used today in the cause of freedom in Vietnam.

But these wars, carried on in defense of our country, do not and should not bear a relationship to the position taken by some enthusiasts that guns should be available to all, including immature children, halfwits, and criminals. And, the same school of thought holds, those who misuse guns should be severely punished, given stiff prison terms.

Literally, put them in jail and throw the key away.

The proposal is in fact, "Stack these misfits in prison like so many cans on a shelf, but do not do anything to keep guns out of the hands of the next crop of misfits."

One group of opponents to sane gun regulations is actually seeking a Federal law calling for 10-year mandatory prison sentences for anyone convicted of using a gun in a crime. Well, if that misguided notion were a law last year, and the Department of Justice had only half its usual percentage of convictions, this Congress would have to either triple the size of our Federal prison system or fence off a couple of our larger counties to confine the convicts.

The institutions run by the Federal Bureau of Prisons can accommodate only 21,505 persons. Last year there were 100,000 crimes committed with firearms.

This approach would do nothing to keep guns out of the hands of irresponsible people in the first place. It would result in a chaotic situation in our already overcrowded courts and prison systems.

Mr. President, the committee of which I am chairman has conducted extensive hearings and has studied every phase of the traffic, commerce, and even the use of firearms throughout the United States.

The record will show that we have thoroughly discussed every point that has been raised regarding the burdens this law is purported to place on the sportsman, the dealer, or the manufacturer of firearms.

We have changed the bill wherever it seems unfair or unnecessarily restrictive.

We would have made other changes had reasonable causes been advanced for such revisions by any of the witnesses who appeared before us.

There were none.

The hearings were held long past the time when any worthwhile addition to our knowledge materialized from the opponents to the bill.

Mr. President, I think the time has come to bring this measure to the floor of the Senate.

President Johnson has just given it his full endorsement in his crime message.

This legislation has the support of law enforcement officers throughout the Nation.

It has the support of the American Bar Association.

It has the support of religious and civic groups.

And it has the support of most of the major newspapers and magazines in the country.

I think it is time to vote on this bill and to pass it into law.

I ask my colleagues to consider my remarks when we bring the bill to the floor.

I ask my colleagues to disregard the loud voices of a minority with something less than the broad public interest at heart.

And I ask that you look at this measure in terms of the complexities of the society in which we live. The tragedies that have resulted from this traffic are exemplified by crimes in recent years that need little elaboration.

It has cost us a President.

It has cost us thousands of deaths.

It has cost us tens of thousands of bodies and limbs, destroyed or shattered.

And unless we do something about it in this Congress it will cost us even more in the future.

The indiscriminate use of deadly weapons in our cities and congested areas dictates that gun laws be passed as a most important deterrent to our growing rate of crime and delinquency.

I want to ask that we do not destroy this bill on the basis of emotional reversions to romantic images of the frontiersman.

I ask rather that we consider the facts of crime in the 20th century.

I ask that we consider the more than 200,000 victims of gun atrocities each year.

I disagree with the witness before the Commerce Committee who maintained that in order to guarantee everyone the right to bear arms, we must accept the fact that in his words, "Somebody is going to get shot."

I do not accept that fact.

I know the 200,000 victims of our loose gun laws do not accept that fact.

I know the parents of this great Nation do not accept that fact.

And I hope my friends in the Senate will not accept that fact.

Let me assure all of you that this measure is not unduly burdensome.

It will not eliminate private ownership of firearms.

It is not based on some insidious plot to register firearms.

It will not expand the power of Federal officials.

And it will not infringe on the rights of our citizens granted by the Constitution.

On the contrary I am confident that the makers of our Constitution would insist on the passage of this legislation and I have no doubt that Daniel Boone himself would vote for this bill were he among us in this Chamber today.

"JACK JARRELL IN AFRICA"—AN ABSORBING NEWSPAPER SERIES

Mr. HRUSKA. Mr. President, John Jarrell, chief of the Omaha World-Herald's Washington bureau has, for the past several weeks, been reporting from the Republic of South Africa and other countries of the troubled Dark Continent.

His dispatches have made an absorbing series, dealing primarily with the critical racial-political situation in South Africa which one of the officials he interviewed terms "the greatest spiritual problem of the age."

For Jack Jarrell, who for 20 years has headed the capable World-Herald bureau here, this is his 14th trip abroad and his 9th on behalf of the World-Herald.

As a war correspondent in World War II, working for the old International News Service, Mr. Jarrell covered the 1942 invasion of North Africa, spent nearly a year in China and India as chief correspondent in Asia for INS, then returned to Europe in time to participate in the invasion of Normandy in 1944.

For the World-Herald, Mr. Jarrell has covered 10 national political conventions, 5 presidential campaigns, the United Nations, and the escape from Hungary into Austria of the Freedom Fighters after the 1956 rebellion collapsed. He is one of the most objective and highly respected members of the Washington press corps.

A note to his editors accompanying his first dispatch noted that he was "accepting honors from South Africans for having brought the rains that have ended the prolonged drought."

While I am inclined to doubt Jack's rainmaking prowess, Mr. President, I can testify to his professional skill in the craft of journalism. Therefore, I ask unanimous consent that the articles which appeared under the headline, "Jarrell in Africa," be printed in the CONGRESSIONAL RECORD.

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

[From the Omaha (Nebr.) World-Herald, Jan. 30, 1966]

SOUTH AFRICA SURE WIN FOR VERWOERD—NEGROES NOT VOTING AS APARTHEID LEADER GAINS SUPPORT, STIRS FUROR

(By John Jarrell)

PRETORIA, SOUTH AFRICA.—It is campaign time in the Republic of South Africa, but there is no doubt about what the results will show when the votes are counted after the polls close next March 30.

The National Party, dominant since 1948 and growing steadily stronger, will win again. There is every probability that it will win big.

Some party members are concerned that its 1966 victory will be too overwhelming, that the opposition will be so reduced in political strength that its voice will be muted to the point where it can hardly be heard at all.

After coming to power in 1948, the National Party won again in 1953, 1958, and 1961. Each time its majority was larger. In the last one, it elected 105 members of the 160-member House of Assembly, which has more political oomph than the Senate.

The chief opposition is furnished by the United Party, which in 1961 captured 49 seats. The Progressive and National Union Parties won a seat each.

The National Party victory this year will keep at the helm Prime Minister H. F. Verwoerd, whose name is anathema to the black nations to the north.

For it is here in this tremendously wealthy nation, thrice the size of Texas, where the policy of apartheid—separation of races—is a fact of life. The black man will not be voting in the March election, and it is this policy which has raised such a hue and cry among most of the other African countries, and many more. It has been the object of bitter criticism in the United Nations. It has the official disapproval of the United States.

South Africa's Government—the administrative capital is here in Pretoria, the legislative capital in Capetown—feels its policies have been distorted abroad. It has no guilt complex. And it feels that its plan for separate development of the races will work, that ultimately there will be a Commonwealth of South Africa that will consist of the present Republic of South Africa and some eight independent black republics—"political independence coupled with economic interdependence," in Dr. Verwoerd's words. The first such black republic—the Transkei—has already been established.

In 1961, he said in London:

"I envisage development along the lines similar to that of the British Commonwealth. In other words, I perceive the development of a Commonwealth of South Africa in which the white state and the black states can cooperate together without being joined in a federation and therefore without being under a central government but cooperating as separate and independent states. In such an association no state will lord it over any other."

The Bantu, or black people, outnumber the whites in South Africa, which left the British Commonwealth in 1961, largely over the race question. This after having, in 1960 by referendum, become a republic.

In 1964 there were 17,500,000 persons in the republic, of whom 3,335,000 were white, 1,700,000 colored (a mixture of white, Hottentot, and including the Cape Malays), something over a half-million Asiatics, mostly Indians, and the remainder, some 12 million Bantus.

It is over the Government's policy of separate development, to be discussed in later articles, that all the furor is about.

[From the Omaha (Nebr.) World-Herald, Jan. 31, 1966]

JARRELL IN AFRICA—BOOM HARDENS STAND FOR WHITE RULE IN SOUTH

(By John Jarrell)

PRETORIA, SOUTH AFRICA.—The winds of change sweeping across the continent of Africa, with European nations divesting themselves of colonies and newly created black nations struggling with the problems of self-rule, have only hardened the determination of white South Africans to preserve their white government.

They say—

They can rightfully claim to have been in much of this country before the Bantu, or black, man was.

They developed it to the point where it is one of the most prosperous countries in the world, a land of untold mineral wealth and a booming economy.

They have designed a plan they believe eminently fair to the black man, one which has set aside areas of South Africa for creation of some eight black homelands, or Bantustans, destined ultimately to be wholly independent but, hopefully, part of a Commonwealth of South Africa.

Independent black Africa as well as most other powers in these days of extreme racial consciousness oppose South Africa's views.

The American State Department says: "The U.S. Government is unalterably opposed to the racial, or apartheid, policies of the South African Government. We fear that South Africa's present course, unless soon moderated, can lead only to disaster for all of its people."

Let's take a look at the three points, listed above, raised by the Republic of South Africa.

1. Who got here first? In 1652 the Dutch first settled at the Cape of Good Hope when one Jan van Riebeeck established a provision station at Table Bay, to provide food for merchantmen plying between Holland and the East Indies. Only the Hottentots and the stone age bushmen were there. White pioneers began moving northward at the same time Bantu tribesmen started south across the Zambesi. It was in the 1830's that white and black man met.

2. That the land was largely developed by the white man—Dutch farmers (Boers) and British—is generally agreed. The black man furnished the labor for much of it.

3. The plan for establishing black homelands, fathered by the National Party, has its sight set on an eventual South African Commonwealth, with eight black nations, generally formed by tribal groups, governing themselves in areas which Government spokesmen say have been traditionally black.

The first of these, under the Bantu Self-Government Act, is the Transkei, somewhat larger than Belgium, which in 1963 elected its own legislative assembly, has its own Chief Minister, although white advisers remain there.

The Transkei is somewhat larger than Belgium, has its own flag and national anthem and is, South African officials contend, well on the way to complete independence some years hence.

Opponents in black Africa cry "fraud" and denounce the plan to create Bantustans within a commonwealth as nothing but a device to perpetuate white rule. They say the homelands encompass only 13 percent of the territory and that the wealth-producing areas are retained for whites.

Further articles will try to pierce the maze of claims and counterclaims to determine just what is happening in this beautiful land where it is now midsummer.

[From the Omaha (Nebr.) World-Herald, Feb. 1, 1966]

APARTHEID BACKERS HOPE FOR TIME

(By John Jarrell)

PIETERSBURG, SOUTH AFRICA.—The thing that South Africa needs, proponents of its apartheid policy say, is time—time to prove to the world the feasibility and justness they contend are embodied in their racial program, so roundly condemned by most of the world.

W. W. M. Eiselen, commissioner general for the Northern Sotho tribe deep in what once was the Boer Republic of Transvaal, put it like this:

"We may not succeed, because the dice are loaded very heavily against us—there are so many people beyond our borders who know better."

But if given enough time, he continued, "we may show you something."

Dr. Eiselen is the former Secretary of Bantu (Black) Affairs for the Republic of South Africa, and is credited by some with being the architect of the apartheid policy.

BLACK STATES

In brief, here is what South Africa proposes to do, upon which it has already invested millions upon millions of rands (a rand is worth \$1.40) in getting it underway.

The creation of as many as eight black states, divided by tribes, to be self-governing and, ultimately, independent, working with the white Republic of South Africa in a South African Commonwealth.

The first, the Transkei, has already been established, has its own elected Chief Minister and, it is hoped, will be independent within a few years.

Under this plan, a black African cannot own property in white South Africa, and whites cannot own land in the black homelands.

To Dr. Eiselen, this is "self-determination by the various population groups in this country."

ISOLATION

He thinks it "remarkable that we should find ourselves in such complete isolation," criticized by almost every country.

He cannot see any comparison between America's racial situation and South Africa's.

"In principle," he asserted, "your Government is right to do away with segregation, because your Negroes belong in America. They are not from one particular people, they have been there for some 300 years, almost as long as your Pilgrim Fathers.

"They did not start off as a people and they did not become a people there—they lost their own traditions. They became Americans. They have no future except as Americans. Therefore, they must be integrated."

He said that South Africans think the problem in America "chicken feed, compared to ours, but even so, we can see your problem is quite complicated."

OWN CULTURE

In South Africa, he said, "our black people, unlike yours, are not without traditions, are not without their own culture. In some sections, they were here before the white man—like your Indians.

"They are not entirely a primitive people, they had occupied a considerable area, and they have every right, just like the white man, to call it their own country."

Thus the plan of the white South African Government: to create independent black states in that "considerable area" that the black man occupied when he crossed over the Zambesi River about the same time that Boer farmers were beginning their pioneering move to the northward, after having first settled on the Cape of Good Hope.

[From the Omaha (Nebr.) World-Herald, Feb. 2, 1966]

BANTU TRIBESMEN ARE PROUD OF SCHOOL SUCCESS

TURFLOOP, THE TRANSVAAL.—If the Republic of South Africa's plan is to work—creation of a number of black states living at peace and in cooperation with this white-governed country—the seeds of that success are at Turfloop.

For here is situated the University College of the North, on a new campus within a black homeland stated some day to be an independent Bantu state.

It is 6 years old and soon 450 black students—including probably 75 girls—will be enrolling for another year's college training.

This is 1 of 3 such colleges, with impressive buildings, modern facilities, a dedicated white president and a faculty of 80, one-quarter of them black, possessing some 135 degrees.

Government spokesmen say repeatedly that South Africa's Bantu tribes can be self-governing in the states to be created for them, when they have the ability to handle the multiplicity of problems facing any self-governing group. The key, they say, is education.

Official figures put the number of literate Bantu between 7 and 20 at 80 percent; with 83 percent of the total Bantu population in the 7-to-14 age group now attending school. No other African country has any such percentage.

The Government says it spends four times more per capita on educating its black residents than the next African country; that there are now 34,000 Bantu teachers; that complete literacy will come in this generation.

The president of the University College of the North is Dr. E. F. Potgieter, a man virtually bursting with energy and enthusiasm, vastly proud of his school.

To enter, black students must have the same entrance qualifications as do white ones in the white universities—12 years of grade and high school. His college follows the same syllabus as the University of South Africa and gives the same examinations.

When it opened, the college enrollment averaged 24 years of age. Now it is 21. In the first year of operation, students passed 64 percent of their courses. This figure has risen.

Psychology is the most popular course, zoology next.

White professors are paid more, a maximum of 6,000 rand annually compared to 4,200 rand for a Bantu professor.

"I'm fully aware of this economic discrepancy," said Dr. Potgieter, who has been trying to have the gap narrowed.

Six years isn't long enough to make any flat statements, he says, but he offers at least a preliminary conclusion that the learning ability of the Bantu is comparable to that of any other race. Their capacity for scholastic brilliance seems somewhat lower—but that could be due to environment and background, he said.

In 6 years he's had to expel only six or seven students. One "took a woman into his room for 2 days." Another smuggled in a bottle of brandy. By and large, his black students are there to learn—and do.

[From the Omaha (Nebr.) World-Herald, Feb. 3, 1966]

THERE'S NO TELEVISION; RADIO BANTU FLOURISHES

(By John Jarrell)

JOHANNESBURG, SOUTH AFRICA.—In the Republic of South Africa's battle to avoid racial strife, Radio Bantu is one of its chief weapons.

The Bantu are the 12 million blacks who outnumber the white man in this rich country of vast land area but relatively sparse population by almost four to one. And Radio Bantu, a vital segment of the South African Broadcasting Corporation, is heard every day by some two million of them.

Its broadcasts are in all seven of the Bantu languages. The Bantu are provided a diet of everything from recipes to Shakespeare, from newscasts to advice on the rearing of babies.

South Africa has no television, one of only two African nations without it. No one seems to know when TV will come to this country. But radio flourishes.

SEVEN-DOLLAR RADIO TAX

Visit Radio Bantu's studios and you're likely to hear a black disk jockey speaking the rapid dialect of the South Sotho, where 73 words a minute are not unusual.

Or the soft-voiced words of the pretty Zulu girl who is so popular among her listeners that she receives many letters a day, offering

recipes, making suggestions for programs or asking that certain numbers be played—sometimes, a proposal that a catchy commercial be repeated—or even seeking advice on a personal problem.

South African Radio Corporation is Government-owned and operated. It is largely financed by a \$7-annual tax for each radio in the republic.

STORY TELLERS

Officials acknowledge that in their news broadcasts, they try to avoid items that might incite the populace. They explain this by pointing out that most of the world is unfriendly to South Africa, particularly the black nations to the north, and they seek to avoid items that might foment revolt or discontent.

Bantus of all the tribes, or nations, that make up the black part of South Africa's population, are born story tellers.

That is why Shakespeare was such a success among the Zulus, one of whose members—K. E. (King Edward) Massinga—translated nine of the Bard's plays into the Zulu tongue, which then were serialized and put on the air, with instant success.

Homer's Iliad was another favorite.

SPACE WORD

When space travel began, there was difficulty in reporting development because there was no Zulu word for spaceship. But such a word was created—iziphuphuteki—which means "the thing which wanders around aimlessly gets nowhere."

Fifty percent of the Bantu are literate—highest of all Africa—and among young people, the percentage is even higher. As a result, 1,500,000 letters were written by listeners to Radio Bantu last year.

Radio Bantu was hardly prepared to cope with a jilted tribesman who thought the radio some sort of father confessor, and wrote:

"My late brother's wife, for whom 120 rand was paid in jobola, wasn't even at her husband's funeral, but absconded with 200 rand and another man. According to tribal custom, I should have inherited her. I appeal to Radio Bantu to trace her, mete out the necessary punishment and return her to me at your earliest convenience."

[From the Omaha (Nebr.) World-Herald, Feb. 4, 1966]

SOUTH AFRICANS HOPE VIEWS CHANGE

(By John Jarrell)

JOHANNESBURG, SOUTH AFRICA.—The eminent Transvaal justice, V. G. Hiemstra, put into words his view of South Africa's racial situation which, sooner or later, finds its way into every conversation here.

"We are grappling," said Justice Hiemstra "with the greatest spiritual problem of the age."

The complexities of the relationship among South Africa's white minority, its Bantu (black) and its colored (mixed) and Indian population are staggering.

Condemned as ruthless racists by its most bitter antagonists, as hopelessly behind the times by its milder critics, with kind words from almost no one, white South Africans are prepared to defend their system of apartheid as just, generous and workable.

They believe they have been made the victim of misunderstanding abroad coupled with slanted accounts of what goes on here.

The are prepared to carry on, hopeful that world opinion will change when their plan for separate development of the races takes more definite form.

BANTUSTANS

That plan calls for creation of a number of black states, ultimately to be independent, its architects say, but part of a commonwealth of South Africa.

The contention is that the tribal groupings of Bantu—who are not, they say, Negroes but, rather, members of various West African tribes who migrated south—are actually nations and that the Bantustans, or homelands, to be created will mean the actual recreation of an independent Zulu nation, a Xhosa (pronounced Causa) nation, and 4 to 6 others.

Not the least complex aspect is the urban Bantu, the black man or woman who has forsaken the pastoral life of the kraal for the congestion of the city.

They trooped into the cities at such a rate that the South African Government put a stop to further influx. Slum conditions were being created and the newcomers took jobs from black men already established in urban areas by willingness to work for less.

In the cities, the Bantu live in townships at the edge of town. They cannot reside in the city proper unless on the premises of an employer. They ride their own buses and trains to and from work. Facilities are separate.

DECENTRALIZE

How does South Africa expect to cope with its urban black residents, numbering more than 30 percent of all South African Bantu, within its program of Bantustans?

Realistic white South Africans don't expect ever to draw back to their homelands all or even the bulk of the Bantu city residents. But it does have an ambitious plan for decentralization of industries by the establishment of factories in the border areas, close to Bantu towns in their homelands, where they can work without having to travel into the white man's cities. This, they hope, will lure the Bantu to his homeland, away from the major metropolitan areas.

BOOMING

Meantime, the Government has spent vast sums on the existing townships outside cities like Johannesburg, where the Bantu, whose wages are lower than the white man, receives many free or cheap services in housing, medical care, transport, education.

White South Africans point out repeatedly that in spite of world criticism of South Africa, 1 million Bantu from black nations to the north have entered legally to work here, because wages and living conditions are better; that 20,000 more a year slip into South Africa illegally, and if the barrier were taken down, Bantu by the millions would flock across the Limpopo River to seek their fortunes in booming South Africa.

To the white man, this is proof that life for a Bantu in South Africa, with apartheid, is preferable to life in the newly emerged black nations to the north, even with independence.

[From the Omaha (Nebr.) World-Telegram, Feb. 6, 1966]

MEDICINE, HOUSING PART OF CONTENTMENT PLAN

JOHANNESBURG, SOUTH AFRICA.—The elderly Zulu with his broken leg suspended from above grinned cheerfully from his bed in Natal-Spruit Hospital on the outskirts of the bustling city of Johannesburg.

His leg is mending slowly. His hospitalization probably will require several weeks. The patient is a poor man, but he can afford to pay his hospital bill.

His bed, board and medical treatment, no matter how long he remains in the hospital, will cost him a total of 60 cents.

If he were penniless, he wouldn't even be charged that.

STANDARD COST

This is one of the ways the South African Government seeks to keep its Bantu residents, who outnumber the whites by 3 to 1, contented.

An outpatient pays 25 cents for whatever services he requires, whether it is an aspirin

tablet with examination or a series of X-rays. A Bantu mother can have her baby, from prenatal attention through confinement and postnatal care for \$4.20.

Not far from the 850-bed Natal-Spruit Hospital, exclusively for black patients—and it is not the largest Bantu hospital in the area—is Soweto, the vast Government complex of black townships, where a half million Bantu reside, 10 miles from the heart of Johannesburg.

TARGET

Soweto, which sounds like a native name but actually is a cannibalization of "south-west townships," provides one of the many targets for the worldwide critics of South Africa's 1,262 apartheid laws. They say it is unjust and inhuman to force black men to live in a certain area, to segregate them in districts far from their jobs in the city.

South African officials say that at great expense the Government has leveled the nauseous slums that once housed these Bantu, that it has given them homes and the sense of pride that goes with it, that sanitation has been brought to a people who had little or none, and at a price, heavily subsidized by the Government, that all could reach.

A visit to the townships along Masopha Street and Mota Street and Sofasonke Street, provides a look at 60,000 little brick and concrete homes, each with a tiny plot of ground, each with an outside toilet on the sewer line and a tap at the house. For an average \$7 or \$8 a month a Bantu gets his own home, with water, medical, sanitary and school services, daily postal service to his door.

LOTS AVAILABLE

The wealthier Bantu—some are well off—can buy up to two lots and put up his own fancier house, as many have. For the single male Bantu, there is a hostel where he can reside.

He rides his segregated trains and buses to work, probably three-quarters of an hour into the city. There are Bantu merchants, and none other, in the townships. Some of the houses are nicely kept up, with pretty lawns and gardens. Others are not.

Government officials say there are more automobiles in Soweto alone than in many of the new black African nations.

RIVALRIES FADE

The different tribes are kept segregated, as to housing, though a Zulu can walk into Xhosa areas if he wishes and the age-old differences and rivalries among tribes is dying out among the younger Bantu, while remaining alive among their elders.

There is a golf course. There also is violence.

There were, back in the slum days, mass bloody factional fights, where fatalities were high. Authorities say they don't occur any more, though among individuals of different tribal affiliation there are still some. But on an average, there are 80 post mortems every month in violent-death cases.

But there are also schools, 110 of them in the townships, which, while not yet compulsory—there aren't yet enough and must be divided among morning and evening sessions—are heavily attended.

In one study hall, youngsters in the 10-year-old category were industriously applying themselves. One brown-eyed boy was working on a problem of astronomy that defied the Nebraska adult peering over his shoulder. On the blackboard was written: "Ability to think in abstract terms is in part a measure of mathematical ability."

The children are instructed in English and Afrikaans, the two official languages of the country.

[From the Omaha (Nebr.) World-Herald, Feb. 7, 1966]

FOUR RACIAL ELEMENTS ADD TO SOUTH AFRICA WOVES

(By John Jarrell)

CAPETOWN, SOUTH AFRICA.—White South Africans are a proud people profoundly conscious of the almost universal unpopularity of their Government and, in most cases, inclined to express a failure to understand why this is so.

They are quick for the most part, to defend their Government's policy of apartheid, and separate development for the conglomeration of races that forms the Republic of South Africa.

An election campaign is underway right now, and the result appears to be every bit as certain as was the 1964 American election a few weeks before the polls opened. The National Party, architect of apartheid, will be returned to office, probably by its biggest majority ever.

PLUM

South Africa is the plum of this second largest of the world's continents. The nation's 3,500,000 whites, who say they built it into the teeming industrial country it is today are perfectly prepared to fight to keep black Africans from taking over here.

The complexities of South Africa are multiplied by its multiracial character. It is because of this that the theory of the multinational state has evolved. It calls for separate development of the races—sometimes called separate freedoms—and would include ultimately independent black states for the various Bantu tribes. They would live in harmony with white South Africa in a commonwealth.

There are four major groups in South Africa, with numerous subdivisions.

There are the whites, who run the country.

DIVIDED

The whites are divided, too. Roughly two-thirds of them are Afrikaners, who are descended from the early Dutch, French Huguenot, and German settlers, and most of the other one-third are of British descent. There are two official languages, English and Afrikaans, evolved from 17th century Dutch but including a touch of Hottentot and other tongues. A modern Hollander has trouble understanding it. It is a written as well as a spoken language.

Largest in point of numbers are the Bantu, close to 12 million strong, who started south across the Zambesi River about the time the early Boers were beginning to move northward.

But the Bantu are widely split, too, among the Xhosa (about 3,500,000), the Zulu (3,250,000), the Swazi, the Ndebele, the North Sotho, the South Sotho, the Iswana, Tsonga, Venda and a handful more. They speak several different languages, have their own customs and, in past years, fought blood battles with one another. A good many whites say the battles would begin again today if South Africa were handed over to the black man.

MIXED BLOOD

The third major group comprises the colored, 1,700,000 of them, of mixed origin. More nations are said to be represented among their ancestors than any in the world—they descend from slaves introduced from the Far East 300 years ago, from white European sailors and early white settlers, from Hottentots, from Malays who came centuries ago, as well as the Griquas.

And, finally, there are more than a half million Asiatics, mostly Indians who were brought in as indentured laborers 100 years ago.

The Indians, who are industrious residents, are the source of irritation among many white South Africans, who resent periodic charges that this element of the population is badly treated.

For the government has had in operation for more than a half century an Indian emigration plan, to return Indians to their homeland at government expense. Up to now, only 893 men, women and children—in more than 50 years—have taken advantage of a chance to return free to India. The others prefer South Africa.

[From the Omaha (Nebr.) World-Herald, Feb. 8, 1966]

COLORED MAN IS WITHOUT EVEN POTENTIAL COUNTRY

BELLVILLE, SOUTH AFRICA.—The colored man in South Africa is a man without, at the moment, even a potential country.

In South Africa, the term "colored" does not apply to the black, or Bantu residents, but rather to those of mixed race color may be darker than many Bantu or lighter than many whites. There are nearly 1 3/4 million of them.

Their ancestors were a mixture of white, Hottentot, Malay, and Grinqua.

The white government of South Africa has launched, along with its ambitious and costly plan for the Bantu under apartheid, another for the colored.

It includes a university college for them here at Bellville where Dr. J. G. Meiring, its white rector, feels proud and optimistic about the future of the nonhomogeneous people over whose destinies he regards the white South Africans as guardians and custodians.

"I don't care thruppence what the world says * * * provided you're honest with yourselves and are exercising good will," he said. "I'm proud to be able to say the colored people are beginning to believe in this place, and they are making headway."

EDUCATION

Where the Government has announced plans ultimately to set up its Bantu population in independent homelands, to be tied to white South Africa in a dominion-type operation, the ultimate future of the colored is to be determined. But their education is being stepped up, four white Members of the House of Assembly are elected by them to represent their interest, they get help in starting their own businesses and there is a separate department of state for them.

To a man like Tom Swartz, chairman of the Council of Colored Affairs, which is a liaison between the Government and the colored population, things are looking up for the colored man.

"A tremendous amount is being done for the colored people," he says.

Mr. Swartz contends that in the days before apartheid, the then ruling United Party operated with a sort of vague promise that some day we'd be equal—but in practice, the colored were not being given opportunities to improve themselves.

He said in those days a colored man had the vote, but could not sit in Parliament—that every 5 years, when there was a general election, his vote was sought but he was forgotten right afterward.

TWO WARS

"We fought in two wars against people they said were trying to oppress the world," he said. "But we didn't get the same pay as the white soldier and we traveled in separate compartments. We had a sort of first-class citizenship in theory but it didn't work out in practice. Today, under the National Party government, we can be described as second-class citizens—but in practice we are

being made first-class citizens. We are being uplifted economically, educationally, and socially. I feel this is the only salvation at this time."

The colored live in what are called proclaimed colored areas.

Mr. Swartz found it odd that during the time before apartheid when the colored man had a sort of quasi-first-class citizenship in theory but not practice, the world paid no attention, but with apartheid "when the National Party began an honest policy that merely put into statutes what had been practiced for years," the protests on behalf of the colored began.

FORCED

Total integration of South Africa holds no allure for Mr. Swartz because, he said, "the Bantu would be the ruler. The colored man would go under with the white man."

T. leFleur, another colored council member, looks toward ultimate independence of the colored, with an area set aside for him similar to those envisaged for the Bantu. He was the only council member to suggest it in an interview.

"We are being given the opportunity to prepare ourselves for the day when we are given the responsibility for governing ourselves," he said.

The Government policy of separate development of the races, said Mr. leFleur, is forcing the colored South African "to stand on his own feet."

[From the Omaha (Nebr.) World-Herald, Feb. 9, 1966]

TOUGH LAW IS NECESSARY—OUTNUMBERED WHITES DEFEND APARTHEID

CAPETOWN, SOUTH AFRICA.—By standards in the United States, where the writ of habeas corpus is a sacred legal tenet, some of South Africa's apartheid laws appear harsh, unjust, and indefensible.

White residents contend they are necessary, that those laws under the heaviest attack are required to keep communism out of a republic whose black residents, outnumbering whites more than three to one, are a constant target of subversive elements.

Chief object of such criticism, probably, is the 180-day clause of the Criminal Procedure Act.

ON WITNESSES

The eminent Supreme Court Justice, V. G. Hiemstra of the Transvaal, emphasized that this is a restriction in "witnesses" who "might be spirited away by accomplices of arrested persons or who might be in danger of their lives at the hands of accomplices."

The Attorney General may order such person detained when he deems it is in the interests of either the person, or the administration of justice. He can be held only until the trial of the person where his presence is required as a witness, or for 180 days, whichever is shorter.

Normally, only his family can see him. But, Justice Hiemstra says, it is compulsory that he be visited once a week by a magistrate, so he can state complaints. He is paid witness fees and if it can be shown he lost pay, he will be reimbursed by the Government.

But he has no access to the courts to apply for his release during this period. He would be able to bring a civil action if he could show he was detained in bad faith.

"These provisions have given excellent results in solving major crimes," said the judge.

John Vorster, Minister of Justice in the Verwoerd Cabinet, who many believe ultimately will become Prime Minister, said that 23 people have been detained under the act, which replaced the old 90-day Detention Act

some time ago. Fourteen were white, seven were Bantu, two were Indians.

The 780-day clause is used with respect to subversion cases.

NO BAIL

Under fire on occasion, too, is the act which permits a prisoner to be held without bail for 90 days, if the Attorney General of a province so orders, for such crimes as sedition, murder, arson, kidnaping, child-stealing, conspiracy, and treason.

The Group Areas Act, which requires that anyone not obviously white is presumed colored (the colored in South Africa are a racial amalgamation, separate from the Bantu, or black) unless he can establish that he is generally accepted as white.

These, and legislation that require urban Bantu and colored to live in specified non-white areas, and carry identification cards—as do the whites—are always included when South African laws are discussed, condemned and defended.

Coupled with only-white voting and social welfare aspects of the nation, they can provoke interesting views on how best to describe the Republic of South Africa.

"A power democracy," said one staunch defender, a leading Capetown financier. "For whites in power it is a democracy, for the blacks and colored, it isn't a democracy. So far as the blacks are concerned, we're imposing our views on them—but I deny they are oppressed."

He pointed to the vast sums spent on the plan to develop independent black states; such townships as the vast complex for Bantu around Johannesburg where a half-million of them live in low-rent modern houses "vastly superior to anything they ever had before" with almost free hospitalization.

Someone called it a "democratic dictatorship."

A banker was asked if it could be called a free-enterprise economy with socialistic overtones, because of the welfare provisions of the South African setup.

He would not accept this because "there is no socialistic philosophy involved."

"Paternalistic, yes; socialistic, no," he declared.

[From the Omaha (Nebr.) World-Herald, Feb. 10, 1966]

WHITES DETERMINED "TO HOLD WHAT'S OUR'S"

CAPETOWN, SOUTH AFRICA.—The man many South Africans believe will be their next Prime Minister, Minister of Justice John Vorster, phrased his view on the nation's policies—shared by the majority of the white population—thus:

"We sincerely believe that what is ours was gained not by theft or by stealth; we developed this country. It is legally ours. We will fight for what is ours. We are absolutely determined to hold what is our own."

To Mr. Vorster has fallen the job of enforcing the apartheid laws that have made South Africa the most controversial country of the fifties and sixties.

He is prepared to defend them, and does.

He must "marry," he says, two philosophies—the freedom of the individual on the one hand, the safety of the state on the other.

STATE SUPREME

Under Roman-Dutch law, he says—which is now applied only in South Africa, Rhodesia, and Ceylon, no longer in Holland—the "safety of the state is the supreme law."

"We believe in both principles," asserted Mr. Vorster. "Depending on circumstances, the stress will be on one or the other. At the moment, with the other African states doing their level best to organize sabotage

here, the stress will fall on the safety of the state."

One of the leading political prisoners held on Robben Island, a sort of Alcatraz in the middle of famed Table Bay, is Robert Sobukwe, president of the banned Pan African Congress, who is indefinitely in jail.

Mr. Vorster said the aim of the congress was to get rid of the white man in South Africa, and that it was willing to work with the Communists to do it. Its attitude, he said, was that once the white man had been ousted, then was the time to deal with the Communists.

COTTAGE JAIL

He said Mr. Sobukwe lives not in a cell but a cottage, has been permitted visitors, and that the Red Cross, which twice saw him, reported him receiving the same treatment that a high-ranking captured officer gets in wartime.

The Minister of Justice knows something of detention himself. He was held in World War II, accused of pro-Nazi sympathies, which he denies.

He says he was a member of both the National Party, now in power, and an Afrikaner cultural organization. Half the population, he maintains, including himself, was "anti-war, which didn't mean they were pro-Nazi."

NEUTRALITY

He was jailed 85 days, held without charges in a detention camp for 14 months. "Then I got tired of it and ran away."

Of political prisoners like Mr. Sobukwe, he said:

"I make it a point to see they are better treated than I was."

And given the same set of conditions that existed in 1942, he said, "I still think I'd be on the side of neutrality. Our government then confused being an Afrikaner with being a pro-Nazi."

Mr. Vorster refused to comment about a prospective visit by U.S. Senator ROBERT KENNEDY, democrat of New York. Then he was asked about a visit that American Negro leader Martin Luther King is said to be hopeful of making to South Africa.

"I don't think he'll be coming here at all," asserted Mr. Vorster. "Let's say we can do without him."

[From the Omaha World-Herald, Feb. 11, 1966]

OPPOSITION LOOKS ONLY TO WHITES

CAPETOWN, SOUTH AFRICA.—The South African Government's chief opposition comes from the United Party—but it, too, looks only to a white-ruled nation.

It opposes, however, the creation by the existing government in the hands of the National Party of as many as eight Bantu, or black independent states in the traditional homelands of the Zulus and the Xhosas and the other tribes, or nations, that began moving south across the Zambesi River at the same time the early white settlers started pushing north.

"We say," said Sir de Villiers Graaff, the United Party leader, "that we should look at the risks involved—their treaties with other powers, creation of a jumping-off place for communism. It would create a whole lot of little Cubas."

Such a view is sharply challenged by Government people.

Told by a World-Herald reporter what Sir de Villiers had said, Minister of Information Frank Waring commented:

"Do you imagine we would stand idly by for that sort of thing?"

ELECTION

The March 30 election will be fought mainly between candidates for Parliament of

the National and United Parties, with the Nationals expected to add to their already commanding majority, roughly two-thirds of the members of the House of Assembly.

There are, however, other parties, including the Progressives, holding one seat, and the Liberal Party, with none and little prospect for any.

The Progressive Party favors abolition of all discriminatory laws, a common electoral roll, though beginning with the admission of only qualified black men to it. It wants fundamental rights for all embodied in a constitution.

The Liberals want equality of the races and a rigid constitution to take care of the rights of all.

At the other end of the splinter-party spectrum is the Republican Party, which feels the National Party, in control, is doing too much for the black man and not enough for the white.

PLATFORM

The United Party which Sir de Villiers heads would maintain social and residential segregation. The colored people (those of mixed birth) would be permitted to vote on the common roll, and colored candidates could stand for Parliament—though residential and social restrictions would be maintained.

His party would give the Bantu the vote, but not on the common roll—they would have Parliamentary representation, but they would have to elect white men to represent their interests.

Sir de Villiers sees for the urban Bantu the gradual emergence of a middle class, as a bastion against communism, and he favors relaxation of existing pass (identification card) laws and exemption from them of responsible blacks. He would let them own homes, in prescribed areas.

He favors government help in black rural areas, relaxation and modification of land tenure laws and development of the black reserves with white capital and initiative.

The United Party also favors a policy of heavy white immigration. Sir de Villiers accused the Government of wanting new citizens only to solve labor shortages; "they fear the Afrikaners will be plowed under" with mass white immigration.

LANGUAGE

The United Party is strongest among English-speaking white South Africans, while the National Party draws its greatest strength from the Afrikaans-speaking part of the population. The Afrikaans group is heavily in the majority in this country.

Sir de Villiers put into words what any visitor soon feels about South Africa and its division between English-speaking and Afrikaans-speaking groups.

"Much bitterness" from the Boer War, fought almost three-fourths of a century ago, remains, he acknowledged.

That war settled the fate of the two Boer Republics, Orange Free State and the Transvaal.

Ultimately, there came the Union of South Africa, and eventually it became an independent nation in the British Commonwealth. In 1960 there was the referendum which made it once more a republic, with descendants of the Boers in the majority. The next year it left the British Commonwealth.

[From the Omaha (Nebr.) World-Herald, Feb. 13, 1966]

THE TRANSKEI IS ANSWER TO CRITICS

UMTATA, THE TRANSKEI, SOUTH AFRICA.—Here is the Republic of South Africa's answer to critics of its racial policies—a fertile area, larger than Belgium, that it is leading to what it says will be, at some point in the future, an independent black nation.

For the Transkei is the first of the Bantustans, perhaps as many as eight, that the South African Government plans to create, in hopes it can develop a Commonwealth of South Africa with a white nation for whites, black nations for black, living together in peace and cooperation.

Whether it will work is of course, the question.

WORKABLE PLAN

Prime Minister Hendrik Verwoerd's National Party, which holds two-thirds of the seats in Parliament and probably will have more after the March 30 election, insists it is a workable and just plan that can succeed if the world will permit it.

There is opposition among white South Africans; there is opposition, as well, within the ranks of the Xhosa (which is pronounced 'Causa') who inhabit the fertile farm country that is the Transkei. But the opposition is the minority voice.

It is the government position that traditionally, various Bantu tribes have had homelands, one of them the Transkei, and that the independent black nations to be formed under this most ambitious of apartheid laws will fall within those hereditary borders.

ALL-BLACK VOTE

The Bantu Self-Government Act makes these Bantustans possible, and in the Transkei the first election by an all-black electorate took place in November 1963.

Kaizer Matanzima, a Xhosa chief who believes in the apartheid tenet of separate development of the races was chosen Chief Minister, and he heads the Legislative Assembly, which meets in an attractive building in the still almost-all-white capital of Umtata.

There are 109 members of the Assembly, of whom 64, including the Chief Minister, are chiefs and headmen nominated by the Central Government at Pretoria, the others elected by the voters for 5-year terms.

There are six Cabinet officers—finance (in the hands of the Chief Minister), justice, interior, agricultural development, roads and works, and education.

YEARS IN FUTURE

Each Minister has a white secretary; the civil service is still largely white. But the plan is to turn over jobs to the Bantu as soon as they have gained the experience to handle them.

The Central Government still handles defense, security, and external affairs.

No one can say when the day will come when the reins are handed over to the Transkei government. It obviously is years in the future.

South African Government people, and their supporters, point frequently to unrest and violence in the independent black nations to the north, and say that is proof that a people must be ready for self-government before having it. But they insist that under the plan, the Transkei will, in fact, ultimately be independent and wholly self-governing.

[From the Omaha (Nebr.) World-Herald, Feb. 14, 1966]

JARRELL IN AFRICA: EDUCATION IS VITAL FOR UMTATA

UMTATA, THE TRANSKEI, SOUTH AFRICA.—Education is regarded as the key to the success of the South African plan to create several independent black states within the borders of this rich and controversial republic.

The Bantu of South Africa already have a literacy rate higher than anywhere else on the African continent, but there seems a special urgency about it here in the Transkei, which is the first of the Bantustans and which already has a considerable degree of self-government and its own Legislative

Assembly. Bantu means "people" and applies to all blacks in South Africa.

FERTILE

One crosses the Kei River Bridge and he is in the Transkei, a fertile, 16,000-square-mile area blessed with ample rainfall with some 40 inches a year, much coal and a generally peace-loving black population of 1,600,000 Xhosa tribesmen.

As many more Xhosa live elsewhere, mostly in the townships surrounding the great cities.

It is largely cattle-and-corn country, though there are plans to bring manufacturing and shipping, too, the latter through revitalization of the old but virtually abandoned port of St. Johns, on the Umzimvubu River.

The South African Government feels the road to independence for the Transkei, its development as an independent state within a South African Commonwealth, requires an educated electorate. Thus the 1,600 schools, the 312,000 Xhosa in classrooms, the 5,400 teachers.

DETRACTORS

The Transkei has its own national anthem already—"Oh, God, Sustain Africa"—and its own flag.

It also has its detractors, both black and white, so far as prospective nationhood is concerned.

As envisaged in the Government's Bantustan plan, the Transkei and the other six or seven Bantustans will be black; South Africa itself will be white. No black man will be able to own property in white South Africa. Well-to-do Bantus can purchase homes in the townships outside the big cities, but they can only lease the land on which they sit. No white man will be permitted to own land in the Bantustans.

It is the latter aspect of the overall plan that irritates many of the whites here in the Transkei.

COMPENSATION

The law provides for adequate compensation for property owned by whites, and as this is a long-term proposition, people are not being uprooted.

Umtata, the capital, is still largely a white town where apartheid is practiced. Bantu are not permitted in the hotel or in the cinema, and have their own entrances to the postoffice. There is irritation among white South Africans because a sizable chunk of the community was zoned black.

DIVISION

This means a white businessman, while he can continue running his business, can only sell to a Bantu. The Bantu Investment Corporation and the Bantu Development Corporation have been set up by the Government to provide funds for Bantu to go into the world of business.

The Umtata whites are in the process of forming a "ratepayers' association" in an effort "to safeguard the interests of ratepayers (taxpayers) in town."

A member of South Africa's Parliament for the Transkei Territories accused Prime Minister Verwoerd of showing "no sympathy" for the white man in the Transkei.

Meanwhile, the governing black party in the Transkei, the National Independence Party, is fighting off attacks from its opposition, the Democratic Party.

The Democratic Party opposes the Bantustan plan. It favors continued alignment of the Transkei with South Africa, and holds that without nongovernment white capital, the area cannot make a go of it.

[From the Omaha (Nebr.) World-Herald, Feb. 15, 1966]

JARRELL IN AFRICA: BLACK, WHITE AGREE, NO MIXING

UMTATA, THE TRANSKEI, SOUTH AFRICA.—Said the white official: "Like the white man,

the Bantu does not subscribe to the idea of social integration, which is bound to culminate in the eventual destruction of the Bantu personality as well as the white personality. The recognition of the dignity of the black man lies in the retention of his creed and culture, which cannot be achieved once integration has started."

Said the black official: "My government (of the Transkei) does not believe in a multi-racial state, for in that it sees the perpetuities of ceilings that are placed over the heads and progress of the Africans."

Thus did J. H. Abrahams, commissioner general of the Xhosa National Unit, and B. B. Mdllele, Minister of Education of self-governing Transkei, which South Africa says will one day be wholly independent, agree that black man and white man should not be integrated.

Mr. Mdllele, in fact, believes the United States would be better off with separate black States.

There are conflicting views in South Africa over integration. There are conflicting views here in the Transkei itself.

But the overwhelming majority of whites in South Africa believe black and white should not mix. And the National Independence Party of the Transkei, which controls the Transkei's Government and is thus representative of the area's Bantu population, believes it, too.

CORN

This is a beautiful land, the Transkei. And a fertile one. And, in the distant kraals, primitive.

Yet 80 percent of schoolage children have had at least 3 or 4 years of school.

Maize, or mealies, form the chief crop. In the United States, it is called corn.

And cattle. In all South Africa, close to 50 percent of the cows are owned by the Bantu. The proportion is high in the Transkei.

"A man is not really a man unless he's got cattle and a piece of land," says J. H. T. Mills, the white secretary to the Department of the Chief Minister.

It is difficult to get the Xhosa tribesmen, who form the black population of the Transkei, to give up the growing of corn for any other crop, even one that produces greater revenue. For centuries, they have grown corn. Why quit?

Efforts are being made to have them produce cotton, which grows well here, and would bring in more rand (the South African unit of exchange), to little avail.

WIVES

This is a land where a man can legally have as many wives as he can pay for. Payment, or lobola, usually is in cows, and a village girl usually brings her parents 8 to 10 of them. Sometimes it runs higher. A chief's daughter can cost one hundred cows.

There is one wealthy Transkei man—a herbalist who not long ago purchased an American automobile for cash he took out of a suitcase—who enjoys the luxury of 23 wives.

An indication of how complicated life is in Africa is the fact that among the Xhosa alone there are 12 different subtribes. There are, in all, 700 languages on the continent of Africa.

A visit to a kraal is likely to bring out the entire populace, including the head man with his wives, offspring and in-laws. The girls may discard their traditional orange blankets and, bare-breasted dance.

SMILES

The older women will smoke their pipes and gab cheerfully. Little ones eat their mealies. One may be invited into their homes, each of them round, made of mud, with thatched roofs, floors of polished cow dung. Each wife lives in a separate house.

Bare feet are the rule, winter and summer. It is summer now. But the sight of an old Xhosa male wearing an overcoat, and without shoes is somehow incongruous.

Yet no sound is lovelier than to hear a group of Xhosa men and women—like the dining room staff of the Hotel Savoy in Umata—singing, in rich African voices, the words of the national anthem of the Transkei, "Oh, God, Sustain Africa."

"Here, nature smiles," says Minister of Education Mdllele.

[From the Omaha (Nebr.) World-Herald, Feb. 16, 1966]

"WE'VE HIT BOTTOM ON WAY BACK," RHODESIAN DECLARES

SALISBURY, RHODESIA.—Rhodesian Prime Minister Ian Smith disclosed Tuesday that if current plans with regard to oil work out "we'll completely lick the embargo."

The leader of this sanctions-plagued nation declined in an interview to reveal details of the plans.

The oil situation in Rhodesia, which declared its independence 3 months ago in a dispute with Britain over its racial policies, was described as "better this week than last."

NOT ENOUGH

"We believe we've hit bottom and are on our way up."

The only announced source of oil coming to Rhodesia now is in the form of voluntary contributions from South Africa.

It is not believed, however, that such a relatively small amount as has been brought by this voluntary method to date will be enough to alleviate the shortage.

Mr. Smith expressed hope the United States would "stop this nonsense" when he was asked about the effect of United States sanctions against this East African nation.

"What have we done that the United States wants to cut off our trade?" he asked.

He said in spite of the embargo against his country, Rhodesia's overall trade is "going ahead the same as it has in the past."

ASKS ROOM

He spoke bitterly about the United States following Britain's lead on sanctions at the same time Britain is still trading with North Vietnam as well as Red China and Cuba.

He pictured Rhodesia as conducting an "experiment" in government, with its objective a Parliament where black man and white men both sit with no attention paid to color.

He asked for "room to maneuver" to attain that objective.

But in a separate interview, the black man who heads the Parliamentary opposition, J. M. Gondo of the United Peoples Party, accused the Government of making it difficult for the black man to get the education which qualifies him for the vote.

Charging this is politically motivated, Mr. Gondo said: "The fewer agitated Africans, the longer the whites can remain in power."

The opposition leader favors broadening the base to bring more Africans into the voting area, as a prelude to eventual one-man, one-vote operation.

EQUAL AMOUNTS

He said the Government spends equal amounts on educating black and white children, but called it "unfair" because there are 4 million black children and 220,000 whites.

[From the Omaha (Nebr.) World-Herald, Feb. 17, 1966]

TRANSKEI COLLEGE UPDATES PROCEDURES IN AGRICULTURE

TSOLO, THE TRANSKEI, SOUTH AFRICA.—To the average Xhosa tribesman in the lush, fertile Transkei, a bumper crop of maize

means only one thing: He won't have to grow any the next year.

It isn't the toil involved—what are his wives and children for?—but, he asks, why should he raise more maize if he has enough for the mealies he and his family eat and the kaffir beer that is quaffed in truly remarkable quantities?

So, here at the Tsolo Agriculture College, another of the multitude of projects of the South African Government to bring the rural Bantu tribesman into the 20th century, or at least the 19th, modern farming methods are taught.

The young men who spend 2½ years here are expected to take the word to their elders, many of them as extension agents of the Central Government, and seek by actual demonstration to show what wonders can be accomplished with the soil if it is properly utilized.

It is here in the Transkei that South Africa is staging its greatest experiment in apartheid, the creation of a black state slated ultimately for independence, the first of as many as eight Bantu areas scheduled, when its tribal inhabitants are ready for it, to rule themselves.

But the problems of initiative, responsibility and organizational ability among a people content to do things as their forbears did centuries ago have to be met, combated and solved.

A student here must have had 11 years of schooling before he is admitted, and he is carefully screened, for there are more applicants than vacancies.

He is likely to be 18 to 20 years old, and he first has 18 months studying various subjects—sheep and wool-growing, animal and field husbandry, soil conservation, forestry, vegetable gardening, and others.

Then for a year he is assigned to project planning, for he has intensive training in how to run a small economic unit. Crop rotation, grazing rotation, bookkeeping, all of them fall to him.

For this he pays only \$45 a year. It costs the South African Government 10 times that to give him the training.

When he leaves, unless he takes postgraduate work at another school, he goes into the field and tries to motivate his fellow Xhosa into adopting the white man's modern and profitable farming methods.

This isn't easy. The Xhosa is pretty well satisfied with the status quo.

WHAT'S NEED?

Maize is the staple crop. This provides the mealies that are eaten at every meal. It is corn, yellow corn, white corn. The farmers of the Transkei produce about 8,750,000 bushels of maize a year. L. O. Hagan, principal of the Tsolo Ag College, thinks they should manage 700 million bushels in this area that is almost as large as Denmark.

There is ample rainfall, and "there is virtually nothing they cannot produce," he says. Only the human element is a limiting factor.

Most Xhosa feel no necessity to produce beyond their immediate needs.

Adjacent to—just across a fence—one of the school's maize fields is a similar one owned by a Xhosa farmer. In the school's field, the usual winter-fallow, fertilization methods are followed.

The maize it produces grows faster, has better quality, makes more to the acre. For years the Xhosa farmer has seen the difference, yet never once has he manifest any interest in trying to find out why.

BEER

Fifty percent of the maize produced by the Xhosa farmers goes to make kaffir beer, the remainder is used for food. The beer is brewed in 44-gallon containers, takes 4 or 5 days to reach the peak of perfection, and is dispensed on more or less a communal basis.

A "beer-drink" is a great social event. Men and women join in, usually with the men on one side, the women on the other, each group passing back and forth the big cup that holds the brew. But after awhile the barriers break down, and the sexes intermingle.

A good beer-drink can last 2 or 3 days. Elder daughters are left home to take care of smaller children when their parents are enjoying this somewhat intensified conviviality. It is not uncommon for a participant to awaken after such a bout and embark on another.

[From the Omaha (Nebr.) World-Herald, Feb. 18, 1966]

SWORD KEEPS ORDER IN TRANSKEI ASSEMBLY

UMTATA, the TRANSKEI, SOUTH AFRICA.—The Legislative Assembly of the Transkei, the region that South Africa expects to have independence when its black Xhosa tribesmen are ready for self-rule, is the scene of debates sharper than in the U.S. Congress.

Remarks are made that would be declared out of order in the American Senate or House.

But the give and take is quite similar to that which goes on within the Chambers of the Capitol in Washington, though the language is Xhosa.

On hand to keep order is the sergeant-at-arms, an imposing figure in his black tailcoat with gold-fringed red epaulets and red cuffs.

SYMBOL

In the front of the attractive chamber, with its desks of "stinkwood" (despite the name, this is South Africa's finest wood, beautiful and rich of texture) stands the symbol of government, the mace.

The sergeant-at-arms has, for maintaining order, a spearlike sword that is as wicked looking as anything used by African warriors in the last century. The story is that he has had to use it only once, on two unruly members, who subsided quickly when they saw the sharp-edged blade coming their way.

A study of the English translation of debate in the Assembly shows that the black men (and one woman) who comprise it usually speak well and fluently as they make their points.

CAUSTIC

But their tongues sometimes are caustic, which apparently is acceptable in the Transkei.

During debate on one occasion, the Chief Minister, Kaizer Matanzima, was interrupted by Knowledge Guzana, one of the leaders of the opposition, a man recently denied a passport by the South African Government when he wished to visit the United States. "Keep quiet," said Mr. Matanzima.

The Chief Minister went on to call some members of the opposition Democratic Party "spineless." And one was "a man who changes colors like a chameleon so that taking him seriously would be the task of a fool."

A PITY

In a debate over the complicated tribal structure of the Transkei, which has 4 paramount chiefs and 137 other chiefs and 917 head men, Mr. Matanzima said it was a pity one opposition member "should be amongst such a conglomeration of fools."

When exception was taken, he substituted "stupid." Later he withdrew both.

When he said the people of the Transkei still recognize chiefs "as their leaders and protectors," an opposition member asked: "Why do you have bodyguards then?"

The Chief Minister complained that an opposition member had characterized chiefs as "irresponsible, drunken, uneducated, and ignorant."

Corrected the member: "I said some of them."

[From the Omaha (Nebr.) World-Herald, Feb. 20, 1966]

MANY PREDICT PETTY SEGMENTS OF APARTHEID WILL GO

DURBAN, SOUTH AFRICA.—When an American tries to delve into South Africa's complex and controversial racial policy, just about the first piece of advice he gets is not to try to compare the United States with this country.

To an American, geared to his own Nation's continuing, if difficult, effort to provide equal opportunity for all, many features of South Africa's apartheid policy appear questionable.

Some of the aspects of that policy that are repugnant to the visitor from the United States are in the area that is described over here as "petty apartheid."

Separate queues in the post office, the banning of an East Indian golf champion from an important tournament, park benches marked for use only of "European-blanks"—they are hard for the American to understand.

HARSH LAWS

Other apartheid laws may be more critically challenged.

The visitor from the United States, who has grown up in a country where any prisoner is assured a trial, where the writ of habeas corpus can get him a hearing if he's held without charges or early hearing, is likely to look askance at laws which permit a prisoner to be kept in jail indefinitely after his term has ended, as in the case of the Bantu (black man), Robert Sobukwe.

The pass laws—every one must carry his identification card—may strike the American as off-key and an infringement.

The South African who supports Government policies, says the laws are required in the interest of public safety.

As to the petty apartheid, there are many predictions that these trivial and mortifying segments of racial policy probably will be abandoned.

There has been loosening up already. The black man can buy spirits, where once he was limited to Bantu beer. Except during periods when crime has brought a show-your-pass crackdown, he can be out in the cities at night without molestation. The curfew has gone.

NO INTEGRATION

But separation of the races continues, and it will continue. Both the dominant National Party and its chief opposition, the United Party, favor it. The difference here is only a matter of degree.

Where South Africa will rise or fall is in that vital area of its separate development program that proposes to set aside the traditional Bantu homelands for self-ruling and independent black states, hopefully with the idea that from them will spring a commonwealth of South Africa.

The first of these, hereditary homeland of the Xhosa Tribe, has been set up in the Transkei, an area larger than Belgium along the southeastern coast.

Detractors say the Transkei is poor country where, at best, a subsistence living is possible.

SPENDING MILLIONS

The visitor learns this is not so. The rich, fertile Transkei can produce almost anything—fruits, grains, vegetables, cotton. Its pasture lands are extensive.

The Central Government of the Republic is spending millions of rand on the education of the people of the Transkei, and on their hospitalization and on teaching farming methods that will improve crops and income.

It is doing the same in other areas of South Africa, but the experiment in the Transkei is of transcending importance because, if the plan is followed through—and the Verwoerd government insists it will be—the all-black Legislative Assembly that presently controls six departments of its government will ultimately be the governing body of a no-strings-attached independent state.

Other independent states, or Bantustans, would follow.

Of one thing, there is no doubt: the South African Government is spending huge sums to improve the lot of the black man.

HUGE FRAUD

To such Bantu as I. B. Tabata, now in the United States, who says he would be jailed if he returned home, the plan to create as many as eight Bantustans, or independent black nations, is "a huge fraud—a scheme to make these areas into a labor reservoir." Those were the words he used to a World-Herald reporter in Washington some weeks ago.

But to men like Commissioner General J. H. Abraham of the Xhosa National Unit (the Xhosa occupy the Transkei), the Bantustan plan has the "wholehearted support" of most Bantu. Mr. Abraham, a white man, declared:

"It echoes the dearest sentiments of their own hearts. In this system they can take their cultural and traditional spiritual yearnings with them and are not called upon to discard that which they regard as sacred."

[From the Omaha (Nebr.) World-Herald, Feb. 21, 1966]

SEPARATE DEVELOPMENT BACKERS ASK FOR TIME

JOHANNESBURG, SOUTH AFRICA.—Three and one-half million whites in South Africa, a vast and viable nation, are financing a tremendously costly program for the black residents who outnumber them more than 3 to 1.

It is paternalism, whatever tag is applied to it.

For whatever it is worth, this is South Africa's answer to the demands of the world's colored races, long under white rule in the days of colonialism, for a self-determining role.

In going its own way with its policy of separate development, South Africa has been condemned from almost every corner of the world.

It was over apartheid that South Africa broke out of the British Commonwealth and formed a republic, with no ties of any sort, except historical, with Great Britain.

The United Nations has called on South Africa to abandon its racial policies.

DIRTY WORD

The United States disapproves of South Africa, and down here, the name of Assistant Secretary of State G. Mennen (Soapy) Williams, who is in charge of African affairs for the State Department, is a dirty word.

The black countries to the north remain blazingly angry at the enormously wealthy power at the southern tip of the continent.

South Africa is accused of being a police state, which its leaders deny, but there are restrictive laws, described as security measures to hold down any Communist activity, that provide some fuel for such charges.

Yet, despite the world's condemnation of the Republic of South Africa as being harsh, unjust, and intransigent as regards its non-white majority, there are more than 1 million Bantu from other African countries working here, some 20,000 more try every year to enter the republic illegally—because jobs are available and wages, by black standards, good—and, if immigration barriers were lowered at the Limpopo River, Bantu by the hundreds of thousands, it is estimated, would pour across.

TIME

It doesn't take long for a white South African to tell any visitor what it is that the nation needs: Time.

Given time, they say, they can make their policy of separate development work.

And its main feature is the creation of several Bantustans.

These would be independent states, carved out within the republic's boundaries, embracing the hereditary homelands of the various black tribes that began coming south across the Zambesi about the time the early white settlers started pushing north.

For in South Africa, when the white man arrived more than 300 years ago, there were only the Hottentots and the Bushmen. The Hottentots are almost gone, and the primitive Bushmen still survive, in relatively small numbers, in areas where no one else wants to live.

CULTURE

The Government says that the black man settled in certain areas of the country, and that it is those areas it will hand back to the black man, to rule as he sees fit, but, hopefully, with economic ties to South Africa in a commonwealth or federation.

In these independent states, government spokesmen avow, the Bantu would be able to retain his own culture while using the best of the white man's know-how.

The project's cost is enormous, and the white man finances it. It is complicated by the fact that many millions of blacks reside not in these homelands, the first of which has been set up in the Transkei with self-rule slated some time in the future, but rather in the white man's cities, where he has employment but not equality.

LIKE ITALIANS

Under the plan, these urban blacks will have the vote in their homeland, even if they choose the city. The black in the homeland, with independence that is promised, won't have to live under apartheid laws. The blacks who choose to remain in urban areas will continue to reside in their own sectors of the cities, and accept apartheid.

Whites like to compare them to Italians who take jobs in Switzerland—they remain Italian subjects, but work away from Italy.

But, they say, look at what the black man gets: Modern homes at low rents, virtually free hospitalization, educational advantages denied to much of the rest of Africa, and a pay day every week.

The administrator of Natal Province, J. T. A. Gerdener—his job corresponds to that of an American Governor—told a World-Herald reporter that three-fourths of the income taxes he pays go to programs for nonwhites.

[From the Omaha (Nebr.) World-Herald, Feb. 22, 1966]

ANIMAL REIGNS AS KING IN 8,000 MILES OF PARK

SKUKUZA, KRUGER NATIONAL PARK, SOUTH AFRICA.—The old timer took his pipe out of his mouth and, speaking in Afrikaans—which was translated—said:

"We figure that old fellow is about 200 years old."

"That old fellow" was a huge crocodile, sunning himself on the banks of the Sable River, here in Kruger National Park, a game reserve where man can look, but cannot harm, innumerable varieties of wild animals, from the gentle impala to the powerful lioness who kills for her family.

Some doubted the old timer's estimate of the venerable crocodile's age. One thing was certain though; the croc is among the park's inhabitants best able to take care of himself.

ANIMAL IS KING

Lying in the northeastern part of the Transvaal, between the Crocodile River to

the South and the Limpopo to the north (Kipling fans will remember the "great green, greasy Limpopo River"), this fascinating game preserve is the size of a small state, 8,000 square miles, 200 miles long, averaging 40 miles wide.

Here the animal is king. Humans are tolerated, so long as they behave themselves. The only thing they can shoot is a camera. They can traverse the roads at will, but they must not leave their cars except at specified areas.

My previous wild-animal thrill came when a bear ambled in front of my car in Vermont. I counted 16 species of animal within a few hours, to say nothing of countless exotic birds that ranged from the snake-hunting secretary bird to the purple crested loerie.

One's first sight of the graceful impala brings ooh's and ah's. Within an hour, the sight of a herd of 200 of the leaping, curious creatures has become commonplace. They must exist in Kruger by the hundreds of thousands.

LION'S DIET

The impala forms a staple of the lion's diet. But things are lush at Kruger this summer and this, while fattening the impala, is bad news for the king of beasts, and his mate, who does the hunting.

For in dry seasons, the impala visits the regular water holes, along regular paths by which a hungry lion can lie in wait. With so much greenery and small pools all over, the impala is not dependent on the regular watering place. It isn't easy to be a lion in boom times.

Baboons everywhere. Close the car window when a pack is around, or they'll be right inside. And, perhaps, bite. They're inveterate hitchhikers, riding atop cars, or on engines or trunks.

The unlovely wart hog abounds. A baby wart hog, yet to grow into the immense ugliness of the parent, is sort of cute.

CURIOUS

There was the cheetah family that was as curious as occupants of the car; at least the cubs were. Three of them sat in the road, permitting the automobile to come within 10 yards. Off the road, their mother, powerful, lithe, graceful and alert, stood, tall thrashing. Down the road appeared a jackal, which ambled toward the cubs, hoping, perhaps, they had recently killed and he could share in the leftovers.

He came as close as the mother cheetah thought permissible. She made a pass at him. The jackal fled. The mother trotted into the bush. The cubs knew instinctively it was time for them to leave, too.

TALL GIRAFFES

Further along, 19 giraffes, 3 of them bigger than I ever saw in captivity (and I'm an inveterate zoogoer). The succulents high in the trees and bushes interested them; they could not have cared less about the humans only a few feet away. A giraffe sometimes forms a lion's meal, but lions respect the kicking ability of a giraffe—a well-aimed kick can kill—and are more likely to go for the impala or the zebra.

A pack of 15 wild dogs ambles by. A mother kudu and her calf. Monkeys. More baboons, hundreds of them. A vicious-looking cobra by the side of the road. A visit to the hippo pool, escorted by a rifle-carrying guard who lives in a hut in the park. No, he says he doesn't venture outdoors at night.

"Wild Animals Can Be Dangerous," says the signs.

Only one disappointment. No elephants. There are a few in the neighborhood, though most of them are further north in a section of the park closed in the summer. Some people saw them, but for something so big, the elephant can be an elusive fellow.

[From the Omaha (Nebr.) World-Herald, Feb. 23, 1966]

SOUTH WEST AFRICA FATE LEFT UP TO HAGUE COURT

PRETORIA, SOUTH AFRICA.—Of worldwide importance is the decision that probably will be handed down this year by the International Court of Justice in The Hague.

It relates to the future of South West Africa, a big chunk of largely arid land that the Republic of South Africa has been administering for close to a half century under a mandate of the old League of Nations.

The case is one of complexities and controversies, with South Africa's racial policies the crux of the issue.

It holds worldwide significance in that any adverse decision by the World Court—adverse so far as South Africa is concerned—is almost certain to bring from the black States to the north of here a demand that the United Nations take drastic action against this Republic.

The plaintiffs in the court action are Liberia and Ethiopia, but their present accusations against South Africa are not the ones they originally brought. They abandoned their earlier charges of genocide and, in fact, accepted South Africa's position on that and the other initial issues that got the case into court at the Hague.

WAS GERMAN

The background is this: South West Africa, four times the size of the United Kingdom, is an area where rival tribes fought bloody wars for years.

In 1880, the Germans claimed it and administered it until World War I. After that war, the League of Nations gave South Africa its mandate.

After the dissolution of the league, South Africa declined to put the territory under United Nations trusteeship. And the U.N. General Assembly declined South Africa's request that it be incorporated into South Africa. But South Africa announced it would continue to administer the territory "in the spirit of the mandate."

Much of it is desert. Its coast is treacherous. To the north, where most of the blacks live, there is ample rainfall.

It has diamonds and copper.

CHARGES

A few years ago, Ethiopia and Liberia, which had been members of the league, brought action in the World Court, along the lines of many of the claims that had been made in the U.N. General Assembly, attacking South Africa's stewardship.

Here the charges of genocide were hurled. It was said South Africa was militarizing the area, that the black man was used only as a labor reserve.

The U.N. General Assembly has criticized South Africa repeatedly over race policies. But General Assembly votes are not binding. If the black countries could get into the U.N. Security Council with specific action against this republic, that would be a far more serious matter. A World Court decision might accomplish it.

The plaintiffs contend that South Africa is accountable to the U.N. for South-West Africa. South Africa says it has no such legal obligation.

So South Africa defended in the World Court against the genocide and associated charges, it introduced evidence that the native population had doubled, that no land ever was taken from the blacks and turned over to whites. It said the best land in the northern section, where rain falls, is owned by black men.

NEW ELEMENT

It was after that when a new element was introduced. This was that there now exists

an international norm, one of nondiscrimination, nonseparation of races, which prohibits a government from taking any action that differentiates over race. Whether such differentiation was good or bad was said not to be at issue.

So South Africa invited the court to inspect Southwest Africa, look over the entire territory. But, it suggested, the court also should inspect Liberia and Ethiopia, the complainants.

It was then that those countries dropped all earlier charges and, in fact, agreed to accept the pleadings of South Africa, relying entirely on its new position regarding the norm as its case.

South African authorities considered this a major victory. They say that, in effect, this means an admission by Ethiopia and Liberia that the charges for which South Africa had for years been condemned in the United Nations were false.

South Africa holds that it has never accepted the norm brought into the case by the two black countries, and said that acceptance by a large number of states does not make it binding. A spokesman said that such a principle, if followed all the way, could see the United States some time forced to accept communism because a majority of U.N. members might so vote.

As to discrimination, South Africa's witnesses in the World Court testified that 50 countries have practices contrary to the norm suggested by Liberia and Ethiopia, including Liberia, Cyprus, New Zealand, and many more. Meantime, the world—but particularly all of Africa—awaits the action of the court.

[From the Omaha (Nebr.) World-Herald, Feb. 24, 1966]

SOUTH AFRICA MINORITY AGAINST RACE BARRIERS

PRETORIA, SOUTH AFRICA.—There is opposition to the South African Government's policy of separate development of the races—but it is in the minority.

It does exist, however, in this Republic where only the white man has a voice in the Government.

There are political parties that range from the far left to the extreme right—further right, in fact, than the National Party that dominates Parliament.

The second party, the United, also is white-rule. Though it differs on methods, the party would ultimately give the franchise to the colored (mixed blood) population though not to the black man.

The National Party of Prime Minister Hendrik Verwoerd, in brief, feels each race should develop in its own way, and preserve its own culture. Thus its policy of creating a number of black states, which are scheduled for ultimate independence, leaving the rest of South Africa white-ruled.

REPRESENTATION

The United Party wants social and residential segregation, just like the Nationalist; it would give the Bantu (black) representation in Parliament, but with only whites to represent them. It opposes creation of Bantustans (independent black states).

The Progressive Party, which currently has one representative in Parliament (and which declined a chance to be interviewed on its position) would give the vote to educated Bantu and, ultimately, to all, but with strong constitutional protections for all races.

The Liberal Party would give every one the vote, and would have a rigid constitution to protect the rights of all. Minister of Justice John Voersler says Communists have infiltrated the ranks of the Liberals.

OPPOSITION

Then there is the Republican Party. It feels that Prime Minister Verwoerd has be-

come too liberal, and that the rights of the white man are not being protected sufficiently.

Frequent opposition to the Government comes, too, from the Institute of Race Relations which recently felt it necessary to reply to remarks made about it in Parliament.

A member had said it had changed its view, from one opposing separate development to a position favoring it.

The Archbishop of Durban, the Most Rev. Denis E. Hurley, said the institute had never held that large-scale partition of the country "is objectionable in principle."

But it questions whether a policy of complete segregation, by establishment of black states within the white state, is practicable.

"We cannot see," said Archbishop Hurley, "how anybody can describe the present situation as separate development when (a) two-thirds of the African population and the whole of the colored and Asian populations are in the white areas; (b) the remaining third of the African population cannot exist in the Bantu homelands without sending half a million of its population to work in the white areas; (c) the white areas depend on nonwhites for 80 percent of their labor force; (d) nothing happening in the country at present promises to bring about any substantial reduction of the economic interdependence of the races in South Africa."

[From the Omaha (Nebr.) World-Herald, Feb. 25, 1966]

PROGS ASK REJECTION OF WHITE DOMINATION

DURBAN, SOUTH AFRICA.—South Africa's third party opposes both the dominant Nationalist Party of Prime Minister Hendrik Verwoerd and the United Party because they stand for white domination.

"We reject it," said L. L. Boyd, the Progressive Party leader for the Province of Natal. Currently the Progressives have only one member of Parliament, and the outlook in the March 30 election is something less than rosy.

But the "Progs" will oppose the others in some of the constituencies in all four of the Republic of South Africa's provinces.

Mr. Boyd speaks with tempered optimism about the election and what he considers the chief issue, his accusation of white domination.

"The wise voter will reject it too, recognizing that you cannot build a secure future on systems of government which mean continuing injustices to the nonwhites," he says.

NO LEADERSHIP

He said that in today's political spectrum in South Africa there is no white leadership.

"There is only white domination," he asserted, "based on laws and practices designed to keep the nonwhite down. The United Party promises to retain the control indefinitely; the Nationalists have enough sense to recognize this is impossible, but their Bantustan policy offers no solution because they intend to go on discriminating against Africans in the towns, and of course against the Indian and colored people (mixed race)."

The Verwoerd administration plans to create a series of independent black states, or Bantustans, hewing roughly to the homelands of African tribes. Bantu (black) residents of the cities would be able to have a voice in the government of their homeland, but not in white South Africa where they reside in segregated areas.

FAIRPLAY

Mr. Boyd said most of South Africa's nonwhites recognize the need for white leadership "but that leadership must be based on recognition of their rights and interests."

He said:

"It must be leadership on merit, having as its clear objective the building of a future for all on a basis of racial good will, not

on racial discrimination, unjust laws and the denial of rights and opportunities."

He said the voters of Natal would have to make a choice by voting "on the basis of their fears and their prejudices or whether they will make a stand on their own moral principles and vote for justice and fairplay for every South African."

[From the Omaha (Nebr.) World-Herald, Feb. 27, 1966]

WHITE RHODESIANS SPUTTER IF WILSON NAME MENTIONED

SALISBURY.—The question in Rhodesia is simply this:

Will UDI work?

UDI means this landlocked, sanctions-beset country's action of last November 11 declaring itself independent of Great Britain: unilateral declaration of independence.

One might come to Salisbury expecting to find a semihost town of grim-lipped people, few automobiles because of the oil embargo, and spartan simplicity.

What one discovers is a bustling city where gas rationing doesn't seem to have curbed too heavily the cars, where people go about their business cheerfully, and where dinner in one of the better restaurants can be a gustatory delight.

In the fine, modern Meikles Hotel a small combo plays during the dinner hour, and attractive women and their companions, who don't seem burdened with the woes of the world, do the frug and the watusi between courses.

DIRTY WORD

But mention the name of British Prime Minister Harold Wilson, and most white Rhodesians are prepared to sputter.

He is the archfoe, the man who forced on them the present situation, the villain of the piece.

They take their lead from Rhodesia's Prime Minister Ian Smith, who can't understand why the United States followed Britain in the imposition of sanctions, including oil, against this east African nation whose independence is still unrecognized diplomatically by the rest of the world.

Mr. Smith told reporters that he was told that Britain trades more with North Vietnam than any other nation. Supplies going there, he said, are not only killing Americans, but troops from the British Commonwealth as well. He mentioned in that connection Australia's forces in Vietnam.

BAD RAP

"I think," he said, "it would be a fair question to ask where Mr. Wilson is aiding democracy."

Mr. Smith and his government contend that Rhodesia is getting a bad rap on the racial question, which is what precipitated the break with Britain.

He and other Rhodesians point often to the constitution adopted in 1961 at a conference presided over by the then Commonwealth Secretary Duncan Sandys, and accepted by both white and black Rhodesians, and later, they say, repudiated by the black sponsors.

They say that the constitution provides for black men to reach the A roll for voting, when qualified.

The A roll covers 50 parliamentary constituencies, and anyone can qualify by meeting certain educational and financial standards—earning \$900 a year and attaining 4 years' secondary school education.

The B roll which has lower qualifications, elects 15 members to Parliament.

IMPATIENT

The more Africans improve themselves, the more they qualify for voting rights, Mr. Smith's government says.

It contends that black Africans rejected this route to ultimate domination because

it would take time, and they wanted to achieve power at once.

A Government publication says:

"The fundamental difference between the Rhodesian and British Governments was this: Rhodesians believe that the reins of government should be held in responsible hands. The color of those hands is immaterial.

"The majority of those capable of exercising a vote, and thus being responsible for government, are Europeans by virtue of their culture and heritage. In time a greater proportion of the population will become eligible to vote and therefore exercise an increasing and, it is hoped, responsible influence.

"The British Government, on the other hand, believes in what it euphemistically calls 'majority rule,' by which it means black rule, which is blatant racialism.

"The fact that in several previous exercises of this kind the one-man, one-vote principle in Africa has led to one election, one party, one dictator, is apparently of no consequence."

[From the Omaha (Nebr.) World-Herald, Feb. 28, 1966]

RHODESIA TRIES TO HELP RACES LIVE TOGETHER

SALISBURY.—Rhodesia's Prime Minister Ian Smith acknowledges that his country, where a small white minority rules, is conducting an experiment.

"It has never yet been proved that black and white people can live together in harmony," he said in an interview.

Thus Mr. Smith condemned as a failure the multiracial society in the United States.

He said a harmonious white-black relationship is what Rhodesia is striving to achieve.

It is over Rhodesia's racial policies that this prosperous nation, blessed with pleasant climate and one of the great tourist attractions of the world—the truly memorable Victoria Falls—and Britain fell out.

So Rhodesia declared itself independent, though not recognized officially by the rest of the world as such.

DIFFERENT ANGLES

The Rhodesian experiment sets it aside from its neighbor to the south, the Republic of South Africa, because the two countries, both of which have many more black residents than white, approach it from different angles.

The policy of the South African Government is to answer demands of the mid-20th century for racial equality by formulating a plan whereby black (Bantu) homelands would be created, in which the black man would govern himself, while only the white man would have a vote in the remainder of South Africa.

But the Rhodesian constitution provides the vote for any one who can qualify, the qualifications tests involving one's education, income, and property ownership.

This, the Smith government holds, opens the door to the black man to qualify and exercise his franchise and, once a sufficient number have met the qualifications, to rule where the white man now does.

Rhodesians say that events in half a dozen emerging African countries where regimes have been overthrown, sometimes with violence, prove the black man must be ready to govern before given the authority to do so.

REPUDIATION

But this isn't good enough for Britain, which, while acknowledging that the black majority is not yet ready to take over, wants the process speeded up.

Some black nationalists in Rhodesia have been noisily in opposition. A number of these are in political detention camps, accused of resorting to intimidation of their

fellow black men in what Prime Minister Smith describes as an effort "to upset the Constitution unconstitutionally."

Rhodesians make much of the fact that the Constitution was agreed upon by black and white alike, with the British also giving it their stamp of approval. Now, they say, the British and some black nationalists have repudiated their earlier action.

A black man who sits in Parliament and leads the opposition, J. M. Gondo, also speaks out against the Government position. He is regarded as a moderate. He is one of a number of blacks elected by the B roll of voters. Qualifying standards are lower for the B roll than A roll, which elects 50 members of Parliament compared to the B roll's 15 members.

COMMUNIST MONEY

Mr. Gondo does not call for the immediate adoption of the one-man, one-vote concept, though he favors it ultimately. But he thinks the basis for qualifying voters should be eased.

"More advanced Africans—by our standards—should be brought to the voting rolls," he said.

He charged the Government with providing too limited educational opportunities for black Africans in order to prevent their qualifying for the vote. He said it was a device to keep the whites in control of government.

There are 220,000 whites in Rhodesia (which is about the size of Montana) and 4 million blacks.

Among the black leaders under detention are Joshua Nkomo of the Zimbabwe African Political Union, and Ndabaningi Sithole, a Congregational minister who received some of his training in the United States, head of the Zimbabwe African National Union (Zimbabwe is the name Africans want to call Rhodesia when they take control).

The detainees, who may number up to 2,000, can be released, Prime Minister Smith said, whenever they give "an understanding that they will not act unconstitutionally and not go to intimidation."

Mr. Smith has charged that Communist money has come into Rhodesia to pay "thugs and hooligans" to intimidate other blacks by burning houses and otherwise terrorizing them, to prevent them from working with whites under the Constitution.

[From the Omaha (Nebr.) World-Herald, Mar. 1, 1966]

ZAMBIA STRUCK HARD BY RHODESIA BLOCKADE

SALISBURY.—Rhodesia, target of sanctions designed to bring Prime Minister Ian Smith's runaway government to its knees, may be hard pressed, but its neighbor, Zambia, is more so.

And, through one of those paradoxical situations that seem to run through today's power diplomacy, Rhodesia is, in effect, keeping Zambia, a black-ruled emerging country, alive.

Zambia's economy hinges largely on the copper it produces.

Zambia requires coal to keep its copper industry going.

So, many times a day, Rhodesian railroad trains move into Zambia carrying coal, and move out bearing copper for the world markets.

While all this is going on, Zambia's leaders are making warlike noises, suggesting that Britain and other powers move militarily to bring down the Smith government in Rhodesia and put Rhodesia's black majority at the helm.

TROOPS AT DAM

Britain has troops in Zambia at the request of President Kuanda, in theory to prevent Rhodesia from shutting off power from the mighty Kariba Dam, which supplies electrical energy to both nations. But Rhodesia's

Prime Minister Smith sees the soldiery as necessary to preserve law and order there.

Mr. Smith says, "We have no wish to see Zambia fall. If chaos developed there, the only people who'll rub their hands in glee will be the Chinese Communists."

The possibility of Zambian chaos came up when he said "we have good information" that it is British policy to encourage Zambia "to drop a curtain across the country," vital to its economy.

In such case, he asked, where would Zambia get the coal to produce its copper, so vital to its economy?

SOME OPPOSE

Meantime, of course, Mr. Smith has his own problems, with most of the world applying sanctions against his embattled government.

Nor is his policy wholly approved among all the 220,000 whites in this country that has 4 million blacks.

A sensation was created here when the charge was leveled that "a shadow cabinet of fifth columnists and quislings" would like to have another government than Mr. Smith's in power.

"This isn't causing us any great concern," the Prime Minister told reporters. "We know a small bunch of people oppose us and play the game the British Government wants to play. Some would welcome it if the British are successful in their sanctions."

A reporter talking to businessmen finds it is true that there are among a number of them misgivings about the Smith policy. But these men are mostly critical of the British as well.

DISINTERESTED

Among these people there appears to be a feeling that the qualifications level at which black residents can achieve the "A roll" in voting should be broadened—a view held also by moderate blacks.

This would permit a faster takeover by the blacks than envisioned in the existing Constitution, perhaps in 15 years or so.

"If in 15 or 20 years," said one, "we haven't learned to live with the blacks, we should get out anyhow."

Another business executive told a reporter: "It isn't realistic to think that 200,000 whites can continue to hold out, politically, against 4 million blacks."

Most whites in Rhodesia, whether wholehearted supporters of the Smith government or questioning its policies, seem to agree that Rhodesia's black residents are not particularly interested in politics.

For instance, they lack the political interest of Kenya's Kikuyu, who were responsible for the Mau Mau uprising that brought bloodshed but, later, independence to Kenya.

[From the Omaha (Nebr.) World-Herald, Mar. 2, 1966]

NATION OF BLACKS RUN BY BLACKS

NAIROBI, KENYA.—The minute a traveler steps off the plane in Nairobi's fine airport, it becomes evident that Kenya is a nation of black men run by black men.

The contrast is particularly sharp if the visitor has come from South Africa and Rhodesia where, though like Kenya the black man is in the majority, it is the white man who runs the show.

At the airport an African girl in smart blue uniform holds back the visitors until, one by one, their names are called. An African immigration employee makes sure one's passport is properly visaed. An African customs officer checks one's baggage, quickly and courteously.

Sitting at a table on the sidewalk outside the New Stanley Hotel at the intersection of Kenyatta (formerly Delamere) Avenue Kimathi (formerly Harding) Street, sipping coffee and enjoying Nairobi's truly wonderful summer climate, the traveler is hard put

to remember that only a few short years ago this was the country of Mau Mau terrorism.

KENYATTA

Back of the hotel desk, and in hundreds more public places in Nairobi, is a picture of a smiling, bearded, benevolent face—that of Jomo Kenyatta, President of Kenya, former terrorist and convicted leader of the Mau Mau whose initiation ceremonies, so often followed by bloodletting, made Kenyan existence one of fear for years.

"Leaders to darkness and death," the British Governor at the time called Mr. Kenyatta only 6 years ago.

Now he's "Mzee" (Old Man) Kenyatta, regarded by the United States and Britain, in one of the switches of all time, as one of Africa's moderate leaders, the father of a multiracial state that, at least on the surface, seems to be working.

For, while this is an African-run country—make no mistake about it—the white man is still here, some 40,000 strong, living at peace with the black man. And here, too, are tens of thousands of East Indians, largely artisans and small businessmen.

WHITES

Kenya citizenship is open to the white man, though not many have availed themselves of it. White men continue to hold some important Government posts, though it seems widely agreed that, as the African becomes more adept at governing himself, there will be ever fewer such posts allocated to whites.

One white man is in President Kenyatta's Cabinet, as Secretary of Agriculture (some disgruntled white farmers claim he's there to take some of the heat off the Government with respect to land policies. The Government's aim is to get more black Africans onto their own farms which, for years, were held by prosperous whites).

There are white magistrates in profusion. A white man is Speaker of the Kenyan house.

Kenya isn't making the mistake of many an African country that frightens off tourists. Tourism now earns so much money for Kenya that only coffee tops it as an income-producing industry.

White hunters, bronzed and able to stir heartthrobs among the lady tourists, hang around the New Stanley in their safari boots and bush jackets, ready to take out wealthy American sportsmen wanting a crack at an elephant.

Land Rovers stand at the curb, native bearers on guard over the high-powered guns. And the armchair hunter who wants to bag big game only with a camera can have a look at a pride of lions or a herd of zebra only a few miles from Nairobi. On a still night, the roar of a lion can be heard in the heart of the city.

Africans can stay at the New Stanley, of course—this is their country. But most of the guests in the hotel and its dining rooms and bars are still white men and women, here to leave sought-after dollars and pounds and lire and kopeks and thus bolster the economy of this east African nation where white man and onetime Mau Mau terrorist have been known to reminisce laughingly of the years of bloodshed and terror that only ended in 1959.

[From the Omaha (Nebr.) World-Herald, Mar. 3, 1966]

LACK OF TACT HAMPERS PEIPING EFFORTS IN KENYA

NAIROBI, KENYA.—The Red Chinese still maintain a large Embassy staff here—one that keeps largely to itself—and the word is that Peiping's bully boys have had to pull in their horns.

They tried to move too far too fast, and in so doing they gave an exhibition of offi-

icious diplomatic bumptiousness that played into the hands of the West.

The Chinese, coming into Kenya as in many other emerging African countries with large manpower, are described by knowledgeable people here as having thought they could dictate to the Kenyans, whom they considered backward and made no effort to hide that opinion, just what they should do and how they should do it.

But black Kenyans, it is said, having won their freedom from the British, showed little inclination to accept a yellow yoke in place of a white one.

Meantime, the U.S. position, which a few years ago was low, because of its actions in the Congo, is said to be improving steadily.

When the United States decided to send no more arms to South Africa, that won Kenyan plaudits. When Washington joined the British in imposing sanctions against Rhodesia, this was even more popular with this black nation.

A visit to the U.S. Information Agency's library finds it crowded, and library staff members say that between 700 and 900 Kenyans, mostly young people, visit it every day.

Recently, Kenya's Government changed its 10-mile travel ban, which the United States had protested strongly. What happened was this:

Peiping imposed a 6-mile ban, meaning that foreign diplomats stationed in the Chinese capital could not travel more than 6 miles outside it without express permission.

An angered Kenya Government imposed a similar ban here, limiting travel beyond Nairobi to 10 miles.

The U.S. protest was based on the fact that Washington has no ban on travel by Kenya's diplomats, but the Kenyatta Government, wishing to preserve its posture of nonalignment between East and West, refused to alter its edict.

Then, a few weeks ago, it did—now the ban is on a reciprocity basis. So American diplomats can travel where they will, but the Chinese, who still maintain their ban, cannot.

Not long ago, Tom Mboya, Minister for Economic Planning, made a speech in which he said that some countries giving aid to Kenya did so without conditions, while others sought to influence Kenya's internal policies.

REFUSED

Two days later Mr. Mboya announced that the government had decided not to accept Russian help on the Kano Plains irrigation plan. News reports said it foundered on a Russian demand that the project be financed by Russian consumer goods that would have been sent to Kenya.

A Kenya newspaper, the Daily Nation, applauded the government's decision and wrote:

"This country should be careful and vigilant to insure that the market here is not used as a dumping ground for obsolete goods and equipment, such as the obsolete military equipment returned to Russia last year and now the goods which the Russians proposed to send to Kenya."

Mr. Mboya said financing would be sought elsewhere. As he plans a trip to the United States in March, it is suspected he may raise the question of American help on that occasion.

[From the Omaha (Nebr.) World-Herald, Mar. 4, 1966]

DECLINE IN FARMERS' PRODUCTION—A WORRY FOR INDEPENDENT KENYA

NAIROBI, KENYA.—A visitor to Kenya is inclined to catch himself wondering idly if the waiter serving his filet mignon is a former Mau Mau terrorist.

Or if the hotel room servant with the broad grin may once have carved up a white settler.

But there is little point in such thought, for in the Kenya of today, at any rate, there seems a considerable amount of good feeling between the black man, who now runs the country, and the white man, who once did.

Fully independent, Kenya has its problems. Primarily an agricultural nation where well-to-do white farmers were the economic bulwark, it now finds agricultural production down because many of the white farmers have sold and some of those remaining are disgruntled and anxious to get out.

A Government spokesman said a decline in farm output was to be expected as black Africans replaced long-experienced whites, with smaller units replacing the big farms of other years. But he contended the decline will be halted "in a few years."

DECREASE

Before "uhuru"—freedom—there were 68,000 whites in Kenya. Now there are about 40,000.

But Kenya sources say it isn't as much of a decrease as it looks. They contend the 68,000 included 15,000 British soldiers.

Official Government figures show 6,000 whites left Kenya in 1964, but 3,000 others moved in, largely technicians and teachers.

Publicly, most whites still in Kenya speak optimistically about their chances of economic survival in a multiracial society where they form a small minority. Privately, there seems to be more of a wait-and-see attitude.

Prior to Rhodesia's unilateral declaration of independence, but when such a move appeared imminent, a group of prominent Europeans who still reside in Kenya issued a statement deploring the projected move by Rhodesian Prime Minister Ian Smith.

UNFOUNDED

Asserting that their own fears of what would happen when black Africans took over the Government in Kenya "have so far proved totally unfounded," they said:

"Above all, the Kenya Government has succeeded in the face of enormous difficulties in creating a genuine feeling of stability—an atmosphere in which every man, whatever the color of his skin, feels free to get on with his job, to earn his living and bring up his family in peace."

President Jomo Kenyatta, a former terrorist and leader of the once-dreaded Mau Mau, has come to be regarded as a moderate and friend of the West, surprising as this is in view of the bloody uprising of a few years back.

Mr. Kenyatta is 76, and there is concern about the sort of man who ultimately will succeed him, and what this could mean to the whites left in Kenya.

The Kenyan Constitution provides that there shall be equal opportunity for all, regardless of race. Some white residents say privately that black men have a disproportionate number of public jobs, in spite of this provision.

EXCUSABLE

One white man in high position said as much—but found himself able to excuse the Government.

Humphrey Slade is Kenya's Speaker of the House of Representatives and is highly regarded by both races.

"One has to be honest," said Mr. Slade, "and admit that at present, in these first few years, the non-African is not getting quite the fair share—or, if you like, the share of public offices that one would expect from the provision of the Constitution itself that there shall be equal opportunity for people regardless of race."

But the Government has explained that, he continued.

"It faces the fact," he commented. "The explanation Government gives is that in the past there was such an unfair proportion of Europeans and Asians in the public jobs, having regard to the population, that there had to be what they called restoration of the imbalance by replacing white and brown with black before one could get to an even basis of distribution of the new jobs."

[From the Omaha (Nebr.) World-Herald, Mar. 6, 1966]

A CONTINENT IN FERMENT: NOTES ON A TRIP TO AFRICA

(NOTE.—In London, after visiting South Africa, Kenya, and Rhodesia, John Jarrell, chief of the World-Herald's Washington Bureau, sorted through his notes and wrote the following summation.)

LONDON.—Africa is wooed with golden words backed by hard cash by both the Western democracies and the Communist bloc. Statesmen speak learnedly of Africa's problems, their magnitude and complexity. High-sounding phrases are mixed with political venality, charges, and countercharges.

There are violence and bloodshed, restrictive laws, and iron-handed dictatorships. Some Africans fight for self-determination, often groping for methods. Thousands more, in cone-shaped huts like those of their ancestors, don't care.

Before World War II, Africa's truly independent nations could be counted on fingers of one hand. Today there are 37, and more are scheduled for independence soon. They range from tiny Gabon, with only a half-million people, to the rich, industrially powerful Republic of South Africa.

Africa is a black continent—some 700 languages and dialects—but there are significant pockets of whites, to say nothing of the Arabs who control several northern African nations, and the Asians, who as tradesmen and artisans cut a sizable economic swath.

The story of Africa today is a story of race and emerging nations as one time colonial powers relinquish their grip.

South Africa, no longer a member of the British Commonwealth and for 5 years a republic, dominates the story.

Its approach to the racial problem, its answer to the demand of the black man for racial determination are unique. South Africa feels that its apartheid policies have been distorted and misunderstood. It wants the friendship of Britain and the United States.

Its residents assert that they stand in the forefront of the battle against communism, that the West needs this rich country, its strategic ores and minerals, its command of the tip of a strategic continent.

South Africa stands almost alone, an object of almost entire-world disapproval. Its apartheid policies separating the races, its restrictive laws, particularly under its Suppression of Communism Act, its determination to keep its Government in white hands have resulted in condemnation by the United Nations and many world powers. Its racial policy underlies its break with the Commonwealth.

Make no mistake: the overwhelming majority of South Africa's 3,500,000 whites favor racial separation. Two tiny minority parties oppose the dominant Nationalist Party's programs. The only opposition party of size, the United, comprising largely English-speaking residents (two-thirds of white South Africans speak Afrikaans) is dedicated to white supremacy. Is self-interest involved? Of course.

Yet, in spite of South African apartheid laws, 1 million Bantu (black) workers from other African countries are employed there legally. Some 20,000 more make their way

into South Africa illegally every year. If the gates were thrown open, no one can guess how many Bantu from the north would cross the Limpopo.

The reason is jobs. There is employment for blacks in South Africa. The pay, while below white standards, is better than in other areas of the continent.

For the black man in South Africa there is a vast program of cheap public housing, hospitalization so inexpensive that a patient can spend weeks in a modern hospital and have several major operations for the payment of 60 cents.

Black schools and colleges greatly exceed those in the rest of Africa, and literacy is high. Eighty percent of those between 7 and 20 can read and write, far and away the highest percentage in Africa.

Then there is the plan to establish Bantustans—perhaps eight—on a tribal basis in which blacks will govern themselves, under full independence ultimately.

Under this plan, the independent black states will form part of a commonwealth with white South Africa. The first such state has been set up, though the time of full independence for the fertile Transkei has not been determined. It has its own black government. White landowners are being divested of their property (and complaining about it), and eventually, none but blacks will be permitted to own land in the Transkei or other homelands as they are established.

Blacks who continue to live on the outskirts of the big cities of white South Africa will have voting rights in their homelands, and vote absentee. The plan also envisages establishment of border industries, in the hope that urban Bantu can be lured back to their homeland.

Will the plan work? South Africans say it will, if the world will give it time.

A question frequently put by South Africans to visitors is: Will the United Nations try to apply sanctions against South Africa, including an embargo on oil? Would the United States join such sanctions?

Except for oil, South Africa is self-sufficient. It produces no natural oil, but can supply some 13 percent of its petroleum needs with oil produced from coal, of which it has a thousand years' reserves.

Oil sanctions would be troublesome. But if the United States were to join a U.N. ban, American businessmen, who have big investments in this prosperous nation, might protest vigorously.

South Africans are a determined, tough people who believe they are right. They think their plan to create black homelands, self-governing and tied to the republic in a commonwealth, is fair.

One man's guess: South Africa will remain a white-ruled country, along the lines it is following, for a long time.

Kenya is black-ruled, headed by the former Mau Mau terrorist Jomo Kenyatta, now regarded as a moderate friendly to the West. Its multiracial society has escaped the turmoil that has toppled six black regimes in 4 months—a fact which South Africans and Rhodesians cite as proof that the black African needs to be introduced to self-government slowly.

Kenya has economic problems and, behind the scenes, ambitious men who want to succeed 76-year-old President Kenyatta struggle for power.

Kenya's 8 million blacks appear to get along well with the 40,000 whites. A few white men hold important political posts.

Rhodesia's 1961 constitution grants the vote to anyone, black or white, who can qualify. Black men say the educational and economic qualifications are too stringent—designed to maintain domination by 220,000 whites over 4 million blacks.

Sanctions against Rhodesia hurt—but they hurt nearby black Zambia more than they hurt Rhodesia.

Again, one man's guess: Negotiations between Rhodesia and Britain, with which Rhodesia broke last November 11 with its Unilateral Declaration of Independence, will be resumed. A compromise will ease, to some degree, the voting qualifications.

Within 15 years, Rhodesia will have a black majority, as Kenya has.

A conclusion: Africa will have upheavals for a long time. Tribal hatreds are deep. Some ambitious politicians wear only the thinnest veneer of civilization. Rewards and trappings of power are attractive.

With East and West fighting for influence over countries which will require financial help for many years—from anyone—the seeds of unending conflict are present. But many thousands of Africans, living as their ancestors did, will be interested mainly not in who governs by what method from a city far remote from their kraals, but rather in the size of the mealie crop, the cost of a new wife, and whether the maize-made beer is up to snuff.

CONCLUSION OF MORNING BUSINESS

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

THE DUTY OF THE FREE AND THE BRAVE

I

Mr. JACKSON. Mr. President, for a long time Americans have been talking about Vietnam as though it was the only item on our national agenda. This week the letter of President de Gaulle to President Johnson—in effect, an eviction notice—reminds us that there is more to the world, even in 1966, than southeast Asia. If President de Gaulle expects the United States to beg to keep its troops and bases in France, he is living in a dream world. I support President Johnson's polite, swift, firm "No" to De Gaulle on this issue.

De Gaulle's challenge to the international commands of the Atlantic Alliance is not a matter between France and the United States; it is a matter between France and the other 14 allies. I back the President in his position that De Gaulle's challenge is a matter to be handled collectively by the alliance, and not bilaterally with one ally.

In all of this the President's determination is backed by the firm will of Congress and the American people.

I have been deeply concerned about Vietnam. Our stand there is very important. I have also been concerned lest the drama of Vietnam command so much attention that we neglect areas of the world which are at least equally crucial. It is for this reason that the Subcommittee on National Security and International Operations, of which I have the honor to be the chairman, recently issued a study on "The Atlantic Alliance: Basic Issues." It is for the same reason that I have frequently called attention to Europe and our relations with Europe, which are still

central to the survival and success of liberty.

II

Mr. President, the United States need apologize to no one for its basic policies in the years since World War II. Our purposes are the purposes written into the Charter of the United Nations, to help create a world in which individual liberty, healing, reconciliation, and peace prevail. It is a noble cause. But a cause must have its leaders, and we may take pride in being counted among them.

Of first importance is our will—our national resolve—to defend our liberties and to champion vital free world interests, however bleak the prospect or rough the going.

This attitude, this approach to affairs, was the great strength that saw the free nations through the dark and difficult days 20 years ago when a devastated and shattered postwar Europe came under the hammer blows of Stalinist policies. The words of Winston Churchill help remind us how grim the future looked in 1947:

But what is Europe now? It is a rubble heap, a charnelhouse, a breeding ground of pestilence and hate. Ancient nationalistic feuds and modern ideological factions distract and infuriate the unhappy, hungry populations. Evil teachers urge the paying off of old scores with mathematical precision, and false guides point to unsparing retribution as the pathway to prosperity. Is there then to be no respite? Has Europe's mission come to an end? Has she nothing to give to the world but the contagion of the black death? Are her peoples to go on harrying and tormenting one another by war and vengeance until all that invests human life with dignity and comfort has been obliterated?

Churchill spoke these words in an appeal to Europeans to put aside their quarrels and to join forces to build a united Europe.

Likewise, a gallery of great Americans chose not to look at the future with despair. Despair was not part of the makeup of men like General Marshall, Robert Lovett, Dean Acheson, Senator Vandenberg, Senator Connally, Representative Herter, Averell Harriman, and Will Clayton. It was certainly no part of the makeup of that scrappy and sensible man from Missouri, Harry S. Truman.

The Marshall plan laid the foundation for the North Atlantic Alliance. The historic association of North America with Western Europe and the commitment of the United States and Canada to the defense of their allies in Europe have transformed the weakness of 1947 into the strength of 1966. Western Europe has enjoyed a period of high prosperity and rapid economic growth. It has made important progress toward building a European economic community; and together with the United States, Canada, Japan, and other countries, it has reduced barriers to trade and developed impressive practical measures of international monetary cooperation.

At the same time the defensive forces of the United States and its allies have been greatly strengthened, both absolutely and relatively. The shift in the balance of power since 1947, coupled with

firm reaction to Soviet expansionary probes—from the first Berlin crisis in 1948 to the Cuban missile crisis of 1962—have closed the door to Soviet westward expansion. No armed attack has been made on Western Europe or North America, and provided an appropriate balance and resolve are maintained, none is likely.

The basis of today's hopes that a genuine European settlement will one day be attainable rests on Soviet recognition of, and respect for, the durability of this balance and the constancy of this resolve.

A traditional saying has it that "where there's a will, there's a way." Our experience in the Atlantic community confirms the truth of it. The problem has always been, at bottom, a problem of will. The Atlantic community had, at least potentially, the capabilities to assure its security—but capabilities without the will to use them are as sand.

Since 1947, the United States has shown by its actions both the will to resist aggression and the will to exercise restraint in the use of its power; and the combination has been the mainstay of peace in the Atlantic area. What brought an end to the Berlin blockade but the will to break it with the airlift? What led Khrushchev to back away from two challenges to the Western position in Berlin but the will of the United States and its allies not to yield? The decisive factor in the Cuban missile crisis was Khrushchev's recognition that the United States was prepared to take whatever risks were necessary to obtain satisfaction of its minimum demands. Khrushchev's reply to Peiping's criticism on that occasion was wholly free of diplomatic doubletalk. He simply said:

The paper tiger has nuclear teeth.

And when Khrushchev found that he might be starting something bigger than he was ready to risk, and when he discovered that our will was firm, he rushed to get his missiles out.

We are of course not yet out of the woods in the Atlantic community. But our problems now, unlike 1947, are the problems that come with strength, not weakness—and that fact alone is a measure of how things have changed since 1947.

III

Mr. President, I am reminded of these things by the events of recent weeks and months. What has happened to the spirit with which we stayed the course in the West? Are we losing our capacity for calm, steady pursuit of our purposes?

To be sure, the problems we face in the Far East are different from those we faced in Europe 20 years ago. Mao is not Stalin; Communist China is not the Soviet Union; Vietnam is not Germany; Ho Chi Minh is not Tito; the circumstances of 1947 are not the circumstances of 1966. The circumstances are new, but the problem of will is not new.

When Peiping refers to the United States as a paper tiger, it is placing its bet on the table. It is gambling that we lack the will to persevere, that we will weary of the struggle, that the tactics of protracted war—according to the gospel of Mao—will prevail. That is the

burden of Mao's message to Hanoi, as it is to every revolutionary group everywhere, and Hanoi has been a studious pupil.

Ho Chi Minh has based his policy since World War II on the belief that first the French and then the Americans lacked the will to win. He may now be having his private doubts, but he is still urging his forces on with the argument that the patience of the American people, like that of the French public, will wear thin, that the United States will not stay the course, that American opinion will eventually give Hanoi the victory it seeks despite the inability of its forces to win that victory on the battlefield.

It has of course been necessary and desirable to make evident our readiness to negotiate on reasonable terms. But this effort involves dangers. If we push too hard to get the adversary into negotiations, he may only hang back. For to him eagerness to get to the bargaining table is weakness.

There is another danger. Ho and Mao are exponents not only of protracted war but also of protracted conference. To them the conference room is not a place to give up the struggle, but a place to win more than they have been able to win on the battlefield. If we call off the military pressure in Vietnam as soon as the other side requests negotiations—as we did in Korea—Ho and Mao will know that our move to the conference table is a sign of weakness, and they will raise their terms. The lesson of Korea is plain: we should not sit down at a conference table without also keeping up our military pressure, for it is the pressure outside the conference room that largely determines whether a negotiation can be brought to a satisfactory end.

In any event, we may be sure that Hanoi will not ease up the struggle in Vietnam as long as it sees any chance that the will of the United States is brittle and may break.

A recurrent note in the discussion of Vietnam these past weeks has been concern that the war there is open-ended, that it may lead in the direction of a general war in Asia. This is very unlikely. China has almost no nuclear capabilities today, and would risk devastation were it to initiate the use of nuclear weapons. It would be far more difficult for the Chinese Communists to deploy and supply massed forces in Vietnam than it was in Korea, because of the hard facts of geography, transportation, and climate.

It may be true, as some students of Red China believe, that Peiping would intervene in Vietnam if the survival of the Hanoi regime were threatened. But we are not seeking to overthrow that regime or to unify Vietnam by force—facts which should be evident to Hanoi and Peiping by our obvious self-restraint in the use of force.

Clearly, our stand in Vietnam is not without risks. But if we were to plan how best to whet the ambition of Communist China or to encourage revolutionary upheavals, we could find no better way than to retreat or accept a humiliating compromise in Vietnam.

That would be the proof the Chinese rulers need that the United States is, after all, a paper tiger—and the signal their disciples in Asia, Africa, and Latin America need that the time is ripe for revolution.

I know my colleagues in this Chamber well. No one here has any doubt about the determination of Congress to support our fighting men.

The problem of responsible dissent and constructive criticism in this kind of limited war can be a difficult one for Congress—given our traditions and our constitutional responsibilities. We may and do freely discuss domestic issues, and not infrequently criticize those who disagree with us in extravagant terms. It is not of great consequence: few are listening or, if listening, they do not care. But when we discuss foreign affairs, friend and foe are listening, and our foes, in particular, have never understood the meaning of loyal opposition. We need to bear this in mind so that what we say does not obscure the Nation's fortitude.

It is my belief that the recent overwhelming votes in Congress in support of our military and economic efforts in Vietnam have helped to create a solid basis for turning now, with new unity, to the tasks ahead.

Above all, it is time to stop talking so much about Vietnam, and to get on with the job we have to do there.

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If we want to talk about something, let us talk about the letter of President de Gaulle to President Johnson. If the French President does not consider the Atlantic Alliance important enough to do his part, that is his decision. But other members of the Atlantic Alliance consider it one of the greatest accomplishments of modern history. America and Europe, linked in the Atlantic Alliance, are the center of world power—the great bulwark against which the Communist so-called wave of the future can be broken.

There is no hard evidence that Moscow has given up the contest for Europe, or is ready to move toward a genuine European settlement. On the contrary, Soviet forces are still in the center of Europe, the Soviet rulers continue to invest enormous resources in arms, and to reject inspected arrangements for the limitation of arms. The tempering of Soviet behavior in Europe is a matter of expedience—a consequence of the balance of forces created by NATO, not of a permanent change of course by the Soviet Union. Anything that would upset the balance of forces would encourage the Soviet rulers to be less cooperative on every front—not more cooperative.

There is no question that American policy supports the Atlantic Alliance in all its basic aspects, including the international commands. When war can mean anything between instant, massive destruction and a limited probe with conventional forces, deterrence requires an instant readiness to respond appropriately. The basic justification of the

international commands is to be ready and able to take charge, within minutes, of the national forces which would come under their control in an emergency, and thus, by virtue of such readiness, to strengthen the deterrent power of the alliance.

The American commitment to help the allies defend themselves was made on the assumption that each of the allies was determined to do its part in a cooperative undertaking. The French President is playing a very risky game—counting on the American commitment regardless of what he does to his allies or tries to do to the alliance. In short, he wants to have his cake and eat it, too. The risks he is running include a rising resentment toward the French Government across the length and breadth of the United States with the resultant alienation of the American people. Under the circumstances President de Gaulle is creating, it may be necessary to revise and reduce the American commitment to the defense of France.

Also, under the circumstances, the United States must work closely with Great Britain and West Germany and the other allies who see their common interest in a common defense. If the key Atlantic allies move ahead together on the urgent issues—as they have the right and duty to do—sober second thoughts may in time prevail in our great and ancient ally, France.

American democracy has succeeded because enough Americans have been reasonable enough, steady enough, balanced enough not to panic when the going got rough, but to face difficulties with the understanding that to do one's best is the best one can do—and with quiet confidence that our best will be good enough.

On March 15, 1946, Winston Churchill was honored at a mayor's reception in New York City, and he chose the occasion to draw a moral for the United States. His words are as appropriate today as they were 20 years ago:

I come to you at a time when the United States stands at the highest point of majesty and power ever attained by any community since the fall of the Roman Empire. This imposes upon the American people a duty which cannot be rejected. With opportunities comes responsibility. Strength is granted to us all when we are needed to serve great causes.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. STENNIS. I highly commend the Senator from Washington for his speech in its entirety.

I do not think any Senator is better qualified through background and experience to talk to the American people and to the Senate on the subject that he has dealt with. Also his speech is very timely indeed. This subject must be discussed by the Senator and by others in a similar position.

I refer particularly to the unfortunate situation with reference to President de Gaulle, his position regarding NATO, and the possibility of a breach in the friendship and alliance between France and

the United States. What the Senator from Washington said on that subject is true and of solid substance.

I, too, had great faith in the NATO alliance. I had more faith in that alliance than in any of the other alliances. I thought that there was great solidarity in NATO and a common interest and that those bonds would not break.

I think that President de Gaulle, as the President of a great nation, is entirely wrong in the position he has taken with reference to this matter. His position could cause a break in this alliance.

I am very pleased by what the Senator has said. I commend him highly. His talk is of great benefit to us and to the Nation.

I hope that the Senator will continue to pursue this same subject and give us the benefit of his thoughts along that line.

Mr. JACKSON. Mr. President, I thank my friend, the able Senator from Mississippi, for his remarks and for his basic concurrence of viewpoint on the problem we face in the North Atlantic community.

With our eyes focused, as they should be, on Vietnam, we can lose sight of the means by which we have been able to maintain peace, in the sense of avoiding a general war, since the end of World War II; namely, the power structure that exists in the concert of North America and our ancient allies and our great inheritance in Western Europe.

I yield to the senior Senator from New York.

Mr. JAVITS. Mr. President, I join with the Senator from Mississippi in support of the thesis which the Senator just uttered. I consider Senator Jackson's statement to be very important.

I made my own response on yesterday along virtually the same lines. I am very pleased that both of us should, without consultation, feel as we do. I think that the Senator's speech is of critical importance. He occupies a key position in matters of this character through his committee post and his own reputation and prestige.

Even though there is a hot war in Vietnam, we still cannot let this situation so intrude upon our national conscience that we do not realize that the base of all action in the free world, without which we could never dream of being in Vietnam, remains in the Atlantic community.

The Senator reminds us again, as he properly should, putting it in a phrase which is so understandable to so many people, that the Atlantic community represents one thousand billion dollars of productive power. That is almost unbelievable in world history. It is so much more than the rest of the world can muster. The center of power is here in the West, and we had better keep that intact.

I thoroughly agree with the Senator on his remarks about Charles de Gaulle, who is pursuing a policy of nationalism in an age of internationalism and regionalism. Such nationalism is a very

dangerous form of reaction in international terms. It will tend to fractionalize, not unify the basis of strength of the free world, NATO.

The Senator prescribes again—and I would endorse his recommendation with my vote—that we work together with the other 13 member countries no matter what De Gaulle does. It is estimated that the cost of a NATO without France will be as much as a billion dollars. This is what it will cost to move SHAPE and the communications networks and other installations from France to the low countries or to Britain.

It is true—and we might as well face facts, as I am sure the Senator knows—that France has one of the best pieces of real estate in Europe, and SHAPE and its headquarters are located very much in the proper place. Nevertheless, it is still worth a billion dollars to keep the organization even without France.

I appreciate the implication of the Senator, which I think is very clear, that we should not lose hope on France, notwithstanding De Gaulle.

I cannot conceive that the French people would be so hasty as to deny themselves the strength and the support of the free world. It has been said, as the Senator has heard and I have heard, that De Gaulle believes that we will give him the nuclear umbrella no matter what he does. He believes he can receive NATO protection without sharing in NATO burdens and responsibilities as well.

That may or may not be so. But even if it is so—and it probably is, in terms of elementary survival—I cannot conceive of the French people, with their pride and their sophistication, trying for a free ride. I agree with what I think is clearly implied in the Senator's speech, that we must continue our efforts to keep the French in the alliance, but that we must go on without them, if necessary.

Perhaps some bilateral bridge can be created between the Fourteen and France to carry us through this tough period when De Gaulle's views are in the ascendancy. I have confidence that the French nation, in the long run, will want to remain a part of NATO.

Mr. JACKSON. I thank the Senator from New York for his able remarks. I agree that we can only hope that the people of France will understand what is going on. As Americans, we cannot but believe that the French people, as distinguished from General de Gaulle, and this is a significant distinction, must be aware that their security in this troubled world of nuclear weapons and all the modern devices of destruction cannot be maintained by "going it alone." Certainly it has been demonstrated throughout history that "going it alone" does not preserve the peace, whereas the Atlantic Alliance has worked; we have not had a war in Western Europe. We have not had a general war.

We all wish to see the right of dissent preserved; and I think the very strength that NATO has made available has made dissent possible, and has made

it possible for General de Gaulle to take the stand he has taken.

We respect his right to take it; but I think, as the Senator says, we should be prepared to do whatever is necessary in developing and acting on contingency plans, on the assumption that France will in effect leave the alliance. We can only hope that the French people, as distinguished from General de Gaulle, will wish to stay with the alliance and will understand its importance, and that good sense will prevail in France in the not very distant future.

Mr. JAVITS. I am very grateful to the Senator.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield to my friend, the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I join the Senators from Mississippi and New York, in commending the very able Senator from Washington for his constructive words this morning about the further problem created by the most recent actions of the head of the French Republic. I would associate myself with the Senator's remarks. Nobody in the Senate is more capable, because of his past work in this field, and his long knowledge of world affairs, to have made this address this morning.

I also agree with the Senator about the importance of Vietnam, vital as it is, as against many other problems which face us, all over the world. It is true, as the Senator well knows, that the French themselves are deeply interested and involved in Vietnam; and that General de Gaulle's actions out there, economically and politically if not militarily, have been of no assistance, in fact have done damage, to the position of the United States in that area and all the Far East.

Mr. JACKSON. I say to my friend the Senator from Missouri that General de Gaulle has not limited his troublemaking to Western Europe. He has certainly gone out of his way to speak out and take positions on some problems in other areas which have been most unfortunate. On the other hand, General de Gaulle was firm and helpful during the height of the Cuban missile crisis.

Mr. SYMINGTON. That is quite true. Perhaps in his own mind, anyway, his relations with this country have deteriorated. I base this on reports of his recent approaches and activities with various members of the Communist bloc. As the Senator knows, General de Gaulle plans to visit Moscow this June, and we understand he has had considerable bilateral discussion with the Chinese Communists.

The Senator brought up the matter of our investment. We have a gigantic NATO investment. One figure which runs through my mind, from some years back, is that we have invested a half billion dollars into moving petroleum products from the western coast of France into the rest of Europe. This effort and expenditure was, of course, part of the overall effort to defend France and the United States against the totalitarian aggression of that time in World War II; and has built up since.

Finally, I was equally interested in the Senator's speech because it will arouse a great deal of interest as to the future of NATO. Whatever that future is—and I am one who believes in NATO strongly—it would be a different future without France. I can remember talking with one of the wise men of my experience, General Gruenther, in Paris in 1954, when he was in charge of SHAPE. At that time I asked him if we could have a NATO without several named European countries, to which he said yes. But when I asked if we could have a NATO without France, he said, "No, that would be impossible."

I remember asking him why. He said, "Look at the map. Geographically it is impossible, if for no other reason."

I do not believe that today, especially because of technological developments—which the Senator knows more about than I—it would still surely be impossible; but I do think one of the most important aspects of the Senator's speech this morning has to do with what type and character of NATO we will have if General de Gaulle persists in his unilateral position in this field.

So again I congratulate the Senator for a constructive address, on a subject which could be at least as important to us as any other subject in the world today.

Mr. JACKSON. Mr. President, I wish to express my appreciation to the able senior Senator from Missouri for his remarks. He has taken a keen interest in the affairs of NATO, and I know of no one who has devoted more time to the study not only of the military but also the economic problems presented in connection with our participation in the North Atlantic Treaty Organization.

Mr. SYMINGTON. Mr. President, before the Senator continues, I appreciate his remarks. It was a good day for the United States when the Senator from Washington came to the Senate, because whereas a great deal of heat, especially recently, has been released on this floor, invariably, when the Senator from Washington approaches a problem, he does so in an effort to shed light instead of heat.

Mr. PROXMIRE. Mr. President, will the Senator yield briefly?

Mr. JACKSON. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I wish to join in the general commendation of the Senator from Washington. He has made an excellent speech.

There is no question but that we have lost sight of the great importance of NATO recently, because of our concentration on Vietnam. And this is indeed a time of trial for NATO. I ask the Senator if he does not agree with an editorial which I read in the New York Times this morning, which points out that it is very important that we do not abuse General de Gaulle, that we keep the door wide open for France to come in, that we do not give up hope for NATO in spite of the tremendous problem that has resulted from General de Gaulle's attitude toward NATO, and that we recognize that whereas the position which General de Gaulle has taken, particularly with respect to Germany, that France

takes the position that it can have troops within Germany and maintain control of them, but that no nation can have any troops in France without France having total and complete, unquestioned control. This, of course, is an inconsistent position. As the New York Times writes, this strengthens us with our allies.

Regardless of all that, I think the tenor of the Senator's remarks is very helpful, and indicates, as I understand it, that whereas this is a problem, it is not an insoluble problem, and that it is possible that De Gaulle, like all men, and France, like all nations, can change, provided our policy is wise and accommodating.

Mr. JACKSON. Let me say to my distinguished colleague, the Senator from Wisconsin, that I have not had an opportunity to read the New York Times editorial and therefore cannot comment on it directly. I should observe, however, that there is a difference between General de Gaulle and the people of France. I cannot believe that the French people will, in a premeditated way, deliberately alienate themselves from the Western World. Their heritage and their whole history have been associated with the West.

Certainly, what General de Gaulle has said and what he is doing make quite clear that he has an entirely different version of the Alliance than we have. When I say "we" I mean the other 14 participants in NATO. We are, of course, not alone in our view and judgment on this issue.

It is important that we constantly distinguish General de Gaulle's position as an individual and the basic concerns of the people of France. I would hope that the people of France would realize that there is a limit to the patience of the American people. Certainly, General de Gaulle is not helping to improve our relations with France, with his statements and actions over a period of time, which are clearly averse to the development, establishment, and maintenance of an effective alliance among the Western peoples.

Certainly, General de Gaulle should realize that the American people have something to say about this, and that in a restrained way we will go forward with our basic responsibilities under the alliance and meet them, if necessary without the help of the French Government.

The alliance, in my judgment, can be made effective to act as a deterrent, as it has in the past, without France. We hope, of course, that General de Gaulle and the people of France will have some second thoughts and see the light and decide to join the other 14 of us in the alliance, to continue to make it as effective in the future as it has been in the past.

The peace of the world and the avoidance of catastrophic thermonuclear war depend, in my judgment, in large measure, upon the unity of North America and the peoples of Western Europe. This is the heart of the safeguard of freedom in Western Europe. Western Europe has a population greater than that of the United States. It has a steel production capability and capacity output greater than the United States. In the agree-

gate, its gold reserves are greater than those of the United States. Therefore, this alliance of the peoples of Western Europe with North America can in the future, as it has in the past, be the center of power and the steady force for the cause of freedom everywhere.

Mr. President, I ask unanimous consent to have printed in the RECORD the study dated February 18, 1966, issued by my subcommittee, to which I referred in my speech, and which is entitled "The Atlantic Alliance—Basic Issues."

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

THE ATLANTIC ALLIANCE—BASIC ISSUES

(A study submitted by the Subcommittee on National Security and International Operations to the Committee on Government Operations, U.S. Senate)

FOREWORD

Because the struggle in Vietnam is so important and because it demands daily so much of our national thought and effort, we run the risk of neglecting areas of the world which are at least equally crucial. But we cannot afford to be totally preoccupied with the conflict in Vietnam. The North Atlantic area is still the decisive area and it needs our national attention.

The cooperation of the North Atlantic nations in building a common defense, the steady progress toward a Western European economic community, and joint efforts of these and other nations in reducing trade barriers and strengthening the international financial system have helped to create a center of stability in an unsettled world. Recently, however, there have been signs that the solidarity of the Atlantic community is weakening.

It is not surprising that the winds of change are freshening in the North Atlantic region when they have reached gale force in so many parts of the world. Nor is it surprising that the nations of this region have not found the full answer to the problem of reconciling national sovereignty with the need for joint action in many fields.

If it remains true, however, and it does, that the hopes of the world for peace with freedom continue to depend chiefly on a strong and confident Atlantic community, the problems it faces deserve high priority on the agenda of the executive branch and Congress.

Authorized by resolution of the Senate, the Subcommittee on National Security and International Operations is reviewing the conduct of national security policy, with special reference to the Atlantic Alliance. Its approach is nonpartisan and professional. During the first session of the 89th Congress, the subcommittee held hearings which laid the foundation for the present phase of the inquiry.

At my request, the staff has taken a first-hand look at North Atlantic Treaty installations, and conferred with ranking civilian and military authorities, in this country and in Europe. This subcommittee staff report, drawing on these studies and interviews, examines a number of key issues on which the subcommittee will hold hearings during the current session of Congress.

HENRY M. JACKSON,

Chairman, Subcommittee on National Security and International Operations.
FEBRUARY 18, 1966.

I. THE PROBLEM

The North Atlantic Alliance had its origins in the inability of the victor powers in World War II to make a European settlement. With Germany's defeat—and the presence of Soviet armies in the center of Europe—Stalin

believed that Soviet power and influence could be extended deep into Western Europe. The United States diagnosed the danger correctly, thanks to the interplay of minds between Marshall, Lovett, Clayton, Acheson, Senator Vandenberg, and President Truman.

In 1947 and 1948, with the Truman doctrine and the Marshall plan, the United States undertook the twofold task of halting Soviet expansion and rebuilding the strength of Western Europe. Shortly after the coup in Czechoslovakia establishing a Communist regime, Belgium, France, Luxembourg, the Netherlands, and the United Kingdom, on March 17, 1948, signed a 50-year agreement for economic cooperation and common defense against aggression—the Brussels Treaty. On the same day, referring to this action in a special message to a joint session of Congress on the threat to the freedom of Europe, President Truman declared that "the determination of the free countries of Europe to protect themselves will be matched by an equal determination on our part to help them to protect themselves."

Soon thereafter General Marshall and Mr. Lovett held a series of consultations with Senator Vandenberg and other Senate leaders, and on June 11, 1948, the Senate adopted the Vandenberg resolution affirming the objective of "association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security." The words had been carefully used in the order of their importance: "continuous and effective self-help and mutual aid."

During July 1948, in the midst of the Berlin blockade, Mr. Lovett was authorized to begin exploratory talks in Washington with Canada and the parties to the Brussels Treaty. By September the participating representatives had reached agreement on the desirability and necessity of a treaty for the collective defense of the North Atlantic area and on the general nature of the treaty. The Governments concerned approved the recommendations of their representatives and the negotiation of the treaty was started in December and completed on March 15, 1949. Early in March, Norway joined the negotiations and that month invitations to become original signatories of the treaty were issued to Denmark, Iceland, Italy, and Portugal.

Throughout the talks and negotiations, first Mr. Lovett and, after January 20, 1949, Mr. Acheson consulted regularly with Senator Vandenberg, Senator Connally, and other Senators.

On April 4, 1949, the United States and Canada joined 10 European states in signing the North Atlantic Treaty (Greece and Turkey became parties to the treaty in 1952 and the Federal Republic of Germany in 1955).

Articles 3 and 5 are the heart of the North Atlantic Treaty.

The parties agreed (art. 3) that "in order more effectively to achieve the objectives of this treaty, the parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack."

In addition it was agreed by the parties (art. 5) "that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all" and consequently agreed "that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually and in concert with the other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area."

Like the Brussels Treaty, the North Atlantic Treaty also recognizes the interdependence of economic cooperation and a common defense. Article 2 obliges the parties, among other things, to "seek to eliminate conflict in their international economic policies" and to "encourage economic collaboration between any or all of them."

The North Atlantic Treaty has no specified duration and continues in force for an indefinite period. Article 12 provides that after 1959 "the parties shall, if any of them so requests, consult together for the purpose of reviewing the treaty." Article 13 stipulates that after 20 years—that is, in 1969—"any party may cease to be a party 1 year after its notice of denunciation."

The North Atlantic Alliance has worked superbly. It is the most effective peacetime alliance of modern times—perhaps since the Hanseatic League of the 14th and 15th centuries. Unfortunately, however, in the politics of alliance it may be that nothing falls like success.

The historic association of North America with Western Europe and the commitment of the United States and Canada to the defense of their allies in Europe contributed notably to their recovery. Western Europe has enjoyed a period of high prosperity and rapid growth. It has made important progress toward building a Western European economic community and together with the United States, Canada, Japan, and other nations it has reduced barriers to trade and developed impressive practical measures of international monetary cooperation. In their economic and financial relations these nations are demonstrating that collaboration and sovereignty are not mutually exclusive but that one may reinforce the other.

At the same time American strategic power and the other defensive forces of the Alliance have been greatly strengthened, both absolutely and relatively. The balance of forces thus created since 1949 and the resolute response to Soviet expansionist probes—especially in Berlin and in the missile crisis in Cuba—have made the policy of deterrence effective. It has closed the door to Soviet westward expansion. No armed attack has been made on Western Europe or North America, and provided an appropriate balance and resolve are maintained, none is likely. What justifiable hope there is of a genuine European settlement rests on Soviet recognition of, and respect for, the durability of this balance and the constancy of this resolve.

Nevertheless, the very success of the Alliance in influencing Soviet behavior has partly obscured the relationship between the forces and firmness of the Alliance and the moderation of Soviet policy, and has encouraged wishful thinking about the possibilities of a European settlement, if not of more far-reaching agreements, with the Soviet Union. In some quarters the advantages of alliance are now being discounted, while the disadvantages loom larger—it limits freedom of action, it complicates diplomacy, it costs money, the stability it affords is mistaken for rigidity. A desire to experiment—with nationalism, with arms limitation, with rapprochement—is gaining support.

Manlio Brosio, Secretary General of NATO, made this comment to the 1965 NATO Parliamentarians' Conference: " * * * all of us are agreed that the world has changed since 1949, and that the alliance may have to change with it, though here, of course, is where the divergences start, in that all of us have our own ideas on why it should change and in what directions."

There is no one NATO problem: there are as many as there are allies who want changes,

and allies who are asked to accept changes they believe unwise.

But if there is no one problem, there are four key questions:

1. How do the allies perceive the Soviet threat? Does a united effort still have priority as a means of deterring Soviet domination of Western Europe and of winning eventual Soviet acceptance of a genuine European settlement?

2. How does France perceive the Atlantic Alliance in relation to the achievement of French aims? As a vehicle in need of repairs? Or as one ready for the scrap heap?

3. What lessons can be learned from experience with the decisionmaking processes of the alliance?

4. Can the interallied dialog be moved onto a practical footing—away from theoretical questions and back to brass-tacks issues of real concern to governments?

II. THE SOVIET THREAT

Twenty years after the end of World War II, a genuine European settlement is still far distant. As C. B. Marshall told the subcommittee:

"The most salutary thing for the strength and durability of NATO is to get our perspectives straight about the probabilities—rather the improbabilities—of coming to an acceptable settlement with the Soviet Union."

Since Stalin and the start of the cold war, a major goal of American policy has been to bring it to a conclusion on terms that serve the legitimate interests of all the parties concerned. The relative tempering of Soviet behavior under Stalin's successors has led some Americans and some Europeans to believe that at long last the Soviet Union is ready to move toward a genuine settlement. Some people even see Communist China as the one disturbing and aggressive world power and the Sino-Soviet quarrel as a doorway through which the Soviet Union may step to rejoin Western civilization.

The Atlantic allies must of course be ready to welcome any and all serious moves by the Soviet Union in the direction of a European settlement, but the watchword of allied policy should remain vigilance—for it is not weakness but strength that exerts an attractive force in world affairs.

Moscow now appears to have some understanding of the need for preventing nuclear war by accident, miscalculation, or failure of communication. There are cases, like the hot line and the limited nuclear test-ban treaty, where we may find common ground with the Soviets on specific problems. But there is as yet no hard evidence that the Soviet Union has given up the contest for Europe, or abandoned its goal to break up the association of Western Europe and North America, or is ready to turn to serious efforts to settle basic political conflicts with the West. On the contrary, the contest for Europe—in low key for the moment—is still with us, and Soviet forces remain in the center of Europe. The Soviet Government continues to invest an increasing share of its resources in arms, to push hard for major advances in critical new weapons, and to reject internationally inspected and controlled arrangements for the limitation of arms.

It is evident that the law of change is at work inside the Soviet Union and in Eastern Europe as elsewhere. Not so easy to see is how it will affect Soviet ambition and policy. We cannot be confident that a Soviet Union which may enjoy some political stability with less use of repression, and which may maintain a favorable rate of economic growth, will exert less political influence around the world or be less determined to prevail. Nor can we discount the danger that the reassertion of the national

interests of the Eastern European countries will lead to new forms of crisis to which the West has given little thought. There is always the possibility that Moscow may try to restore the unity of the Eastern European nations by manufacturing a crisis centered on Germany.

Nor does discord between Moscow and Peking necessarily increase the likelihood of substantive settlements in Europe. In fact, the incessant Chinese criticism of Soviet leadership as insufficiently militant, and whatever gains for Red China her combativeness may produce, are generating pressures on Moscow to demonstrate its own militancy. Events in Asia could have a backlash in the Atlantic area. Soviet leaders, of course, are not unconcerned with Chinese expansionism. On some problems and in some areas of Asia, Western nations and the Soviet Union may find it desirable—in terms of their own interests—to follow roughly parallel courses. But we cannot assume that Moscow and Peking are headed for a final separation. In time, with the passing from the scene of Mao Tse-tung, some reconciliation is conceivable.

If Soviet policy in Europe continues to be relatively moderate, it is because "objective conditions," as the Communists say, impose such a policy. Should the balance of forces be upset, for example, should there be major confusion in NATO or a breakup of the alliance so that the Soviets do not confront a strong, united front of Western Europe and North America but rather a Western Europe divided again into a number of weak and competing nations, "objective conditions" would encourage the Soviet rulers to take bolder actions and run greater risks—and Berlin is always there, if no other target of opportunity is handy. We could expect a European crisis of unpredictable magnitude.

The key issue is the division of Germany. The reunification of Germany has been a goal of Western policy because, so long as Germany is split, the division will be an unsettling factor in European and, indeed, world affairs. In the words of President Johnson in December 1964: " * * * our friends and comrades throughout Germany deserve assurance from their allies that there shall be no acceptance of the lasting threat to peace which is the forced division of Germany. No one seeks to end this grim and dangerous injustice by force. But there can be no stable peace in Europe while one part of Germany is denied the basic right to choose freely its own destiny and to choose, without threat to anyone, reunion with the Germans in the Federal Republic."

Unfortunately, however, there is no way to make the reunification of Germany a practical short-run goal of Western policy. It cannot be bought with any concessions consistent with German national interests or Western interests. It cannot be compelled by measures short of war. It cannot be imagined except in the context of a general European settlement. And such a settlement requires a change in the Soviet conception of Russian national interests—at a minimum a reliable change in the means by which the Soviet leaders pursue their goals.

A European settlement will be the product of Western strength, firmness, and patience, coupled with a willingness on each side to give and accept appropriate guarantees of the security of the other. The failure to obtain a settlement is not to be explained by a refusal of the West to recognize the legitimate interests of the Soviet Union. It is not explained by a lack of imagination in the West. It is not, as some now find it fashionable to say, a lack of "bright ideas" or "brilliant policy proposals" but a lack of Soviet interest in any terms that do not take as a premise the continued Soviet hold on the

Warsaw Pact countries, and, in particular, East Germany.

There are some doubts in Western Europe about the steadiness and coherence of American policy toward East-West relations. The United States has not yet brought its foreign receipts and payments into balance, with the result that doubts grow about the financial ability of the United States to support its European policies. In its enthusiasm for a European settlement, the U.S. Government has pursued the will-of-the-wisp of rapprochement with the Soviet Union, even though this raises in Western Europe, especially in West Germany, the specter of bilateral Soviet-American deals at the expense of European interests. In their zeal for arms control and disarmament American officials have been trying to negotiate a nonproliferation agreement with the Soviet Union—as though the West had reason to fear that the Soviet Union might be about to assist its satellites or other states to acquire nuclear capabilities. An obvious danger is that major concessions will be made on our side without any compensating change of policy on the Soviet side.

For the United States to show unsteadiness and unsteadiness in its perception of the continuing Soviet threat is especially disturbing. Despite the remarkable recovery of the Western European allies, they do not have, separately or jointly, the strength to counter Soviet pressures. For the United States to toy with the idea of rapprochement, therefore, is to tempt its allies into unilateral exploration of the possibilities of transforming their relations with the Soviet Union—and thus to create new opportunities for Soviet diplomacy to achieve what Soviet arms and pressures have been unable to win.

The West must not overlook any signs of willingness on the Soviet side to move toward a European settlement. There may be useful initiatives to take in finding specific measures to reduce the danger of war, and in such fields as East-West trade. But the West should act together—or it will risk upsetting the balance on which the hopes of a genuine settlement rest.

President de Gaulle advocates what he calls a "European Europe" existing "by itself for itself"—a phrase which seems to mean a Europe independent of America. But for a long time to come a Western Europe isolated from the United States would not exist "by itself for itself" except at the sufferance of the Soviet Union. And, of course, the French President knows this. A Europe effectively protecting itself "by itself" is far from De Gaulle's thoughts. He is assuming the constant protection of American nuclear power, no matter what he says or does.

The United States also wants an independent Europe, meaning that we see no necessary conflict between European independence and Atlantic cooperation.

The original American conception, in the time of Marshall and Lovett, was of one Europe—"the European world," "Europe as a whole." That is still the American objective. As in the past, the United States hopes for a genuine European settlement, one which would make possible, among other things, the reciprocal withdrawal of American and Soviet forces from central Europe.

There is, in short, no real inconsistency between a truly independent Europe and the objectives of the United States and other allies. But no member of the alliance will advance this goal through bilateral dealings with the Soviet Union on the security of Europe—it will jeopardize them. Even the most expert judo artist cannot make "united we fall, divided we stand" a formula to advance the integrity of Europe as a whole.

Now, as in 1949, the foundation of the alliance is a working agreement among the allies on what the Soviet threat is and how to deal with it—together.

III. THE FRENCH CHALLENGE

No one, possibly including President de Gaulle, knows exactly what, in practical terms, the French position on allied cooperation is.

In the judgment of its partners in the EEC, France has been less than faithful to its obligations under the Treaty of Rome—but it has not slammed the door. Similarly, in international financial matters its on-again, off-again policies—now shaking confidence in the gold exchange standard, now assisting to shore it up in a crisis—reflect both French reluctance to cooperate and also to sacrifice the benefits of cooperation.

With respect to NATO, France has, on the one hand: withdrawn its Mediterranean and Atlantic fleets from NATO; assigned to NATO only small French air and ground forces (about 60,000 men); refused to permit non-French controlled nuclear weapons on French territory; withdrawn French naval personnel from certain high NATO command posts; not accepted the 1962 NATO Council guidelines for the use of nuclear weapons; not committed itself to consult with its allies on the use of these weapons in contingencies of an ambiguous nature; announced its refusal to participate in the 1966 FALLEX program; not participated in the 10-nation special nuclear committee.

On the other hand, France took a strong stand in both Berlin crises and gave immediate support to President Kennedy at the time of the Cuban missile crisis. It continues to provide valuable facilities to NATO, a French officer is commander in chief, Allied Forces Central Europe, and other French officers participate fully in the work of several international commands. It engages, on a bilateral basis, with its allies on various projects, such as joint French-American space research.

President de Gaulle himself states the French position on NATO in these terms:

"Above all, it is a question of keeping ourselves free of any vassalage. It is true that, in many areas, we have the best reasons for associating with others. But on condition of retaining our self-determination. Thus, so long as the solidarity of the Western peoples appears to us necessary for the eventual defense of Europe, our country will remain the ally of her allies but, upon the expiration of the commitments formerly taken—that is, in 1969 by the latest—the subordination known as "integration" which is provided for by NATO and which hands our fate over to foreign authority shall cease, as far as we are concerned."

When war can mean anything between instant, massive destruction and a limited probe with conventional forces, deterrence requires an instant readiness to respond appropriately. This, in turn, has dictated the deployment of large allied forces in Western Europe and of allied naval forces in Atlantic and Mediterranean waters. A corollary requirement has been the creation of some kind of allied command organization. Allied Command Europe and the Supreme Headquarters, Allied Powers Europe (SHAPE) were activated by General Eisenhower on April 2, 1951. Allied Command Atlantic and Headquarters, Supreme Allied Commander Atlantic (SACLANT) were activated a year later.

In peacetime the international commands, like SHAPE and SACLANT, are primarily planning agencies with such duties as the development and recommendation of force requirements. They also have certain responsibilities for developing and maintaining bases and supply and communication facilities, for training and exercises in an emergency and, in the case of SHAPE, for training inspection of assigned units to ascertain if they meet agreed standards, and for operational control of certain forces, such

as air defense forces. These must be ready for operations on very short notice, have certain ongoing patrol responsibilities, and must be dispersed on bases in several countries. The fundamental justification of the international commands is to be ready and able to take charge, within minutes, of the forces which would come under their control in an emergency—and thus, by virtue of such readiness, to strengthen the deterrent power of the alliance.

In peacetime, however, until a certain stage of alert exists, national forces (with a few exceptions) remain under national command. The international commands do not infringe upon the sovereignty of the members nor do they violate the principle of the equality of all members. No member can be compelled to accept a plan with which it does not agree, or to provide facilities against its will, or to designate forces which would be assigned to the international commands in an emergency. There is, in short, no "integration" except as members freely agree to coordinate their policies and forces. It may be wondered whether the objection to "integration" is really a way of denying the need for coordination.

To date, the French have talked about NATO in such abstract, ambiguous, and theoretical terms as "vassalage," "subordination," and "integration," and the discussion has not been put on what Secretary General Brosio calls "a practical footing."

Of course, France may bow out completely from the unified military commands. If France insists on moving NATO military facilities out of France, or on an effective veto on their use, it will become extremely difficult to devise a sound plan for the defense of Western Europe. One need only look at a map to learn why the facts of geography make France an important member of the alliance. But allied contingency studies show that it would be possible—though costly—to replace the bases, lines of supply and communication, and other facilities now located in France.

France may decide to request a review of the North Atlantic Treaty in accordance with article 12. That has been the right of any member since 1959.

France may even withdraw from NATO in accordance with article 13. It would be unwise to assume, however, that French withdrawal is a fixed and unalterable intention. It is not, after all, likely that the "solidarity of the Western peoples" will appear unnecessary for the defense of Western Europe in 1969.

And even French withdrawal need not mean the end of NATO. On the contrary, the appropriate policy for France's allies would then be the policy of "the empty chair"—to leave a place for France at the table and to await, and work for, her return.

The French President now deliberately displays a policy of independence from allies, while accepting the benefits of the American nuclear umbrella. He is playing a very risky game—counting on the American commitment regardless of what he does or what happens to the Atlantic Alliance. The risks include a real possibility of alienating the United States.

The American commitment to help the allies to defend themselves was made on the assumption that each of the allies was determined to do its part in a cooperative undertaking. But, in the words of Dirk Stikker, former Secretary General of NATO:

"This vaunted complete independence of action has created an atmosphere of incompatibility of both aims and methods between France and nearly all of its allies. He who insists on retaining his complete independence of action can never be counted on as a devoted and staunch member of any alliance."

Much clarity on all sides is needed about the price of "going it alone." If the French

Government does not consider the alliance important enough to do its part, then the importance of France as an ally will unavoidably diminish—as the other allies do what they can to make the alliance work without France. It may become necessary to revise and reduce the American commitment to the defense of France.

Under the circumstances, the United States must work closely with Great Britain and West Germany and the other allies who can and do see their common interest in a common defense. If the key Atlantic allies move ahead together on the urgent issues—as they have the right and duty to do—sober second thoughts may in time prevail in the great and ancient French nation.

IV. THE CONSULTATIVE PROCESS

The membership of the Atlantic Alliance includes great powers and lesser powers, each with its own economic and military potential its own geographical and historical associations, and its distinct perspective: Belgium, Canada, Denmark, France, West Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Turkey, the United Kingdom, the United States.

The alliance in operation is a group of governments—that is, of officials on the job with particular responsibilities and particular interests who have varying hopes and expectations about how the alliance may be useful in advancing their concerns. Because allies are governments, their actions are the product of internal bargaining among the bureaus, lobbies, and personalities comprising their own political system. As Richard Neustadt said to the subcommittee:

"The impulse to collaborate is not a law of nature. It emerges from within, arising on the job, expressive of a need for someone else's aid or service * * * if one government would influence the actions of another, it must find means to convince enough men and the right men on the other side that what it wants is what they need for their own purposes, in their own jobs, comporting with their own internally inspired hopes and fears, so that they will pursue it for themselves in their own bargaining arena. This is what we did, with Stalin's help—and economic crisis—in Europe nearly 20 years ago."

Alliance institutions, civil and military, are not sovereign authorities, but creatures of the member governments—and governments alone possess the ability to act. Thus, the importance of the North Atlantic Council and other alliance organizations, beyond their obvious symbolic value, turns on their usefulness as quiet corners where ministers from different capitals get together, and on their actual capacity to produce results of utility to key men inside member governments. If the views of the Council, the international commands, and other agencies are to attract the top-level attention of national governments, they must point the way to the practical compromises which are the very heart of joint action.

The organization of NATO is, therefore, an important but secondary subject—the cart, not the horse—of allied concerns.

It sometimes appears to be more important than it is because the processes of consultation within the alliance are not producing agreement—and because, as often happens within our own Government, disputes over high policy are cloaked as disagreements over organizational issues. Things cannot be worked out that way.

Consultative processes produce an alliance's decisions—they are its surrogate for executive authority. If they are not effective, the alliance will lack direction and energy.

Within our own Government, we are painfully aware of the difficulty of deciding on new policies. Decisions are difficult enough

when the decisionmaking process culminates in a President. Within an alliance, not only are the issues inherently more difficult (because a wider variety of interests are affected) but also decisions have, in the nature of things, the character of a common denominator. That is, they must be acceptable to a group of governments and must be watered down or compromised until they are acceptable.

There is, of course, no rule of unanimity in NATO, despite the widespread belief to the contrary. The emphasis of the treaty is on separate and joint action to maintain and develop the individual and collective capacity to resist aggression (art. 3), and on such action, individually and in concert with others, as each ally deems necessary in response to an attack (art. 5). The only requirement in the treaty for unanimity is for the admission of new members. In practice, the operations of the alliance have confirmed that each member does not have to participate in everything the others do, and that no member can prevent the others from taking a joint action they wish to take.

The absence of a rule of unanimity does not diminish, however, the desirability of unanimity. A member may be unable to block a joint action by the others, but if it feels strongly, it may refuse to cooperate on other matters or even denounce the treaty. Practical wisdom dictates that a great effort should be made to reach full agreement on important issues and programs, particularly those relating to the credibility of the deterrent and relations with the Soviet Union.

In the happiest circumstances, crisp decisions by a group of governments are hard to come by, and the accommodations made in arriving at agreement should be treasured, not lightly discarded. Continuity with a second-best policy may be better than to push a better one at the cost of not agreeing on any policy at all. As General Norstad testified:

"We should not destroy the foundation under which we are working until we know we can produce a better one. Not that there is not a better one, because there is always a better one, but the criterion against which we judge this is not whether or not there is a better policy, a better plan, or a better strategy. The criterion must be: Can we get a better one accepted?"

Unfortunately, the U.S. Government has not always taken this view.

A case in point: in 1962 the United States abruptly shifted to a strategy of "flexible response." There was little or no consultation with our allies, and the shift was explained in terms which, to say the least, caused doubt and confusion about what kind of counterblows the United States might be planning in the event of a Soviet attack on Europe. To some in Europe it looked as though the United States would rather switch than fight. The change in American doctrine forced modifications in allied military doctrine as well, thus painfully underlining for the allies how little influence they had on American policies of life and death importance to them. The difficulties thereby created have not yet been overcome, especially perhaps in relations with France, whose President, like most chiefs of state, does not accept short shrift easily.

This advice to the allies from the Committee of Three in 1956 is still good advice: " * * * any variations in plans and strategic policies which may be required need not weaken NATO or the confidence of its members in NATO and in each other; providing, and the proviso is decisive, that each member retains its will and its capacity to play its full part in discharging the political commitment for collective action against aggression which it undertook when it signed the pact; providing also—and recent events have shown that this is equally im-

portant—that any changes in national strategy or policy which affect the coalition are made only after collective consideration."

At present, nuclear questions are troubling and dividing the allies. The problem is complex, involving considerations of national prestige, interallied confidence, strategy, and East-West relations. The time is past, certainly, for trying to deal with this problem on the basis that our European allies are equal but that one is less equal than others. It is not difficult to define what is wanted: a strategy which will effectively support the policy of deterrence, and arrangements which will win the confidence of the European allies in American support of the strategy in an emergency. Clearly, Soviet pressure should not deter the allies from doing what needs to be done—on that basis NATO itself would never have been created and West Germany would never have been permitted to join—but at the same time there is no point in taking militarily unnecessary measures unless it is clear that the political advantages outweigh the political disadvantages.

Beginning with the hasty improvisation of the concept of the multilateral nuclear force, organizational salve has been prescribed for a distressing political irritation—but the salve has converted the irritation into a 5-year itch.

Clearly, since the United States has 95 percent or more of total Western nuclear capabilities, it necessarily and unavoidably has the decisive power, positive and negative, with respect to the use of these nuclear weapons. And that power is and will be located in Washington; no President can delegate it to anyone else.

However it may be accomplished, therefore, Canada and the European allies need greater access to the policy counsels of the United States—and vice versa—not just regarding the more remote contingencies of nuclear war, but also the ambiguous challenges that a flexible Communist strategy makes probable. What the allies, including West Germany, need is confidence that they are, in fact, involved in major issues of strategic and political planning in such ways as to influence the actions of the U.S. Government in a crisis. And again, vice versa.

Here is where organizational imaginative-ness is needed, rather than a managerial pseudoscience which formally locates power in bodies to which no member government will in fact delegate real authority.

For example, there is every good reason why the allied capitals in Europe and North America should be linked by the most effective communications arrangements that modern technology has made possible. There is still much to be done to update present arrangements.

For another example, we should be able to find ways of involving allied military officers more deeply in strategic planning that will receive a President's attention—without altering in any essential way the President's final powers of decision. SHAPE and SACLANC now participate in the Joint Strategic Planning System, based on the U.S. Strategic Air Command at Omaha, Nebr., and allied officers are stationed at the headquarters of U.S. Strategic Air Command. In addition, since 1963, the United States has committed three Polaris submarines to the planning control of SHAPE. The United Kingdom has similarly committed RAF Bomber Command. Such arrangements are a good start.

The steps now being taken to develop a special nuclear committee may also be useful, especially if such a committee can be located in Washington where it could involve keymen in the central and most worrisome problems of strategy and give them access to each other on matters high on the agenda of national governments.

What is required is access of keymen to keymen—at the North Atlantic Council and by new consultative arrangements close to, or closely linked with, the centers of national decisionmaking.

Lord Ismay, first Secretary General of NATO, paid a well-deserved tribute to the statesmen who negotiated the North Atlantic Treaty:

"They did not attempt, at the outset, to draw up a blueprint of the international organization which should be set up, or to lay down any hard and fast rules of procedure. They realized that these could only be evolved step by step in the light of practical experience."

V. A PRACTICAL FOOTING

The North Atlantic Alliance remains what it was created to be in 1949—an agreement among sovereign states for their defense, with all that implies in terms of political, economic, and military collaboration.

It does not exist in isolation, however. OECD, the Group of Ten, EEC, EFTA, the Kennedy round, and other bodies and arrangements are concerned with economic and financial problems of the North Atlantic allies and like-minded states around the world. Normal bilateral relations—private and governmental—between all these countries deal with political, economic, cultural, and military affairs. In short, difficult though it may be to name or define, these nations form a community and their community of interests finds expression in a rich variety of relationships.

The North Atlantic Alliance is but one link, albeit an extremely important link, in this chain of institutions, arrangements, and relations, and there is no point in trying to make NATO into something more than it is by duplicating the work of other agencies, or to find artificial tasks for it, such as the promotion of cultural exchanges, to keep it busy or enhance its importance.

Moreover, for the United States or any other member to expect help from its allies on matters outside the scope of the North Atlantic Treaty, and outside the obligations undertaken by the members in other alliances and arrangements, may put a heavy strain on the alliance. Members can, of course, properly seek to win understanding and support for their policies outside the North Atlantic area through bilateral channels, and NATO organs may provide useful opportunities for one ally to explain to others what it is doing and why, but the Alliance itself does not entitle one ally to claim the support of others on matters outside the treaty.

In the words of Secretary General Brosio:

"To extend the scope—geographically and otherwise—of the obligations the allied countries undertook in 1949 would not be easy. It would have to be very carefully considered and the pros and cons very cautiously weighed. In any event we must beware, lest in seeking to improve the alliance and strengthen our ties, we bring about precisely the opposite result and cause a split in it."

If the threat to the allies changes or if their interests would be served by a change in the scope of NATO's concerns—if, for example, Communist China proves in due course to be the principal threat to their survival in freedom or if economic, social, and cultural developments make closer political links between the allies desirable—the time will come when the allies may wish to re-form NATO to meet the new challenges and opportunities.

But at the moment the urgent task is to put the interallied dialog on a practical footing—to cope with the hard issues of the present. Getting to work on them is, in any case, the only way of building a foundation for the future.

All agree, President de Gaulle included, that the alliance has unfinished business.

Its record since 1949 is one in which all can rightly take pride. But alliances are mortal. Like old generals, they may simply fade away unless they are used by, and useful to, national governments in dealing with their real, pressing problems.

The North Atlantic Alliance has not yet achieved its initial, and still its fundamental, purpose—which is a genuine European settlement. The phrase is too easy to utter, perhaps, to suggest what a drastic change for the better a genuine settlement would mean in the world environment. It would be tragic were the Soviet Union to accomplish, by allied default, its longstanding goal of destroying the alliance at a time when a potentially stable balance of forces—the essential precondition of a genuine settlement—has been achieved. The foremost issue facing the alliance is, therefore, a working agreement on policies toward the Soviet Union.

Another real issue is an understanding with our allies on what it may be necessary and desirable to do to simplify the overproliferated international command structure—preserving its essential elements and strengthening its effectiveness while discarding the tinsel and furbelows—and to meet the costs, political as well as economic, of doing so.

Another down-to-earth issue is burden sharing. In viewing national shares in the costs of protecting the North Atlantic area, inequities are apparent: the burden falls more heavily on some, including the United States, than the others. The problem is bound to become of more concern to the United States because of its relation to our payments difficulties and of our mounting expenditures for defense of other areas of importance to the entire free world. The time is not far off when the allies must squarely face this problem in line with their obligations under article 3 of the treaty for "continuous and effective self-help and mutual aid."

Other practical issues are allied military strategy, including the role of nuclear weapons, the role of the nonnuclear powers in nuclear matters, the size and composition of conventional forces, and such questions as procurement and weapons standardization.

The alliance, like any other political arrangement, requires leadership, and the facts of power impose a special responsibility for leadership on the United States.

Leadership is needed within a national government if divergent interests are not to stymie progress. It is even more necessary in an alliance, where decisions must be the product of the round table and where the highest position any ally can attain is *primus inter pares*.

The United States will have no one but itself to blame if our preoccupation with other important areas of the world keeps us from showing imagination and sound judgment in the affairs of the Atlantic community—and from showing the largeness of mind needed to reconcile national interests with the needs for joint action.

It may be that under the pressure of events the conduct of Atlantic affairs has gotten into a rut, that issues and approaches have become stereotyped, and that our responses to events have become almost ritualistic. Some new heads may be needed to get the dialog back onto a practical footing.

In any event, the problems of the Atlantic Alliance call for more and better attention on the part of our Government than they are receiving.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. SPARKMAN. 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. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SPARKMAN. Mr. President, before I discuss this bill, let me make one point clear: I do not consider a vote on this bill as a vote for or against our policies in Vietnam. Many people have regarded the bill as being a statement or restatement of policy. I do not feel that that is true, and I believe that is the feeling of most members of the Committee on Foreign Relations.

Senators must decide for themselves whether they consider a vote on the bill as a vote on the administration's policies. I can only state my own position, that I do not look upon this bill as a vehicle for testing congressional support of past or present policies in Vietnam.

Let me add here that I strongly support our policy in Vietnam, but I do not regard the bill as a reaffirmation of it, and I do not believe it should be considered in that light.

This is not merely a simple bill to authorize additional foreign aid. It is an emergency measure to meet critical needs in Vietnam. The Committee on Foreign Relations has been assured by administration officials that the funds for Vietnam which would be authorized by this bill are essential to our overall effort there. Secretary Rusk told the committee that he regarded "our economic assistance program in Vietnam as equal in importance with our military assistance." He went on to say:

Without our economic assistance, the entire effort to maintain a sound economy and to build for the future would quickly fail.

I share the Secretary's view about the importance of our aid program in Vietnam.

We are out of funds for the program in Vietnam. Last year Congress approved an economic assistance program of \$266 million for the 1966 fiscal year, and events have now so overtaken the estimates on which this was based that this appropriation will be less than half the requirements for the year. All of the supporting assistance funds for the fiscal 1966 program were obligated nearly 2 months ago and the AID officials have been forced to borrow \$96 million from other programs to keep the Vietnam program going. Until these funds are repaid we will not have the money to meet our obligations to international organizations and fulfill other firm commitments. For example, \$18 million was borrowed from the Indus Basin development fund and the AID Administrator told the committee that he fully expects the World Bank to call for those funds on March 31. The AID officials are at

the bottom of the barrel and this authorization is needed, both to meet critical needs in Vietnam and to replace the funds borrowed from other programs.

Now let me discuss briefly what this bill does. It will authorize an additional \$415 million in economic assistance in the current fiscal year. The approval of this amount will bring the total appropriations for economic aid this year to \$2,463 million. Of the amount to be authorized, \$315 million is in supporting assistance and \$100 million is for the President's contingency fund.

A total of \$275 million in additional aid is programmed for Vietnam. The major component is \$175 million which will be used to finance commodity imports. This program serves two basic purposes: it helps counter inflationary pressures caused primarily by the American military presence and it serves as a prime source of Government revenue. It might be helpful to Members of the Senate for me to describe briefly how this program operates.

Our AID people work with South Vietnamese officials in drawing up approved plans for the importation of commodities which will be needed in various segments of the economy. Private South Vietnamese merchants obtain import permits from their Government in accordance with this list. The goods are ordered, primarily from the United States; the Agency for International Development pays for the goods in dollars, and the importer pays the South Vietnamese Government for the goods in piasters, the local currency, at a fixed rate of exchange. Then the South Vietnamese Government uses the proceeds for general budgetary purposes.

The commodity import program is an essential element in Vietnam's budget. In 1966 it is estimated that the revenues derived directly from the commodity import program will be more than the total for all domestic revenues collected by the Central Government. In addition, the customs duties generated by the AID-financed imports will account for additional revenues equal to about 40 percent of total domestic revenues. Without the \$370 million which we will provide for the commodity import program, this year, it is apparent that the South Vietnamese Government could not bear the burden of a major war effort as it is now doing.

Inflation is a side effect of any war and the results are particularly acute in an underdeveloped economy where there is a massive infusion of outside demand. The cost of living rose 40 percent in Saigon last year and if recent news reports are any indicator, the index will go much higher this year. It was estimated during the hearings that the American presence this year will generate demands on Vietnam's economy equal to 45 percent of her 1964 national income. I cannot state that South Vietnam's economy would collapse if our aid were reduced, but it is clear that the effects would be quite drastic. Unless inflation can be kept under control, runaway prices in the urban areas will furnish the Vietcong with fertile soil for creating further discontent. I realize

that we cannot control inflation with American aid alone. The South Vietnamese Government must do its share through strong stabilization measures, and I hope that our officials will use the leverage of our aid in every way possible to see that this is done.

In addition to the funds for commodity imports, the bill authorizes \$100 million for expansion of direct aid operations in logistics, construction, welfare, and development projects. I do not wish to leave the impression with Senators that all of this money will be devoted to building a better economic and social structure in Vietnam. This is simply not the case. The committee was told by the Administrator of AID, Mr. David Bell, that about half of the funds in this category would be spent on permanent type development projects and the other half would be used in the nature of maintenance.

Much of the money in this category will be used to overcome problems caused by our military buildup. For example, the authorization will finance the building of a village to house construction workers at Cam Ranh Bay military projects—\$30 million is programmed to improve port and shipping facilities—most of it for breaking out and operating 10 ships from the mothball fleet to bring about better distribution of AID-financed imports.

I shall not attempt to discuss each program in this category. A breakdown in the report gives further details. But I do want to stress the fact that in spite of Vietcong control over much of the countryside, our aid program can operate in much of the disputed territory. Mr. Bell told the committee that although 25 percent of the countryside was quite secure, they could work in another 50 percent of the rural area with what he referred to as "varying degrees of insecurity." According to his testimony, only about 24 percent of the inhabited areas of the countryside are not reachable by our aid operations at this time.

I might mention that the bill authorizes an additional \$11,622,000 for the refugee program. The Ky government is devoting some 6 percent of its civil budget for refugee relief work this year.

General Ky has pledged that his government will undertake a long overdue program of economic and social reform. The Declaration of Honolulu by the Government of Vietnam promised to eradicate social injustice and build a better material life for the Vietnamese people. If the Ky government does not live up to its promises, we may find ourselves in the position of defeating the Vietcong and losing the war. There is little prospect for a permanent, workable solution to the conflict if the government is not able to command the confidence and support of the people. The government must be looked upon by the people as a friend, not as an enemy.

The Commandant of the Marine Corps, Gen. Wallace Greene, said not long ago after returning from Vietnam:

You could kill every Vietcong and North Vietnamese in South Vietnam and still lose the war.

This, I think, states quite well the enormous task facing the Saigon government. The Ky government has undertaken a new program for pacification which, if successful, should go far in correcting many social and economic ills in the countryside. This program of "rural construction," as the Vietnamese officials call it, is a combination program involving a team approach to providing security, meeting local social and economic needs, and helping establish effective local governments. Some \$20 million in this supplemental request will be used to finance our participation with advisers and materials in this program. I hope that the Ky government will carry out the program with as much fervor as they displayed in making the pledges at Honolulu.

This bill also authorizes additional assistance to the Dominican Republic, Thailand, and Laos.

The supporting assistance authorization will provide \$25 million for a loan to the Dominican Republic. The revolution of last April has created such political and economic instability that the Government's tax revenues are far below normal. This additional assistance will be used for essential government budgetary support and will fill the gap between revenue and outgo and help create more stable conditions which will be conducive to the holding of elections next June.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I wish to commend the distinguished Senator from Alabama on the tenor of his speech. I think this is by far the most important kind of involvement we have in South Vietnam.

As the Senator said so well, if we have any prospect of achieving any degree of real freedom and independence, any meaningful kind of victory for freedom in Vietnam, it has to depend primarily on education, land reform, economic assistance.

My question to the Senator from Alabama is: Is it enough?

Judging by the committee report, we are authorizing in the supplemental \$25 million, which I understand the Senator said is paid for provincial operations—schools, health, water, agriculture improvement, information programs, development of local administration, youth cadre, veteran rehabilitation, Montagnard development, self-help, and so forth—and that compares with \$4.7 billion. As I calculate it, it is 188 times as much for the military effort as for all the constructive, positive economic efforts we make in South Vietnam.

If we go back to the basic authorization for this purpose the disproportion is far greater. It was \$24,486,000 for all of 1966 until this supplemental, so the total is less than \$50 million for these peaceful purposes, these constructive purposes, these purposes that build the possibility of a better life and the possibility, the only possibility we have to win, whereas we are spending so much more for these strictly military purposes, as

the Senator stated, killing Vietcong. But the military spending for fiscal 1966 will exceed \$12 billion—for a 250 to 1 disproportion.

I agree that we have to spend the military money. I am not one of those who believes that we can let up on our military effort. These things—military and economic—have to go hand in hand. It does not make sense to spend money for a schoolhouse if it is going to be burned down, or to spend money to save lives by eradicating malaria if those whose lives are saved are going to be shot down, or for training administrators, if they are going to be tortured, kidnaped, and killed.

It seems to me that there is a tremendous disproportion here.

Mr. SPARKMAN. May I say to the Senator from Wisconsin, yes, I concede this is not sufficient to do the job. However, it is the request made to get the job started. Undoubtedly we shall be called upon to make further authorizations. I do not know this but probably in the regular authorization bill for foreign aid this subject will be dealt with further.

Mr. PROXMIRE. Let me ask the Senator if it is not true that a strong case can be made for a substantial investment in land reform. There is a situation in some Provinces in which 85 percent of the farmers are tenant farmers.

The Vietcong is using this. Their slogan is "Land for the Tiller." That is a very effective slogan. It favors the tenant farmer. It is a persuasive slogan, when they talk about the gouging that the tenant farmers are subjected to by means of the high rentals of the landlords.

We spend nothing for land reform; that is, we spent nothing for land reform in 1961, nothing in 1962, nothing in 1963, nothing in 1964, nothing in 1965. Now we are proposing to spend a little bit more than \$1 million for 1967. I documented the fact on the Senate floor a month ago that if we were to invest the cost of one week of our military involvement in Vietnam, we could initiate land reform programs that would provide 5 to 7 acres to each of hundreds of thousands of tenant farmers. It would be enough land, under the economic system that prevails there, to give the farmer a stake in the land, by providing him with a workable, viable farm. It would give him a real reason for opposing communism.

Why is it that we seem to be so reluctant to provide this land reform?

Mr. SPARKMAN. In the first place, we are dealing with a supplemental bill. It would provide funds for the fiscal year 1966, which has only about 3 or 4 months more to run.

Mr. PROXMIRE. But there is nothing included for land reform, according to these tables that I have consulted.

Mr. SPARKMAN. There may not be. I agree with the Senator on the importance of land reform. I do not believe, however, that it is something that can be pushed out into the open at once. I believe it is something that we should provide in South Vietnam, but that it will

come in its time. I believe very strongly that it will come. I would be greatly disappointed if it did not.

I should like to say, also, to the Senator from Wisconsin, that only recently I had a conversation with a retired general of the Army. The general had served overseas in World War II and also in Korea. We were talking about the Vietnamese problem, and this very subject of establishing local governments came up; and also with respect to helping these people to get land to till, and all those things that go with a stabilized civilian government.

This general, whom one ordinarily would expect to be thinking about military operations, felt that it was of such tremendous importance that it would do no good to achieve a big military victory and leave that other phase uncared for. He said it would fall to pieces if there were not local governments ready to operate, both for the purposes of maintaining a stable government and also a civilian economy. He said that a victory in arms would then be without purpose.

Mr. PROXMIRE. I think the statement of the Senator from Alabama is a most useful one. He points out that military people, whose responsibility and orientation has been directed toward military achievements, recognize that if we are to have any kind of permanent military success, we have to proceed far more vigorously and progressively in the health, education, administration, and land reform framework if there is to be any success.

I wish to ask the Senator about our education in South Vietnam. I think that this country of ours has done a wonderful job in that field. We have been of great help in encouraging education. In 1955, there were only 300,000 students in school in South Vietnam. Today, there are 1½ million going to school. We have played a great part in that effort and have a great record.

I point out that a large proportion of the Vietnamese cannot finish grade school. The fact is that that amounts to well over 99 percent of the students. The South Vietnamese Government has given power and authority to those with grade school diplomas and the Vietcong, on the other hand, has identified itself with the less educated people. I wonder if it would not be well to think of going forward with a far more imaginative educational system, and finding ways or giving a greater role to those whose education is limited, so that there may be both greater support for our side in the war, and a better chance to win a free election after the war.

I realize that this is a complicated question, because it is their Government, and not ours. I am merely raising my voice because, when negotiations and elections come, I am hopeful we will be in a position to prevent a Communist election victory that would destroy much of what our boys have been fighting and dying for.

Mr. SPARKMAN. I may point out that an educational program is part of our regular aid program in Vietnam.

This bill carries money, admittedly a small sum, \$2 million, for education, but it is added to what we had already authorized for fiscal 1966.

Mr. PROXMIRE. I just hope this colloquy and intervention by the Senator from Wisconsin will help encourage the administration and the Foreign Relations Committee to look with favor on an ambitious, imaginative, progressive program in the areas of land reform, education, and health, where real progress can be made that will give hope of bringing about genuine independence and resistance to communism. To accomplish this, we must in the familiar phrase, "put our money where our mouth is." To date we have not done this. This bill does not do it. We talked a good fight for social revolution at Honolulu. But the talk has been empty, and the complaints to this effect of Ambassador Lodge, the widely reported bureaucratic restraints on General Lannsdale indicate what a big job we should do now that we are not doing.

Mr. SPARKMAN. I agree with the statement of the Senator. I think he has made a very fine contribution.

To continue with my statement, an additional \$7,500,000 will be provided both Thailand and Laos. In Thailand the funds are needed to meet problems which have arisen because of expanded subversive activities in the northeast. In Laos additional help is needed to stabilize Government control of contested areas and support airlift and refugee operations.

An additional \$100 million would be authorized for the President's contingency fund by this bill. The Congress provided \$50 million for the Contingency fund in the regular 1966 program. The fund is now exhausted, and additional funds are needed to enable the President to meet requirements in potential world trouble spots during the remainder of this fiscal year.

The bill also contains a provision prohibiting contingency fund assistance to any country which allows ships or aircraft under its registry from carrying cargo to or from North Vietnam, unless the President determines that continued aid is in the national interest and reports that determination to the Congress. This is a reasonable extension of two restrictions enacted by Congress last year pertaining to furnishing aid to countries engaged in shipping to North Vietnam.

Finally, the bill contains a provision which permits the use of up to \$1,400,000 in supporting assistance funds for administrative expenses incurred in connection with the Vietnam program. This will take care of the hiring and other administrative burdens connected with the doubling of the size of the Vietnam program.

In summary, I cannot say that the passage of this bill will mark a turning point in the war or in creating a better way of life for the unfortunate people of Vietnam. It does not propose any radical changes in our economic aid program but is primarily an expansion of what we have been doing for some time. Our military buildup since the regular aid bill

passed last year has created inflationary pressures which cannot be kept in bounds without this additional support. We must be realistic and recognize that the more troops we send and the more bases we build, the more aid we must put in to keep inflation from getting out of control.

Without additional economic aid it is quite possible that inflationary pressures could lead to collapse of the Saigon Government—with the Vietcong as the only beneficiary.

I do not have any encouraging words to offer Senators on the prospects for any dramatic results in the pacification effort. Only the Vietnamese Government can determine whether this key element in the war effort will succeed. As the late President Kennedy said on September 2, 1963:

They have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort.

The Ky government is being put to the test in their campaign to convince the people that the Government is their friend. Our hopes and prayers, and the hopes and prayers of our 215,000 men in Vietnam, are with those engaged in this effort.

The need for this money is urgent, and I hope the Senate will pass the bill and send it on to the President without any unnecessary delay.

Mr. BAYH. Mr. President, I ask that the clerk state my amendment to H.R. 12169.

The legislative clerk proceeded to read the amendment.

Mr. BAYH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. MONTROYA in the chair). Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment submitted by Mr. BAYH is as follows:

On page 2, between lines 11 and 12, insert the following:

"SEC. 3. Section 604 of such Act, which relates to procurement, is amended by adding at the end thereof the following:

"(e) Funds made available under this Act shall not be used to finance the procurement of iron and steel products for use in Vietnam if—

"(1) the products contain any component acquired by the producer of the commodity in the form in which imported into the country of production from sources other than the United States or a country designated as a Limited Free World Country by code number 901 in the September, 1964 Geographic Code Book compiled by the Agency for International Development, at a total cost (delivered to the point of production) that amounts to more than 10 percent of the lowest price (excluding the cost of ocean transportation and marine insurance) at which the supplier makes the commodity available for export sale (whether or not financed by the Agency for International Development), and

"(2) the total cost of such commodity exceeds by more than ten percent the lowest price (excluding the cost of ocean transportation and marine insurance) at which

the supplier makes the commodity available for export sale (whether or not financed with funds made available pursuant to this Act). No other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection."

On page 2, line 12, strike out "Sec. 3" and substitute "Sec. 4".

The PRESIDING OFFICER. How much time is the Senator from Indiana yielding himself?

Mr. BAYH. I yield myself 5 minutes, Mr. President. I ask unanimous consent to have printed in the RECORD a memorandum which includes some documentation of facts and figures, which I have received from various agencies of the Government, as well as from business enterprises in this country.

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

MEMORANDUM

MARCH 10, 1966.

From: BIRCH BAYH, U.S. Senate.
Subject: U.S. AID procurement practices for galvanized steel for Vietnam.

The procurement practices of the Agency for International Development for galvanized iron and steel products for South Vietnam have been ill-conceived and poorly administered. These practices have resulted in the following:

1. AID has directly supported the Japanese steel industry in its competition with U.S. steel makers. Contrary to its own policy, AID has purchased Japanese steel plate for Vietnam over the past 12 to 18 months. Recently, instead of enforcing its policy against purchases of Japanese steel, it has changed this policy so that previous illegal purchases are now within the confines of the new policy:

U.S. imports of selected steel mill products from Japan, 1958-65

[Short tons]

1958	241,641
1959	623,846
1960	593,098
1961	594,610
1962	1,068,005
1963	1,802,110
1964	2,445,267
1965	4,406,298

2. AID has paid prices as much as 60 percent higher for its purchases than other buyers have paid for identical products from the same mills. With the amount of steel being purchased during the current fiscal year, the excess profits being made by foreign steel producers from sales to AID will amount to \$10 to \$15 million.

Prices paid by AID for 32-gage corrugated steel sheets:

In 1963: \$179 plus \$16.50 freight (Korea).
In 1964: \$270 plus \$16.50 freight (Korea); \$260 plus \$16.50 freight (Taiwan).
In 1965: \$259.50 plus \$16.50 freight (Korea).

Sirs: We are pleased to offer according to the terms and conditions as stated hereunder:

1. Shipment: Three months after receipt of letter of credit.
2. Payment: By confirmed and irrevocable letter of credit in our favor.
3. Insurance: Insurance coverage will be for the amount of the buyer.
4. Packing: Factory's standard export packing.
5. Validity: Subject to our final confirmation.
6. Remarks: Minimum acceptable quantity per single letter of credit is 10 metric tons of one gage and one size only.

Yours sincerely,

SINCERE STEEL SHEET CORP.

Description	Zinc coating (ounces per square foot)	U.S. gage No.	Size	Quantity	Price f.o.b.-C2 (in U.S. dollars)
Galvanized iron sheets (plain or corrugated): Specifications and tolerances are in accordance with JIS G3302 standard.	0.6 ft	32	3 feet by 6 feet 10 inches or 1 by 2 meters.	Per metric ton.	162.69
	.6	31	do	do	160.65
	.6	30	do	do	157.08
	.7	29	do	do	156.06
	.7	28	do	do	154.02
	.8	27	do	do	150.96
	.8	26	do	do	149.94
	1.0	24	do	do	147.90
	1.0	22	do	do	142.80
	1.0	20	do	do	140.76

NOTE.—This applies to free U.S. dollars only and not for AID fund.

Price list—Galvanized iron sheets, River-Cherry & Brand—Size 1 meter by 2 meters

U.S. gage No.	Sheets per metric ton	Thickness	Coating (ounces per square foot)	F.o.b., U.S. dollars per metric ton	Freight, U.S. dollars per metric ton
35	304	0.198	0.80	296.00	24
34	277	.218	.80	282.50	24
33	255	.238	.80	272.50	24
32	236	.268	.80	259.50	24
31	220	.278	.80	254.50	24
30	193	.318	.80	241.50	24
29	171	.357	.80	234.50	24
28	154	.397	1.00	230.67	24
27	139	.437	1.00	219.97	24
26	129	.476	1.00	213.00	24
25	109	.556	1.00	213.00	24
24	96	.635	1.00	213.00	24
23	86	.714	1.00	213.00	24
22	78	.794	1.00	210.00	24
21	71	.873	1.00	210.00	24
20	65	.953	1.00	210.00	24

Origin: Korea.

Shipment: Within 3 months after receipt of letter of credit.

Packing: Standard export packing.

DONGKUK STEEL MILL Co., LTD.,
Seoul, Korea, February 21, 1966.

Messrs. GRIFFIN STEEL CORP.,
545 Fifth Avenue, New York City, U.S.A.

DEAR SIRS: We wish to confirm your cable dated February 17, concerning cold rolled steel sheets.

For your information, the price we are importing from Japan is C. & F. average \$140US to USG26-35, 1Mx2M, cold rolled steel sheets, packed in 1 M/T bundle.

We suppose the import from U.S.A. would be difficult for us for the high f.o.b. price and freight.

Yours very truly,

DONGKUK STEEL MILL Co., LTD.,
SUKWON HA, Director.

REPORT ON JAPANESE PRICES FOR PLAIN AND GALVANIZED SHEETS IN THE TAIWAN AND KOREAN MARKETS

(By the U.S. Department of Commerce)

The United States is generally at a competitive price disadvantage with Japan in export markets for steel products. The Japanese steel industry is one of the world's most modern and, working from coastal locations, is designed to exploit export markets.

1. Export base price, f.o.b.¹ port of origin, cited in American Metal Market, February 21, 1966, for galvanized sheets: Japan, \$130.50 per short ton.

2. The average price per ton for Japanese selected steel products landed in Taiwan and South Korea.

	Short tons	Value	Average value per ton
TAIWAN			
Galvanized sheets and plates, Japanese origin.....	9,784	\$1,696,175	\$173.36
Ungalvanized sheets and plates, Japanese origin.....	86,802	8,627,396	99.39
KOREA			
Plates and sheets, coated or plated with zinc or other base metals, less than 3 millimeters thick, Japanese origin.....	388	79,000	203.61
Plates and sheets not coated or plated, Japanese origin.....	15,224	2,011,000	132.09

Source: Official trade statistics of Taiwan and Korea.

3. AID is supplying South Vietnam with substandard galvanized steel products. The steelplate is thinner than any produced in the United States and it is coated with less than half the amount of zinc specified by the U.S. Bureau of Standards. With the high heat and humidity of South Vietnam, the expected lifespan of the galvanized sheets supplied for use as a roofing material is less than 6 months.

4. The U.S. balance-of-payments position is being adversely affected by AID steel purchases in the Far East. Payment for the galvanized steel products being purchased by South Vietnam is made by letter of credit redeemable in U.S. goods. Foreign steel producers have used this letter of credit to buy scrap steel from the United States that they badly need and that they normally would have to purchase with dollars.

5. The poor quality steel product that is being supplied at inflated prices accelerates the inflation of the South Vietnam economy. The corrugated steel roofing material which AID finances wears out quickly requiring semiannual replacement and creates exaggerated demands for imports of the steel.

¹ The base prices do not reflect any charges for extras or discounts.

Short supply has created an 11 percent increase in the price of this commodity in Saigon in the past month. The excessive profits being paid by AID increases the cost to the South Vietnam users and contributes to the general inflationary pressures.

[From the Japan Commerce Daily, Feb. 23, 1966]

USOM TAKES NEW MEASURE FOR PURCHASE OF GI SHEET FOR SOUTH VIETNAM

According to information from dispatches of Japanese trading firms in South Vietnam, USOM (an American agency for the purchase of munitions for South Vietnam) has altered partly its way of buying galvanized iron sheet for South Vietnam as follows:

1. In addition to South Korea, galvanized iron sheet may be bought from other nations including Formosa, Thailand, and Malaysia.

2. So far, the item of goods for barter from the United States has been limited to scrap iron. It is now so prescribed that the volume of scrap iron to be bought from the United States shall be not more than 50 percent. For the balance of 50 percent, other goods may be purchased.

Meanwhile, the steelmakers here belonging to the Tuesday Meeting Club are said to have informally had an agreement with Korean makers of galvanized iron sheet that the steelmakers will not export loam plates to other nations than South Korea.

As a result of the alteration of the purchasing way by USOM, galvanized iron sheet makers in Thailand, Malaysia, and other countries will embark on export of their products to South Vietnam and accordingly request the Japanese makers for more supply of base materials. Therefore, the Japanese makers will be necessitated to adjust export of loam plates to other countries.

By the change in the volume of American scrap iron which the Japanese side is obliged to buy in exporting galvanized iron sheet to South Vietnam with AID Fund as collateral. The volume of American scrap iron to be bought by the Japanese side will be decreased to 60,000 tons from 120,000 tons in exchange for export 40,000 to 50,000 tons of cold rolled steel sheet to South Korea.

[AID small business memo issued by Department of State]

SOURCE RULING—GALVANIZED IRON AND STEEL PRODUCTS FOR VIETNAM

A decision has been made by AID that to meet high priority requirements of the Vietnam commercial import program for galvanized iron and steel products, certain Far East countries will be authorized sources under contracts for deliveries to be made on or after February 15, 1966, under the arrangements set forth below. The United States continues, of course, to be an eligible source.

The componentry limitation is waived for purchases in such Far East countries provided:

1. All the components are from free world wide sources;
2. The galvanizing is done in the source country on semifinished material:
 - (a) Produced in the United States, or
 - (b) Produced in the source country, or
 - (c) Produced in free world countries from U.S. source scrap to the technically maximum extent; and
3. The source country agrees to accept in payment, an irrevocable letter of credit tied to purchases from the United States. Eligible purchases from the United States under the letter of credit will be the items with a high iron or steel content which are included under the following AID commodity codes:

Code 660: Iron and steel mill products.
Code 6899: Miscellaneous metal manufactures (high iron and steel content).

Code 761: Metalworking machinery, machine tools and parts.

Code 659: Ferrous scrap (equivalent to the amount actually used in the origin country in the manufacture of the material galvanized in the source country).

It is anticipated that the Philippines, Thailand, Korea, Taiwan, and Malaysia will become approved sources after they have formally agreed to accept the above conditions. Subsequent small business memos will be issued as these countries meet the eligibility requirements.

On January 31, 1966, the U.S. AID (by small business memo No. 64-4A-23) made a source ruling which removed prior regulations which provided a 90-percent content of U.S. goods in galvanized iron and steel products for Vietnam. By this memo, the Agency brought its policy into line with the procurement practices which had been used for the past 12 to 18 months.

These procurement practices have resulted in the purchase of large quantities of steel-plate from Japan at a time when competition between the United States and Japanese steel industries is growing more acute.

Previous AID directives have been aimed at removing Japan as a potential source of steel products. Japan has been removed from the list of eligible source countries because of its industrial development. The componentry ratio rulings have been put into effect to protect against indirect support of the Japanese steel industry. Memo No. 64-4A-23 changes the direction of U.S. policy to enable largescale purchase by AID of Japanese steel products—a move widely resented by U.S. industrial and labor sources.

A common size of galvanized steel sheets being purchased by the Government of Vietnam through U.S. AID financing is 32 gage with 236 sheets per ton at a price of \$259.50 per ton. The steel is being purchased from Korean galvanizing mills which use Japanese black plate as base.

The Vietnamese importers are charged \$259.50 per ton for galvanized (32 gage, 236 sheets per ton) purchased with U.S. AID dollars. Similar galvanized can be purchased in the open market for \$162.70 per ton for the same quality galvanized. Thus, those involved in this profiteering operation are making excess profits amounting to \$96.80 per ton merely by selling galvanized to the U.S. AID program. On projected fiscal year 1966 purchases of \$50 million worth of steel-plate, the excess profits could range as high as \$15 million.

AID is well aware of the previously stated allegations. Employees in AID, labor leaders, steel manufacturers, and I have urged them to take action to remedy these conditions. Despite this fact, AID determined, in a meeting held Monday evening, February 21, 1966, to withhold further consideration of the source ruling memo in question for 90 to 120 days. AID has also decided to permit the purchase of \$7 to \$10 million worth of galvanized plate for Vietnam under the new ruling. In addition, during the 90- to 120-day period, the Agency expects to process purchases of its fiscal year 1966 requirements for this product which may amount to \$50 million.

Industry sources indicate that they fear the Agency has also decided, but not yet published, similar rulings opening the door for Japanese supply of pig iron and billets.

The steel procurement practices of AID have been widely criticized by the steel industry for many months. Following the issuance of the new procurement policy on January 31, I contacted the Agency and asked them to reverse their policy position. Their response to my request and those of other Members of Congress have been answered with a lack of candor and substance and a great deal of sarcasm. It is apparent that we can only stop these practices by

legislative action. If we expect the American foreign aid program to provide the maximum benefit to recipient countries and, at the same time, to continue to merit the support of the American people, it is imperative that such practices as have been exposed in the purchase of galvanized steel products for South Vietnam be eliminated. We must not allow U.S. taxpayers' dollars to support and subsidize competitors to the U.S. steel industries in such developed nations as Japan. We must not allow prices paid for purchases financed by AID to be exorbitant and provide excess benefits to foreign or domestic manufacturers.

With the above in mind, I strongly urge you to support the attached amendment to H.R. 12169.

Mr. BAYH. Mr. President, for the sake of saving time of Senators, I shall briefly summarize what the amendment would do.

First, I invite the attention of the Senate to existing practices which we desire to correct. Before proceeding, let me say, in deference to the Senator in charge of the bill, that I have discussed this matter with the chairman of the committee, and I have discussed the philosophy, with which he is in accord, and I must say that he has not seen the final wording of the amendment, but we have tried our best to put in wording which he and I discussed relating to a practice which he agreed was deplorable which had been called to our attention.

This bill and previous foreign aid funds have been used to help in the pacification efforts going on in South Vietnam. We found that one of the items of prestige among the villagers in South Vietnam is a corrugated steel roof over some of their huts. This kind of roofing does away with the necessity of replacing a thatched roof after every major rain or heavy wind.

We plan this year—indeed, during the very next few weeks—to spend approximately \$50 million to purchase galvanized steel roofing for this purpose.

Up until January 31, AID was operating under one of its own memorandums which required a 90-percent-component regulation to be adhered to in the purchase of this particular commodity.

In other words, 90 percent of the commodity had to come from U.S. steel mills and had to be manufactured by U.S. steelworkers, produced in the economy of the United States, in States such as Alabama, Indiana, and other States.

However, for some reason not yet made clear to me, as of that date, AID decided to dispense with that regulation. This was called to our attention, and in investigating it we found that for the past 12 to 18 months AID had not even been policing or adhering to their own regulation, that what they had been doing, what they planned to continue to do, and what my amendment would seek to prevent them from doing in the future, is as follows:

AID has been purchasing steelplate from Japan, sending it to Korea, where it is then galvanized and sold by AID funds purchased by the Vietnamese.

The most damning feature of this whole practice is that our AID funds are being utilized to pay between \$90 and \$100 a ton more for the purchase of this

galvanized roofing material than could be purchased by anyone else who wished to purchase it.

In other words, the specific figures are in the memorandum, which points out that \$96.80 per ton is the difference between what we are receiving through AID and what the Japanese galvanized product can be purchased for on the open market for export.

Another thing which has come to light on close examination is the fact that we found the quality of the material was far inferior to what we demand in our own country under environmental conditions which are not nearly so strenuous as those in Vietnam, because of the high humidity, heat, and moisture content in that country. We do not have to discuss further what this kind of weather will do to a metal product.

But, in looking at this profiteering product being sold with the purchase of our AID funds, we find that it is half as thick as the normally accepted product would be in this country, that it is galvanized only half as much as that required by the Bureau of Standards in this country.

We find that this has a particular "wrinkle" with some of the people engaged in the business in South Vietnam, because if it is manufactured only half as thick they get twice as many sheets per ton. In Vietnam it is sold by the sheet, not by the ton, so they make twice as much profit on it.

Mr. SYMINGTON. Mr. President, will the Senator from Indiana yield briefly?

Mr. BAYH. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. I have read the proposed amendment. There have been complaints in my own State about the same matter the able Senator from Indiana brought up, I fully support his position. It ties into many things which my friend, the Senator from Oregon [Mr. Morse] and I have felt about the foreign aid programs for some time.

It shows, in my opinion, that at least to some extent the aid program is not practicing what it preaches with regard to the serious and growing more serious problem incident to our balance of payments.

The PRESIDING OFFICER. The 5 minutes have expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. The Senator from Missouri may proceed for 1 additional minute.

Mr. SYMINGTON. I hope this amendment will be adopted unanimously by the Senate.

Mr. BAYH. I thank the Senator from Missouri.

The PRESIDING OFFICER. The 1 minute has expired.

Mr. BAYH. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. The Senator from Indiana may proceed for 1 additional minute.

Mr. BAYH. Let me point out that inasmuch as this material is galvanized in Korean mills and thus sustains, to

some degree, the Korean economy, I realize the significance that this might well play in negotiation which the administration is presently involved in, so far as greater Korean participation in South Vietnam is concerned.

I would not want my amendment to be interpreted in any way as interfering with that negotiation, but I see no reason for the United States to pay for Japanese steel as much as \$100 a ton more than they would sell it to anyone else. I can see no reason why we cannot take steel manufactured in this country, ship it as black plate to Korea, let them galvanize it, and let them then sell it to the Vietnamese, minus the huge, almost 60 percent profiteering element involved.

I thank the Senator in charge of the bill, the Senator from Alabama [Mr. SPARKMAN], the Senator from Missouri and the Senator from Oregon, for their patience and tolerance.

Mr. SPARKMAN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. SPARKMAN. Mr. President, I had not had the privilege of discussing this matter with the Senator from Indiana prior to a few minutes ago. However, he had discussed it with the chairman of the committee and my understanding is that the chairman of the committee was in agreement with him.

It seems to me that the amendment does have merit. The fact is, I am rather shocked by the fact that such practices are being carried on, because we have been told time after time that when materials had to be purchased under the AID program, none was purchased from the industrialized countries with our dollars.

In other words, that the purchases would be made in the United States, or, if they had to be made in foreign countries, they would be purchased from non-industrialized countries.

I believe that has been the general practice under the AID program. From what the Senator from Indiana has said, it does not seem that that has been carried out in connection with steel purchases.

Mr. BAYH. Mr. President, will the Senator from Alabama yield for just one observation?

Mr. SPARKMAN. I am glad to yield.

Mr. BAYH. The Senator is absolutely right, I wish to show the technicality. I suppose to be correct, the final, finished product, is being purchased from Korea, but the bulk of it is steel which is purchased in Japan, which is an industrialized nation.

Mr. SPARKMAN. What percentage did the Japanese purchase make as compared to Korea?

Mr. BAYH. It was \$140 a ton. AID is buying it for \$259 but we figure galvanizing costs between \$30 and \$40. They are galvanizing it, but we are giving them the zinc to galvanize it. But here again, I am not debating or arguing the feature of letting the Koreans galvanize it. I am perfectly willing to go along with that feature of it, but it is the exorbitant difference between the price of Japanese

black plate and that of the final, finished product, that I think we need to strike at. I believe that the mills can provide that same product, to be galvanized by the Koreans.

Mr. SPARKMAN. I would feel much better about this amendment if the committee had had an opportunity to check into it; but I certainly cannot find fault with it. Therefore, acting as manager of the bill, I am willing to accept it.

I yield back my time on the amendment.

Mr. BAYH. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Indiana.

The amendment was agreed to.

Mr. KENNEDY of Massachusetts. Mr. President, last week I submitted for printing an amendment to H.R. 12169, to raise the authorization in the AID supplemental by \$10 million.

The \$10 million increase in my amendment was for a specific purpose. Its purpose was to set aside this increase to be utilized under existing authority of the foreign aid bill for contributions to international agencies, specifically the United Nations, for programs directed toward the humane problems of refugees in South Vietnam.

Some time ago I visited the United Nations, meeting with a number of independent agencies there. I talked with them about the programs they had undertaken in South Vietnam. They indicated that there were a number of U.N. programs currently in Vietnam but on a rather limited basis—as a matter of fact, to the extent of only about \$2 million.

The United Nations agencies involved in those programs are UNICEF, the U.N. Development Program, WHO, UNESCO, ILO, World Food Program, and FAO. Approximately 80 percent of the total expenditures of the U.N. agencies are for social projects such as refugees, education, health, and the like. There was, in addition, a special fund project approved on January 18, 1966, of \$1.5 million for a national technical center in Saigon, principally engineering training.

My conversations with the various agencies in that organization led me to the belief that there could be expanded programs in Vietnam in the field of refugees and in general to help disadvantaged people.

One of the critical needs these various agencies mentioned was additional support. They outlined the procedure which they called funds in trust, to which a country, or a foundation, or even an individual could contribute for a specific purpose under the auspices of one of the U.N. agencies.

It was the intention of the amendment to provide that \$10 million could be contributed by the United States after a request came from the South Vietnamese Government to the agencies for programs which would help in the field of refugees and in meeting civilian needs.

I understand this amendment was considered by the Foreign Relations Committee in executive session. And I

understand, it was considered to have a meritorious purpose.

It was determined within the Foreign Relations Committee, that there were sufficient funds available under the contingency section of the supplemental measure to meet the needs.

As a matter of fact, I received a letter from Mr. David E. Bell, Administrator of AID, on this subject which I ask unanimous consent to have printed in its entirety at this point in the RECORD. But first Mr. President, I would like to read two sections of the letter.

Mr. Bell writes that:

The Agency for International Development welcomes your active interest and efforts in this matter, but we believe sufficient legislative authority and—assuming passage of the supplemental request—funds are available to meet foreseeable needs.

In the last part of the letter it is stated:

I can assure you that the United States will support such feasible and constructive U.N. programs as are requested by the Government of Vietnam to meet the needs of the civilian population.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

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

DEPARTMENT OF STATE, AGENCY FOR
INTERNATIONAL DEVELOPMENT,
Washington, D.C., March 10, 1966.

The Honorable EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: You have asked for comment on your proposed amendment to authorize additional funds to assist U.N. and other international organizations social and economic programs in Vietnam, particularly those directed to meet the needs of the civilian refugee population.

The Agency for International Development welcomes your active interest and efforts in this matter, but we believe sufficient legislative authority and—assuming passage of the supplemental request—funds are available to meet foreseeable needs. A major effort is now being undertaken to meet the problems of the Vietnamese refugees. This assistance will be furnished under the existing authority of section 401 of the Foreign Assistance Act.

In addition, the President is authorized under section 451(a) of the Foreign Assistance Act to use the contingency fund for this purpose. The supplemental request for the contingency fund (\$100 million) provides the necessary flexibility to meet any sudden increases in the need for refugee assistance. The contingency fund may be used for direct U.S. assistance, or may be used to support programs of international organizations.

Under existing authority of section 301 of the Foreign Assistance Act, the President is authorized to make voluntary contributions to international organizations for their work in Vietnam. Efforts are being made to increase the assistance which the U.N. and its specialized agencies are extending to Vietnam, and if additional U.S. contributions are required, funds available from the supplemental appropriation can be used. I can assure you that the United States will support such feasible and constructive U.N. programs as are requested by the Government of Vietnam to meet the needs of the civilian population.

Sincerely yours,

DAVID E. BELL.

Mr. KENNEDY of Massachusetts. I am satisfied at this point that the purpose for which this amendment was intended to be introduced has been met; that Mr. Bell has indicated it is the intention of the United States to support U.N. agency efforts in meeting civilian needs in Vietnam; and I want at this time to express to the Senator from Alabama and to all members of the committee appreciation for their consideration of this matter.

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY of Massachusetts. I yield to the Senator from New York.

Mr. JAVITS. I am a member of the Senator's subcommittee. First, I wish to state that I stand with the Senator in his desire to have the United Nations facilities used in this respect. The U.N. can play a very constructive role in Vietnam and particularly in the refugee problem.

I, too, have had the privilege of talking with the agencies. I have talked in particular to Prince Sadri Khan, the High Commissioner of the U.N. for refugees. We agree that it would be a most constructive act.

So I join with my colleague in his efforts.

I would like to make one point. I was in Vietnam, as was the distinguished Senator from Massachusetts. United States policy is that the Saigon government is essentially responsible for the needs of the refugees, and that this government is not doing as well as it could or should about the refugees. The administration and care of the refugees in refugee camps is the responsibility of the Saigon government. I think that should be emphasized. But it is also true, and must be equally emphasized, that the United States has the responsibility to prod the Saigon government into taking more effective measures for and making more funds available to the refugees. The President of the United States says that we are interested in these unhappy people, but the amount of money budgeted to help them does not show a great enough recognition of the humanitarian problem of the refugees. We must give more, and we must see that what we do give actually reaches the hands of the people who need it.

Mr. KENNEDY of Massachusetts. The Senator from New York is correct in that observation. It has been mentioned that we are putting up some funds. I think the Senator will admit that the funds are woefully inadequate.

Mr. JAVITS. Completely.

Mr. KENNEDY of Massachusetts. I think the Senator will realize that the present bill provides only \$20.3 million for total refugee support. About \$4.6 million of this is the estimate of Public Law 480 products for refugees; another \$4 million is for logistics, provincial operations, and medical support; leaving a total of only \$11 million for refugee relief out of the entire supplemental amount of \$415 million. And of the \$11 million for refugee relief, some \$10.6 million was obligated last fall. So hopefully,

we are talking about \$1 million left for the relief of our 700,000 people.

Mr. JAVITS. Woefully inadequate.

Does the Senator from Massachusetts agree with me that the Saigon government, which has not done nearly as much as it should do with respect to the refugee problem, should do something more, and that if the refugee program is made a strong one, it will be one of the most effective anti-Vietcong forces? These refugees represent those very same people who used to live in the villages run by the Vietcong. These are the people whose hearts and minds we must win in order to pursue our real objectives in Vietnam. If they are left in squalor, the military effort will be to no real avail. We in the Senate must insist that the refugee problem is properly taken care of.

Mr. KENNEDY of Massachusetts. I agree with the Senator from New York. But I would note that in the last 2 weeks there has been a reorganization undertaken in Saigon. Additional expressions have been made by Mr. Bell and others in authority with respect to the organization and commitment of the Saigon government of additional funds.

As a member of the Refugee Subcommittee, the Senator from New York was extremely helpful in developing recommendations which were introduced in the Senate, outlining the specific areas in which there can be progress made.

Mr. JAVITS. The Senator from Massachusetts is the chairman of the subcommittee. Of course, we would have to have the consent of the chairman of the full committee [Mr. EASTLAND], on this, but would the Senator not think we should have hearings on this matter so that the dimensions of it may be brought to light, and so the problems involved may be exposed, so we may thereby get more help in solving it?

Mr. KENNEDY of Massachusetts. We will certainly continue the series of hearings that were commenced last year and continued for many months. I do feel that we are hopeful that the recommendations made in the last report will be considered and considered constructively and, with the help of the Senator from New York, we shall continue to oversee their implementation.

Mr. JAVITS. I thank the Senator.

The PRESIDING OFFICER (Mr. MONROYA in the chair). Does the Senator from Massachusetts intend to offer his amendment?

Mr. KENNEDY of Massachusetts. Mr. President, I feel that I have sufficient assurances that both the financial resources and the intent to use these resources are present for these U.N. programs to get underway in Vietnam. Therefore, I do not feel it necessary to press this amendment at this point in time.

Again, I appreciate the interest that has been shown by both the Foreign Relations Committee and the Department of State in this matter.

Mr. SPARKMAN. Mr. President, I ask that I be recognized for 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. SPARKMAN. I thank the Senator.

The Senator from Massachusetts has done a real service, in pointing up this problem, not only on the floor of the Senate but in the hearings held by his subcommittee and in the report that he has issued as a result of those hearings. The report is informative and interesting, and I commend its reading to every Senator.

I certainly believe that he has a strong point in urging the necessity of doing something further for the refugees. I believe that he refers to refugees and defectees in the report.

Mr. MORSE. Mr. President, I rise in opposition to the bill for the following reasons: The first point I wish to make is that the Senate is again abdicating, in my judgment, its obligations and duties to the American people in the field of foreign aid.

Here is a so-called supplemental bill for an additional \$415 million of foreign aid. Let us face it. This is an additional \$415 million of foreign aid, and a refusal on the part of the Senate—certainly on the part of the Foreign Relations Committee of the Senate—to adopt a policy that will save the American people hundreds of millions of dollars of foreign aid elsewhere in the world.

My position in the committee and now on the floor of the Senate is that if we are going to give an additional \$415 million in a package to Vietnam, the Dominican Republic, Laos, and Thailand, we ought to give the taxpayers assurance that we will save at least that much of foreign aid expenditure elsewhere. This administration is doing great damage to our domestic program by not providing the necessary funds to support a strong domestic program.

Except in war areas, such as southeast Asia, there is a greater need for this administration to support the domestic aid program in the United States than to support the wasteful, inefficient, and corruption-causing foreign aid program that it has been supporting in many parts of the world.

This administration is continuing to waste hundreds of millions of dollars of the taxpayers' money as it sends that money down wasteful drains in foreign aid around the world. We cannot get an understanding out of the Senate that if we give an additional \$415 million for foreign aid in southeast Asia, the Senate will commit itself to the taxpayers of the United States to save an equal amount elsewhere in the world.

This administration wants this additional \$415 million and wants to continue the foreign aid at the increased level that its plans for the next fiscal year encompass. What will be the end of this?

At the same time, we cut the milk program for the schoolchildren in the United States. We are for milk for Hottentots. I am, too, but I am for milk for the undernourished little boys and girls in the United States who will be lost if we do not check this President.

Let me tell where the responsibility is. I do not go along with my colleagues in the Senate who are trying to save the President from responsibility. This is

the responsibility of the President of the United States, and of no one else. Do not give me the argument of passing the buck to the Budget Bureau or the State Department or the Department of Defense. This responsibility rests right on the lap of the President of the United States.

I say to the American people, "Hold him responsible, for it is his responsibility."

We have a program here, let me say, for an additional \$415 million without any commitment from the Senate that it is going to cut off at least that amount wherever it can cut it, in foreign aid programs elsewhere in the world.

My first point is that we should not pass this bill today unless we first agree to an amendment that would require the saving of at least \$415 million out of other foreign aid programs in non-combatant areas of the world.

I wish now to discuss my first amendment. I send it to the desk and ask that it be read for the information of the Senate. I do not offer it now.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The legislative clerk read as follows:

On page 1, lines 6 and 7, strike out "\$684,200,000" and substitute therefor "\$671,700,000."

Mr. MORSE. What this amendment does, Mr. President, is cut the figure of \$25 million of additional aid to the Dominican Republic provided in the bill to \$12,500,000.

I presented this amendment in the Foreign Relations Committee, and only three of us voted for it, but that does not mean that I was mistaken. In fact, Mr. President, in my judgment, the larger the vote against me in the Senate these days, the more convinced I am of the correctness of my position, because I know what produces those votes.

Mr. President, here we are, intervening in the Dominican Republic at great loss to our prestige in Latin America. As chairman of the Subcommittee on Latin American Republics Affairs, I say that history is going to show that our course of conduct in the Dominican Republic will be a sad story, a black chapter against our country in future history books.

We are intervenors in the Dominican Republic, and have been from the very beginning. We have been from the very time when it was first made known to the people of the United States that the military junta that was ruling the Dominican Republic at the time had sent a cablegram to our Government saying it could not protect American nationals, and therefore we should send in the Marines.

But the administration forgot to tell the American people that our Ambassador in the Dominican Republic asked that military junta to send that cablegram. We were intervenors from the beginning, Mr. President, and we have lost great face throughout Latin America because of that course of action.

Let us face reality. We proposed \$25 million, and I am saying—although I

would not have us intervening at all, we are there—that the realities call for our cutting that in half, and saying to the other Latin American countries, "Where are you? Are you unwilling to put up the other \$12½ million?"

Where is the Organization of American States? Has it become just a facade? Has it become just a symbol? Or is it to be an activating body, in accordance with its charter, to help maintain peace and help bring about stability in troubled zones in Latin America?

The time has come for our country to serve notice on the countries of Latin America that if they do not recognize a mutuality of responsibility for maintaining peace and stability in Latin America, we are going to stop footing the bill and putting ourselves in a position where we are being attacked—and with justification, I am sorry to say—as returning to a policy of American intervention in Latin America.

That policy, Mr. President, is creating Communists by the thousands throughout Latin America. That policy is playing into the hands of Communists in Latin America. For that policy is a policy of supporting military juntas and walking out, again, on freedom.

Oh, I know that the present administration, including the Secretary of State, Mr. Vaughn and Mr. Mann and others, do not like to hear anyone document the many instances in which we have walked out on freedom in Latin America; but we have been walking out on freedom in Latin America and the Dominican Republic.

I have received a letter, under date of February 16, from Juan Bosch, the former President of the Dominican Republic, overthrown by the military junta which we supported instead of constitutionalism in the Dominican Republic—which was one of our later examples of walking out on freedom in Latin America. Mr. Bosch writes me, under date of February 16, as follows:

DEAR FRIEND: According to the cables which have been published here Mr. John Vaughn declared to you that the Government of the United States had given my government \$65 million.

Mr. Vaughn has proved with his declaration that he is either an inept official or that he does not tell the truth. My government received from the United States \$34,700,000 in cash, part of that sum through the sugar grant which had been retained and which was therefore Dominican money, and \$15,800,000 in agriculture surpluses, food of Care and Caritas, and services of the Peace Corps.

I want to clarify to you that my government did not spend the \$34,700,000 in cash, but less than \$20 million. The remainder was used by the triumvirate which governed after the coup d'etat of 1963.

In the name of the Dominican people I want to thank you for the energetic defense which you have made the law of nonintervention without which it is impossible to maintain international comity.

With cordial regards.

JUAN BOSCH.

Mr. President, our democratic friends in Latin America recognized the soundness of the position of Juan Bosch. I think it is most unfortunate that we are again stamping ourselves, in this bill, as

interventionists, by saying that we will put up the whole \$25 million which our authorities say is needed to carry out the program that they envision—although I have a great many reservations as to that program, by the way. But we may as well accept the major premise that that program will be carried forward. Every Senator knows that we are going to have the program. We do not have a chance to stop it yet. We will have to wait for the American people to vote, in the future, before we shall be able to stop our unsound foreign policy. So we are confronted with the fact that faces us today: The administration has the votes to continue its unjustifiable policies of intervention in Latin America.

The bill calls for \$25 million; but I think, Mr. President, we ought to get some support. At least we should demand that half of the money should come from the other Latin American countries, and find out what leaders in Latin America there are who will come in and make at least a reasonable contribution to what should be an OAS program and not a U.S. program. Much of the difficulty in Latin America stems from the fact that it is a U.S.-dominated program, and not an OAS-dominated program. Until we return to the policy of mutuality upon which the OAS charter is based, we shall continue to create a blackened image for ourselves throughout Latin America, to create Communists by the thousands, and to walk out again on freedom in Latin America.

Mr. President, I call up my amendment on the Dominican Republic.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, lines 6 and 7, strike out "\$684,200,000" and substitute "\$671,700,000."

Mr. MORSE. Mr. President, I yield myself 15 minutes.

I said earlier that in my judgment the United States stands convicted as an intervenor in the Dominican Republic; that in my judgment that intervention cannot be reconciled with the charter of the Organization of American States. Earlier in my speech I read the letter from Juan Bosch, the former President of the Dominican Republic, who, as we know, was overthrown by a military junta that the United States, to its historic shame, supported, and subsequently it intervened with military forces, and for all intents and purposes is now the dominant force in the Dominican Republic.

That is the record, Mr. President. I want to see us change that record. There is no hope under this administration of the United States stopping its policies of military intervention in the Dominican Republic and anywhere else in the world that it is decided we ought to take the position of determining for other people what their course of action should be within their own area.

But, Mr. President, I do think that the time has come when we should insist that other Latin American countries assume some responsibility, including financial responsibility in respect to such

a situation as presently exists in the Dominican Republic.

I make this plea to the American people for I am talking more to the American people today than I am to the Senate. It is only the American people who can bring the Senate under control, and also the Johnson administration.

I want the RECORD to show what our assistance has been to the Dominican Republic from the date of April 24, 1965, to March 5, 1966.

Mr. President, for supporting assistance grants for Government operations and maintenance, \$86,300,000. That consists of funds administered through OAS, \$57,000,000; and funds administered—AID, \$29,300,000. For technical corporation grants, \$4,636,000. The latter sum is broken down as follows: Agriculture, \$941,000; education, \$396,000; transportation, \$212,000. For public administration, and that means to pay for running their government—and do not forget to pay for running a government that has been characterized by military junta domination—\$1,161,000. For community development, \$128,000; and for other projects, \$1,718,000. For development loans, \$5 million; food for peace, \$7,858,000; military expenses—over and above, may I say, the \$86,300,000—\$31,300,000. That is for expenses over and above that normally required to maintain our forces, and assistance to other members of the Inter-American Peace Force.

This is a tremendous sum of money, for when one adds to the \$25 million that is called for by this supplemental, one gets the grand total of \$142,600,000 of aid to the Dominican Republic starting April 24, 1965, not including the large amount of aid we have given to the Dominican Republic prior to April 24, 1965.

Now, what is the senior Senator from Oregon trying to do with regard to this amendment? I am trying to call a halt to our paying the total bill. I am trying to find out whether or not we have any financial support in Latin America, as well as policy support. I would like to eliminate the entire amount.

The OAS or the members thereof should pick up this whole bill of the additional \$25 million, if needed. I have grave doubts whether it is needed, but I have to proceed on these assumptions.

It would be helpful if the United States said that we will pick up one-half of this, but others should put up \$12½ million. It would be helpful to our Latin American friends.

We have not only the expression of Juan Bosch in the letter that I read earlier this afternoon in the Senate, but our democratic friends in the few countries in Latin America in which there still exist so-called democracies, would be greatly encouraged if they could taper off the intervention on the part of the United States in Latin America.

I have urged the amendment on that basis. I urged it earlier as I said in the Foreign Relations Committee. Senator CLARK and Senator FULBRIGHT voted with me. But the fact that others did not

vote with me does not mean that there was not great sympathy for the position of the senior Senator from Oregon.

But what is the excuse that the majority on the Foreign Relations Committee have in regard to this amendment and other amendments? I shall talk about the other amendments such as the Fulbright amendment and the McGovern amendment and other amendments offered, when I go to the bill proper. They say, "This bill is not the proper vehicle." The difficulty in the Senate is that we can never find the proper vehicle for Senators who have great reservations about this administration's foreign policies, for Senators greatly concerned about what they have been drawn into by this administration's foreign policy, are prone, whenever there is a vote on the floor of the Senate, to get up and say, "I want to tell you what my vote does not mean. My vote does not mean that I am giving a blank check. My vote does not mean that I approve the escalation of the war. My vote does not mean that I am giving carte blanche authority. My vote does not mean this or that."

But they still vote to continue that very policy, and I say in all fairness to the administration, that the language makes it perfectly clear what their votes mean. The fact is that Senators have been giving the administration carte blanche authority. The fact is that Senators have been giving the administration the authority to exercise the arbitrary discretion it has been exercising in foreign policy in regard to foreign policy votes.

I want to see this practice tapered off. This is a good place to start. We should say, "We will not give you \$25 million; we will give you \$12.5 million. Then we will see if other countries in Latin America will accept the opportunity to contribute at least a part of the cost."

If we continue our present course of action, we will end by financing Dominican Republic affairs for some time to come, and if military juntas elsewhere observe that this practice is so profitable, we shall be encouraging other military juntas to follow a similar course of action. There is no doubt that we are already discouraging our democratic allies in Latin America.

Mr. President, I am sorry that the majority leader is not in the Chamber, for he has assured me that he will help me to obtain a ye-a-and-nay vote on any amendment that I shall offer today. I have finished my case on this amendment. I should like to have a ye-a-and-nay vote on the amendment. If it meets with the pleasure of the acting manager of the bill, I should like to suggest that there be a brief quorum call, to bring enough Senators to the Chamber, so that we may decide whether it will be possible to have a ye-a-and-nay vote on my amendment.

Mr. SYMINGTON. Mr. President, if the Senator from Oregon will yield I will make a few remarks; and then shall be glad to suggest the absence of a quorum, in an effort to obtain the yeas and nays for a vote on the Senator's amendment and shall support the Sen-

ator in his effort to obtain a ye-a-and-nay vote.

Mr. MORSE. Very well.

The PRESIDING OFFICER. How much time does the Senator from Missouri yield himself?

Mr. SYMINGTON. Do I correctly understand that I have 15 minutes in opposition to the amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. SYMINGTON. I yield myself 12 minutes.

NEED FOR FULL \$25 MILLION SUPPLEMENTAL AUTHORIZATION FOR DOMINICAN REPUBLIC

I urge the rejection of this amendment.

As a result of severe economic and political instability following the April 1965 revolution, additional supporting assistance funds—\$25 million—are necessary to:

First. Help the provisional government create and maintain the kind of stable environment which is essential if the elections planned for June 1 are to be held.

Second. Help the provisional government meet current and necessary obligations so that a newly elected government is not faced with an immediate financial crisis which would threaten its existence.

A cut from the \$25 million supplemental request could seriously impair these objectives and undermine U.S. efforts to secure a more stable and progressive future for the Dominican Republic.

A cut would reduce the amount now planned—\$15 million—to help finance current budget expenditures of the provisional government. The full \$15 million is required for wages of employees and other operating costs which are essential simply to maintain a functioning government prior to the June elections.

A cut would also reduce the \$10 million which AID plans to use for public works activities in the Dominican Republic—community development, assistance to agriculture, road maintenance and irrigation rehabilitation. These kinds of activities are all-important in the coming months to improve the life of the people and to provide more than 62,000 man-months of employment.

Other nations in the Western Hemisphere have responded to the call for assistance to the Dominican Republic following the April revolution. Argentina, Brazil, Chile, Colombia, Guatemala, Mexico, Peru, Panama, Uruguay, Venezuela—all have responded generously. Mexico, for example, has contributed many tons of food and valuable supplies of medicine as well as more than 1,000 tons of needed foods. In addition, five Latin American countries—Brazil, Costa Rica, Honduras, Nicaragua, Paraguay—have provided troops for the Inter-American Peace Force in the Dominican Republic.

The committee considered—and rejected—a proposal to cut the funds for the Dominican Republic. The full amount is needed if the U.S. objective of

a stable Dominican Republic is to be achieved.

Mr. President, I shall now speak briefly on the bill itself.

VIETNAM AID BILL

We are being asked to approve an amendment to the Foreign Assistance Act which would authorize in fiscal 1966 the appropriation of an additional \$275 million in economic assistance for South Vietnam, \$7.5 million for Thailand, and \$7.5 million for Laos.

The Committee on Foreign Relations has reported out this amendment by a vote of 18 to 1. In addition, two amendments which, in my opinion, would have worked against our position in Vietnam were defeated in committee by votes of 13 to 6 and 14 to 5.

These votes made it clear to friend and foe alike that an overwhelming majority of the Committee on Foreign Relations wants to provide all necessary support for our troops in South Vietnam.

Some opposition, nevertheless, has been expressed on the grounds that the adoption of this amendment would be tantamount to accepting the President's view of the powers which have been granted him under the Tonkin Gulf resolution, the SEATO Treaty, and the U.S. Constitution; also that its passage would involve an extension of American military commitments.

I do not propose to debate here what commitments this Nation has already made to Vietnam, or for that matter to Laos or Thailand; nor do I think it profitable to discuss at this point whether the granting of economic assistance necessarily carries with it a commitment to supply military aid in the future if such aid is later required. For the fact remains that we have already authorized the appropriation, in fiscal 1966, of over \$266 million in economic assistance for South Vietnam, \$55 million to Laos, and \$24.5 million to Thailand. Can it be seriously argued, for example, that adding \$7.5 million to the \$55 million we have already authorized for Laos somehow changes the nature or extent of the American commitment? I do not believe so. Whatever military commitments already exist will neither be enlarged nor diminished by the adoption of this amendment.

What is before us is not either the nature, or the degree, of the American commitment to other nations, rather the degree of support that we are willing to provide our own men and their allies in Vietnam. The commitment involved is the commitment to supply these troops with the tools they need to handle the job that has been assigned to them.

For while it is true that today we are being called upon to authorize the appropriation of funds for economic assistance rather than for military support, the fact is, as surely we all realize, that in the broad overall struggle for Vietnam, the items included under the heading of economic assistance are every bit as necessary as items included under the heading of military assistance. To borrow an overused but accurate phrase, we are involved in a struggle for the hearts and minds of the people.

While their jobs may have less glamour and attract less attention, the American provincial representatives assisting in the distribution of food or fertilizer, the doctor injecting penicillin into a Vietnamese child, play roles comparable to that of the foot soldier slogging through the rice paddies.

The free Vietnam which we are seeking to preserve should not be undermined by economic and social chaos and despair; but without these nonmilitary efforts, it would be only too possible to keep on winning military battles while losing the political war.

Much of the funds now being requested for Vietnam go even more directly to the support of our troops. As example, measures for police protection against assassination, torture, and terror will be funded by what we are asked to authorize today.

In this unusual war, it is not enough for our troops to push Vietcong combat units out of an area. The area must then be made secure by winning the positive loyalty of the villagers, convincing them that their interests require identification with the Government. Only then will they reveal the cells of Vietcong terror left behind to reestablish control over the villages.

Only yesterday I read an article which stated that the people in the villages of South Vietnam were now reporting who was or was not in their particular locality among the Vietcong.

And unless those cells are removed and the positive loyalty of the villagers won, that area could fall again into Vietcong hands after the South Vietnamese and our own troops depart. Then once again we and our allies would be forced to engage in the same task of driving out Vietcong combat units.

The task of pacifying these areas, of gaining the support of the villagers, of establishing government within the villages—these crucial tasks are all supported by the funds we are now being asked to authorize.

All Communists in North and South Vietnam, all Communists everywhere, know today that the United States does not intend to be driven out of Vietnam. They believe, therefore, that their only hope lies in a weakening of our determination to see this struggle through; and based on that hope, they watch constantly all that happens in this country, in an effort to find any sign that our determination may be faltering.

Failure to pass this bill could only be interpreted as a failure to back up our combat units and their needed support. It would, therefore, discourage our friends and embolden our foes; and make that much less likely the prospect that Hanoi will agree to negotiations. By prolonging the war it could only lengthen our casualty lists.

On the floor of the Senate we recently passed overwhelmingly a supplemental defense authorization bill. All the considerations which led us to support that bill should require us to support this bill. Otherwise, we will be failing the men and women in Vietnam who are working and fighting for freedom.

In closing Mr. President, I was sorry to note that an outpost of the special forces of the United States, the so-called green beret troops, at Ashau, near Laos, has now fallen.

Three members of the special force team were picked up. We are certain, therefore, that 3 of the 12 got away, and there is a possibility that 6 more got away by means of escape or evasion.

Casualties will be heavy among the some 300 to 400 South Vietnamese troops who were there, because the base is now overrun. We know that because one of the courageous Americans left in Ashau requested that the air attack be directed against the base; that is, against him. Apparently he knew they were, or were going to be, overrun.

My point in bringing this matter up is that all such outposts are working very hard to win over the confidence and trust of the villagers in their respective localities; and the passage of this bill will help them be even more successful in attaining such confidence.

I am certain that this bill will help us in that effort by giving medical supplies, food, and confidence to the people there who want to avoid the aggression and brutal terror of the Vietcong. At the same time, these people naturally fear reprisals if they work with the South Vietnamese and with the American troops.

Mr. President, I yield back the remainder of my time.

Mr. MORSE. Mr. President, I understood from the majority leader that when the Senator from Missouri concluded his talk he would suggest the absence of a quorum.

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

Mr. SYMINGTON. That is what I was going to do.

The PRESIDING OFFICER. Does the Senator from Oregon desire to ask unanimous consent for a quorum call even though all of the time has not been used?

Mr. MORSE. The majority leader suggested that we have a quorum call with the understanding that it will not count against my time. This quorum call would be for the purpose of obtaining the attendance of Senators. It will not be counted against my time.

The PRESIDING OFFICER. It requires unanimous consent.

Mr. MORSE. Mr. President, I ask unanimous consent that there be a quorum call and that the time for the quorum call not be charged against my time.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered. The yeas and nays were ordered.

Mr. MORSE. Mr. President, how much time do I have remaining on my amendment?

The PRESIDING OFFICER. The Senator from Oregon has 4 minutes remaining.

Mr. MORSE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, in my judgment the opposition of the Senator from Missouri to the amendment and his statement in support of his opposition do not meet the major premise that the senior Senator from Oregon has laid down.

I am not questioning the fact that there has been this large expenditure. I am saying that these other countries ought to come in and assist us with the proposal for an additional \$25 million.

The Senator cited a group of Latin American countries that have been of assistance to us in the Dominican Republic. I want to say that their support has been in dribble form compared with what we have spent in intervention. Even in connection with their military forces, we do the paying. We are footing the bill.

I have already in my opening statement called attention to the \$31 billion-plus that we have used to pay for these military operations.

The Senator points out that we are paying this money to governmental sources. That is true. I pointed that out, too. However, when will it stop?

I made my argument for a tapering-off program, but the essence of my argument is that now is the time for us to say quite frankly to the members of the Organization of American States: "You ought to come in under the basis of that charter and assume responsibility for bringing about stability in the Dominican Republic. You ought to be of help to us in changing our image in Latin America."

They have a hand out for all the aid that we will give them, with which to pay for their soldiery and for whatever little they do in connection with assisting in the Dominican Republic. Then, with the other hand they punch our image and point out that what we are doing is following a course of intervention—and we are.

I am asking for intervention by the Organization of American States, and not by the United States.

I am seeking to get it regularized and formalized under the charter of the Organization that should be the policy maker in Latin America, and not the United States. This is the place for us—and we would be very generous to do so—to say, "We will put up the \$12½ million of the \$25 million required, but we ask that the other countries put up the rest of the \$25 million."

I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Missouri yield back the remainder of his time?

Mr. SYMINGTON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE]. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from New Jersey [Mr. WILLIAMS], are absent on official business.

I also announce that the Senator from New Hampshire [Mr. MCINTYRE], is absent because of illness.

I further announce that the Senator from Ohio [Mr. LAUSCHE], and the Senator from Michigan [Mr. MCNAMARA], are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. HARRIS], the Senator from Ohio [Mr. LAUSCHE], and the Senator from New Jersey [Mr. WILLIAMS], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from South Carolina [Mr. THURMOND] is necessarily absent.

The Senator from California [Mr. KUCHEL] is absent because of illness.

The Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

If present and voting, the Senator from California [Mr. MURPHY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] would each vote "nay."

The result was announced—yeas 7, nays 75, as follows:

[No. 53 Leg.]

YEAS—7

Byrd, Va.	Morse	Young, Ohio
Fulbright	Robertson	
Gruening	Russell, Ga.	

NAYS—75

Aiken	Fong	Morton
Allott	Gore	Mundt
Anderson	Hart	Nelson
Bartlett	Hartke	Neuberger
Bass	Hickenlooper	Pastore
Bennett	Hill	Pearson
Bible	Holland	Pell
Boggs	Inouye	Prouty
Brewster	Jackson	Proxmire
Burdick	Javits	Randolph
Byrd, W. Va.	Jordan, N.C.	Ribicoff
Cannon	Jordan, Idaho	Russell, S.C.
Carlson	Kennedy, Mass.	Saltonstall
Case	Kennedy, N.Y.	Simpson
Cooper	Long, Mo.	Smathers
Cotton	Long, La.	Smith
Curtis	Magnuson	Sparkman
Dirksen	Mansfield	Stennis
Dodd	McClellan	Symington
Dominick	McGee	Talmadge
Douglas	Metcaif	Tower
Eastland	Miller	Tydings
Ellender	Mondale	Williams, Del.
Ervin	Monroney	Yarborough
Fannin	Montoya	Young, N. Dak.

NOT VOTING—18

Bayh	Kuchel	Moss
Church	Lausche	Murphy
Clark	McCarthy	Muskie
Harris	McGovern	Scott
Hayden	McIntyre	Thurmond
Hruska	McNamara	Williams, N.J.

So Mr. MORSE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

ABSENCE OF SENATORS CLARK AND SCOTT

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by Senators CLARK and SCOTT on the pending bill.

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

STATEMENT BY SENATORS CLARK AND SCOTT ON H.R. 12169

Mr. President, as members of the Pennsylvania State Planning Board, our presence is required at a meeting today in Harrisburg of great importance to the Commonwealth of Pennsylvania. The board is considering the allocation of funds for the different aspects of the Appalachian regional development program in Pennsylvania.

We want the RECORD to show that if we were present to vote on final passage of H.R. 12169, the bill authorizing the appropriation of an additional \$415 million in foreign assistance for fiscal year 1966, including \$275 million of supporting assistance for Vietnam, we would vote "aye."

UNITED STATES-U.S.S.R. CONFERENCE ON MIDDLE EAST ARMS RACE

Mr. JAVITS. Mr. President, I wish to address the Senate upon a foreign policy matter which, at the moment, is not right in the storm's eye in terms of the fact that there is no "hot war" raging there, but which has such potential for mischief that it is important to have it out on the floor of the Senate in order that the country and administration may give it some attention.

One of the most important aspects of the struggle in Vietnam is that the struggle should be on one front only, and that we should do our utmost to see that we do not become involved on other fronts in the world, thereby complicating our problems.

Therefore, I am going to speak now about the arms race taking place in the Middle East.

At a time when U.S. attention, quite properly, is centered on our policy and developments in Vietnam and southeast Asia, a disquieting situation is developing in the Middle East. The buildup of sophisticated arms, threats of renewed warfare in the Yemen, internal discontent and revolts in the Arab States, eruptions of inter-Arab rivalries, and the intransigence of the Arabs toward

Israel all represent real and present dangers to Middle East peace.

But even more importantly, the fact that both the United States and the Soviet Union are supplying arms to nations in the Middle East has sowed seeds of another possible confrontation between East and West, a confrontation that need not occur.

Certainly, the time has now come to launch a major international effort to consolidate the shaky Middle East peace and remove a possible source of conflict between the United States and the U.S.S.R. before, not after, an international crisis erupts in this region. This effort must include two principal elements, and I strongly recommend their implementation by our Government.

First. An understanding must be reached with the Soviet Union on the deescalation of the arms race in the Middle East, an arms race not only involving the dispute between the Arab States and Israel, but also the many disputes among the Arab States. To this end, I urge the administration to invite the Soviet Union to a conference for the purpose of ending shipments of arms and materials of war to the Middle East.

I point out, notwithstanding the fact that the Soviet Union is involved up to its neck in Vietnam, this has not stopped the U.S.S.R. from taking the diplomatic initiative, for example, with respect to India and Pakistan as it did in Tashkent. In my judgment the situation in Vietnam would not prevent them from responding to the kind of invitation which I have suggested.

Second. We must do all we can to renew our efforts to promote an understanding between the Arab States and Israel. To this end, I suggest that we use all diplomatic channels open to us and that we do so by urging the convening of a conference of all the nations of the Middle East, and all other nations having vital interests in that region, in order to make practical plans for the development of the entire region, and to pursue the possibility of permanent peace there.

The present lull in actual hostilities in the Middle East is deceptive. The Middle East today is still a smoldering fire which can be whipped into a disastrous conflagration by any of the winds of discontent which continually sweep the area. The fuel for the conflagration is accumulating through the arms race and could be ignited by the ambitions of the United Arab Republic's ambitious President Nasser.

Dangerous as are the prospects of a devastating war in the Middle East, however, the potentials for peace are also within our reach. The world climate favors negotiations as a solution to international problems—the world concern for negotiations to end the Vietnam crisis and the support for the Tashkent talks carried on by the Soviet Union, India, and Pakistan are evidence of this. The U.S.S.R. performed commendably in its role as mediator at Tashkent in the settlement of the longstanding hostilities between India and Pakistan, and certainly in arranging a cease-fire when

there was actual war between the two countries. This is a momentum which should not be allowed to be lost.

The Communist East has already given evidence that Middle East talks could serve constructive ends. Just last month, Hungarian Premier Gulya Kallai, in a press conference climaxing his visit to the Arab kingdom of Kuwait, declared himself in favor of Arab-Israel negotiations.

The blood feud between India and Pakistan dates from 1947, the year those two nations became independent. This was the year before Israel attained nationhood after extensive warfare waged by the Arabs. The internecine battles among the Arab States have at least equaled as long a history. If the spirit of Tashkent could bring India and Pakistan together, with the Soviets as a principal arbiter, there is good reason to assay a similar effort among the nations of the Middle East. The United States should now plainly and strongly indicate its willingness to pursue such an effort and make every endeavor to persuade the Soviets to join.

Let us deal with the first prerequisite to such a peace move—deescalation of the arms race. The continued existence of an uneasy balance between opposing forces in the Middle East serves to cloak the most significant change in the status quo since the United States, France, and Great Britain issued the Tripartite Declaration in May 1950, guaranteeing the Israeli-Arab armistice lines. In 1950 the world did not have to contend with a significant Soviet presence in the Middle East. Today—in 1966—the Soviets are very much a power to contend with in that tortured corner of the world.

The Soviets have established themselves in the Middle East principally through their trade in goods of war. It has been estimated that in the past decade the U.S.S.R. has sent more than \$1 billion worth of arms into the Middle East. While these arms have gone principally to the United Arab Republic and to a lesser extent to Iraq and Syria, they have also found their way into other lands—Yemen, for example.

The vehicle for the buildup of Soviet arms into the Middle East has been easy credit. Nations—like some individuals—find easy credit terms hard to resist and end up mortgaging their futures to satisfy their desires. A principal instance of this is the mortgaging by the United Arab Republic of its long staple cotton crop, the principal export commodity of that impoverished country, to the Soviet Union for years ahead.

Soviet arms have had a narcotic effect in the Middle East. The nations receiving them have demanded bigger and stronger doses while becoming more willing to pay the price for them, even if it means weakening their economies, depleting their resources, and stripping their people. Again the United Arab Republic—now composed only of Egypt—serves as a prime example; it concluded a new arms agreement with the Soviet Union estimated at about \$300 million at about the time it concluded a new agreement with the United States for \$55 million in grain to feed its hungry people.

The dangers brought on by the infusion of Soviet arms can best be illustrated by the situation in Yemen. The press, which in recent months carried reports of a cease-fire and peace negotiations in Yemen, now carries ominous reports of a troop buildup and a new introduction of Soviet arms into that strife-torn corner of the Arabian peninsula. The Saudis now assert that the United Arab Republic has sent 9,000 fresh troops into the area, after a token withdrawal of 2,000 men. It is also alleged that, in violation of the Yemen truce agreement, a Soviet ship has unloaded an arms shipment at the Yemeni port of Hodeida.

And just last week, United Arab Republic President Nasser has again threatened to bring a final end to the uneasy Yemen truce and renew hostilities there, a threat which the Saudis and the Yemenis are taking quite seriously.

In this connection, I call attention to a very important news item which appeared in the press yesterday morning, headed "Faisal Warns United States on Reds in Yemen," with respect to charges that the Soviet Union and the Chinese are building up arms for subversion in the Middle East.

I ask unanimous consent that the article be printed in the RECORD at this point.

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

FAISAL WARNS UNITED STATES ON REDS IN YEMEN—SAYS RUSSIANS AND CHINESE BUILD SUBVERSION BASE

(By John W. Finney)

WASHINGTON, March 8.—King Faisal of Saudi Arabia has expressed concern to President Johnson that the Soviet Union and Communist China may be establishing a base in Yemen for subversion in the Middle East and Africa.

The King's apprehension was expressed in a private letter delivered 2 weeks ago to Mr. Johnson by Prince Sultan Bin Abd al-Aziz, the Saudi Defense Minister. With unusual diplomatic secrecy, the Faisal letter was delivered sealed to the President and translated on the spot by an interpreter furnished by the U.S. Information Agency.

The President sent back an immediate reply. While the contents of the President's letter remain secret, it was understood that administration officials do not necessarily subscribe to King Faisal's fears that the Communists are seeking to establish a foothold for subversion in Yemen.

BASE FOR SUBVERSION

The Faisal letter was reliably reported to have been largely a restatement of the Saudi position in the Yemen civil war in which Saudi-supported royalist forces are confronting the republican regime. The republicans are supported by United Arab Republic troops and Soviet supplied equipment.

In the course of defending the Saudi position, Faisal was said to have emphasized the danger that the Communists were taking advantage of the Yemeni war to establish a forward base for subversion.

According to close associates, King Faisal believes that Yemen could develop into the "Cuba of the Middle East" with the Communists using the small, mountainous country on the southwestern corner of the Arabian peninsula to support subversive activities in the Middle East and Africa.

In this connection, Saudi sources say that a 2½-mile-long airstrip constructed with Soviet assistance near Sana, the Yemeni capital, could help overcome many of the logistical problems encountered in the past in funneling arms down to dissident groups in Africa.

NEW ARMS PACT SIGNED

According to associates, King Faisal believes that the Communist interest in Yemen may help explain the difficulties in reaching a political settlement of the Yemen dispute with the Egyptian President Gamal Abdel Nasser.

His suspicion is that in return for a new pact with the Soviet Union, reported to involve \$200 million in arms, President Nasser may be dragging his feet in implementing a peace pact signed last August by the Saudi and Egyptian leaders.

Under the agreement the Saudis were to stop supplying arms and supplies to the royalist forces and the United Arab Republic was to start withdrawing its forces, now estimated at 70,000.

Thus far, there has been no withdrawal of Egyptian troops, but the United States tends to support the Nasser interpretation that withdrawal was contingent upon creation of a provisional coalition government in Yemen. Such a regime has yet to be formed.

American officials are skeptical that either the Russians or the Chinese Communists are prepared to make a major political investment in Yemen or that there is an ulterior motive of subversion behind their financial support of the republican regime.

Mr. JAVITS. But Yemen, where United Arab Republic and Saudi arms oppose one another, is not the only hot spot. The Libyans early this year convicted an Egyptian agent for sabotaging its American-leased oilfields. Iraq and Iran are exchanging shots over their borders. Syria has been torn by another revolution. United Arab Republic President Nasser has renewed his diatribes against the United States. Iraqi pressures against the Kurds persist; both sides receive Soviet aid. And the Arabs continue to mobilize to fulfill their pledge to drive the Israelis into the sea.

In that connection, I also ask unanimous consent that a press report of this morning on this subject, headed "Cairo Reported To Plan Anti-West Conference," be printed in the RECORD at this point.

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

CAIRO REPORTED TO PLAN ANTI-WEST CONFERENCE

CAIRO, March 8.—The United Arab Republic, deeply concerned over the Ghanaian coup and the blow it has dealt to progressive forces in Africa, is trying to organize an anti-Western leaders' conference here later this month, authoritative Egyptian sources said Tuesday.

These sources said that the goal of meeting, if it is held, would be to try to blunt the offensive of the imperialist powers against the liberated countries.

Well-placed Egyptian sources said that President Gamal Abdel Nasser had held consultations through diplomatic channels with President Tito of Yugoslavia and that the two leaders had made contact with about 25 nonaligned states in Africa and Asia with the aim of holding the conference.

Mr. JAVITS. Mr. President, even these international conflicts do not constitute the only danger. The regimes of the relatively moderate King Faisal in

Saudi Arabia and King Hussein in Jordan could come to a violent end at any moment. Hussein's autobiography, "Uneasy Lies the Head," relates ingenious plots of his life—most of them allegedly inspired by the United Arab Republic—and he acknowledges the slender shadow that separates him from the same end by assassination which met his grandfather, the late King Abdullah.

We recall what happened in Iraq in 1958, when the pro-Western Nuri Said-Faisal regime, which had been extensively equipped in weaponry by the United States, was overthrown in a bloody revolt which saw that unhappy nation withdraw from the Dulles-organized Baghdad Pact—a withdrawal which presaged the pact's downfall—and turn away from the United States to the U.S.S.R. in that area.

U.S. News & World Report, in a January 24 article on the Middle East arms buildup, concluded succinctly:

Next time war flares up in the Middle East, it may be with a bigger bang.

And that "bigger bang" would be a direct result of the Soviet arms boom and the use by the U.S.S.R. of the Middle East as a dumping ground for its surplus weapons.

We have been forced to react, so this is no light matter.

The recent announcement that the United States is now supplying modern tanks directly to Israel, rather than finding indirect means to maintain the arms balance, is an encouraging sign. It indicates that we now openly acknowledge what in effect is generally known in the Middle East—that the United States will not stand idly by while the Arab nations obtain a preponderance of arms to carry out their often-repeated pledge to wipe out Israel—let alone to try to wipe out each other.

On the one hand, the United States exhibits a real and sincere concern for raising the living standards of impoverished peoples in the Middle East. On the other, however, we look on as the governments of poverty-ridden Arab lands divert essential resources to a spiraling military buildup. In addition, through our aid policies—such as the recent \$55 million surplus food contract with the United Arab Republic—we make possible further purchases of Soviet arms. Because Nasser does not have to use his cotton crop to buy food, he uses it to add to his arms.

At this point in history when the United States talks seriously of disarmament agreements with the Soviet Union, it seems incongruous that our Government should stand by as arms proliferate in the Middle East, an area where international tensions are at a dangerous enough pitch even without the buildup of military hardware. The Soviet Union, the United States, and 17 other nations, East and West, are currently engaged in disarmament talks in Geneva, talks which the United States and the U.S.S.R. both have indicated must not be disturbed by events in Vietnam. Yet, the Middle East arms race continues to escalate. The standards of Geneva should be applied to the Middle East.

I repeat, the United States should invite the Soviet Union to confer with respect to having a cessation to the arms buildup to which they are parties in the Middle East.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Alaska.

Mr. GRUENING. I commend the Senator from New York for his very thoughtful and comprehensive estimate of the explosive situation in the Middle East. As he knows, there are many of us in the Senate who have been greatly concerned about it for years and have tried to do something about it.

The comment that I wish to make and on which I would like to get the view of the Senator is this. It is all very well to try to get the Russians to change their policies, but what is the matter with the United States changing its policies?

Successive U.S. administrations have supported Nasser through thick and thin regardless of his actions, all so contrary to the interests of the United States. There were the treaty violations in his operation of the Suez Canal; his continuing war against Israel, a part of which has been the denial not merely of access to Israel's ships but to any ships of any nation carrying cargo to or from Israel; the building up of sophisticated weapons; the war in Yemen, which has gone on now for over 3 years at a fantastic cost; the toleration of the burning of the Kennedy library; the sending of arms to stir up trouble in Cyprus; aid to the rebels in the Congo; the shooting down of an unarmed U.S. plane with the resultant deaths of the pilot and copilot; persuading the Libyans to push us out of Wheelus Air Force Base; and so on and so forth. All this, coupled with denunciations of the United States, which were temporarily in abeyance when our AID program was expiring, but now that we have renewed it, are being resumed with Nasser's accustomed intemperateness.

I find it difficult to understand why it has been impossible to get the administrations not to accept the amendment repeatedly enacted in the Senate, which I sponsored and which has been cosponsored by others, including the Senator from New York [Mr. JAVITS], that we withhold all aid to Nasser until he stops aggression. As the Senator from New York knows, in order to get this amendment adopted, it has been necessary to include in it the qualifying phrase, "unless the President finds it in the national interest to continue it." It seems difficult to understand how the President, which in this case means someone in the State Department, can continually find it is in the national interest to aid Nasser.

We should long ago have served notice on him that unless he stops these aggressive policies, opens up the Suez Canal, and so forth, we would give him no more aid. It is we, the United States, who can take the responsibility for these nauseating actions on his part because we continue to support and subsidize him with U.S. taxpayers' dollars. As long as that continues, we are a party to the tragic

situation which the Senator from New York so well describes.

Mr. JAVITS. I must say to the Senator from Alaska that we tried to stop this. We tried an amendment to prevent it. I think the administration is most misguided. I am endeavoring to point this out in this speech, but not as well as the Senator has said it. With its left hand the United States is feeding the Egyptian people while with its right hand it seems to be feeding arms into the area to counterbalance the buildup of this food and aid, which helps Nasser.

We are dealing with \$55 million in food. It may or may not make that difference. I am told that a large proportion of the food eaten by the Egyptians is our food.

I thank the Senator. He has described the situation well and I agree thoroughly with what he has said. I hope that the fundamental thrust that I am trying to get at today will not be lost by the high priority to be given to an effort to have the Soviet Union and arms shipments into the Near East and contributing to the arms imbalance there. I refer to ending the escalation of the arms race, which is just about in balance now from what we have given to the Arab countries. I depreciate that. It is not something I favor. It was compelled on us by necessity.

The thing to do, and I believe that there is a chance to do it, is to agree with the Soviet Union to a standstill on arms in that area.

Mr. GRUENING. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GRUENING. But while selling these 200 Patton tanks to Israel seemed to the Johnson administration the best way to achieve a balance in the Middle East arms race, it seems to me that rather than burden Israel with this great expense, when her funds are so needed for worthy economic projects, we should have tried the other course. We should have long ago withdrawn and should now withdraw our financial aid to stop the arms race. It is shocking that the United States is actually promoting the arms race. We have gone back on our long-standing professions. Moreover, selling Israel tanks, which will strengthen Israel in a ground war, will not protect that little civilized country against being destroyed overnight by Nasser's missiles, which in a few minutes could level the three cities of Israel—Jerusalem, Tel Aviv, and Haifa. These sophisticated weapons Nasser has been developing with the aid of Nazi scientists.

I hope that in time, if we persist, an intelligent and decent policy will take the place of the folly we are committing by encouraging and subsidizing an arms race and encouraging, by our continued subsidization of Nasser, all his acts of aggression.

Mr. JAVITS. I thank the Senator for his helpful remarks.

I wish to deal briefly with the second element of the Middle East peace effort.

Now, for the second vital element of the Middle East peace effort—promotion of an Arab-Israel understanding. It is encouraging that the efforts of President

Habib Bourguiba, of Tunisia, toward such an understanding have not met with the overwhelming opposition from his brother Arabs which had been anticipated, giving indication that the Arab leaders, if given the proper opportunity and encouragement, might seek the road to peace.

A major criticism of this administration has been its reluctance to be persuasive with the Arabs to come to the peace table, a reluctance based on the fear that the Arabs would resent the pressure. But, as West Germany demonstrated just last year, such fears rest on weak foundations. It will be recalled that the Federal Republic of Germany recognized Israel in the face of Arab diplomatic threats of the most drastic kind. Today German relations with the Arab world remain strong and the commerce between them is growing rather than diminishing. The fears proved unfounded.

Persistent and continuing efforts by the United States for a Middle East peace are vital for such continuing efforts are needed to build up public opinion—in the Middle East itself as well as in the West and the East—which will rise in support of finally laying to rest the threat of war in that troubled area of the world. An effective resolution of the longstanding Arab-Israeli quarrel cannot be brought about overnight or through one single dramatic effort. The climate must be carefully created and world opinion mustered in support. But the United States must lead the way, especially since the United States missed its opportunity when it failed to support the United Nations effort of 16 African and Latin American nations in January 1962 to bring the Middle East disputes to the conference table.

That was a bad mess and we should make every effort to make up for it.

There is a delicate balance of arms between opposing forces which serves to preserve the peace today in the Middle East. Two uneasy truces stand threatened by any imbalance of arms. One involves the groups of Arab nations supplied on one hand by the Soviets—principally Syria, Iraq, and the United Arab Republic—and those supplied by the United States on the other—chiefly, Jordan and Saudi Arabia. The other uneasy truce involves the Arab States versus Israel. And in order to avoid a dangerous military imbalance, the United States has sent arms into the area.

Let us have no illusions about Israel. We know that its people are valiant but bared flesh cannot be exposed to modern weapons.

Israel is in an especially precarious position with regard to the maintenance of a military balance. Surrounded by sworn enemies, it cannot afford to relax its vigilance or permit its strength to be eroded. In addition, as a growing nation which still receives on an average more than 50,000 homeless and impoverished refugees each year, it finds its necessary defense expenditures an enormous drain on its overstrained economy and a drag on its development.

There is no question about the fact that it is only the voluntary contribution of the American community which has sustained Israel in this dire situation.

Unquestionably Israel has progressed. She is in the strongest rampart we have in the Mediterranean. Its industrial growth between 1957 and 1964 averaged 10.5 percent annually, second only to that of Japan. Between 1948, when she attained independence, and 1963, the last time we had reliable figures, its agricultural growth rate has been 9.7 percent annually, surpassing that of other developing countries.

And Israel's hard currency reserves now approximate \$700 million, a factor cited by Washington economists to support their thesis that Israel is no longer entitled to U.S. economic aid. While it is quite true that Israel's reserves are high in relation to its normal purchasing needs, it is also true—regrettably for Israel—that these reserves do not flow from any favorable balance in its international trade. These reserves stem from the sales of Israel bonds, which must be repaid; from German restitution and reparations, which are coming to an end and will leave a big hole in Israel's economy; and from U.S. Government economic help which has been much reduced. And—unhappily—Israel's balance of trade continues to be adverse.

Also looming large on the minus side of the ledger is Israel's foreign currency debt of some \$1.2 billion. This is the highest per capita foreign currency debt in the world. Israel, therefore, must accumulate reserves to pay off this debt as it comes due.

This enormous foreign currency debt and the bleak prospects for Israel's foreign currency reserves argue forcefully for the continuation of U.S. economic aid. Israel has proven—and daily continues to prove—a true friend and reliable ally at a time when its Arab neighbors are extending gestures of friendship to the North Vietnamese and to the Vietcong.

Israel, for example, has welcomed for training agriculture and industry future leaders from several score developing nations in Africa, Asia, and Latin America, including Burma, Bolivia, Cambodia, Dahomey, Ecuador, Ethiopia, Laos, Liberia, Nepal, Mali, Tanganyika, Thailand, Upper Volta, and Zanzibar, to name a few. This training is an effective counterbalance to the invitations being issued to these developing countries by Red China, the Soviet Union, and Cuba.

Thus, economic aid to Israel is a wise and proper investment in furthering our own foreign policy and pays proven dividends in strengthening democracy and a reliance upon democratic institutions—rather than communism—in developing nations throughout the world. I most strongly urge that this aid be continued.

But if the Israeli economy is the victim of the arms race, so is the economy of the Arab States, as I pointed out earlier. The United States does the Arabs no favor when we collaborate with them in the diversion for weaponry of their limited resources and energies.

The Arab nations suffer from woefully low standards of living. And food production in Egypt, Tunisia, and Jordan is failing to keep pace with their rapid population growth.

It is quite clear that the best economic aid we could give to these countries—an effort which demands the best of our energies—is to bring about an end to the costly arms race in the Middle East through an understanding with the Soviets and to launch a concerted drive to restore a measure of peace and tranquillity to that too long troubled area.

I end as I began, by urging upon our Government and upon the Senate the vital need to do something in the Middle East before we are faced with a second front in respect of the conflict which has taken place in Vietnam.

AMENDMENT OF THE FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. JAVITS. Mr. President, with the indulgence of the leadership, I should like to say a word about the measure which is now pending before the Senate, the authorization for foreign aid. I trust the RECORD will show this as a part of the debate on the foreign aid bill.

Mr. SPARKMAN. Mr. President, may I ask the Senator how much time he desires?

Mr. JAVITS. Three minutes.

Mr. SPARKMAN. It might be well to remind ourselves that we are now operating under controlled time.

The PRESIDING OFFICER. The time on the bill will run now.

Mr. SPARKMAN. Mr. President, as the acting majority leader, I ask for recognition.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 30 minutes.

Mr. SPARKMAN. I yield 3 minutes to the Senator from New York.

Mr. JAVITS. I thank the Senator from Alabama.

The problem concerning refugees in Vietnam has already been discussed. I merely record again the facts set forth in my colloquy with the distinguished Senator from Massachusetts [Mr. KENNEDY]: First, we should make certain that the refugees are well handled, intelligently handled, and effectively handled. In order to do that, the United States cannot allow the Saigon officials to run the program themselves. We should finance it, or help to finance it, and we should also take the direct responsibility to see to it that what is done is done right.

Having visited Vietnam, I am convinced that roughly 700,000 refugees can be the most effective cadre of any we are financing there for the purpose of dealing with the Communist Vietcong. These are the basic people of the country. They have escaped to us in order to avoid the terror and brutality of the Vietcong. They have every reason to

feel deeply angered by what the Vietcong have done in raiding and ravaging camps and killing men, women, and children in cold blood. The Vietcong certainly showed their hand.

So this is an initiative which is critically important to our Nation. I am convinced, from having been in Vietnam, that our people there have left much too much to the Saigon government, a government which is not nearly so sensitive to the refugee problem as we are and does not begin to understand, as we do, its great significance.

My second point is this: When I returned, I urged the President to appoint a special representative who would have a title analogous to that given to Averell Harriman in connection with the Marshall plan in 1948 and 1949. Such a special representative would coordinate all the counterinsurgency pacification efforts of the United States, other than the military; and then, with the military, would adopt policies which would fit in with what the civilian agencies were doing. That effort is now being carried on by U.S. operations men in Vietnam who are administering the AID program, by the U.S. Information Service, by the civil affairs section of the military forces, and by the CIA.

Laudable as are the efforts of each agency, they must be tied together to do a complete job. I know that the President has appointed Ambassador Porter for the purpose, but I have seen little evidence so far of a strong hand to seize control of the situation in order to carry on the program effectively.

Finally, I urge the Government most earnestly to expand the opportunities and goals for a political action training school at Vung Tao, southeast of Saigon, where we are training 3,000 of the finest youth of Vietnam to be cadres in villages and hamlets for general military purposes, and to give leadership in their efforts to bring an understanding of the objectives for which the entire South Vietnamese people are fighting.

I know of no effort that should be higher in priority in all of Vietnam. The goal for this year is to achieve a force of 43,000 of these young people, 23,000 having already been graduated, in the hope of pacifying a thousand or more additional hamlets in 1966. But there are 12,000 to go.

I urge our Government and our authorities to maximize this program promptly, because it deserves parity equal to the valorous military effort which our country is making in Vietnam.

Mr. SPARKMAN. Mr. President, I yield 3 minutes to the distinguished Senator from Alaska.

ECONOMIC AID FOR VIETNAM—WHY IS IT NEEDED NOW?

Mr. GRUENING. Mr. President, the pending bill, H.R. 12169, to amend the Foreign Assistance Act of 1961, comes to the Senate as a matter of supposed urgency ostensibly to authorize additional appropriations for the U.S. AID programs in Vietnam, Laos, Thailand, and the Dominican Republic.

But it is more than that. In transmitting this request, President Johnson stated:

In the last 2 years, in repeated acts of authorization and appropriation, the Congress has provided continuing support for our national decision "to prevent further aggression" in southeast Asia. The quoted words come from the joint resolution of the Congress—Public Law 88-408—approved on August 10, 1964. It is in the letter and the spirit of the resolution that I request this supplementary appropriation.

For reasons which I have in the past detailed, I do not subscribe to our continued military intrusion in Vietnam and its steady escalation. I expressed my views in a major speech on the floor of the Senate just 2 years ago today—March 10, 1964. At that time, before we had committed our troops to combat, a reasonable and peaceful settlement would have been more easily attainable had we then gone to the United Nations, as our adherence to the United Nations Charter obligated us to do. We missed that opportunity and plunged our nation into war.

I also have serious doubts as to the need at this time for the additional funds asked to be authorized by the bill for the AID program in Vietnam.

It is difficult for me to support a tremendous request for economic aid for Vietnam at a time when our own domestic programs are being drastically slashed. I cannot understand a request for an additional \$275 million in AID funds for Vietnam—more than a doubling of the program—at a time when our own school lunch program has been cut away back, when milk is being taken away from our children, when our impacted area school aid program has been cut out, and when our war on poverty is diminished—to name just a few of our vital programs here at home that have been sharply curtailed.

The regular AID program for Vietnam for fiscal 1966 totaled \$266 million. That was for the entire fiscal year. But now, for the remainder of that same fiscal year, which has only 3½ months to run, we are asked to authorize appropriations in the amount of \$275 million. This is at an annual rate of over a billion dollars for this tiny country in addition to the amount authorized under the recently passed Asian Bank bill.

I have serious doubts in view of the persistent and flagrant black market in Vietnam, the inflation rate of 40 percent, the widespread corruption and maladministration in that country that the sum requested can be wisely, economically or profitably spent there.

It seems to me that throwing U.S. dollars around in this profligate way can do more harm than good to the people of Vietnam.

As the Foreign Relations Committee so aptly stated in reporting this measure:

The committee finds little room for encouragement under existing circumstances about the prospects for our aid being effective in molding sound economic and social developments leading to a better way of life for the people of South Vietnam.

I am not unsympathetic with the objective of the administration's pacification program and would be pleased to support such a program—but at the proper time. This is not the proper time. An economic aid program can only work in a country which has stable conditions. That is not the case with respect to Vietnam.

As the Foreign Relations Committee has stated:

Until the military situation improves, our aid program is likely to be little more than a holding operation, keeping the wolves of rampant inflation away from the door, and providing relief where needed. The committee hopes that the officials of the South Vietnamese Government will vigorously pursue a program of economic and social reforms as pledged in the declaration of Honolulu. This committee will remain skeptical until words are matched with measurable deeds.

The committee's skepticism is fully justified, and I share it.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. GRUENING. I yield.

Mr. MORSE. Does not the Senator think it is remarkable that we should have a recommendation from a committee for the passage of a bill, while at the same time it files that negative report on the bill?

Mr. GRUENING. It is almost incomprehensible.

The committee's skepticism is justified by the unvaryingly pathetic performance of the various coup-imposed South Vietnamese officials and the 12-year-old failure of our representatives to secure any improvement.

Those self-imposed characters in power in South Vietnam have all come in to the accompaniment of hopeful plaudits by our own officialdom who have been playing the same cracked record over and over while the credibility gap has widened and widened, and widened.

For all these reasons, I am constrained to vote against this bill.

Mr. SPARKMAN. Mr. President, I yield 30 minutes to the senior Senator from Oregon.

The PRESIDING OFFICER. The Senator from Alabama had 30 minutes to begin with.

Mr. SPARKMAN. Mr. President, I shall assume the minority control also, if I may, since no Member of the minority is present.

The PRESIDING OFFICER. Without objection, 15 minutes from the time under the control of the majority side and 15 minutes from the time under the control of the minority side will be allotted to the senior Senator from Oregon.

Mr. SPARKMAN. Mr. President, as soon as the minority leader returns, I shall renounce my claim over that time.

Mr. MORSE. Mr. President, I rise in opposition to the bill and in support of the very able statement just made by the Senator from Alaska [Mr. GRUENING].

I agreed to the third reading of the bill a few moments ago because it was perfectly obvious that any proposal of fur-

their amendments would be a waste of the time of the Senate. The steamroller is moving. The die is cast. The Senate is again abdicating its power and transferring more and more arbitrary and capricious power to the President of the United States, weakening in this bill again our system of checks and balances and strengthening the increasing danger in this country of a government by Executive supremacy, which is not safe for the freedom of the American people.

The Senator from Alaska was very correct in emphasizing the views of the Committee on Foreign Relations in respect to this bill.

Mr. President, without taking the time to read those supplemental views, I ask unanimous consent that there be printed at this point in the RECORD the supplemental views of the Senator from Idaho [Mr. CHURCH] and the Senator from Pennsylvania [Mr. CLARK].

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

SUPPLEMENTAL VIEWS ON H.R. 12169

It is our view that the situation in Vietnam requires approval of the pending bill and we intend to vote for it. Nevertheless, we believe that the public hearings which the Committee on Foreign Relations conducted while considering this legislation indicate the need for this expression.

Evidence received by the committee, in our judgment, indicates that the reasons for the present size and scope of U.S. involvement in southeast Asia are subject to question. Furthermore, we believe that U.S. involvement there is in danger of becoming "openended," to use the phrase of the Mansfield report, and, as a consequence, that there is a serious distortion of the overall foreign policy of the United States as well as of governmental activities within the United States.

We believe that the amendment proposed by the junior Senator from South Dakota, Mr. MCGOVERN, is a moderate expression of our views. That amendment states:

"(a) The Congress hereby declares that its action in authorizing the additional assistance for Vietnam provided by this Act—

"(1) shall not be construed as a ratification of any policy decision heretofore made with respect to hostilities in Vietnam, or as an endorsement of any future commitment with respect to such hostilities; and

"(2) is taken with the hope that such additional assistance will contribute to an early cessation, rather than a widening, of such hostilities.

"(b) Recognizing the desire of the President to limit the scope of hostilities and to reach an honorable settlement of the conflict and cognizant of the desirability of improved relations between the people of the United States and the people of Asia, it is the sense of the Congress, that United States foreign policy in Asia should seek to minimize the risks of military involvement and to promote orderly economic and social development."

FRANK CHURCH.
JOSEPH S. CLARK.

Mr. MORSE. Mr. President, I say most respectfully that, with those views, they should be joining me in voting against the bill, and not supporting it.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a statement of the con-

clusion of the committee, commencing on page 9 of the committee's report.

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

CONCLUSION

Foreign aid should not remain sacrosanct when it comes to apportioning the war's financial costs among Federal activities. Belt tightening because of the war must not be restricted to domestic programs but should include our foreign aid programs as well. American citizens should not be called upon to accept reductions in programs which affect their daily lives, see their taxes increased and war costs spiral, while the foreign aid program escapes unaffected and undiminished. A reduction in the aid program will be of help in funding domestic programs proposed to be cut back in fiscal 1967.

The fiscal 1967 appropriations request for economic assistance is \$2,469 billion compared with a total appropriation for this fiscal year of \$2,463 billion, including the funds authorized by this bill. It appears that programs in other countries have not been reduced to compensate for the increased program in Vietnam. The committee expects that the reductions in the total program will take into account the additional assistance provided here for Vietnam and that the executive branch's presentation to the committee will be in keeping with this intent.

The committee in asking that the budget presentation reflect an appropriate reduction in the proposed program for the next fiscal year does not wish to imply that further economies are not needed in the program for fiscal 1966. Every effort should be made to make savings in uncommitted funds for fiscal 1966 and the committee will expect to receive a full report during the presentation of the 1967 program to the committee on the steps being taken to accomplish this objective.

This aid request is in the nature of an emergency measure and without these additional funds the economy of South Vietnam would be in great danger. The committee has handled this bill accordingly and has not given the nuts and bolts of the package the scrutiny that it would under normal circumstances. Although the committee has approved the bill without amendment, it does not wish to leave the impression that it finds no fault with the aid program in Vietnam or any of the other countries affected.

The committee is concerned about recent news reports of widespread corruption in Vietnam involving our aid. It is hoped that the program is being policed adequately all the way up and down the line by our officials. Recently the General Accounting Office announced that it will revitalize its investigative activities concerning the AID program in Vietnam and conduct on-the-scene audits. The committee approves this decision and urges that the General Accounting Office, the Agency for International Development, and the Inspector General of Foreign Assistance investigating units give very careful scrutiny to all aspects of our assistance program, particularly the commodity import program which is so susceptible to mishandling under wartime conditions.

The committee finds little room for encouragement under existing circumstances about the prospects for our aid being effective in molding sound economic and social developments leading to a better way of life for the people of South Vietnam. Until the military situation improves, our aid program is likely to be little more than a holding operation, keeping the wolves of rampant

inflation away from the door, and providing relief where needed. The committee hopes that the officials of the South Vietnamese Government will vigorously pursue a program of economic and social reforms as pledged in the Declaration of Honolulu. This committee will remain skeptical until words are matched with measurable deeds.

Mr. MORSE. Mr. President, any committee that brings a report such as this to the floor of the Senate, with that statement of conclusion in it, should be supporting me in opposition to the bill and not supporting the bill. When we get all through with the committee report, and with the majority and supplemental views, and when we get all through reading the transcript of record made by the committee in our discussion of this bill, we can only wonder why this bill is being recommended by the Committee on Foreign Relations.

Mr. President, I ask unanimous consent that the conclusion of the so-called Mansfield report be printed at this point in the RECORD.

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

E. CONCLUDING COMMENTS

A rapid solution to the conflict in Vietnam is not in immediate prospect. This would appear to be the case whether military victory is pursued or negotiations do, in fact, materialize.

Insofar as the military situation is concerned, the large-scale introduction of U.S. forces and their entry into combat has blunted but not turned back the drive of the Vietcong. The latter have responded to the increased American role with a further strengthening of their forces by local recruitment in the south and reinforcements from the north and a general stepping up of military activity. As a result the lines remain drawn in South Vietnam in substantially the same pattern as they were at the outset of the increased U.S. commitment. What has changed basically is the scope and intensity of the struggle and the part which is being played by the forces of the United States and those of North Vietnam.

Despite the great increase in American military commitment, it is doubtful in view of the acceleration of Vietcong efforts that the constricted position now held in Vietnam by the Saigon government can continue to be held for the indefinite future, let alone extended, without a further augmentation of American forces on the ground. Indeed, if present trends continue, there is no assurance as to what ultimate increase in American military commitment will be required before the conflict is terminated. For the fact is that under present terms of reference and as the war has evolved, the question is not one of applying increased U.S. pressure to a defined military situation but rather of pressing against a military situation which is, in effect, open ended. How open is dependent on the extent to which North Vietnam and its supporters are willing and able to meet increased force by increased force. All of mainland southeast Asia, at least, cannot be ruled out as a potential battlefield. As noted, the war has already expanded significantly into Laos and is beginning to lap over the Cambodian border while pressures increase in the northeast of Thailand.

Even if the war remains substantially within its present limits, there is little foundation for the expectation that the Government of Vietnam in Saigon will be able, in

the near future, to carry a much greater burden than it is now carrying. This is in no sense a reflection on the caliber of the current leaders of Vietnam. But the fact is that they are, as other Vietnamese Governments have been over the past decade, at the beginning of a beginning in dealing with the problems of popular mobilization in support of the Government. They are starting, moreover, from a point considerably behind that which prevailed at the time of President Diem's assassination. Under present concepts and plans, then, what lies ahead is, literally, a vast and continuing undertaking in social engineering in the wake of such military progress as may be registered. And for many years to come this task will be very heavily dependent on U.S. foreign aid.

The basic concept of present American policy with respect to Vietnam casts the United States in the role of support of the Vietnamese Government and people. This concept becomes more difficult to maintain as the military participation of the United States undergoes rapid increase. Yet a change in the basic concept could have a most unfortunate impact upon the Vietnamese people and the world at large. What is involved here is the necessity for the greatest restraint in word and action, lest the concept be eroded and the war drained of a purpose with meaning to the people of Vietnam.

This danger is great, not only because of the military realities of the situation but also because, with a few exceptions, assistance has not been and is not likely to be forthcoming for the war effort in South Vietnam from nations other than the United States. On the contrary, as it now appears, the longer the war continues in its present pattern and the more it expands in scope, the greater will become the strain placed upon the relations of the United States with allies both in the Far East and in Europe.

Many nations are deeply desirous of an end to this conflict as quickly as possible. Few are specific as to the manner in which this end can be brought about or the shape it is likely to take. In any event, even though other nations, in certain circumstances, may be willing to play a third-party role in bringing about negotiations, any prospects for effective negotiations at this time (and they are slim) are likely to be largely dependent on the initiative and efforts of the combatants.

Negotiations at this time, moreover, if they do come about, and if they are accompanied by a cease-fire and standstill, would serve to stabilize a situation in which the majority of the population remains under nominal Government control but in which dominance of the countryside rests largely in the hands of the Vietcong. What might eventually materialize through negotiations from this situation cannot be foreseen at this time with any degree of certainty.

That is not, to say the least, a very satisfactory prospect. What needs also to be borne in mind, however, is that the visible alternative at this time and under present terms of reference is the indefinite expansion and intensification of the war which will require the continuous introduction of additional U.S. forces. The end of that course cannot be foreseen, either, and there are no grounds for optimism that the end is likely to be reached within the confines of South Vietnam or within the very near future.

In short, such choices as may be open are not simple choices. They are difficult and painful choices and they are beset with many imponderables. The situation, as it now appears, offers only the very slim prospect of a just settlement by negotiations or the alternative prospect of a continuance of the conflict in the direction of a general war on the Asian mainland.

Mr. MORSE. Mr. President, here again I am at a loss to understand how, if the conclusion of the Mansfield report is correct—and I am satisfied that it is correct—the Senate of the United States could vote for this bill this afternoon.

Mr. President, the Senator from Alaska expressed his concern about the corruption and the black market that exists in South Vietnam, and the unreliability and irresponsibility of the South Vietnamese leaders. I share his views in regard to the nature of the regime to which we are now going to provide in this bill such a large amount of the \$415 million.

Mr. President, I want to refer to a statement on page 521 of the "Supplemental Foreign Assistance Fiscal Year 1966"—Vietnam transcript of hearings. I want to quote from a very able article by a great commentator, Stanley Karnow, of the Washington Post foreign service.

I want the American people again to understand the nature of the corrupt regime that the American Government is supporting in South Vietnam.

This great correspondent, talking about General Ky, states:

In his speeches and statements, Ky projects an image of himself as an honest, simple soldier dedicated to promoting "social revolution." That image has reportedly captivated the White House, where Ky's statements are said to be on the required reading list.

But to Vietnamese here in Saigon—and to many American officials, too—Ky is far from the hero he is made out to be by his publicists.

The Ky government is stable largely because it is immobile, explain Vietnamese. In fact, they add, it is not really Ky's government but a junta of generals who, for the sake of their own survival, have tacitly agreed not to disagree—at least for the present.

In the view of Vietnamese here, moreover, the Saigon government hangs together because it is supported by the United States, which would not tolerate another succession of coup d'etat and uprisings such as followed the downfall of the Ngo Dinh Diem regime in November 1963.

ANOTHER MEETING

Thus President Johnson's personal identification with the Saigon leaders in Honolulu last week has been seen here as primarily an American exercise in bulwarking the local government. And it is believed that another Honolulu meeting this summer, as announced by the President, will repeat that exercise.

"It's like doping horses," commented an irreverent young Vietnamese army officer the other day. "They run for a while, and then you've got to give them another shot."

Much of this criticism reflects uneasiness with the degenerating economic situation here. Tremendous infusions of American money have simply unhinged and disrupted the local society to the point at which a bargirl can earn in a day what a longshoreman makes in a month.

Soaring prices have especially affected fixed-income groups—civil servants, army officers, schoolteachers and other professionals—who are the intelligentsia of any underdeveloped country.

Then I wish to quote from an article by another great correspondent, Ward Just, also of the Washington Post foreign service, in which he writes, as of

February 16—and may I say, the date of the preceding article was also February 16—

Saigon's economic situation, serious for the past year, is becoming critical, and diplomatic sources rate it as second only to the Vietcong as "the most important political problem we have."

According to Government figures released yesterday, prices rose 10 percent last month over December and nearly 50 percent over the year 1965. There is an acute shortage of skilled labor, imports, and consumer goods. A flourishing black market and official corruption add to the difficulties.

Overhanging all is the massive infusion of U.S. funds, estimated to total \$600 million in 1966.

Later in his article, Mr. Just writes:

Officials here are frantically trying to open up the port of Saigon (where turn-around time for a vessel is frequently 2 to 3 weeks) to imports, to turn the sellers' market into a buyers' market. But the heavy importation of military hardware makes it a difficult task, despite the improvements to the harbors of Danang and Quinhon and the Brobdignagian effort at Cam Ranh Bay.

Rippling beneath the surface is the Government's refusal—or inability—to do anything about the black money market, to which many prices are tied. The official rate is 73 piastres to the dollar. The black market rate was 135 piastres to the dollar in August and 170 last week.

Sources here say that the gigantic U.S. construction effort must also be cut back. The U.S. investment in construction is now estimated at \$400 million a year, \$100 million of which has a direct effect on the economy.

Mr. President, there is no question about the fact—we brought it out in our hearings—that a shocking, corrupt black market has characterized the economy of Ky's regime, that military junta regime, the regime of a man whose hero is Hitler, and who said to the London Mirror that what South Vietnam needed was 12 Hitlers. That is the kind of a rascal and tyrant we are pouring in hundreds of millions of dollars of American taxpayers' money to uphold.

What is that administration over there, under this rascal, doing for South Vietnam itself?

I refer you to Look magazine, Mr. President, and ask you to reread the article that the Senator from Massachusetts [Mr. KENNEDY] published in that magazine, pointing out that in regard to the refugee problem, the Government of South Vietnam is walking out on its responsibility.

Mr. President, what is the Ky government doing in regard to land reform? What is it doing in regard to its budget? What is it doing in regard to taxation?

The Ky regime is doing so little that I am aghast to hear the administration talk to the American people in terms of its being a pliable, stable government. It is no such thing. It just happens to be a military junta that is being held up by American dollars and American blood. In my judgment, there is absolutely no justification for killing American boys in southeast Asia in support of such a corrupt regime.

I ask unanimous consent that certain material from the exhibits that were before us in the Foreign Relations Com-

mittee dealing with the matter of land reform and the failure of the Government to do what it should, the tax problem, the failure of the regime to impose reasonable taxes upon its own citizenry—because the United States is going to foot the bill anyway, the failure of the administration to control the black market, and other items presented to the committee, be printed in the RECORD at this point.

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

3. Land reform:

(a) How much has been spent in the past by the Government of Vietnam and AID?

From 1955 to 1960 the Government of Vietnam committed itself to the expenditure of the equivalent of \$69 million for the purchase of expropriated land, 10 percent of which was paid in cash and 90 percent in the form of 12-year bonds. The French Government made available the franc equivalent of \$3.8 million to buy out its landowning nationals; the land was turned over to the Government of Vietnam. The United States provided \$4.1 million (\$287,000 in dollar funding for training, technicians, and equipment, and the remainder in counterpart, mostly to pay administrative costs).

Since 1960, no separate budget has been appropriated for land reform, these activities being funded under the broader category covering land administration.

(b) How much is budgeted for this year?

The Government of Vietnam, however, has now decided to fund land reform activities separately and the current request, covering the next 3 years, calls for the expenditure of the equivalent of \$1.9 million to cover operating costs, eg., administration and surveys, for the next 3 years. Obviously this does not include additional land acquisition costs, agricultural credit, resettlement costs, etc., which could be related and support land reform activities.

Although AID has given this subject a great deal of attention by way of policy level encouragement and experts' consultation, the opportunities for furthering land reform by large U.S. dollar expenditures have not occurred. We are prepared to allocate funds immediately on a high priority basis if circumstances develop where this would be helpful. Consequently, it is impossible for AID to have a firm budget at this time. At the moment, certain minor technical activities totalling \$30,000 for the next few months have been identified.

(c) How many acres have been redistributed?

The Government of Vietnam expropriated 457,000 hectares, and acquired 225,000 hectares from the French Government. Some 248,000 hectares have been redistributed, all of it expropriated land.

(d) What large land holdings exist in Vietnam?

No owner can legally hold title to more than 100 hectares (250 acres) at the present time. About 6,300 owners hold from 50 to 100 hectares, or 25 percent of the cultivated rice land in the Mekong Delta. Another 28 percent is owned by some 28,000 owners in holdings of 10 to 50 hectares. There are some 346,000 owners of smaller units. In central Vietnam there are some 350 owners with ricelands totaling 25 hectares or more. There are 550,000 owners with smaller land units.

TAX STRUCTURE IN VIETNAM, INTERNAL TAXES

Internal taxes are classified into four groups. The four groups; with percentages of total domestic revenue collections for 1965 are: Direct (9.4 percent); indirect (20.5 per-

cent); excise (16.2 percent); and registration (7.7 percent). The following table shows domestic tax revenue in 1963, 1964, and 1965.

[In millions of piasters]

	1963	1964	1965
Total expenditures.....	27.0	37.5	52.0
Total domestic receipts.....	12.0	12.8	13.7
Direct taxes.....	1.2	1.2	1.1
Indirect taxes.....	1.8	2.2	2.4
Excise taxes.....	1.3	1.6	1.9
Registration.....	.6	.9	.9
Customs duties.....	4.4	4.7	5.4
Others.....	2.7	2.2	2.0

Direct taxes include (1) a tax on income and profits, (2) real estate taxes, and (3) the patente, or business tax. The direct tax structure is as follows:

1. Income and profits: The system of income taxation includes four different taxes:

(a) Salaries and wages: Includes indemnities, emoluments, pensions, annuities, and all compensations for service whether in income or in kind. Salaries and wages are taxed at the rate of 1 to 16 percent. There are five brackets: 1 percent on net taxable annual income up to VN\$50,000; 2 percent on income from VN\$50,001 to VN\$100,000; 5 percent on income from VN\$100,001 to VN\$500,000; 10 percent on income from VN\$500,001 to VN\$1 million; and 16 percent on income over VN\$1 million. Abatements (personal exemptions) are VN\$30,000 for single persons and heads of households; VN\$15,000 additional for married persons; VN\$5,000 for each child under 21 years of age; and VN\$3,000 for each dependent parent or grandparent. A professional deduction is allowed for travel and entertainment (10 percent of gross income up to VN\$240,000 and 5 percent of gross income exceeding VN\$240,000) and exemptions for pension payments are allowable. Filing date for all income taxes is April 1 for income received in the preceding calendar year. Except for Government employees, withholding tax procedures have not been developed.

(b) Profits tax: Levied annually against all net profits from business operations of any kind, but excludes from its base capital gains and income from stocks and bonds. The tax is 24 percent for corporations and 16 percent for unincorporated businesses, including professions. The profits tax on individuals has the same abatements as the income tax on salaries. Deductions for firms include all ordinary and necessary expenses attributable to earning the profit.

(c) General income tax: Levied on all income subject to the tax on salaries and wages, to the individual profits tax or business profits tax, and on income earned from sources outside of Vietnam. Allowable deductions are the same as for the salary and profits tax; deductions are permitted for salary, profits, and general income taxes paid in the previous year. Tax rates for the general income tax are progressive within the range of 1 to 50 percent.

(d) Tax on dividends and interest paid by corporations: A withholding levy at the corporate level on dividend and interest payments. Tax rates vary between 18 and 30 percent depending on the characteristics of the corporation. For application of the tax, corporations are first divided into foreign and Vietnamese. Foreign corporations are taxed at the rate of 30 percent on all Vietnam-allocated dividends and interest payments; the allocation is construed to be the ratio of the total turnover resulting from operations in Vietnam and the total turnover of the corporation. Vietnamese corporations are subject to one of two rates: the rate of tax on dividends of a S.A.R.L. (limited liability corporation) is 18 percent; a

societe anonyme (corporation) is subject to a 24-percent dividends tax. Interest payments by both types of Vietnamese corporations are taxed at 18 percent.

2. Real estate taxes: There are three basic characteristics of the Vietnamese system of taxing real property; (a) The tax is primarily a Central Government source of revenue, with other levels of government receiving income based on percentage surtaxes added to the Central Government tax. (b) Land is taxed according to productive capacity, while urban buildings are taxed on the basis of real capital value. (c) Four basic distinctions are made in the tax rates applicable to land depending on whether it is located in an urban center, used for rice production, used for mixed agricultural production or borders a rural highway or street.

(a) Rice land tax: Land is classified according to productivity and taxed by hectare. There are six classes of land; the tax ranges from VN\$10 to VN\$85 per hectare.

(b) Mixed cultivation land tax: There are seven classes of land; the tax ranges from VN\$15 to VN\$300 per hectare.

(c) Urban land and property tax: Unimproved land is taxed by hectare following a complicated schedule based on location. There are separate rates for (1) major cities (Saigon is divided into four zones and seven categories, each with a different rate); (2) first-class cities (5 zones); (3) second-class cities (4 zones); (4) third-class cities (3 zones); (5) land bordering national and provincial highways; and (6) land bordering auxiliary or communal roads. The rates on unimproved land range from VN\$30 per hectare (class 6 above) to VN\$10,000 in Saigon. Improved land is taxed twice: the land is taxed (there are five rates, ranging from VN\$0.05 to VN\$0.85 per square meter) and the improvements are taxed. The property tax rate may range from 1 to 5 percent of the real property value; it is fixed annually in accordance with the budgetary needs of the country. There is, in addition, a 40-percent tax on "super rent" properties which are rented at abnormally high prices.

3. The patente (business license): The patente is an annual fee levied on individuals and corporations for the privilege of engaging in a trade, profession, or industry. Exempt from the tax are teachers, farmers, those who are engaged in the extraction of natural resources, and a few others.

There are two parts to the tax. The basic tax is a specific levy determined by the type of business. All businesses are listed in the fiscal code, which records 743 different types of businesses and professions and establishes minimum and maximum rates for each. For example, a tailor may be taxed within the range of VN\$60 to VN\$3,000 per annum; for a commercial bank the rate varies from VN\$3,000 to VN\$100,000; a large hotel from VN\$1,400 to VN\$25,000; an automobile agency from VN\$600 to VN\$25,000; and an import-export firm from VN\$800 to VN\$75,000. The basic rate for most large commercial enterprises is within the range of VN\$8,000 to VN\$75,000.

In addition to the basic tax, there is an ad valorem levy applied to the rental value of the business property. The tax rates on rental value are progressive in the range of 3 to 10 percent depending on the amount of the basic tax assessment. This tax rate applied to the annual rent, plus the basic tax, constitutes the total patente tax for the Central Government. Percentage increases of the Central Government patente tax are added for the benefit of local governments. There is also surtax of 2½ percent of the Central Government tax for the chamber of commerce.

Twenty-five business activities, chiefly manufacturing firms, are not subject to the

patente but are taxed on the basis of turnover, volume of production or services provided or according to some other specialized schedule.

Mr. MORSE. Mr. President, do not forget that most of our aid to Vietnam is required because of our presence there. Our presence is creating the inflation which we are trying to fight by giving them \$275 million under this bill.

We are on an economic treadmill. The more men we send, the more they spend, and the more aid we shall have to provide to overcome the inflation which we are causing.

One of the sad things about this \$415 million, and the part of it that goes to South Vietnam, is that a large part of it will fall into the hands of the Vietcong. That is the record. We have the cart before the horse, Mr. President. The pouring of the American taxpayers' largesse into South Vietnam will enhance, not stop, the corruption, until we bring about a solution of the military problem over there, and determine what the political situation is going to be.

Mr. President, there will be a continuation of the practice that a large part of our aid, both materiel and money-wise, will get into the hands of the Vietcong; and furthermore, a good many of the installations for which we are spending this money will be destroyed by the Vietcong. Let us face it; we have to get the war over first, before we can successfully proceed with the program—the ultimate purposes of which I support—of taking economic freedom to South Vietnam.

Mr. President, I cannot sit here and acquiesce in continuing to waste the American taxpayers' money, just because there are those in this country who are whipping up a war hysteria, waving the flag into tatters, and seeking to give the impression that those of us who are trying to stop that performance over there and save the lives of American boys are somehow, some way, not supporting those American boys.

I say, Mr. Chairman, that those who are not supporting those American boys over there are those who are voting, here in the Senate, to expand and escalate that war, so that thousands more of them are sure to be killed in the years immediately ahead. They are the ones who will have the blood on their hands. But not the senior Senator from Oregon. I shall continue, so long as we do not have a formal declaration of war—which is necessary to make that war legal and constitutional—to do what I can to bring that fighting to an end by resorting to the programs that I have stood for here these many months past, by again urging on the floor of the Senate today that this administration adopt the views of General Gavin and General Ridgway and George Kennan, to provide for taking the holding action necessary to protect our boys until a good many divisions from other countries can be moved in there to help separate the competing warmaking forces and enforce a cease-fire order.

But, there are other things in the bill which I want the record to show my col-

leagues voted for this afternoon, because we are going to make the record as to what my colleagues voted for.

My colleagues will be voting for a bill that authorizes a \$100 million contingency fund for the President of the United States, \$100 million in this bill for the President of the United States to do with as he wishes.

We talk about constitutional checks. We talk about carrying out our obligations under the Constitution as Senators to check the executive branch of the Government. Senators tell me they have no fear of a movement toward government by Executive supremacy. Why, Mr. President, this \$100 million contingency fund for the President of the United States in this so-called supplemental bill is more than the total contingency fund we voted the President throughout the world last year.

Last year, the total contingency fund for the President of the United States throughout the world was \$50 million. We are going to give him an unchecked \$100 million in the pending bill.

Mr. President, I speak impersonally. I will never have my record show that I ever gave to any President, be he Lyndon B. Johnson or any other President, that kind of unchecked power—\$100 million—what are we thinking of? How can we possibly take \$100 million of the American taxpayers' money and turn it over to a man to spend as he decides to spend it?

That is not government by law. That is government by man.

When I taught for years that one of the basic constitutional principles of our form of government is that we are a government by law and not a government by man, I did not teach it to come into the Senate years later and walk out on the principle that I taught.

Let me say that that \$100 million is an inexcusable amount to give to a President of the United States.

How long does it take the President of the United States to travel from the White House on Pennsylvania Avenue to the Capitol for a joint session of Congress?

Not more than 20 minutes.

Why, Mr. President, if ever an emergency developed whereby the President would need more funds than those set out specifically in an appropriation bill, let him get up here and ask for them in light of a specific need, and not give him this kind of blanket contingency fund authority. That is dangerous to the preservation of a system of checks and balances in this country and a government based upon three coordinate and coequal branches of government.

Last year, not only did we have that \$50 million for the President to use anywhere in the world, but the executive branch also got out of us another contingency fund for the President last year—I believe the amount was \$89 million, \$57 million of which went into Vietnam. For what good, and for what purpose?

What we are dealing with here again is a foreign aid bill in which Congress is perfectly willing to give broad, sweeping powers to the executive branch of the Government, and it will file with us a

nice-sounding report in which language will be incorporated to show their reservations, their fears, and their concerns. They give those of us who oppose the development of government by executive supremacy the words, but they give the President the votes.

Mr. President, we are not going to stop this trend toward government by executive supremacy unless we start voting against it, unless we start voting to apply the checks.

It is interesting that in the Committee on Foreign Relations, long debate took place on certain amendments offered which are not being offered on the floor today.

I wish to read the Fulbright amendment which the Senator proposed in committee, which received six votes.

It reads as follows:

At the beginning of the bill insert the following new section and renumber succeeding sections:

"That section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended by adding at the end thereof the following new paragraph:

"This Act, or the furnishing of economic, military, or other assistance under this Act, shall not be construed as a commitment to use Armed Forces of the United States for the defense of any foreign country."

Mr. President, there was interesting discussion around that Foreign Relations Committee table. There was very little opposition to the objectives and the principle of the Fulbright proposal. What was the main reason, therefore, not to place it in the bill? Because it was not the appropriate vehicle, it was decided.

I am waiting patiently and hopefully for the legislative vehicle that my colleagues will find appropriate on the floor of the Senate to carry out so much of their discussion in the cloakrooms. That is the vehicle I wish to see. I am afraid that I am never going to see it. I am afraid that all the Senate is going to do is give to the American people language of reservation and doubt, perplexity and confusion, but it will continue, in my judgment, to delegate away what I consider to be the clear duty of the Senate to place checks upon the administration along such lines as the Fulbright amendment.

I ask unanimous consent to have the amendment printed in the RECORD.

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

AMENDMENT TO H.R. 12169

At the beginning of the bill insert the following new section and renumber succeeding sections:

"That section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended by adding at the end thereof the following new paragraph:

"This Act, or the furnishing of economic, military, or other assistance under this Act, shall not be construed as a commitment to use armed forces of the United States for the defense of any foreign country."

Mr. MORSE. Mr. President, then there is the McGovern amendment, and I ask unanimous consent to have it printed in the RECORD.

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

SEC. 4. (a) The Congress hereby declares that its action in authorizing the additional assistance for Vietnam provided by this Act—

(1) shall not be construed as a ratification of any policy decision heretofore made with respect to hostilities in Vietnam, or as an endorsement of any future commitment with respect to such hostilities; and

(2) is taken with the hope that such additional assistance will contribute to an early cessation, rather than a widening, of such hostilities.

(b) Recognizing the desire of the President to limit the scope of hostilities and to reach an honorable settlement of the conflict and cognizant of the desirability of improved relations between the people of the United States and the people of Asia, it is the sense of the Congress, that United States foreign policy in Asia should seek to minimize the risks of military involvement and to promote orderly economic and social development.

Mr. MORSE. Mr. President, in essence, the McGovern amendment was a proposal which sought to make clear at least the purport of the amendment, and others that support it with a great deal of reservation, as to the meaning of the ill-fated resolution of August 1964.

But, it is said, after all, a blank check was not given; after all, the President was not given unchecked power.

How anyone can take the English language in that particular resolution and read anything else into it but a grant of complete power to the President of the United States to do what he wished to do, I am at a loss to understand.

They must have taken a course in English which I never took, because I cannot read any such meaning into the King's English in that resolution.

The Senator from Alaska is in the Chamber, listening to me, and let me say to him that the CONGRESSIONAL RECORD will show that he and I in August 1964 stood up on the floor of the Senate and told the Senate over and over again that that is exactly what the Senate would be giving the President by way of power, for the language is not subject to any other interpretation.

Mr. President, we should take back that power, for in that resolution was contained a rescission clause. I sought to get the Senate to rescind it a week ago on Tuesday, when I offered my motion to rescind. That motion was laid on the table, although I wish to say that I agreed with the Senator from Georgia [Mr. RUSSELL], and I agreed also with the Senator from Louisiana [Mr. LONG]—but completely disagreed with them on the policy they are supporting in South Vietnam—when they made so clear in the RECORD that a vote on that motion to lay on the table did raise the question as to whether we are going to vote to check the President's power under the resolution of August 1964.

In my judgment, irrespective of their verbal resolutions, their votes spoke louder than their words on that ill-fated day a week ago on Tuesday, when they voted to lay my amendment on the table. They

once again gave to the President a vote of confidence of the same nature which they gave him in August 1964.

The check is out of the Senate. The check now is with the people.

I close by saying I oppose this bill because, in my judgment, it violates our system of checks and balances; because, in my judgment, millions and millions of dollars of this money will again be used to finance corruption in South Vietnam. Large amounts of the aid will get into the hands of the Communists. As past experience shows, it will be delivered to them by South Vietnamese who will get their hands on millions of dollars of it.

As far as the particular facilities on which it will be spent are concerned, many will be destroyed by the Vietcong. I think it is hopeless to think that we can build up a viable economy for the future in South Vietnam while this shocking war is proceeding.

I shall vote against the bill because I think a vote for it is a vote to kill additional American boys in South Vietnam, who, in my judgment, should not be killed. I think this bill will add to the expanding escalation of the war, and I want to stop the killing.

I want to find a solution along the lines the Senator from Arkansas [Mr. FULBRIGHT] has proposed; along the lines the Senator from New York [Mr. KENNEDY] has advocated; along the lines the Senator from Alaska [Mr. GRUENING] and I have proposed on the floor of the Senate for many, many months past—a solution that will call for the enforcement of a cease-fire order, enforced by those nations that are noncombatants in this ghastly, unjustifiable, immoral war; a cease-fire order that will say to the combatants, including my own country, "You have an opportunity to stop fighting on the basis of terms and conditions of the cease-fire order, and if you do not obey the order of the cease-fire, we will get the divisions from around the world necessary to enforce the peace."

Mr. President, that is not making war. That is enforcing peace. It is not making war.

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

Mr. MORSE. I ask unanimous consent to have 30 seconds.

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

Mr. MORSE. This is the only way we will save the killing of American boys in South Vietnam.

It is the only way the United States can be stopped from expanding a war that will inevitably lead to a war with China; and a war with China will inevitably lead to a nuclear war.

I shall be proud to have my record show that I voted against this war bill.

Mr. BENNETT. Mr. President, I yield 3 minutes to the Senator from Virginia [Mr. BYRD], after which I shall yield 2 minutes to the Senator from Colorado [Mr. DOMINICK], and thereafter I shall yield back the remaining time.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 3 minutes.

Mr. BYRD of Virginia. Mr. President, I would like to invite the attention of the Senate to a part of this bill that appeals to me a great deal. That part of the bill reads:

No part of the funds appropriated under the preceding sentence after January 1, 1966, for the fiscal year 1966, shall be used to provide assistance to any country which permits any ship or aircraft under its registry to transport any equipment, materials, or commodities to or from North Vietnam unless the President determines that the withholding of such assistance would be contrary to the national interest of the United States and reports such determination to the Congress.

Mr. President, what I am going to say I say as a friend of the British, but I feel it is alarming that our allies permit ships under their flag to take materials and commodities to the ports of North Vietnam.

During the last quarter of 1965, of the 44 allied ships that went into the harbor at Haiphong, 35 were British ships.

As a Member of the Senate of the United States, I want to say on the floor of the Senate and for the record that I think it is very desirable that the legislation we are passing today carries a proviso that no country shall benefit from any funds appropriated for it if that country permits ships flying its flag to go into North Vietnam harbors.

I thank the Senator for yielding to me.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. DOMINICK. Mr. President, I very much share the viewpoint just expressed by the distinguished Senator from Virginia. I have stated in speeches in my own State, and other areas, that I did not understand how we could justify giving any economic aid to any country that was shipping aid to North Vietnam. I think we should halt such shipments as soon as possible.

I would like to ask a question of the manager of the bill on this very point. I understand this prohibition referred to by the Senator from Virginia applies only to the President's contingency fund. Do we have any assurances from the State Department as to whether aid not involving the contingency fund and thus not covered in this bill, is being cut off to those countries which are shipping goods into North Vietnam?

Mr. SPARKMAN. I may call to the attention of the Senator the fact that there are two provisions in existing law. This is a new provision.

If the Senator will refer to page 8 of the report, there is a discussion of this provision in the third paragraph on that page:

The House of Representatives amended the bill to prohibit the furnishing of contingency fund aid to any nation which permits ships or aircraft under its registry to carry on trade with North Vietnam, unless the President determines that the withholding of such assistance would not be in the national interest and reports his determination to the Congress.

This new prohibition fits in the context of two existing restrictions on aid to countries whose ships or aircraft trade with North Vietnam. The Foreign Assistance Act of 1965 contained a provision which requires the President to consider denying aid to countries which did not take appropriate action to prevent ships and aircraft under its registry from carrying goods to or from North Vietnam. A provision in the Foreign Assistance Appropriations Act of 1966 prohibits the furnishing of aid to any country which allows its ships or aircraft to carry to North Vietnam any of the strategic materials mentioned in section 107(a) of that act.

Mr. DOMINICK. Did the Secretary of State or any other official give any assurance that countries now shipping into North Vietnam are not receiving aid as a result of that policy?

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

Mr. BENNETT. I yield 1 more minute to the Senator from Colorado.

Mr. SPARKMAN. There was assurance given that every effort is being made and will continue to be made to get other nations to take action to stop ships bearing their flag from trading with North Vietnam. Much progress is being made in that direction.

Mr. DOMINICK. I thank the distinguished Senator from Alabama and I thank the distinguished Senator from Utah.

I believe this is an extremely important matter and we should move forward in this regard as soon as possible in order that many lives may be saved in Vietnam.

The PRESIDING OFFICER. Who yields time?

Mr. BENNETT. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama has 6 minutes remaining.

Mr. SPARKMAN. I yield 2 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, the present conflict in Vietnam has, indeed, had a negative effect on the economy of that country.

I view the present authorization request as not essentially different from requests for our other aid to South Vietnam. This money will be used to stabilize the economy and thereby the Government in this time of war. It is certainly to our interests to assure that the economy and the Government of South Vietnam remain steady.

We could not effectively assist these peoples militarily while being plagued with shifting political and deteriorating economic situations.

Considering the problems involved, we are dealing effectively with our commitment toward the people of South Vietnam, Mr. President. The problem is great and the progress often tedious, but the firmness of our position has been noted behind the Iron Curtain.

Let this legislation today be noted as a further warning that we intend to pursue on all fronts the freedom and security of endangered peoples such as the South Vietnamese.

I would certainly hope that these funds are used wisely and toward the

goals for which they were intended. The Government of South Vietnam must remain ever vigilant that inflation be checked so that our mutual goals of world order, in general, and freedom and security in Vietnam, in particular, can be realized.

We are engaging in a program to win the support of the people of the Vietnamese countryside to the Government. It is an entirely new challenge in a new kind of war.

But it is a problem with which we must deal. In voting for this legislation my hopes are with those who must find a way to accomplish this difficult task so that our mission in southeast Asia may earlier and more effectively be realized.

Mr. SPARKMAN. I yield 4 minutes to the Senator from Maryland.

Mr. TYDINGS. Mr. President, last week we passed a multibillion-dollar authorization to finance our military efforts to protect the people of South Vietnam from the forcible imposition of Communist rule.

I voted for that bill because I think that as long as our troops are committed to combat, we must do all we can to support them.

We must recognize, however, the basic fact that military power alone—even power strong enough to crush out the insurgency in Vietnam—cannot crush out a revolutionary spirit. "More powerful than all the armies in the world," wrote Victor Hugo, "is an idea whose time has come." We are witnessing in Vietnam and throughout the underdeveloped world a social and political revolution which will decisively mark mankind's course for the foreseeable future.

This country has made mistakes in dealing with the struggle for a better life for the 2 billion people of the underdeveloped world. But I am not prepared to accept the proposition that communism has a monopoly on social revolution, or that the political and economic subservience from which the ex-colonies are trying to emerge should be replaced with a total tyranny of the mind and spirit.

I am not prepared to accept the proposition that the theories of personal freedom and self-determination we cherish are inapplicable or unattractive to the people of the newly emerging nations, or that the despotism of communism is in the long run a reasonable price for a people to pay for nation building.

So I support our efforts to end the fighting and the terror and the destruction of the war in Vietnam under conditions which will assure self-determination for the South Vietnamese people. Certainly the task of nation building can make little progress until the populace can be made reasonably secure. This is the job of the military. But in this economic aid bill we look beyond the narrow military task to the broader, and ultimately more important task of economic and social construction and transformation.

Transformation is too weak a word. What is required in Vietnam is nothing less than a social revolution.

We must fully appreciate the enormity of the task we have undertaken in Viet-

nam. It is nothing less than an attempt to build a nation; and nations are not built quickly or easily. Our goal is a South Vietnamese Government which is independent, able to protect its people, responsive to their needs and desires, and capable of providing them with at least the necessities of life.

This is a goal worthy of America. But we must have no illusions as to the difficulty of attaining it. South Vietnam has proven so vulnerable to communism, because its people have so little reason to defend the status quo. The Vietnamese peasant has a per capita annual income of about \$90. He is beset with disease, burdened with debt, crippled by illiteracy, exploited by a corrupt officialdom, and has no real hope for a better life either for himself or his children. In recent years the war raging around and through his village has threatened his very life.

This situation has not developed overnight. Under French colonial rule, the peasant, who had previously been a self-contained economic unit, began to produce cash crops. He thus became vulnerable to economic forces beyond his control. A year of low production or falling prices deprived the peasant of even a subsistence income. He had to mortgage his land to live. Another bad year brought foreclosure, and the peasant assumed the precarious status of a tenant for an absentee landlord. As credit rates went up, middlemen and moneylenders proliferated and tenancy increased.

These broad economic and social changes stimulated a simultaneous rise in aspirations and frustrations. The peasant has had sufficient contact with modern urbanized life to realize keenly the opportunities which are denied him. This inevitably has bred a sense of frustration and outrage. He has very easily become prey to the Vietcong organizer who brings the peasant a promise of owning his own land and a promise of a government devoted to his welfare. These simple ideas strike a deep responsive chord in an oppressed people. Such ideas will not be eradicated by military means. They can be defeated only by equally good ideas implemented in an effective social, economic, and political program. In the words of General Lansdale:

The Communists have let loose a revolutionary idea in Vietnam. It will not die by being ignored, bombed, or smothered by us. Ideas do not die in such ways.

So I want to take a few moments today to suggest some ways the revolutionary ideas at loose in Vietnam can be met and fulfilled by a free government.

All the promises and policies of the Saigon government will mean little if they are not effectively and painstakingly implemented at the grassroots level in Vietnam. The problems which have plagued our efforts in the past have been less in broad policy than in day to day implementation.

A basic difficulty in implementing effective social and economic reform in Vietnam is the condition of the Vietnamese civil service.

The French left a complex and cumbersome administrative structure, but trained very few Vietnamese to operate it. Furthermore, the Vietcong have systematically destroyed the cream of the bureaucracy, killing over 11,000 village and hamlet officials last year alone. Under such conditions it is sometimes remarkable that local government functions at all.

Yet, if any one group holds the key to the future of Vietnam it is the civil service. The effectiveness of the civil service will determine whether a viable free society can be constructed in Vietnam. We must meet the serious shortage of trained civil servants through an expanded program of training new recruits and retraining existing officials. The small corps of American advisers skilled in local government now in Vietnam should be greatly expanded. They provide a type of on-the-job training and advice that does not necessitate taking valuable Vietnamese civil servants from their jobs.

Continued efforts must be made to select talented local people in rural areas for utilization in the lower levels of administration—both to improve efficiency and to provide a channel of upward mobility to talented and ambitious peasant youth. So far as possible, we should encourage the introduction of some sort of regularized merit system of hiring and promotion in the bureaucracy.

An urgent problem in the heavily populated region of the Mekong Delta is land reform. The Vietcong derive enormous strength from their promise to provide land to vast numbers of tenant peasants. Effective land reform by the Saigon government is essential to blunt this appeal.

But effective land reform is more than a simple redistribution of land. It will require a simultaneous revision of tax, marketing, and credit laws; the establishment of rural cooperatives, agricultural extension services, and other enlightened programs to help the peasant keep the land he gets in the redistribution.

Another area of Vietnamese life which must be reformed is access to education. Secondary and university levels of education are in large part reserved to children of wealthy and influential Vietnamese families. This in turn has kept the civil service, teaching, and the professions as preserves of the privileged, because employment in these vocations has required a degree.

The expansion of rural primary education has served only to raise unfulfilled aspirations, since access to the secondary schools and universities remains cut off.

Access to the upper educational levels must be broadened if the revolutionary and justifiable aspirations of the peasants of Vietnam are to be satisfied.

Another area of serious crisis is the destruction of family income by the death of the breadwinner in the war. Like other oriental societies, that of Vietnam has been centered around the extended family and kin group. It is these units that have provided security to the individual. Under the impact of

modernization and protracted warfare these institutions have broken down leaving only the individual and his immediate family. If something happens to the male breadwinner his dependents have no other source of support. This provides a major incentive both for the Vietnamese military and civilian government to avoid taking the kind of risks which a successful war effort requires. It is imperative then, that an adequate social security and survivors benefits program be provided by the government.

A particular concern to me as a member of the Refugees and Escapees Subcommittee of the Senate Committee on the Judiciary is that of Vietnamese refugees from the war.

The Vietnamese refugee program has been characterized on both the American and Vietnamese sides by bureaucratic confusion and paralysis, a shortage of materials, and a lack of clear priorities. Some Vietnamese Province chiefs have regarded the refugees as the lowest priority group in their Province. As a result the refugees seldom get adequate support in terms of food, clothing, shelter, and land. The refugees have chosen the Government as opposed to the Vietcong because they believe that the Government can more likely provide them with what they seek; security and the necessities of life. Their hope must not be disappointed.

I have pointed to some of the problems we face in Vietnam not because I think they are unsolvable, but rather because I think they must be solved.

The world will never be safe, the peace will never be secure, as long as violence and terrorism are acceptable substitutes for free choice.

We simply must find a way to assure self-determination for the South Vietnamese.

I think this economic assistance bill is an essential step.

The PRESIDING OFFICER. All time having been yielded back, the bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

Mr. MORSE. Mr. President, should we not have a quorum call first?

Mr. MANSFIELD. 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. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Oklahoma [Mr. HARRIS], the Senator from South Dakota [Mr. MCGOVERN],

the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. WILLIAMS], are absent on official business.

I also announce that the Senator from New Hampshire [Mr. MCINTYRE], is absent because of illness.

I further announce that the Senator from Ohio [Mr. LAUSCHE], and the Senator from Michigan [Mr. MCNAMARA], are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Oklahoma [Mr. HARRIS], the Senator from Ohio [Mr. LAUSCHE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from New Jersey [Mr. WILLIAMS], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from South Carolina [Mr. THURMOND] is necessarily absent.

The Senator from California [Mr. KUCHEL] is absent because of illness.

The Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

If present and voting, the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 82, nays 2, as follows:

[No. 54 Leg.]
YEAS—82

Aiken	Fulbright	Mundt
Allott	Gore	Nelson
Anderson	Hart	Neuberger
Bartlett	Hartke	Pastore
Bass	Hayden	Pearson
Bayh	Hickenlooper	Pell
Bennett	Hill	Prouty
Bible	Holland	Proxmire
Boggs	Inouye	Randolph
Brewster	Jackson	Ribicoff
Burdick	Javits	Robertson
Byrd, Va.	Jordan, N.C.	Russell, S.C.
Byrd, W. Va.	Jordan, Idaho	Saltonstall
Cannon	Kennedy, Mass.	Simpson
Carlson	Kennedy, N.Y.	Smathers
Case	Long, Mo.	Smith
Cooper	Long, La.	Sparkman
Cotton	Magnuson	Stennis
Curtis	Mansfield	Symington
Dirksen	McCarthy	Talmadge
Dodd	McClellan	Tower
Dominick	McGee	Tydings
Douglas	Metcalf	Williams, Del.
Eastland	Miller	Yarborough
Ellender	Mondale	Young, N. Dak.
Ervin	Monroney	Young, Ohio
Fannin	Montoya	
Fong	Morton	

NAYS—2

Gruening

Morse

NOT VOTING—16

Church	McGovern	Russell, Ga.
Clark	McIntyre	Scott
Harris	McNamara	Thurmond
Hruska	Moss	Williams, N.J.
Kuchel	Murphy	
Lausche	Muskie	

So the bill (H.R. 12169) was passed.

Mr. MANSFIELD. Mr. President, the distinguished junior Senator from Alabama [Mr. SPARKMAN] today has re-earned the highest respect of the Senate with a demonstration of his typically efficient and successful management of the economic assistance supplemental. His great skill and unequalled diplomacy coupled with his clear and profound explanations brought decisive and expeditious action on this most important foreign aid authorization.

The Senate and the Nation are indeed fortunate to have this great American statesman in their service.

Important also for this great success was the splendid cooperation of the distinguished senior Senator from Oregon [Mr. MORSE]. Again, he articulately expressed his strong and sincere views concerning our foreign policy but, in a most selfless manner, permitted the Senate to work its will in orderly fashion.

Additionally, high commendation goes to the distinguished senior Senator from Missouri [Mr. SYMINGTON], whose broad knowledge and deep understanding of our foreign assistance programs contributed immensely to this great success.

We are grateful, too, for the assistance of those Senators who offered their own constructive views but who, nonetheless, did not in any way impede the progress of this important measure. Our thanks go to the distinguished Senators from Massachusetts [Mr. KENNEDY], Alaska [Mr. GRUENING], Indiana [Mr. BAYH], Virginia [Mr. BYRD], Colorado [Mr. DOMINICK], and, of course, we are grateful for the help of the ranking minority member of the Foreign Relations Committee, the senior Senator from Iowa [Mr. HICKENLOOPER].

VISIT TO THE SENATE BY MEMBERS OF THE NATIONAL ASSEMBLY OF FRANCE

Mr. CARLSON. Mr. President, it is my honor and privilege to present to the Senate five distinguished members of the National Assembly of France, who are our guests in the Chamber today. They are:

Hon. Jean-Louis Gasparini, deputy, Moselle.

Hon. Augustin Marc Bordage, deputy, Deux-Sevres.

Hon. Bertrand Flornoy, deputy, Seine et Marne.

Hon. Henri Gorce-Franklin, deputy, Rhone.

Hon. Jean Moulin, deputy, Ardeche.

They are accompanied by His Excellency Charles Lucet, Ambassador of France.

[Applause, Senators rising.]

Mr. MANSFIELD. Mr. President, will the distinguished Senator from Kansas yield?

Mr. CARLSON. I yield to the distinguished majority leader.

Mr. MANSFIELD. I join the Senator from Kansas in welcoming to the Chamber our colleagues from the National Assembly of France and their outstanding Ambassador, M. Lucet.

It is a pleasure to have them with us. We hope that their visit will be enjoyable and educational. We assure them of our continued friendship and understanding.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 170 of the 74th Congress, the Chair appoints the Senator from Utah [Mr. BENNETT] to attend the Interparliamentary Union meeting at Canberra, Australia, from April 11 to 16, 1966, in place of the Senator from Pennsylvania [Mr. SCOTT], who was previously named.

REPORT ON MANPOWER AND MANPOWER REQUIREMENTS, RESOURCES, UTILIZATION, AND TRAINING—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

THE WHITE HOUSE,
Washington, D.C., March 8, 1966.

The Honorable the PRESIDENT OF THE SENATE,

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: As required by section 107 of the Manpower Development and Training Act of 1962, as amended, I am sending to the Congress my annual manpower report, and the report of the Secretary of Labor on manpower requirements, resources, use, and training.

Sincerely,

LYNDON B. JOHNSON.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE ON MONDAY NEXT

Mr. PROXMIRE. Mr. President, after the coal mine safety bill and the Alaska centennial bill have been disposed of on Monday, I ask unanimous consent that I be recognized for 20 minutes to speak on the subject of wage-price guideposts.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the business for the remainder of the day.

ORDER FOR ADJOURNMENT UNTIL MONDAY

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

The VICE PRESIDENT. Without objection, it is so ordered.

FEDERAL COAL MINE SAFETY ACT AMENDMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 1027, H.R. 3584, be laid before the Senate and made the pending business.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3584) to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, immediately after the renewal of consideration of Calendar No. 1027, H.R. 3584, on Monday, March 14, 1966, debate on the measure be limited to one-half hour on each amendment, and 2 hours on the bill, the time to be equally divided and controlled by the Senator in charge of the bill, the senior Senator from Oregon [Mr. MORSE], and the senior Senator from Kentucky [Mr. COOPER].

The VICE PRESIDENT. Is there objection? Hearing none, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday, March 14, 1966, after the bill is laid before the Senate, during the further consideration of the bill (H.R. 3584) to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the Senator from Oregon [Mr. MORSE] and the Senator from Kentucky [Mr. COOPER]: *Provided*, That the two Senators, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

ALASKA CENTENNIAL—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the message from the House of Representatives on S. 2614, the Alaskan Centennial bill, is laid before the Senate, that debate on any motions thereon be limited to one-half hour, the time to be equally divided and controlled by the senior Senator from Alaska [Mr. BARTLETT], and the senior Senator from Delaware [Mr. WILLIAMS].

The VICE PRESIDENT. Is there objection? Hearing none, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That when the message from the House of Representatives on S. 2614 (an act to provide for United States participation in the 1967 statewide celebration of the centennial of the Alaska purchase), is laid before the Senate, debate on any motions thereon will be limited to 30 minutes to be equally divided and controlled by the Senator from Alaska [Mr. BARTLETT] and the Senator from Delaware [Mr. WILLIAMS].

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to call these two bills up on Monday, and following the disposal of these two bills, it is anticipated that Calendar^o 1025, S. 2499, a bill to amend the Small Business Act, will be considered.

Mr. President, for the benefit of the Senate, may I say, concerning the 2 unanimous-consent requests granted by the Senate this afternoon there will very likely be rollcall votes on both of these measures.

Mr. DIRKSEN. Mr. President, does the majority leader know whether there will be any further business today?

Mr. MANSFIELD. There will be no further business today; except it is my understanding that the distinguished ranking Republican member of the Armed Services Committee is prepared at an appropriate time, which I hope will be within the next 2 or 3 minutes, to lay before the Senate the conference report on the military aid bill.

MILITARY PROCUREMENT—
CONFERENCE REPORT

Mr. SALTONSTALL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SALTONSTALL. Mr. President, the House version of H.R. 12889 authorized military construction in an amount of \$49,700,000 more than the Senate version. This additional authorization was intended for Marine Corps air facilities on Okinawa and naval port facilities in Subic Bay in the Philippine Islands.

Although there is no assurance this construction authorization will be funded immediately, the requirement for it is sufficiently firm that the Senate conferees agreed to inclusion of this authorization in the conference report.

The other differences in the two bills were in the general provisions. The Senate version had included a provision requiring quarterly reports of the estimated value of military assistance furnished South Vietnam and countries allied with us in her defense. The House version did not include this reporting but did have reporting provisions covering military construction in South Vietnam. Since the objective of both the House and Senate provisions was to keep the Congress informed regarding the utilization of the authorization granted, the conferees agreed to retain the reporting provisions adopted separately by the two bodies.

As agreed to by the conferees the bill would grant supplemental military authorizations for fiscal year 1966 in the amount of \$4,857,450,000.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.
Mr. JAVITS. Mr. President, what was the amount contained in the bill when it left the Senate, and what is the amount contained in the bill now?

Mr. SALTONSTALL. The Senate version was \$4,807,750,000. There was a House provision, to provide for the giving of notice to the House and the Senate committees of any new construction in Vietnam. In the Senate portion of the bill, there was a provision that the Defense Department should report quarterly to the committees on military assistance. There was, in addition, authorization of \$10 million in the House bill for construction at Subic Bay in the Philippines and of \$39,700,000 for air facilities at Okinawa. The Senate accepted those two provisions. The conference agreement is on an authorization of \$4,857,450,000.

Mr. JAVITS. What happened to the other provisions, the House provision and the Senate provision?

Mr. SALTONSTALL. They are contained in the measure.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The conference report was agreed to.

HEARING BEFORE SUBCOMMITTEE
ON EXECUTIVE REORGANIZATION
TO INQUIRE INTO WITNESS
HARASSMENT AND A VIOLATION
OF THE U.S. CRIMINAL CODE

Mr. RIBICOFF. Mr. President, I am inviting auto industry critic, Ralph Nader, the president of General Motors, and detective agencies to appear before my Subcommittee on Executive Reorganization on March 22.

I am calling the hearing because a General Motors statement issued late yesterday raised issues which go beyond the question of witness harassment and a

violation of the U.S. criminal code. Earlier this week I asked the Justice Department to investigate reports in the press that Nader had been intimidated following his testimony before the subcommittee about traffic safety.

The GM statement issued last night held:

It is a well-known and accepted practice in the legal profession to investigate claims and persons making claims in the product liability field, such as the pending Corvair design cases.

It appears that General Motors is seeking to justify its investigation of Mr. Nader by impugning his motives as a witness before my subcommittee.

I believe the parties in this matter should come before the subcommittee to present their views. This is the fair—the American—way of approaching a matter of public policy.

I resent character assassination in any form, and I expect General Motors to back up its charges concerning Mr. Nader's connection with pending Corvair litigation. I also expect a public explanation of the alleged harassment of a Senate committee witness.

I have not discussed this with any of the parties concerned. But I suggest that they come before the subcommittee to discuss the entire matter. The safety of the American driving public is the basic issue before the committee. To this must now be added the additional issue of a witness' right to testify before a committee of the U.S. Congress without fear of character assassination or intimidation.

Mr. President, I ask unanimous consent that a telegram received from the Ford Motor Co., and the news release from the General Motors Corp., mentioned earlier be printed at this point in the RECORD.

There being no objection, the telegram and news release were ordered to be printed in the RECORD, as follows:

DEARBORN, MICH.,
March 9, 1966.

Senator ABRAHAM RIBICOFF,
Senate Office Building,
Washington, D.C.:

With regard to your statement on the floor of the Senate Tuesday, Ford Motor Co. has not been, nor is it now, directly or indirectly involved in any alleged investigation or harassment of Mr. Nader, nor has it any knowledge of or connection with the alleged incidents concerning him. We are releasing a copy of this to the press immediately.

JOHN S. BUGAS,
Vice President, Ford Motor Co., the
American Road.

STATEMENT ISSUED BY GENERAL MOTORS ON
MARCH 9, 1966

General Motors said today that following the publication of Mr. Ralph Nader's criticisms of the Corvair in writings and public appearances in support of his book, "Unsafe at Any Speed," the office of its general counsel initiated a routine investigation through a reputable law firm to determine whether Ralph Nader was acting on behalf of litigants or their attorneys in Corvair design cases pending against General Motors. The investigation was prompted by Mr. Nader's extreme criticism of the Corvair in his writings, press conferences, TV, and other

public appearances. Mr. Nader's statements coincided with similar publicity by some attorneys handling such litigation.

It is a well known and accepted practice in the legal profession to investigate claims and persons making claims in the product liability field, such as in the pending Corvair design cases.

The investigation was limited only to Mr. Nader's qualifications, background, expertise, and association with such attorneys. It did not include any of the alleged harassment or intimidation recently reported in the press. If Mr. Nader has been subjected to any of the incidents and harassment mentioned by him in newspaper stories, such incidents were in no way associated with General Motors' legitimate investigation of his interest in pending litigation.

At General Motors' investigation, Mr. Nader spent a day at the GM Technical Center, Warren, Mich., early in January visiting with General Motors executives and engineers. He was shown a number of engineering and research testing and development programs in the field of automotive safety. A number of the accusations in his book were discussed at length, and a presentation was made of the evidence used in the successful defense of the only two Corvair lawsuits tried.

Mr. Nader expressed appreciation for the courtesy in providing him with detailed information, but he, nevertheless, continued the same line of attack on the design of the Corvair in a number of subsequent press conferences, TV, and other appearances. This behavior lends support to General Motors' belief that there is a connection between Mr. Nader and plaintiffs' counsel in pending Corvair design litigation.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. NELSON. Mr. President, I commend the Senator from Connecticut for requesting that the appropriate witnesses involved in this incident appear before his committee.

In listening to the statement of the Senator, I did not understand whether the Senator was requesting the General Motors Corp. to produce at the hearings the detectives who actually participated in the investigation.

Mr. RIBICOFF. We shall request representatives of the detective agencies to be present.

Mr. NELSON. Mr. President, does the Senator from Connecticut have a list of the agencies that were involved in this matter?

Mr. RIBICOFF. Mr. President, we have the list of agencies as it appeared in the press. We shall inquire of General Motors Corp. whether there are any agencies which did not appear in the list published in the newspaper.

Mr. NELSON. I am not a member of that committee, but I have some very strong viewpoints about what has been involved here.

Mr. President, the General Motors Corp., one of the leading business corporations in the world, has now admitted that the investigation of Ralph Nader, which has attracted widespread attention, was instigated by General Motors.

The New York Times, New Republic magazine, and much of the Nation's press had reported this shocking situation over the last few days without knowing who was behind it.

Mr. Nader became the target for this investigation by writing a book criticizing a number of automobile design features which he contended were unsafe, and by testifying before a Senate subcommittee studying auto safety on February 10. The Senate has heard of the fantastic cloak-and-dagger episodes which resulted.

Mr. Nader was harassed by anonymous telephone calls as he worked in his Washington hotel room, preparing his Senate committee testimony. He was shadowed right into the Senate Office Building by two private investigators who were so brazen as to tell a Capitol policeman that they had been following Mr. Nader around the country. His landlady has been quizzed as to his record of rent payment. His stockbroker, his editor, and business associates have been questioned.

An attorney to whom he dedicated his book has been questioned at great length by a private detective who was making lurid inferences about his private life. This investigator used all the tricks of his seamy trade—a fake reason for the interview, two different phony names, apparently even a recording device in an attaché case.

On February 20, Nader was approached by a woman in a Washington drugstore who asked him to come to a meeting with her that night to discuss foreign affairs. On February 23, he was approached by another woman in a grocery store who asked him to come to her apartment and help her move furniture.

General Motors issued a brief, carefully worded statement last night in which it admitted conducting an investigation of Mr. Nader. General Motors states that its investigation was limited to Mr. Nader's qualifications, background, expertise, and association with attorneys who represent persons suing General Motors for alleged automobile design faults.

The General Motors release also includes this skillfully worded sentence:

If Mr. Nader has been subjected to any of the incidents and harassment mentioned by him in newspaper stories, such incidents were in no way associated with General Motors' legitimate investigation of his interest in pending litigation.

Who can quarrel with that statement? Of course the scandalous incidents related above were not associated with any legitimate investigation. Rather, it seems quite obvious that they were part of a fantastic conspiracy of intimidation and harassment spread over half a dozen States and carrying right into the U.S. Senate.

This was a carefully planned, well-financed scheme whose purpose could only be intimidation or smear.

If, as the General Motors release seems to say in its careful language, General Motors was responsible for part of this but not all of it, then we obviously must find out exactly what General Motors did do and what General Motors did not do.

As of right now, I think the circumstantial evidence is quite compelling. Knowing that these episodes did happen,

involving a number of different people, and knowing that General Motors did order an investigation of Mr. Nader's qualifications, background, expertise, and associations, the implication is compelling that General Motors was responsible for much of the sordid developments which the press has outlined.

This raises grave and serious questions of national significance. What are we coming to if a great and powerful corporation will engage in such unethical and scandalous activity in an effort to discredit a citizen who is a witness before a congressional committee?

If great corporations can engage in this kind of intimidation, it is an assault upon freedom in America. No average citizen can face up to a corporation the size of General Motors which sets out to destroy him.

How could a responsible corporation deal with a critic such as Mr. Nader?

One of Mr. Nader's contentions is that the rear axle of the Corvair automobile manufactured in 1960 through 1963 was designed in such a way that the outside wheel tended to "tuck under" on turns. Mr. Nader states that the Corvair rear axle was redesigned for the 1964 model year to correct this alleged defect.

Another of his contentions is that the 1953 Buick Roadmaster, manufactured by GM, employed a power brake system which was inclined to fail. Mr. Nader supports this contention with testimony from a garage mechanic employed by a Ferndale, Mich., Buick dealer, during a lawsuit in the Wayne County Circuit Court. This mechanic testified that he had received a number of complaints about power brake failure on 1953 Buicks, but that the Buick service department treated this as a hush thing. They do not want the public to know the brakes were bad.

I do not blame General Motors for being alarmed at such charges by Mr. Nader. It certainly is possible that they could reflect on the company.

However, there are a number of ways in which a firm could deal with this problem. First of all, they could refute his arguments. Certainly this gigantic corporation, staffed with brilliant automobile engineers and highly paid experts in the field of publicity are quite capable of coping with a humble critic such as Ralph Nader.

If it should develop that his charges are correct and cannot be refuted, then the company could explain its error and the corrective steps it has taken to guarantee that such mistakes would not happen again.

These would be perfectly legitimate actions in the public interest.

However, to react to charges such as Mr. Nader has made by financing a secret investigation of him raises very serious questions. How many people, possessing information which they believe would be in the public interest but which was counter to the interests of a large corporation, would dare disclose this information to the public or to a Senate or House committee if they knew they might face the retaliation which Mr. Nader has experienced?

If, as General Motors says, this is a well-known and accepted practice, are other witnesses who testify before our committees being shadowed and investigated at this very moment?

Obviously, Congress must learn exactly what did happen in the Nader case in order to protect the sanctity of the congressional hearing process and in order to protect the right of American citizens to speak out without fear of massive retaliation by a powerful corporation.

The subcommittee which took Mr. Nader's testimony should conduct a thorough investigation into this situation—and, knowing the Senator from Connecticut as I do, I am sure that it will.

General Motors and its law firm, Alford & Alford in Washington, should volunteer to testify under oath.

The committee should be given the names of those who took part in the investigation, and the names of the private detective agencies which were hired to do the work and bring them before the committee.

General Motors describes this as a "routine" investigation. I think it was a shocking scandal. It seriously reflects on the honor and civic responsibility of one of the world's largest corporations. That corporation should not rest until all the facts are made known to the Congress and the American people.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. KENNEDY of New York. Mr. President, I notice the statement:

It is a well-known and accepted practice in the legal profession to investigate claims and persons making claims in the product liability field, such as the pending Corvair design cases.

Was there any evidence before our committee that Mr. Nader was an individual who was making a claim or representing persons making claims?

Mr. RIBICOFF. There was not. To my knowledge, from the information we had at the time of Mr. Nader's appearance and up to the present time, we have no evidence that Mr. Nader represents plaintiffs with liability claims against General Motors Corp.

Mr. KENNEDY of New York. Mr. President, were some questions raised in connections with the Corvair automobile?

Mr. RIBICOFF. I would say that not too much information has come out concerning the Corvair automobile. We naturally were aware of the controversy over the Corvair automobile. However, it was my feeling at the time that since the Corvair automobile was in controversy and there were cases pending in various courts, including a case in California at that time, I did not feel that the subcommittee hearings should in any way interfere with the case.

Mr. KENNEDY of New York. Mr. President, it appears to me from the statement of the General Motors Corp. that anybody in the United States critical of Corvair, whether in direct litigation or not, is subject to investigation by the General Motors Corp.

Mr. RIBICOFF. Well, I should say that it is a peculiar statement, to say the least. But as the chairman who will preside over these hearings, I should not like to be in a position of prejudging any of the parties, so I prefer not to make any statement by which it could be inferred that I was trying to prejudge any of the parties to this hearing.

The hearing will be fair and open to both parties, to make whatever statements they wish and be subject to questioning by any members.

Mr. KENNEDY of New York. I am delighted to hear that, and I am pleased that the chairman is going ahead with it.

I should also like to request that the General Motors Corp.—and I expect the committee is bringing in the president of General Motors?

Mr. RIBICOFF. The telegram is being directed to the president of General Motors, and the statement includes an invitation to the president of General Motors personally.

Mr. KENNEDY of New York. Yes. Could we also request that he bring all of his records in connection with this agency?

Mr. RIBICOFF. That request will be made concerning the records of the detective agency and the investigation.

Mr. KENNEDY of New York. Could we also have the detective agency bring all its records in connection with this matter?

Mr. RIBICOFF. I think the request is a proper one, and that request will be made of the detective agency.

Mr. KENNEDY of New York. Could we also ask General Motors Corp. to have available in the room any individuals from General Motors who have detailed knowledge about these transactions with the detective agency?

Mr. RIBICOFF. The request will be relayed to the president of General Motors.

Mr. KENNEDY of New York. It might be that the counsel of the subcommittee would wish to conduct some preliminary interviews, both with Mr. Nader, to find out some of the surrounding facts, and with the detective agency and General Motors, before the time of the hearings, in order to be fully prepared.

I would further suggest that we have good counsel and staff, so that we can proceed effectively.

Mr. RIBICOFF. Our counsel and staff are excellent. They will invite conversations with all the parties involved, in order to expedite the hearings.

Mr. KENNEDY of New York. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RIBICOFF. The Senator from Wisconsin has the floor.

Mr. NELSON. I yield to the senior Senator from New York.

Mr. JAVITS. I wish to ask the Senator from Connecticut a question on this particular issue. The press has reported that General Motors got somebody to investigate Mr. Nader. I did not hear the first part of the Senator's statement; how does that come within the purview of our subcommittee?

Mr. RIBICOFF. It comes within the purview of the subcommittee in this way: Mr. Nader appeared before the subcommittee. He testified at a subcommittee hearing. It subsequently developed that there were detectives following Mr. Nader.

A newspaper reporter from the Washington Post, who happened to come into my office to talk with me on a completely different matter, which had nothing to do with the hearings, was approached by a Capitol policeman, who told him that he was being followed. By coincidence, this reporter from the Washington Post bore a remarkable resemblance to Mr. Nader.

The reporter disclosed those facts in the Washington Post. Then it developed that in the past few weeks, subsequent to the hearing, there had occurred a very thorough investigation which started to come out in various articles in the reputable press and magazines of our country.

Mr. JAVITS. I saw it in the New York Times this morning.

Mr. RIBICOFF. It was in the New York Times, the Hartford Courant, it was in the New Republic, it was in the Washington Post, and the New York Herald Tribune, and there were other newspapers.

Now, what is involved here is potential intimidation and harassment of a witness who appeared before our subcommittee when we were conducting hearings on the Federal role in traffic safety. So we have the prospective problem of a witness before our subcommittee being harassed and intimidated.

In addition, I made a statement on the floor calling attention to this matter, and asked the Department of Justice to investigate, to see if there was any violation of any criminal law.

This morning, I received a telegram from the Ford Motor Co. stating that they in no way had hired any investigators to check on Mr. Nader.

A news release was issued last night, and I received a copy of it this morning, indicating that General Motors had hired investigators. According to them, they hired these investigators in connection with their possible liability based on a contention that the Corvair car was an unsafe automobile.

So all of this evolves around a series of hearings we started last March and have continued through last year and this year.

Mr. JAVITS. Will the Senator indulge me 1 minute further?

This is very important, because General Motors is one of the country's largest corporations and this matter could become quite explosive. So I beg the Senator's indulgence.

I think the Senator is correct about pursuing the matter. I am a member of his subcommittee. I did not know anything about the hearings to be held until just this minute. I should hope very much that the Senator would think over the two words he has used, "harassment" and "intimidation," for this reason: I think we are on trial as well as General Motors. We must be objective, and we

have to lay on with an even hand in this matter.

If X wishes to investigate Y—and many things would not be unearthed unless people were investigated—there is nothing wrong with that. The question is, Is it oppressive, is it done to intimidate, is it done to harass, is any law being violated?

So I would only suggest to the chairman—and I agree that this thing has to be looked into thoroughly—that it would be better for all of us, whatever attitude we take—that we should be careful not to make a priori judgments. That is the only suggestion I make.

I am sympathetic with the chairman of the subcommittee, and I think we should start with the feeling that we are going to have a good, objective look; then if we feel someone should be castigated, we certainly should do it. We should not do it in advance by using abrasive words like "harassment" and "intimidation," since we do not yet have the facts before us.

Mr. RIBICOFF. I would say this: I have been most careful not to prejudice this matter. The distinguished Senator from New York has been a very active member of our subcommittee. He has been in attendance at practically every meeting. He has been there while I have acted as chairman. I believe the Senator will agree that I try to be as judicious and careful and thoughtful of every witness who comes before the subcommittee as I can; and I assure the distinguished Senator that this attitude is very deep, and I would assume the responsibility of not prejudging anyone, and giving each witness and all the parties involved every opportunity to speak and extending them every possible courtesy.

Mr. JAVITS. May I say to the Senator, I know that; I would guarantee it with everything I have in the world. I know he has been a very objective lawyer, an excellent judge, as well as an excellent Cabinet officer. But the Senator did utter the words, and I merely wished to put them in focus. He has done so, and I thank him.

DEATH OF REPRESENTATIVE JOHN F. BALDWIN, JR., OF CALIFORNIA

Mr. DIRKSEN. Mr. President, I ask that the Chair lay before the Senate a resolution coming over from the House of Representatives.

Normally, this resolution would be offered by one of the Senators from California. However, the Senator from California [Mr. KUCHEL] is presently in the hospital. The Senator from California [Mr. MURPHY] is absent on official business.

The PRESIDING OFFICER laid before the Senate a resolution (H. Res. 757), coming over from the House of Representatives, which was read as follows:

H. RES. 575

Resolved, That the House has heard with profound sorrow of the death of the Honor-

able JOHN F. BALDWIN, JR., a Representative from the State of California.

Resolved, That a committee of thirty-seven Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. DIRKSEN. Mr. President, I submit a resolution which I ask to have read and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 234) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN F. BALDWIN, JR., late a Representative from the State of California.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The PRESIDING OFFICER. Pursuant to the second resolving clause of the resolution, the Chair appoints the two Senators from California [Mr. KUCHEL and Mr. MURPHY] as the committee on the part of the Senate to attend the funeral of the late Representative JOHN F. BALDWIN, JR.

ADJOURNMENT UNTIL MONDAY, MARCH 14, 1966

Mr. DIRKSEN. Mr. President, I move that, as a further mark of respect to the memory of the deceased Representative JOHN F. BALDWIN, JR., from California, and pursuant to the previous order, the Senate stand in adjournment until 12 o'clock on Monday next.

The motion was unanimously agreed to: and (at 3 o'clock and 18 minutes p.m.) the Senate, under the previous order, adjourned until Monday, March 14, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 10, 1966:

IN THE ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066. In grade as follows:

Maj. Gen. Austin Wortham Betts, ~~XXXXXX~~, U.S. Army, in the grade of lieutenant general.

CONFIRMATIONS

Executive nominations, confirmed by the Senate March 10, 1966:

POSTMASTERS

ALABAMA

Ray M. Smith, Chunchula.
Catherine R. Harper, Pine Hill.

ALASKA

Jack W. Tripp, Fairbanks.

ARIZONA

Francis J. Splichal, Apache Junction.
Beverly J. Sullivan, Jerome.
John M. Summey, Nogales.

ARKANSAS

Thomas M. Clevenger, Branch.
Robert R. Nix, Buckner.
Janet L. Apple, Harrell.

CALIFORNIA

Harry E. Sumners, Artesia.
Roberta D. Wallan, Bleber.
Harry H. McGannon, Cypress.
Harold V. Thoren, Del Rey.
Adeline A. Fitzgerald, Gasquet.
George R. Zeigler, La Mirada.
Roger B. Knoblock, Lemoore.
Raymond J. Bonin, Lucerne Valley.
Clyde R. Madden, Pomona.
Helen A. Avery, Rough and Ready.
Cyril E. Pewtress, Jr., Santee.
Lola R. McCaffrey, Sierraville.

COLORADO

Catherine A. Sanborn, Cascade.

CONNECTICUT

John R. Adamcik, Coventry.
George F. Hudak, Monroe.

FLORIDA

Delma M. Pons, Citra.
Margaret H. Ashley, Fern Park.

GEORGIA

Clyde C. Smith, Brunswick.
Allen T. Lanier, Guyton.
Earnest E. Trapnell, Lyons.
Marjorie G. Sutton, Ocilla.
Kenneth O. Bidne, Senoia.
Lee T. Everett, Vienna.

HAWAII

William H. K. Chang, Hana.

IDAHO

Phillip N. Hathaway, Driggs.
Charles J. Orr, Hazelton.
Howard W. Buchanan, Moscow.

ILLINOIS

Robert F. Bennett, Chrisman.
Jackie L. Floyd, Cisco.
Marvin M. Van Dyke, Hopedale.
James H. Murphy, Loami.
John H. Stauthammer, Mapleton.
James F. Orrison, Opdyke.
Fred D. Naffziger, Rochester.

IOWA

Floyd W. Forst, Bronson.
Lester F. Behrends, Buffalo Center.
Hebron L. Tilton, Carlisle.
Harold W. Spohn, Carson.
Rex E. Williams, Humeston.
William J. Coen, Iowa City.
John M. Clifton, Mechanicsville.
Eugene A. Todd, Woodward.

KANSAS

Bob R. Donelson, Dexter.
James G. Denton, Elk City.
Lewis A. Goodwin, Florence.
Carlene F. Wendel, Ingalls.
John B. Harris, Lawrence.
Fred G. Burenheide, Olpe.
Jean M. Beck, Riley.

KENTUCKY

Sidney C. Taylor, Grayson.
Mae B. Runyon, Pinsonfork.
Howard D. Lowe, Williamstown.

LOUISIANA

Grady W. Flowers, Bogalusa.
Earl Allen, Delhi.
Lloyd G. Bouchereau, Donaldsonville.
Rodney J. Meaux, Gueydan.
Junius H. White, Jr., New Iberia.
August M. Hofmann, Jr., Reserve.
Ida M. Bethel, Roseland.
Juliette W. Chabaud, St. Gabriel.

MAINE

Arthur R. Abbott, East Lebanon.
Gertraut H. Walsh, Levant.
Robert L. Forbes, Pownal.

MARYLAND

Charles M. Potter, Jarrettsville.
Virginia W. Heather, Maryland.
Ralph W. Hutchins, Prince Frederick.
Nancy B. Riggan, Rhodesdale.
Donald L. Derr, Walkersville.

MASSACHUSETTS

Bernice E. Walker, East Wareham.
James P. Welch, Great Barrington.
John F. Landry, Halifax.
Peter S. Bobola, Housatonic.
Harold G. Sanders, Lancaster.
John E. Murphy, Mills.
James H. Malonson, Jr., Sudbury.
Earle Blake, West Boxford.

MICHIGAN

Roger W. Stump, Athens.
Charles F. Pratt, Attica.
Mathew D. Hutting, Carson City.
Matthew Q. Harrar, Carsonville.
Della A. Bickham, Hessel.
Donald L. Whalen, Niles.
Elmer E. Lehman, Stockbridge.

MINNESOTA

Leonard V. Lumphrey, Beardsley.
Jerome E. Buhl, Dunnell.
Lawrence M. Fogarty, International Falls.
Anton E. Okerlund, Kelliher.
Alfred M. Hanson, Nielsville.
Alton E. Davis, Oakland.
Mathias Smith, Rockville.
Ethel M. Bjorklund, Saginaw.
Stanley J. Hill, Tower.
Evelyn M. Holmes, Watertown.

MISSISSIPPI

Lanie T. Huddleston, Heidelberg.
Kate H. Bishop, Moorhead.
Aimee T. Knight, Soso.

MISSOURI

Harold L. Wagaman, Bogard.
William A. Agers, De Soto.
Robert E. Sheets, Eagleville.
L. B. Mabe, Jr., Princeton.
Denver B. Newton, Van Buren.
Charles L. Panke, Wentzville.

MONTANA

Edith F. Ray, Carter.
Neil J. Boyd, Hungry Horse.
Wallace W. Paterson, Livingston.

NEBRASKA

Robert W. Goldenstein, Ingleside.
William V. Ahrens, Minden.
Edward H. Koso, Verdon.

NEVADA

Ronald F. Gandolfo, Austin.
Vivian A. Cranmer, Pahump.

NEW HAMPSHIRE

Lewis G. Putney, East Andover.
Hervey Tanner, Jr., Milton.
Richard A. LaPointe, New Durham.
Dorothy S. Quinn, South Lyndeboro.
William J. Wright, Twin Mountain.
Joseph R. Little, West Swanzey.

NEW JERSEY

Charles E. Osborn, Brick Town.
Robert E. Greenfield, Cape May.
Michael J. Tainagi, Helmetta.
John L. Dilworth, Princeton.

NEW YORK

Roger E. Mattis, Castorland.
Salvatore B. Aronica, North Boston.
LeRoy F. Sawyer, Sidney Center.
Richard M. Duquesne, Vells Gate.

NORTH CAROLINA

Virginia B. Pell, Cashiers.
Lewis A. Thompson, Jr., Franklinton.
Joseph C. Dudley, Greenville.
Joseph A. Cherry, Hamilton.
Walton E. Swain, Plymouth.

NORTH DAKOTA

Rex L. Powell, Columbus.
Patricia A. McGillivray, Flaxton.
John L. Wacker, Pettibone.
Wallace M. Holte, Stanley.

OHIO

Jacob Pavkov, Barberton.
Louise James, Beaver.
Carl C. Tschantz, Cuyahoga Falls.
George W. Hogg, Galena.
John R. Adams, Germantown.
Lawrence W. Haynes, Hinckley.
Merle F. Andregg, Kent.
C. Paul Anderson, Millersburg.
James J. McCoy, Jr., Niles.
Floyd E. Miller, Quaker City.
Joseph F. Banaski, Tiltonsville.
Gilmer T. Davis, Jr., West Richfield.

OKLAHOMA

Thomas I. Mayfield, Binger.
Estella George, Canadian.
Albert L. Rogers, Canute.
Donald R. Harrel, Leedeey.
Melvin D. Skaggs, Shattuck.

PUERTO RICO

Guillermo Martinez-Mateo, Albonito.
Gerineldo Rivera, Cabo Rojo.

SOUTH DAKOTA

George J. Liegl, Burke.
Dale U. DeNure, Flandreau.
Robert C. Uecker, Freeman.
Lloyd G. Haarberg, Mission Hill.
Henry G. Perron, Moberidge.
Stella M. Hammill, Ree Heights.
Lyle D. Lyons, Worthing.

TENNESSEE

Malcolm A. Fults, Altamont.
James C. Troxler, Normandy.
Vera R. Beck, Wartburg.
Mary G. England, Whites Creek.

TEXAS

Norma J. Brown, Coyoanosa.
Harold A. Doane, Jr., Haslet.
Loralee J. Simmons, Magnolia.
Wynell C. Watson, Troy.

UTAH

Gertrude B. Turner, Jensen.
Francis E. Haskell, Payson.

VIRGINIA

Marcellus G. Carpenter, Barboursville.
Patsy T. Johnson, Baskerville.
Herman K. Williams, Galax.
Muriel J. Horlander, Meherrin.
Allie O. Tuck, Natural Bridge.
Clarence C. Haga, Pocahontas.
James H. Hale, Richlands.
Virginia B. Bruce, Woodford.

WASHINGTON

Carol Stipek, Bothell.
Horace C. Longanecker, Bridgeport.
LeRoy LeDuc, Granite Falls.
Gayonor S. Calvisky, Roslyn.

WEST VIRGINIA

Charles E. Thompson, Sr., Amherstdale.
Howard A. Payne, Belington.
Henry E. Harkins, Buckhannon.
Matthew M. Kinsolving, Cedar Grove.
Freeda F. Sherrard, Inwood.

WISCONSIN

Burton W. Sauer, Arcadia.
Duane D. Chapman, Ashippun.
James W. Stellpflug, Galesville.
William J. Lee, Mellen.
Harris P. Johnson, Osseo.
Arthur A. Pritzel, Park Falls.
Clifton R. Barber, Plum City.
Harold A. Kuehl, Reeseville.
Mary F. Crary, Rock Springs.
Francis J. Tachovsky, Sturgeon Bay.
Paul R. Trauba, Theresa.

WYOMING

Theodore E. Anderson, Greybull.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 10, 1966

The House met at 12 o'clock noon.

The Reverend Woodrow Wilson Hayzell, pastor, Central Methodist Church, Arlington, Va., offered the following prayer:

Lord, Thou hast been our dwelling place in all generations.

Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.

For a thousand years in Thy sight are but as yesterday when it is past, and as a watch in the night.

Thou carriest them away as with a flood; they are as asleep; in the morning they are like grass which groweth up.

In the morning it flourisheth, and groweth up; in the evening it is cut down, and withereth.

So teach us to number our days, that we may apply our hearts unto wisdom.

Let Thy work appear unto Thy servants, and Thy glory unto their children.

And let the beauty of the Lord our God be upon us; and establish Thou the work of our hands upon us; yea, the work of our hands establish Thou it.— Excerpts from the 90th Psalm.

O Lord, our God, God of our Fathers, by whose almighty hand this Government of the people, by the people, and for the people exists on the face of this good earth, we pray now Thy continued blessings on our beloved country so sorely tried by the shifting currents within and without. May the faith of her people be enhanced, may the awareness of Thy presence and a reliance on Thy wisdom and guidance be the first concern of these who are Thy servants and the elected servants of the citizens of this Nation. Finally, may the hand of the Almighty ever rest upon the helm of this ship of state that we at last all reach that desired haven.

We thank Thee for Thy servant with whom we walked and worked for a little while upon this earth. Thou hast received him into Thy nearer presence. Give unto his family and loved ones the consolation of Thy grace.