

c. Khe Sanh equals a current Dien Bien Phu where a crushing American defeat, brought about by wrong-headed US military advice, is inevitable. (This last point was registered in a rather widely reported letter to the editor decrying "the Agony of Khe Sanh.")

To this scenario was added the (to some) shocking information that the Commander-in-Chief sought military advice on this situation from his principal military advisors. To this latter revelation, I plead guilty. On the 29th of January, I advised the President on behalf of my JCS colleagues, of General Westmoreland's military measures at and near the Khe Sanh combat base and concluded that the "Joint Chiefs of Staff have reviewed the situation at Khe Sanh and concur with General Westmoreland's assessment of the situation. They recommended that we maintain our position at Khe Sanh."

Again in the "AI" Smith manner, take another look at the record.

Khe Sanh, a combat base about 3 kilometers long by 1 kilometer wide, was defended by some 5700 US Marines and 500 South Vietnamese soldiers. It had at the time tactical, strategic and psychological importance.

Now for a box score of the battle:

From 20 January until April 1st: KIA, US, 199; WIA, US, 1,600 (845 evacuated); KIA, Enemy, in excess of 10,000—or more than 50:1.

Enemy rounds "incoming" at Khe Sanh, 11,114, or about 150 rounds per day average. High was 1400 rounds on 23 February. Our "outgoing" artillery rounds 117,600, or more than 10:1.

BUT, the real punch was in the closely controlled use of massive airpower. We averaged 45 B-52 sorties and 300 tactical air sorties per day. An average day saw 1,800 tons of bombs used to destroy the enemy with radar bombing extending the fire support into night and foul weather. Moreover, Khe Sanh was resupplied by air every day—good weather (seldom had) and bad.

Three points are worthy of your attention: (1) General Westmoreland's Khe Sanh campaign plan, as he told me before the fact,

was to let the enemy commit himself and then beat him to death with air power;

(2) Two enemy divisions were tied down during TET by 6,000 allied troops and the enemy lost at least 50% of his 20-25,000 committed troops.

(3) One can speculate the outcome had these hostile forces been free to attack Quang Tri or Hue.

Not a US victory? Tell that to the Marines . . .

A footnote to Khe Sanh is the attempt by some to depict the enemy's retreat as a de-escalation in response to the President's 31 March speech. This accords Hanoi a pre-science of sibilant proportions since the 325C NVA division began withdrawing southward and westward into Laos nineteen days before the President spoke.

The situation today finds our enemy avoiding major contact while he resorts to attacks by fire, ambush, and harassment. Since early May, the indiscriminate rocket attacks on Saigon have made the capital city proper a critical point. Clearly the enemy's purposes are to sustain pressure on the capitol, to raise tension, create havoc, and to induce a sense of hopelessness and despair. (These means are used to achieve Giap's object #2—overthrowing the GVN and seizing its apparatus.) To date, civilian casualties total 515 killed and 4416 wounded for a total of 4931. Additionally 176,000 have been made homeless.

I agree with General Westmoreland that these attacks are militarily meaningless; they are, in a phrase, random murder. However, one cannot discount the effect over time on the targeted civilian population.

Now I should like to return to my central purpose and carry forward military appraisal of Vietnam. My thoughts are these:

(a) The US Armed Forces in South Vietnam remain unbeaten and unbeatable. The enemy has lost whatever chance he had of taking over South Vietnam by military force;

(b) Our forces have achieved an unbroken string of victories which, in the aggregate, is something new in our military history. They won while they were learning. There were no Bladensburgs or Bull Runs.

(c) The combat effectiveness of the ARVN has improved steadily over the past few years;

(d) Much hard fighting lies ahead. The NVA/VC will fight for your headlines, as much as for military purposes, during the months ahead. No one can have more reasons than the person occupying my position to want an honorable end to the fighting; but if our efforts toward a peaceful settlement are to succeed, we must continue to convince the enemy that they are not going to achieve their objectives by military force and its psychological by-products.

(e) Despite the torrents of words and pictures that have come from Vietnam, this war remains the least understood in our history. Americans, as they more fully understand the magnificent record of our armed forces in Vietnam, will accord these young men that full measure of respect and honor which is their due. I hope and trust you gentlemen will help in this regard.

In closing let me make this point:

Just as tigers breed tiger cubs, not lambs; so aggression begets aggression, not peace. From the vantage point of nearly 30 years, I have come to believe that World War II probably could have been averted if the capacity and will of the democratic nations to employ national power had been more clearly evidenced. There was nothing inevitable or irrepressible about the Panzers and Stukas of September 1939. If the policy makers of the day had foreseen the catastrophic results of inaction, certainly they would have acted rather than letting events run their course until World War II erupted.

Similarly, I am inclined to believe that, by acting when and how we did in Vietnam, we may well have averted a larger conflict at a later time. Many people have pointed out the price we are paying in Southeast Asia. I think we should also recall the cost to us of World War II—300,000 American dead and, to date, 400 billion dollars. In this context, our expenditures in blood and treasure in Vietnam are placed in better perspective.

If my thesis has any merit, an observation I heard attributed to General Dwight D. Eisenhower is apt:

"Hindsight is more accurate, but foresight is more valuable."

SENATE—Friday, July 12, 1968

The Senate met at 12 noon, and was called to order by Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia.

Rev. James Wilson, St. Paul's Episcopal Church, Lamar, Colo., offered the following prayer:

Almighty and most merciful God, look down with favor upon this great Nation. Where there is strife, give us peace. Where there is hatred, give us charity. Where there is division, give us unity. Where there is discord, give us harmony. Where there is despair, give us hope. Where there is oppression, give us the precious gift of liberty. Bind us by Thy power into one united people devoted to Thy will.

More especially we commend to Thine eternal care the Senate of the United States. Send down upon these representatives of the American people the spirit of wisdom. Help them to fashion for us just laws which will set forth Thy glory and establish peace among men of good will. By the grace of Thy holy spirit guide them in their decisions and bring their work to a happy end knowing that Thou art ever with them. All of this we

ask in the name of Thy son, Jesus Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 12, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.
CARL HAYDEN,
President pro tempore.

Mr. TALMADGE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 11, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. With objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on July 11, 1968, the President had approved and signed the following acts:

S. 102. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090);

S. 203. An act to amend sections 13(b) of the act of October 3, 1962 (76 Stat. 698, 704), and for other purposes;

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease (Las Cruces 063610);

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws; and

S. 2837. An act to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes.

**MESSAGE FROM THE HOUSE—
ENROLLED BILLS SIGNED**

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes;

H.R. 13402. An act authorizing the use of certain buildings in the District of Columbia for chancery purposes;

H.R. 15562. An act to extend the expiration date of the act of September 19, 1966; and

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes.

**LIMITATION ON STATEMENTS DURING
TRANSACTION OF ROUTINE
MORNING BUSINESS**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

**COMMITTEE MEETING DURING
SENATE SESSION**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

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

**NATIONAL TRANSPORTATION
SAFETY BOARD**

The bill clerk read the nomination of Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board.

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

RAILROAD RETIREMENT BOARD

The bill clerk read the nomination of Thomas M. Healy, of Illinois, to be a member of the Railroad Retirement Board.

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

**NATIONAL LABOR RELATIONS
BOARD**

The bill clerk read the nomination of Howard Jenkins, Jr., of Colorado, to be a

member of the National Labor Relations Board.

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

**NOMINATIONS PLACED ON THE SEC-
RETARY'S DESK—THE AIR FORCE
AND THE PUBLIC HEALTH SER-
VICE**

The bill clerk proceeded to read sundry nominations in the Air Force and the Public Health Service which had been placed on the Secretary's desk.

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, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1361, 1362, and 1363.

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

**DR. JOAQUIN FRANCISCO
PALMEROLA CABRERA**

The bill (S. 3173) for the relief of Dr. Joaquin Francisco Palmerola Cabrera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Joaquin Francisco Palmerola Cabrera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 6, 1963.

DR. JUAN M. ORTIZ

The Senate proceeded to consider the bill (S. 3083) for the relief of Dr. Juan M. Ortiz which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "of" strike out "February 18, 1963" and insert "February 8, 1963."; so as to make the bill read:

S. 3083

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Juan M. Ortiz shall be held and considered to have been lawfully admitted to

the United States for permanent residence as of February 8, 1963.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

ARLEY L. BEEM

The bill (H.R. 2756) for the relief of Arley L. Beem, aviation electrician's mate chief, U.S. Navy, was considered, ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to come in early and stay late, if necessary, each day next week, in an effort to realize our August 3 sine die adjournment. I believe that next week will be the crucial test of the Senate in determining whether this goal will ever be a reality.

As the order for convening on Monday indicates we will commence at 10 o'clock Monday morning with Calendar No. 1366, S. 3769, the Higher Education Act. This will be followed on Monday by the Vocational Education Act amendments. Upon completion of these bills, the Senate will commence consideration of Calendar No. 1354, H.R. 17023, the independent offices appropriation bill. It is to be followed, hopefully, on that day or as soon thereafter as possible, by Calendar No. 1331, S. 3724, the mutual funds bill. Following that, we hope that H.R. 18188, the Transportation Department appropriations bill, will be ready for floor consideration, and that will be followed by Calendar No. 1357, S. 3590, the farm bill.

The latter part of the week, we should be considering H.R. 17903, the public works appropriation bill; H.R. 18027, the Labor-HEW appropriation; and H.R. 17522, the State-Justice-Commerce appropriations bill.

Other matters on the calendar will be considered as time permits.

The leadership requests that all Members arrange their schedules to permit the fullest attendance. We are fully appreciative of the demands for time on all Members seeking reelection. It would be our hope, however, that Senators not in this category would be on the floor during this week, as well as any candidates who may arrange their schedules accordingly.

As was stated earlier, next week could be the crucial week in realizing our August 3 sine die adjournment. For the convenience of scheduling, all Members should be alerted to the intention on the part of the leadership to schedule a Saturday session next week, if necessary, to fulfill this schedule.

I need not remind Senators of the joys of returning to session after the political conventions. With the cooperation of the entire Senate, we can all be spared that experience.

**TEXAS VERSION OF AMERICAN
HISTORY**

Mr. WILLIAMS of Delaware. Mr. President, the Johnson administration has

launched a massive new program, the purpose of which is to write a Texas version of American history during the 6 years of the Great Society.

Under White House orders, each department and agency has been instructed to assign two high-salaried individuals on a full-time basis to the sole task of preparing a written history of that agency's activities during the Johnson administration. All reports are to be sent to the White House, so naturally they had better be flattering to the President.

I quote from the White House memorandum, which will later be placed in the RECORD in its entirety:

The basic purpose of this project is to compile for the use of future historians a compilation of significant events in the various departments and agencies of the Government during the Johnson Administration. To accomplish this purpose, we are asking each department and agency to prepare a full written history of this period. . . . This effort should be given close supervision by a high official of your department. At least two highly qualified individuals with knowledge of the department's major activities, should be assigned to this task on a full-time basis.

This project is being directed by Mr. John Robson, Under Secretary of Transportation, and by two members of the White House staff, Mr. Matthew Nimetz and Mr. Don Furtado. Special orders to initiate this high-powered staff were transmitted to the various agencies and departments over the signature of Mr. Joseph A. Califano, Jr., special assistant to the President.

Heretofore, American Presidents have been satisfied to allow historians to write their own versions of history; but apparently the Johnson administration is fearful of the results, and it is, therefore, at the taxpayers' expense, preparing to make sure that history emphasizes his achievements and forgets his mistakes.

In my opinion this is an unnecessary and irresponsible waste of the taxpayers' money since the writing of American history as regards the work of any administration should be left to the historians and should not be distorted by a lot of high-powered propaganda initiated at the taxpayers' expense.

If, however, history is to be written at the taxpayers' expense I would suggest that they make note of the following facts.

First. That the Johnson administration has been the greatest spendthrift that has occupied the White House since the initiation of the American Republic, with the deficit for the current fiscal year, 1968, approaching \$25 billion.

Second. That the value of the American dollar has deteriorated at a faster rate under the Johnson administration than at any time in American history with the inflationary result that the purchasing value of our retirees' savings accounts, pensions, social security, et cetera, has been greatly depreciated. The rapid rise in the cost of living, which has been fanned by the planned deficit-spending policies of the Great Society has destroyed their security.

Third. These historians should record some of President Johnson's many promises during the 1964 election campaign

concerning his attitude toward the Vietnam war and compare them to the actions taken by the administration after the votes were counted. Emphasis should be made of the fact that the "prosperity" of which they boast so loudly is in effect a prosperity based on war spending.

Fourth. Mention should be made of how our crime rate has soared in the past 4 years. As our courts became more lenient in sentences imposed upon the criminals and as the Department of Justice—under White House direction—has expressed more concern over the rights of the criminal than over the rights of the victims of these crimes our national crime rate has jumped fantastically.

Fifth. Surely some mention should be made that interest rates under the Johnson administration have soared to the highest level in the past 100 years. During the Eisenhower administration when interest rates were around 4 to 4½ percent both President Johnson and Vice President HUMPHREY, as Members of the U.S. Senate, made almost daily speeches on what they referred to as the high interest rates of that administration. These historians should make note that today when the Government pays 6 percent for a 7-year note not one word of complaint about these high interest rates has been heard from either the President or the Vice President.

This task force to write a Texas version of American history represents an unnecessary expenditure of the taxpayers' money; however, when we realize the low level of esteem which the American people hold for the policies of the Johnson administration, perhaps we can better understand why the President thought this pretentious project necessary.

I ask unanimous consent that the White House orders initiating this project, dated May 31, 1968, signed by Mr. Joseph A. Califano, Jr., special assistant to the President, be printed at this point in the RECORD.

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

THE WHITE HOUSE,
Washington, May 31, 1968.

Memorandum for —

In accordance with our discussion concerning the Departmental Histories Project, the following information will establish the guidelines and schedule for this endeavor.

The basic purpose of this project is to compile for the use of future historians a compilation of significant events in the various departments and agencies of the Government during the Johnson administration. To accomplish this purpose, we are asking each department and agency to prepare a full written history of this period, backed up by complete documentation. Emphasis should be placed on the process of arriving at and implementing major decisions, as well as on publicized events. Although these histories will vary by department, we believe they should all focus at least on the following:

- Organizational changes;
- Personnel and staffing changes;
- Program changes, emphasis or de-emphasis;
- Operating methods (e.g., regional or field efforts);
- Interagency relations;
- Legislative relations;
- External relations (e.g., industry, labor, academic, etc.);

Changes in character or emphasis of mission;

Legislative history and implementation of major Johnson Administration legislation.

This effort should be given close supervision by a high official of your department. At least two highly qualified individuals with knowledge of the department's major activities, should be assigned to this task on a full-time basis. The names of the supervising and full-time officials on this project should be reported to my office by 12 noon, Monday, June 3, 1968. (Code 145, X-2634.)

This project will be coordinated by John Robson, Under Secretary of Transportation, and by Matthew Nimetz and Don Furtado of the White House staff. The following schedule has been established:

May 31: Meeting with Departmental Representatives;

June 7: Outlines Submitted;

June 21: Progress Report;

July 5: Progress Report;

July 19: Progress Report;

August 2: Progress Report;

August 16: Progress Report;

August 30: First Drafts Submitted;

November 1: Final Drafts Submitted (with documentation);

January 15: Supplements Submitted.

A schedule of meetings for the week of June 10 will shortly be circulated. At that time, outlines will be reviewed by the White House staff, the Bureau of the Budget, and a representative of the Archivist, together with the department or agency involved.

Initial questions should be addressed to John Robson (13/20825), Matt Nimetz (145/2634), or Don Furtado (145/2363).

JOSEPH A. CALIFANO, Jr.,
Special Assistant to the President.

TRIBUTE TO REPRESENTATIVE WILLIAM V. ROTH

Mr. WILLIAMS of Delaware. Mr. President, in the Chicago Tribune of July 11 there appeared an article by Willard Edwards paying a well-deserved tribute to Representative ROTH from our State. I quote from that article:

When the time comes to single out the greatest individual achievement by any Member of Congress at this session, the award might well be given to a virtually unknown Republican freshman from the small state of Delaware.

The article then proceeds to comment on his work in compiling a 200,000-word catalog of the more than 1,000 domestic aid programs which funnel \$20 billion a year to the public.

I ask unanimous consent that this article, entitled "Freshman Congressman Bares Aid Jungle," be printed in the RECORD.

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

FRESHMAN CONGRESSMAN BARES AID JUNGLE
(By Willard Edwards)

WASHINGTON, July 10.—When the time comes to single out the greatest individual achievement by any member of Congress at this session, the award might well be given to a virtually unknown Republican freshman from the small state of Delaware.

Rep. William V. Roth, as the result of awesome labors with his staff over an 8-month period, has compiled a 200,000-word catalog of more than 1,000 domestic aid programs which funnel 20 billion dollars a year to the public. He placed it in the Congressional Record where it consumed 144 pages of agate type.

Such a publication, of course, should have been provided by the Johnson administra-

tion, which spends 425 million dollars a year on publicity and public relations, turning out mountainous piles of propaganda material.

Roth soon learned why the bureaucracy for years has avoided a detailed listing in one place of its assistance programs. He discovered as many as 25 agencies doling out money in the same area, duplicating each other's efforts in a welter of confusion and waste.

He began to suspect, moreover, that the pattern of red tape and confusion was deliberate. He found that most citizens were baffled by this planned hodgepodge. They might be qualified for a share in this bounty, provided by their tax dollars, but they became lost in a wilderness of rules and regulations.

A GAME CALLED GRANTSMANSHIP

Most of the loot, Roth learned, was being grabbed by groups who employ professionals in the art of pursuing federal funds. They maintain skilled staffs to keep track of the multiplying programs and establish personal contacts with the officials who approve money grants.

This game is known as "grantsmanship" in Washington, and it has a large corps of high-salaried practitioners. Without their help, few can thread the bureaucratic maze to qualify for the financial assistance to which they may be legally entitled.

Roth, 46, is one of the comparatively young congressmen who have breathed new life into the House. After World War II service, rising from an enlisted private to captain on Gen. Douglas MacArthur's intelligence staff, he came home to get his law degree at Harvard on the GI bill. He forsook a high income as a lawyer to get into politics in the 60s and won his first elective post in the surge which added 47 G.O.P. seats to the House in 1966.

When he came to Washington 18 months ago, he quickly learned that members of Congress were constantly besieged with requests for information on government assistance programs. He was appalled to find that among the thousands of federal publications, catalogs, and press releases there was no genuine information about these programs.

"No one, anywhere, knew how many programs there were," he said. "There was not even a definition of what a 'program' was."

EIGHT MONTHS LATER: EXHAUSTION, TRIUMPH

Not quite realizing what they were getting into, Roth and his staff began the gargantuan task of attempting to bring order out of chaos. Eight months later, exhausted but triumphant, they had produced the first up-to-date compendium of federal programs. It was not complete—the department of health, education, and welfare would not cooperate—but it listed 1,050 program descriptions and titles, with information about them.

It was a stupendous accomplishment, so recognized by members of both parties, conservatives and liberals. When Roth sponsored a bill to require the government to publish annually a comprehensive catalog of all federal assistance programs, 73 members joined him in its co-sponsorship. Nine senators, saluting Roth's achievement, sponsored a similar bill in the Senate.

The fate of this measure rests with Chairman William Dawson [D., Ill.] of the House government operations committee. He's under administration pressures to kill it.

Such a catalog, for example, could destroy the dominance over small colleges now enjoyed in obtaining educational and research grants by great universities who can afford high-priced consultants. It would place small towns and school districts on an equal basis with states and cities who employ influence-peddlers.

But, most of all, it would expose the folly of countless spending programs, now hidden in the bureaucratic jungle from the public.

MONEYS OBTAINED FROM THE SALE OF MATERIALS FROM PUBLIC LANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1385) to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States" approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

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

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

THREATENED CURTAILMENT OF AGENCY SERVICES

Mr. WILLIAMS of Delaware. Mr. President, yesterday the Postmaster General was quoted as stating that as a result of expenditure reductions and employment restrictions in the recent tax increase bill he was going to curtail all Saturday deliveries of mail. This threat of reduced services is in line with statements we have been hearing from various other agencies, which likewise have threatened catastrophic results in services rendered if their particular agency is affected by these expenditure reductions.

For example, under date of May 9, 1968, the Director of the Budget, Mr. Charles J. Zwick, was quoted in the Washington Post as follows:

Budget Director Charles J. Zwick said these were among the programs that would bear the brunt of the reductions: Elementary and secondary education, cancer and heart research; rural electrification and telephone loans, veterans' medical care, anti-crime activities; maternal and child welfare grants, school lunch and food stamp programs, operations of airways by the Federal Aviation Administration, the model cities program; and air and water pollution control.

Significantly not one Great Society bureaucrat has as yet suggested the possibility of reducing such items as the space program, new public works projects, the foreign aid program, or the multimillion-dollar subsidiary payments that are made to farmers for corporate-type farm operations. None of these programs is mentioned in potential cuts.

Mr. President, I want the RECORD to show and I want the heads of these

agencies to take notice that we are not going to be intimidated in the least by any such threats or blackmail attempts to exclude their agencies from accepting their portion of these cuts. I point out that the Director of the Budget has complete discretionary authority to assign these cuts to those agencies in a manner which will have the least disturbing effect on public service. The Director of the Budget has that authority. That authority was given to him on agreement reached between the conferees and the Director of the Budget.

The mandatory reduction in employment does not require the removal or the firing of a single Federal employee. It restricts the Government only to the extent that they can fill only three out of each four normal resignations and retirements until they return to the July 1966 level. There is nothing wrong with returning to the July 1966 level.

I wish to point out that all we did in the bill was to write into the law President Johnson's own Executive order of September 20, 1966. Surely, he must have made that order in good faith.

Mr. President, in order that the agencies may understand we mean business I am today sending the following telegram to the Postmaster General:

JULY 11, 1968.

HON. MARVIN WATSON,
The Postmaster General,
Washington, D.C.:

The press quotes you as having announced that as the result of the expenditures and employment restriction in the recent tax bill all Saturday mail deliveries will be stopped. Please advise how much reduction in employment and the full amount of dollar savings that will result from this action in order that we can make the proper decisions.

JOHN J. WILLIAMS,
U.S. Senator.

Mr. President, when I receive a reply I shall be glad to cooperate by offering an amendment to rescind that portion of his appropriation which he proposes to save by this action.

As author of the proposal to force a mandatory \$6 billion expenditure reduction for fiscal 1969 along with a mandatory rollback in Federal civilian employment I want every agency of the Government to be on notice that I do not intend that this action be nullified through a series of exemptions.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 3042. A bill for the relief of Dr. Mario E. Comas (Rept. No. 1395);

S. 3043. A bill for the relief of Dr. Juan C. Arrabal (Rept. No. 1396);

S. 3051. A bill for the relief of Dr. David Alfredo Orta-Menendez (Rept. No. 1397);
 S. 3075. A bill for the relief of Dr. Richard Francis Power (Rept. No. 1398);
 S. 3076. A bill for the relief of Dr. Miguel A. Gomez (Rept. No. 1399);
 S. 3081. A bill for the relief of Eduardo Raul Fernandez Santalla (Rept. No. 1400);
 S. 3082. A bill for the relief of Dr. Narciso A. Lores (Rept. No. 1401);
 S. 3085. A bill for the relief of Hector Mere Hidalgo (Rept. No. 1402);
 S. 3152. A bill for the relief of Sein Lin (Rept. No. 1403); and
 S. 3166. A bill for the relief of Dr. Jagir Singh Randhawa (Rept. No. 1404).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BYRD of West Virginia (for Mr. MONRONEY), from the Joint 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 June 27, 1968, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

CONVENTION ON TRANSIT TRADE OF LAND-LOCKED STATES—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive I, 90th Congress, second session, the Convention on Transit Trade of Land-Locked States, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

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

The message from the President is as follows:

To the Senate of the United States:

Today, I ask the Senate to give its advice and consent to ratification by the United States of the Convention on Transit Trade of Land-Locked States.

This Convention was adopted by the United Nations Conference on Transit Trade of Land-Locked Countries on July 8, 1965. It was signed on behalf of the United States on December 30, 1965.

The purpose of the Convention is to incorporate into treaty law the rights and obligations of land-locked States, and of their transit state neighbors, regarding the movement of goods in international transit trade.

Though the Convention does not directly affect the United States, it would benefit our trading community, by helping to lessen administrative difficulties encountered in transit trade.

By becoming a party to the Convention, the United States would show its support for solving many of the transit problems of land-locked States, long a source of irritation in several areas of the world.

I enclose, for the information of the

Senate, the report of the Secretary of State on the Convention.

I recommend that the Senate give favorable consideration to United States ratification of the Convention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, July 12, 1968.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 3773. A bill for the relief of Dr. Adnan Abu Ghazaleh, his wife Samira Abu Ghazaleh, and his son, Samir Abu Ghazaleh; to the Committee on the Judiciary.

PRAISE FOR PRESIDENT JOHNSON'S COMMITMENT TO PROGRESS IN CENTRAL AMERICA

Mr. SMATHERS. Mr. President, President Johnson has met successfully with the Central American chiefs of state at an unprecedented conference in El Salvador. It was the first time a North American President had visited all five Central American countries and conferred with their leaders.

The meeting's major goals have been achieved. We have seen the reaffirmation of their determination to push ahead with a common market and thereby bring about perfect regional unity with the resultant social and economic benefits. New impulse has been generated for the Alliance for Progress.

Our Chief Executive—in his own inimitable style—met formally and informally with his political peers from Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica to pave the way for a new era of physical and economic unity of the area. His presence there undoubtedly have given intense stimulation to the Central American leaders to move ahead despite obstacles.

This is a milestone in inter-American affairs and we can do not less than rise to warmly applaud his earnest and effective efforts. The democratic traditions of our country as well as of the host nations were represented in a manner that does honor to both our President and his well-chosen advisers.

The President has long viewed Central and South America as a whole force for the accomplishment of great and lasting measures toward economic and social advances. Through his persistence and extraordinary efforts this country has continued to participate in and contribute effectively to the Alliance for Progress.

Permit me to take the liberty of assuring President Johnson and the leaders of our neighbor nations that the Congress and people of this country—conceived in revolution and reared in unity—within the capabilities, stand solidly behind these efforts to help themselves.

JUSTICE ABE FORTAS, IMPATIENT SCHOLAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article which appeared

in the Evening Star of July 10, 1968, entitled "Impatient Scholar."

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

IMPATIENT SCHOLAR: THE CHIEF JUSTICE—DESIGNATE EMERGES AS OWN MAN

(By Lyle Denniston)

Abe Fortas, the man who could soon be the chief magistrate of the nation, is a self-made aristocrat, a man long on learning and short on patience, a drawing-room liberal with little visible passion, and Lyndon Johnson's friend for 30 years.

If the Senate approves him as chief justice of the United States, Fortas could be the most persuasive yet least understood man ever to hold that job. He is certain to be the most quotable.

Just turned 58, he has been moving toward—or around—the center of power for so long that there is a certain inevitability about his rising to the top of one of the three branches of government.

But his power has been largely "shadow" power, the kind of semi-hidden exertion of forceful logic by a practitioner of the Washington art of "political law."

And so tomorrow, when the Senate Judiciary Committee examines his fitness to be Earl Warren's successor, it will be with no definite feeling—in the Senate or in the country—that this is a man who just ought to be, almost of right, the chief justice.

Though Fortas has been on the Supreme Court for three years, he is just now emerging into a national personality as his own man. Indeed, even that personality is his only because Lyndon Johnson took him from the shadow and nominated him to the court.

But he very likely will be on the court long after the passing of Johnson's Great Society, to which he has been close counselor.

After the Johnson years, and, perhaps more significantly, after the Warren era, Fortas is faced with helping to open a new era. He apparently has little feeling that it will be his mandate only to fulfill what others have proclaimed.

SEES LAW CHANGING

Fortas has a sense of history progressing, and law moving with it—assisted, significantly, by judges and lawyers who can make it move.

As a fast-rising government official of New Deal days, and even more as a \$150,000-a-year private lawyer, he did much to make public law move and change. He seems to feel that a Supreme Court justice can do the same.

For example, he has said that court decision in the two most controversial areas of modern law—rights of Negroes and criminal suspects—"have provided powerful impetus, even imperatives, for the drive towards a greater social order."

It has often been said that Fortas was one of only a few lawyers in history who could feel that moving to the Supreme Court was, at most, a sideways movement. But it seems plain that he does not feel that way.

Four years ago, before he became a justice, he described one potential of a court seat which obviously appealed to him:

"For a justice of this ultimate tribunal, the opportunity for self-discovery and occasion for self-revelation are unusually great. Judging is a lonely job in which a man is, as near as may be, an island entire. The moment is likely to come when he realizes that he is, in essential fact, answerable only to himself."

In that posture of "splendid isolation," as Fortas called it, he saw the possibility that a justice could—sooner or later—discover and then "expose to public view the inner views that lie close to the secret heart."

A DOUGLAS ADMIRER

As a justice himself, that came sooner rather than later for Fortas. Rarely has a

freshman jurist displayed his "inner views" as prominently, and as certainly, as Fortas has in three years of judging. In fact, he almost never displays doubt about his views.

He once said, perhaps mostly in jest, that a justice must—in trying to get a majority to go his way—do "more un-thinking and re-thinking than any man ought to have to do in a lifetime."

Fortas is more likely than almost any of the other justices to write down separately what he personally thinks is significant in a case where he agrees with the majority's result but someone else is writing the majority opinion.

It may be significant that the court's other most prominent "loner," Justice William O. Douglas, is the colleague whom Fortas seems to admire most. They have been close for years; Fortas was a student of Douglas' at Yale Law School, and wrote one of his first law review articles on an idea suggested by Douglas; Fortas also was one of Douglas' bright young men at the Securities and Exchange Commission in the 1930s.

Four years ago, in a tribute to Douglas, Fortas suggested qualities which he found attractive, if not worthy of limitation:

"To himself, to friend and foe alike, Mr. Justice Douglas is a harsh critic who lies in wait for the slothful, the untidy, the drooling, the soft and sappy."

Furthermore, the younger man wrote, "for this man of intense sentiment, sentiment which cannot be sharply and effectively deployed is slop."

It is in sentiment that the two differ the most. Fortas takes his liberalism out of history and reason, while Douglas seems to get it from a passionate feel for what simply ought to be.

It will be this quality about Fortas that could make it difficult for him to be widely understood as chief justice. He often speaks in the complexities of deep philosophy, and tends to pronounce judgments that are too refined to permit easy translation into popular prose. When he inserts one of his especially quotable phrases, it is to illustrate, not to paraphrase, his result.

For example, it is common for Fortas to explain a ruling on the rights of persons accused of crime in terms of the ethical and political theory that—in law—the individual stands as a full equal to the government. From this he extracts limits upon the power of police or judges in handling suspects.

He may draw a colorful phrase out of this process, but it is not likely to say exactly what he has concluded. In last year's ruling laying down the rights of juvenile delinquents, he wrote: "Under our Constitution, the condition of being a boy does not justify a kangaroo court." But the decision was not that simple.

The justice is known to be fastidious about the words he uses, not only for opinions or formal public speeches but also in personal conversations.

In good preacher fashion, Fortas tends at times to make his points by saying the same thing several ways in rapid succession. This progression may rise to the point of overstatement at the end, as in this comment about a ruling on the defamation of a public official:

"The First Amendment is not a shelter for the character assassinator, whether his action is heedless or reckless or deliberate. The First Amendment does not require that we license shotgun attacks on public officials in virtually unlimited open-season. The occupation of public officeholder does not forfeit one's membership in the human race."

Again, though, the quote is not the point. It is argument. And the intensity displayed in Fortas' arguments, his friends say, is somewhat alien to the animated and frequently light-hearted conversation he makes in private.

Some of the justice's personal tastes and private habits add further to the image of an

aristocrat much more polished than the fifth child of an immigrant cabinetmaker in Memphis, Tenn., Fortas' origins. He and his lawyer wife, Carolyn, are part of Georgetown society. He is as well-tailored as any Farragut Square attorney. The summer-home and the winter ski vacation are apparently fixtures in his year. Fortas is a violinist of competence if not renown.

And yet, in one of the many paradoxes that are easy to find in Fortas, his closest personal association in Washington seems to be with the earthy and plain-spoken Texan in the White House.

The popular impression here is that President Johnson and Fortas have been in more-or-less continuous association and consultation for the better part of 30 years. Fortas insists that is exaggeration. But the confirmed facts of their relationship are enough to make exaggeration unnecessary; they are close confidants.

THE FRIENDSHIP

Over the years, Johnson may have done much for Fortas, but his most conspicuous favors, of course, were to make him a Supreme Court justice, and now to attempt to make him chief justice.

In general, Fortas' many associations with Johnson fall into four categories:

Official advice: Of a small handful of men outside the White House known to be close to Johnson, Fortas is closest. He helped advise in the transition after President John F. Kennedy's assassination. He helped draft the plan for the Warren Commission on the assassination. He has helped write speeches on a variety of subjects. He has given advice, of a generally "hard" line, on the Vietnam war. He has written key documents in the midst of the crisis of city riots. And he did secret negotiating during the Dominican Republic uprising in 1965.

Personal aid: He and his wife have been lawyers for the Johnson family, at times on a continuing basis. He led a team of lawyers drafting a trust plan to insulate Johnson, as President, from his television properties. He attempted to protect a Johnson aide, Walter Jenkins, from unfavorable publicity on a morals charge.

Political chores: From time to time, he has been a campaign adviser to the President, including almost daily service during the 1964 campaign. He has tried to shield the President from some of the unfavorable news accounts on the troubles of former Johnson protegee, Robert G. (Bobby) Baker, who retained Fortas as a lawyer for a time. Fortas helped Johnson get into the Senate in 1948 by taking the legal steps needed to keep the Texan on the ballot.

Close friendship: Fortas and Johnson have been in close personal terms since their first meeting in New Deal days. Social observers report that the Fortases are frequent callers on the Johnsons, or vice versa.

FORTAS ROSE FIRST

Although Fortas came to Washington later—he came in 1933, Johnson in 1931—the young lawyer rose faster to prominence. When he was only 32, Fortas became the No. 2 man to Interior Secretary Harold Ickes, and occasionally went to Cabinet meetings. At the time, Johnson was only in his fifth year in the House.

Before the Texan went to the Senate, Fortas had been to San Francisco to be an adviser at the founding of the United Nations. In 1947, a year before Johnson's first Senate election, Fortas went into private law practice with President Truman's trust-buster, Thurman Arnold, and the wartime price controller, Paul Porter.

That firm's reputation as one of the two or three most influential in Washington came from a curious—if not contradictory—combination of practice. It spoke in the nation's capital, and in many courts, for some of the biggest of U.S. big business. It also spoke—usually without fee—in some of the same

forums for the politically and socially out-cast.

Fortas himself became a frequent, and frustrated, legal counselor in the 1950s to government employes and others facing hostile congressional committee probes of their loyalty. He became so disturbed over the lack of "due process" that he came as close as he ever has to the role of an evangelist; he spoke and wrote frequently about committees which he said were acting "outside the law."

Although today's Communist-hunting congressmen still complain of Fortas' role in those days, he was not a challenger of the basic power and right of congressional committees to look for subversives.

Indeed, he wrote in 1954: "If there had been produced a well-documented, authoritative disclosure of individual government officials or defense workers who were engaged in passing secret information to Soviet agents, informed and responsible public opinion would probably have been profoundly altered. This did not occur."

"Instead, the bedlam of charges continued . . . The result was that the people were not marshaled to battle the invader. Rather, most of them were induced to lock the doors to keep out the wild clamor and uproar. . ."

A KEY DECISION

And Fortas, in one of the most significant decisions he has written for the Supreme Court, has prescribed a rule-of-thumb which has significantly relaxed the long years of court-Congress tension over legislative hearings.

The rule gives Congress free reign to conduct its investigations, but says that, if the lawmakers want to back up their right to probe with criminal sanctions, they must observe the limits a court must follow in criminal cases.

There is a similar continuity from Fortas' private law practice through his court service in the field of criminal suspects' right.

In a way, he can be considered the one who opened the court's modern "revolution" on criminal law. At the court's request in 1963, he acted as the pleader for the right of all suspects, rich and poor, to have a lawyer when they face serious criminal charges.

He won the case, and the high court's decision was the key to the later ruling that a suspect has a right to a lawyer when a police investigation focuses on him. That, in turn, led to the famous "Miranda" decision on the limits of police questioning of suspects in the stationhouse. By the time the court got to the Miranda ruling Fortas was on the court; his vote was crucial in the 5-4 result.

Since then, he has joined a few other justices in arguing that the court must now consider applying the right to a lawyer to persons charged only with "minor" crimes which can lead to significant jail terms or fines.

As a private attorney and as judge, Fortas has worked for limits on the power of government to punish as criminals persons who are not responsible for their behavior—for example, mentally ill or chronic alcoholics.

WON DURHAM CASE

He was the lawyer who won the "Durham case" here in 1954, with new definitions of the level of mental competence needed to prove criminal responsibility. And just last month, as a member of the court, he dissented when the court refused to ban criminal prosecution of chronic drunks.

It is also possible to find links between Fortas' former business law practice and his votes and opinions in commercial cases at the court. But he is by no means the predictable protector of business-against-government that some observers have noted.

For example, he has upheld prosecution of General Motors for controlling too closely

who can buy its cars; he has favored limits on differing prices based only on the difference in labels on identical products; has argued—unsuccessfully—for state power to tax mail-order merchandisers; has upheld government rules controlling the money-making railroad "piggyback" business and has voted in favor of federal regulation of cable television.

But these stands have been overshadowed, perhaps, by some of his strongly worded criticism of his colleagues for ignoring the "realities" of business operation, and by his defense—ultimately successful—of the giant merger of the Pennsylvania and New York Central Railroads.

If Congress has shown what Fortas interprets to be a clear step to regulate or oversee a field of activity—such as some business operation and most of labor union tactics—he is likely to be a jealous guardian of the congressional move.

A JUVENILE EXPERT

Since most of what the lawmakers have done in the labor field favors the bargaining powers and contract rights of workers, Fortas has appeared to be distinctly pro-labor. However, in one of his first opinions as a justice, he rejected a key labor plea for the right to avoid anti-union bias in local courts because Congress had done nothing to support that plea.

In some areas of national legislation, though, Fortas is notably sensitive to what he considers intrusions on basic rights of individuals. He favored letting taxpayers sue to block federal aid to church-related institutions; he opposed Communist party registration laws; he was against the gamblers' tax and registration laws; he objected to total bans on defense plant jobs for all Communist party members, and he opposed the kidnapping law's death penalty clause.

Because so much of the court's docket in criminal law and racial equality cases involves state or local laws, Fortas—with the rest of the current court majority in those fields—has voted often against state and city government action.

On the rights of the criminally accused, he has emerged prominently as the court's expert on the rights of juvenile delinquents. Perhaps his most famous, and most learned, opinion came last year in a decision granting juveniles the right to a lawyer and several procedural protections in hearings on their delinquency.

In cases involving adults, he has been pressing the court to impose a broad duty on state prosecutors to share, with the suspect's defense lawyer, all significant evidence in the state's hands before the trial. In one of his quotable sentences, he said "The state's pursuit is justice, not a victim."

He has favored suspects' right to a lawyer in police identification lineups and the same right for convicts faced with loss of their probation. He agreed that states should be required to provide jury trials in serious criminal cases, but suggested they be allowed to experiment with the specific form.

On police actions, he approved of the newly defined power of a policeman to stop suspicious people on the street and frisk them, and he was in favor—within limits—of added authority for police to gather evidence other than weapons and stolen goods.

However, he has opposed police wiretapping and electronic "bugging" practices brought before the court, and he has supported the extension of the area protected from electronic "intrusion" to include not just homes or private offices, but any place that a person is treating as private—such as a public telephone booth.

BACKS NEGRO RIGHTS

For policemen themselves, Fortas has supported their right to remain silent

rather than give evidence against themselves in official probes of misconduct.

He also has joined in the rule freeing public employes to speak out publicly on official issues without losing their jobs, and he has supported every decision nullifying "loyalty oaths" for public servants, including teachers.

Fortas has gone as far as any member of the court in upholding the equal rights of Negroes and of persons demonstrating in favor of such equality.

His most significant opinions in this field probably have been those broadening a century-old conspiracy law for use against accused killers of civil rights worker, and upholding the right of demonstrators to peacefully protest segregation in public facilities.

With the court's clear majority, he has opposed the poll tax and favored strict federal controls over state voting laws used against Negro voters.

In the two biggest race cases of his terms on the court, he favored applying an 1866 law as a complete ban on housing discrimination, and he joined in nullifying laws against mixed marriage.

NOT ALL LIBERAL

Fortas' most significant departures from the liberal trends of the court have come in three areas involving state and local government—control of obscene books and films, control of some news coverage and demands for equal-sized districts for elected city and county officials.

Although he has shown some uncertainty about what he considered to be "obscenity," Fortas has voted in favor of punishment for those who "pander" in dirty publications, or those who sell racy publications to youths.

He has used some of his most strenuous language in condemning newspapers and magazines for printing stories that either threaten the reputation of public officials or private persons, or interfere with the privacy of individuals or families.

"I do not believe," he wrote last year, "that whatever is in words, however much of an aggression it may be upon individual rights, is beyond the reach of the law."

It was a claim of individual rights which also prompted Fortas to dissent in the significant "one-man, one-vote" government districting case this year.

While he has fully favored the principle, and has argued in favor of equal districts for state legislators and against giving any legislative power to choose a state governor, Fortas balked when the court held that elected city and county government officials could only be chosen from equal-sized districts.

He condemned this as "arithmetic simplicity," and argued that, if the real facts were examined, it would be clear that some individuals' right of representation in local government would actually be frustrated by a rigid rule of "one-man, one-vote."

HUMAN RIGHTS GUARANTEES CALLED FOR BY SENATOR BROOKE

Mr. PROXMIER. Mr. President, I was very pleased to notice in the RECORD this morning that my distinguished colleague, the junior Senator from Massachusetts [Mr. BROOKE] has spoken out on the civil war in Nigeria. His remarks appear on page 20816 in the RECORD of July 11, 1968.

I was particularly gratified to see the Senator's statement, deploring the unbelievable situation in Nigeria-Biafra, since the same day I spoke on this very same subject—page 20843. The Senator stated midway through his remarks:

Underlying all the differences, the leaders of Nigeria and Biafra share some common goals: they all want a better life for their people; they all want peace; they all want personal security and political freedom. Surely, there is a point at which all these goals can be accommodated with a political settlement.

While I do not mean to put words in the Senator's mouth nor impute a meaning he did not intend, surely, it is clear from what the distinguished Senator says that he is referring to the need for protecting the inherent, natural rights of Nigerians and Biafrans; indeed the rights of all men.

Mr. President, the Senate well knows that for nearly 2 years I have spoken daily on the need for ratification of the human rights conventions. While I deplore the situation that gives rise to the remarks of the distinguished Senator from Massachusetts [Mr. BROOKE], I am happy to see his words calling for respect for the rights not only of American citizens but for the rights of peoples thousands of miles from our shores.

There is war in Nigeria-Biafra and the world deplores it. There is deliberate starvation of brother by brother in Nigeria-Biafra and the world is horrified by it. The United States has given food aid to the starving while refusing to send arms to either side. But the point here is that this kind of instability, particularly that resulting from deliberate starvation of Biafran by Biafran, is an invitation to the kind of intervention that the United States and other world powers are becoming very wary of. Simply stated, this kind of instability is a prelude to a perhaps wider conflict involving countries other than the principal combatants. It is a threat to world peace.

Mr. President, we have a classic example here of how the whole world is threatened by violence anywhere, and where you have large scale violence you automatically have large scale violations of basic human rights.

Mr. President, another Senator, Mr. BROOKE, has spoken out calling for protection of the human rights of all men. And I say now, as I have said for so long, that the Senate must ratify the pending Human Rights Conventions and others to which we are signatory. Continued failure to have the United States formally on record for international guarantees for human rights deprives every Senator who speaks out against violations of human rights of the support he needs to make his point forcefully and credibly. Indeed, sadly, it deprives every American of a deserved probity of position when speaking in favor of guaranteeing for all men those same rights which we enjoy in America.

A CEASE-FIRE IN VIETNAM

Mr. PERCY. Mr. President, on June 21, at a meeting with the editors of the New York Times, Vice President HUMPHREY was asked the question:

Are you prepared to offer a cease-fire?

He replied:

You bet we are. We're prepared for a cease-fire any hour of the day. However, Hanoi has shown no such interest. But it may. I think we ought to keep pounding away at it.

The Vice President thus implied that the administration is working hard for a cease-fire. Regrettably, the facts will not support this, for there is no evidence that the American negotiators in Paris have ever been instructed to offer a cease-fire proposal.

Last January, in his state of the Union message, President Johnson said:

If a basis for peace talks can be established on the San Antonio foundations—and it is my hope and my prayer that it can—we would consult with our allies and with the other side to see if a complete cessation of hostilities—a really true cease-fire—could be made first order of business.

Mr. President, I agreed with President Johnson that a cease-fire should be the first order of business in any negotiations. Now Vice President HUMPHREY says we are prepared for a cease-fire at any time. Today marks the end of 2 months of negotiations in Paris. Why has not the administration directed the American delegation in Paris to introduce a cease-fire proposal? Such a proposal is long overdue.

Casualties are mounting in Vietnam while the negotiations in Paris make pitifully slow progress. Already American fatalities this year have been greater than those suffered in all of last year. The shooting must be brought to an end now, not months from now, or a year or two from now after a political settlement has been reached. If we are negotiating the peace, we must not allow tens of thousands more men to be killed and wounded while we work out a settlement. Let us try to stop the killing now.

The recent intensification of the war serves the interest of neither side, and the lack of success in the Paris talks leaves open the danger of further military escalation. A cease-fire would restore the hope of personal survival to all the combatants and all the people of Vietnam.

SECTION 204 OF THE DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT

Mr. MUSKIE. Mr. President, I was disappointed in the action that the House took on Wednesday in repealing section 204 of the Demonstration Cities and Metropolitan Development Act of 1966. Section 204 provides that all applications for Federal assistance for certain physical development projects be accompanied by the comments of an areawide planning agency. For the past several months the Bureau of the Budget has had the responsibility for implementing section 204. In reviewing the first 6 months of its implementation, the Budget Bureau learned that the review process under section 204 has stimulated rational and comprehensive planning throughout the country.

In another recent study, the National Association of Counties and the National League of Cities jointly examined the results of the first year of section 204. This study brought to light many examples of significant savings to local governments and a prevention of duplication and inconsistent planning. I ask unanimous consent that these examples of section 204's success be printed at this point in the Record.

There being no objection, the examples were ordered to be printed in the Record, as follows:

(1) Regional Planning Council (Baltimore, Maryland): The City of Annapolis and Anne Arundel County each submitted applications for financial assistance from the Department of Interior for the construction of sewage treatment plants. In reviewing the plans the Regional Planning Council noted that the two plants were proposed to be constructed relatively close to each other, south of Annapolis. The Council gave approval to the plan for construction of a sewage treatment plant but only on condition that one plant was constructed to serve the purposes of the two originally proposed. The Council felt that one plant could more efficiently serve the residents of both jurisdictions. In addition to money savings as a result of cutting operating expenses, it is estimated that over \$700,000 would be saved in constructing one plant, instead of two.

The City and the County are currently negotiating to determine what changes will be necessary in their plans and to develop a working relationship for such an operation.

(2) Columbia Region Association of Governments (Portland, Oregon):

(a) Seventeen separate sewage treatment facilities in five cities and three counties in the Portland area were under condemnation and applications for Federal assistance to upgrade these facilities to meet state standards were received by CRAG. After receiving the applications, CRAG recommended that the jurisdictions involved consider the construction of one larger, more advanced facility to replace the others instead of upgrading them. This recommendation was accepted unanimously by the jurisdictions and, in addition to operating savings, resulted in savings of \$1.5 million over the cost of upgrading.

(b) The City of Troutdale, 1,500 population, submitted an application for a sewage system designed to accommodate the city's projected population for the next 20 years. In reviewing the application CRAG indicated that their population estimate showed considerably more growth than the city had designed for. After additional study, the application was revised to combine the facilities of three cities and one-half of the county, a population of 20,000, and which would have the capability to handle the actual expected population growth.

(c) A water district in Washington State submitted an application for review which requested funds from Farmers Home Administration for the provision of a 2-inch water line to serve a school and 20 residences. CRAG reviewed the project application and recommended that an additional \$10,000 be requested to construct a 6-inch water line because CRAG's population estimates showed substantial growth in the area and the larger line would also be sufficient for fire protection purposes. Farmers Home Administration chose not to follow the recommendation and funded the 2-inch line.

(3) Metropolitan Area Planning Council (Boston, Mass.): A relatively small jurisdiction submitted an application for review providing for waste treatment plant facility. The application, in the opinion of the Council, was inadequate in design and construction and was directed to an inappropriate federal agency and was subsequently rejected by that agency. The Council worked with the City re-studying their needs and goals. This reevaluation resulted in a revised application providing for two plants to adequately handle a larger projected population and an already deteriorating health situation, which was forwarded to the appropriate agency where the project was funded.

(4) Erie and Niagara Counties Regional Planning Board (Buffalo, N.Y.):

(a) An application from the State for assistance to fund a major highway inter-

change in the Downtown Buffalo area was received by the Board. This project would have resulted in an island of about two acres of prime downtown real estate. The City of Buffalo was brought into the discussion of the application and, due to the potentially adverse effects on the Downtown area the project has been put in abeyance.

(b) A number of applications for 701 planning assistance were subsequently amended, prior to submission to HUD, as a result of the review process. In each case the problem was that money was being requested to collect data and information which had already been collected by some other government or regional agency.

(5) Metropolitan Council (St. Paul, Minnesota): Recently the Metropolitan Council, the '204' review and comment agency, had a request from several communities in southwestern section of the metropolitan area for sewer service. These communities (including cities of Minnetonka and Orono) were applying for federal funds to develop a sewer district facility. The Metropolitan Council in having prepared a total sewer service plan for the region was in a position to review the pollution problems of Lake Minnetonka (which the communities border) and provide an economically feasible treatment facility. The grant application of the communities was approved with request they enlarge their service district to pick up existing and future sewage treatment problems in the southwest area to assist in the cleanup of the lake. The inter-community facility will also provide significant construction and operational savings.

(6) East West Gateway Coordinating Council (St. Louis, Missouri):

(a) An application for funds to construct a section of an interstate highway in Illinois was received for review by the Council. In examining the plans it was apparent that the highway would be built so as to cross at the end of the proposed runway extension at the Parks Bi-State Airport. FAA funds had just been approved for the extension of the runway. Through negotiations, the highway plans were adjusted to move the highway further from the end of the runway, out of the immediate flight path of departing aircraft.

(7) Denver Regional Council of Governments (Denver, Colorado): The review process in the Denver area has led to a substantially improved planning process at all levels of government. With 264 taxing jurisdictions in the immediate area, it was necessary to establish a system for coordination of applications which required that each local planning board application just be submitted to the responsible city planning board for review, and then to other planning agencies with an interest before submission to the council of governments. This sophistication of the 204 review process has, through substantial involvement of the local governments, considerably improved local and federal program coordination and cooperation.

(8) Association of Bay Area Governments (San Francisco, Calif.):

(a) Special districts and authorities in the Bay area are particularly conscious of the regional review process. In at least one case, a smaller suburban city submitted plans for the expansion of existing water facilities. During the review process, it was noted that the developing poor water supply condition would be increased if the city's proposal was approved. It was recommended that consideration be given to contract to receive water from the special district's facilities, the cost of which would be the same or less than that obtained through an expanded city facility.

(b) In reviewing an application for funds for outdoor recreation by Santa Clara county it was determined that ABAG had already collected substantial portions of the data that was proposed to be collected in the application. The application was amended at a savings to the county.

(9) Metropolitan Planning Commission (Kansas City, Missouri):

(a) Four counties in the area each separately submitted applications for 701 planning assistance. In reviewing the applications, the MPC recommended that the proposed projects be consolidated and that one application be submitted for the entire four county area. The subregional planning program would go through the MPC resulting in considerable savings in staff and administrative costs and eliminate the possibility of conflicting, uncoordinated local plans designed separately. The jurisdictions have accepted this proposal.

(b) A water district in a sparsely settled portion of the SMSA submitted an application for funds to provide expanded water services. The funding agency was to be Farmers Home Administration. The MPC population estimates predicted that within five years there would be a considerable influx of population into the area in question and recommended that the system be designed to handle this more realistic population load. The application is now in abeyance pending further studies.

(c) An application was received from a community bordering the City of Kansas City. The application was for establishment of a sewage treatment plant. Upon review it was determined that the plant was proposed to be located approximately one mile from an existing Kansas City facility. The MPC recommended that a line be extended to the Kansas City plant from the suburban community. There would be operational and construction savings. Negotiations are now in process to determine if this procedure will be feasible.

CONCLUSION

Both the National League of Cities and National Association of Counties have supported Section 204 for regional review and comment of local government applications for federal grants. They believe this function is extremely useful in coordinating federal programs, in promoting local government cooperation and in preventing facility duplications or inconsistencies.

The National Association of Counties also supports the application of the "204" regional review and comment principle to non-metropolitan areas. In several of these areas this process has already been established by the local governments.

Mr. MUSKIE. Mr. President, because I am convinced of the importance of section 204 it is my hope that the conferees on S. 3497 will act to restore this effective review process.

MONETARY POLICY GUIDELINES

Mr. PROXMIRE. Mr. President, I should like to call attention to the editorial in today's Wall Street Journal discussing the recently issued Joint Economic Committee report on guidelines for monetary policy. In light of the tendency of the Federal Reserve System toward erratic swings in its monetary policy, and given the disruptive ramifications of such shocks on our economy, the Journal editorial assesses the committee recommendations as worthy of serious consideration by the Congress and the Federal Reserve System.

I welcome the widespread attention accorded the committee's report by the press. I would hope that it indicates an understanding within the economic community of the significant impact of monetary policy on our economic health, and a growing recognition that an economic instrument of such potency must

be encouraged to operate in the closest possible cooperation with the other facets of national economic policy.

The committee's recommendations reflect the rising recognition among economic experts that wide movements in monetary policy, and thus in the growth of the money supply, have a destabilizing influence on the economy. The committee thus suggested that the Federal Reserve System be advised by Congress to embark on such policies as would maintain the growth of the money supply within a specified range—2 to 6 percent under normal conditions at present. Whenever deviations from this range occur, the Federal Reserve System should promptly report to the appropriate body of the Congress with an explanation or justification for this divergence.

To apply rigid constraints to the operations of the Federal Reserve System would serve only to limit the ability of our economy to adjust to natural fluctuations in economic conditions. On the other hand, erratic policy swings must not be confused with essential flexibility. Monetary policy must operate in such a fashion as to stabilize, not disrupt, our economy, and it can best do so when acting in close touch with the other economic policy instruments, whose operations are also within the province of the Congress. Congressional guidelines for monetary policy can promote this coordinated effectiveness of national economic policy.

Mr. President, I ask unanimous consent to include in the RECORD the Wall Street Journal editorial to which I have previously referred.

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

FIDDLING WITH THE FED

The Federal Reserve System's cherished "independence" is under attack again, this time by the Joint Congressional Economic Committee. Both the committee's criticisms and recommendations, however, are more reasonable than those of most earlier critics.

What chiefly disturbs the committee is the Federal Reserve's habit of permitting sharp swings in the money supply, defined as currency plus bank checking accounts. During much of the 1966 credit "crunch" the money supply increased hardly at all, but last year the growth rate spurted to 70%.

Abrupt changes in monetary policy, the Joint Committee argues, tend to produce excessive economic shocks. Senator William Proxmire, chairman of the group, contends "the Federal Reserve Board has a record of deepening almost every recession or depression we have suffered in the last 30 years by reducing the money supply. . . . It has often excessively increased the money supply to fan the flames of inflation when the economy has been booming."

Whether the Wisconsin Democrat's indictment is fully justified or not, the remedy his committee proposes seems largely unobjectionable. In essence it suggests that the Fed limit the expansion of the money supply to a range of 2% to 6% a year. The sensible idea is simply that the money supply should grow smoothly at about the same rate that the economy does.

Though the Joint Committee is only a study group and cannot initiate legislation, there's no question that Congress has the power to impart such advice to the Reserve System. No matter how much the Fed officials may talk of their independence, Con-

gress created the System, can issue directives to it, can alter its basic legislative authority and can, in fact, abolish it at any time.

At the very least, then, it would appear worthwhile to consider what's standing in the way of a more smoothly functioning monetary policy.

A prime obstacle in recent years has of course been haphazard Federal fiscal policy. The 1966 crunch was especially severe because the Fed waited overlong for the Administration to help fight growing inflationary pressures by adopting a measure of fiscal restraint. When the System finally acted it felt that it had to crack down hard to be effective at all.

In addition to not helping the Fed, the fiscal managers have in a real sense been actively obstructionists. The heavy budget deficits have meant that the Treasury has had to be continually offering huge issues of new securities. The Federal Reserve has had to see to it that people have enough money to buy the securities, even at times when it would have preferred a policy of monetary restraint. As an agency of Government it could hardly let the Government whistle for its money.

Assuming the Administration finally gets its fiscal affairs under control, there will still remain a need for changes within the Reserve System. In part, these are organizational. The Federal Reserve, for instance, is one of three Federal agencies with overlapping powers of bank supervision; it might handle its main central-banking tasks better if its regulatory responsibilities were assigned elsewhere.

Beyond that, the Fed needs to rethink its basic guides to policy. In recent years it has worried so much about rising interest rates, and their effects on housing and other industries, that it has allowed itself to drift into monetary intemperance. Neither housing nor the rest of the economy really benefits from abandonment of responsible monetary policy.

In the circumstances the Economic Committee's proposal for policy changes appears sound enough. If Federal Reserve officials want to forestall more foolish fiddling with the Fed, the least they should do is listen.

FAMINE IN BIAFRA

Mr. DODD. Mr. President, on Monday of this week I wrote a letter to the Secretary of State in which I urged that the State Department ask for an emergency session of the United Nations Security Council to consider the Biafran famine.

I believe that this is the kind of situation in which the United Nations can and should intervene, at least to the extent of using its good offices.

If the United Nations cannot act when millions of civilians are threatened with starvation, it will forever diminish its usefulness in the eyes of mankind.

The emergency action which I propose cannot wait on a solution of the larger issues involved in the Nigerian-Biafran war because every day thousands of people are dying. The governments of both Nigeria and Biafra have offered certain objections to unilateral proposals that have been made to them by the British Government and by the International Red Cross. It seems clear to me that the impasse can only be resolved if the relief action is undertaken on an international basis, with all the authority of the United Nations behind it.

Mr. President, I ask unanimous consent to have printed in the RECORD the

text of my letter to the Secretary of State.

I also ask unanimous consent to have printed in the RECORD the following documents bearing on the tragedy of the Nigerian-Biafran conflict and on the terrible famine which is now raging in little Biafra:

An article from the London Sunday Times of May 12, 1968, captioned "Gutted Hamlets, Rotting Corpses—This Is Genocide";

An article from the London Observer, June 22, 1968, captioned "Three Million People Starving to Death in Biafra";

An article from the New York Times of June 30, 1968, captioned "Blockaded Biafrans Are Facing Mass Starvation";

An article from Life magazine of July 12, 1968, captioned "Biafra: A War of Extinction and Starvation";

A statement made on the Nigeria/Biafra conflict by His Excellency Felix Houphouët-Boigny, President of Ivory Coast, on May 9, 1968, at the Ivory Coast Embassy, Paris, entitled "Biafra: A Human Problem, a Human Tragedy"; and

The statement issued by the Government of the Republic of Zambia on May 20, 1968, announcing its recognition of the Republic of Biafra.

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

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., July 8, 1968.

HON. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: According to recent reports in the press, hunger in Biafra resulting from the continuing Nigerian blockade has reached crisis proportions. Most accounts are agreed that almost one million Biafrans will die of famine this month if emergency food shipments cannot be brought into the country. One estimate I have seen says that the toll may rise as high as five or six million over the next three months.

The civilized world cannot stand idly by and watch this unspeakable tragedy unfold. Immediate and concerted action is essential. And since the free world looks to the United States for leadership, I would like to propose that we take the initiative in organizing such action. This would be in keeping with our humanitarian tradition, which, in situation after situation, has led us to feed the hungry despite any political differences we may have had with their governments.

Specifically, I wish to urge that the State Department ask for an emergency session of the United Nations Security Council to consider the terrible famine in Biafra and the threat it poses to the security of the area. It is my earnest hope that the Security Council will vote unanimously to instruct the Secretary General to use his good offices, in consultation with the OAU, in an effort to break the impasse between the Nigerian and Biafran authorities on the question of food shipments to Biafra.

Once this is done, it is my further hope that international emergency shipments to Biafra can be organized under UN auspices. Because every day's delay means many thousands of deaths, it is my belief that this emergency action should not be made contingent on the acceptance of any conditions by either side, nor should it be complicated by tying it in with the larger issues involved in the Nigerian-Biafran war.

It is my hope, however, that this humanitarian action, carried out with the coopera-

tion of the Nigerian and Biafran authorities, will pave the way at an early date to a just settlement of this tragic conflict.

I also wish to urge that, in anticipation of an early international agreement to deal with the famine in Biafra, the United States make ready massive shipments of food stuffs and medicines so that they can be delivered with a minimum of delay.

Because of the urgency I attach to this matter, I would be grateful if the Department could advise me immediately of the action it plans to take.

With every best wish.

Sincerely,

THOMAS J. DODD.

[From the London Times]

GUTTED HAMLETS, ROTTING CORPSES: THIS IS GENOCIDE—"THERE ARE FORCES LET LOOSE IN BIAFRA THAT WHITE MEN CANNOT UNDERSTAND"

(NOTE.—After eight weeks in the bush with Biafran troops, Frederick Forsyth files out of the secessionist former Eastern Region of Nigeria with this disturbing report of brutality and massacre. Mr. Forsyth, 29, a former Reuter foreign correspondent, first went to Biafra as assistant diplomatic correspondent of the BBC last summer, when he accurately predicted the future savage outcome of the war. After criticisms of his reporting by the Commonwealth Office and the Federal Nigerian Government, Mr. Forsyth was transferred to the BBC's political staff in London, but in February he resigned and returned independently to Port Harcourt.)

The war raging between Nigeria and her former breakaway Eastern Region of Biafra has just ended its tenth and bloodiest month, but at least peace talks are due to start in Kampala next week. After 10 weeks in the bush with the Biafran Army commandos I have emerged sickened by the senseless violence that this war has wreaked upon a West African nation that could have been an example of harmonious progress to the whole of the continent.

The most disturbing aspect is that inside 10 months it has deteriorated steadily from a war in which the original motivation was the re-incorporation of the breakaway East into Nigeria into a spectacle of racial hatred run amok.

General Gowon, the head of the Federal Government, is unleashing a war that he himself thought could be ended within 48 hours, has let loose forces that white men do not understand and which the Nigerians cannot control.

At the start, on my first visit to Biafra, I believed it had the most dangerous potential but that Biafran claims that they faced genocide were wildly exaggerated. Ten months later I am convinced that the very thing they claimed at that time has indeed become a reality.

The Lagos Government, to judge from its public utterances, seems blandly unaware just how far its own army is out of their control.

If Lagos is to be believed on what it says about the rehabilitation of the Ibos of Biafra, about non-discrimination, about equal job opportunity and so forth, and then see what is actually going on at the battle fronts and behind them, one must come to the conclusion that either Lagos is lying, or it has lost control.

I give General Gowon the benefit of the doubt regarding his intentions towards the Biafrans—which the Biafrans do not—but everything I have seen confirms my original suspicions that in building up this conscript army of 80,000 he has constructed a machine that he can now neither influence, nor halt, nor dismantle.

In six forays behind Nigerian lines, accompanying the Biafran commandos, I was able to observe Nigerian-occupied Biafra. It is being turned into a charnel-house of gutted

hamlets and rotting corpses. From afar the fluttering black clouds of vultures can be seen; beneath them one finds what was once a small rural community.

From the bush a timorous Ibo native emerges, seeing the Rising Sun flashes on the shoulders of the Biafrans, to explain what happened when "Hausa man come." The descriptions tally so closely that they are almost standardized—the menfolk lined against the wall of the biggest building and machine-gunned, the women raped to the accompaniment of the all-too-ritualistic mutilations, the children spitted on machete-knives.

Needless to say, very few wait for this fate. Most flee to join the tide of five million refugees inside unoccupied Biafra. Most of these people find shelter with relatives, however distant, under the "extended family" system, but more than a quarter of a million live in camps.

Genocide is an ugly word, and an even uglier reality. I do not use it lightly, but my judgment that it really could be the extermination of an entire race does not go unsupported.

The two Papal delegates who visited both sides in the conflict submitted a report to the Pope which caused the latter to condemn the war for its "strong genocidal overtones." The World Council of Churches agreed with this verdict, as did the Anglican Church mission, half a dozen British correspondents and several African heads of state. Whatever the original motivation of the Federal Army, hatred of the Ibos seems now to be the prime stimulus.

I spoke to nearly a hundred Nigerian prisoners of war and, once their Ibo captors had been sent out of earshot, they spoke quite freely. All admitted they had not volunteered, but had been conscripted by non-sense recruiting sergeants on street corners and in market places. After a week's training they were sent up the front with a rifle and a pouch of ammunition.

These new soldiers loot, rape, kill and torture. When asked why, they shrug and say, "Kill Ibo." Have they any feeling for one Federal Nigeria? "Yes, one Nigeria—without Ibo." What about General Gowon's Code of Conduct? Blank non-comprehension. I found only eight men who had ever heard of it, and not one who had read it.

At Onitsha, under seige from the Federal troops, the 300-strong congregation of the Apostolic Church decided to stay on while others fled and to pray for deliverance. Col. Mohammed's Second Division found them in the church, dragged them out, tied their hands behind their backs and executed them. Three hours later, entering Onitsha on the heels of the Second Division with Col. Achuzie's Biafran 29th Battalion, I found the corpses stacked in the road.

It took the Biafran soldiers so badly that they refused to march past the bodies, and for 18 hours the pursuit was halted while the corpses were cleared. By this time the Federal Army was entrenched in the town, and it took five weeks to clear them out.

Militarily the Federal Army is not very impressive. Individually the soldiers seem to have little stomach for the fight, and veteran Biafran officers refer to them contemptuously as "an undisciplined rabble." Over and again the Biafrans have shown that they are more than a match in pure infantry combat. The Federal Army makes its advances due to its enormous artillery and mortar fire-power and its armoured cars. The massacres follow the advances.

When an infantry attack is thrown in without support, the Yoruba are sent in first in straggling waves. They are the cannon fodder. After the Yoruba, the Yoruba prisoners claim, comes a line of the more fanatical Hausa, with orders to shoot anyone who turns and runs. I have seen them carry out these orders without flinching.

After the Hausa come the Gwodo-Gwodo, giant black mercenaries from Chad, recruited through the good offices of the Northern Emirs who have contacts across the border. These Chads are of very animaline intelligence, and will shoot anyone to order. Behind the Gwodo-Gwodo, one can hear British voices screaming "Come on you black bastards—move."

Occasionally, one can catch a glimpse of the mercenaries, and some 35 have been killed. One Federal prisoner told me that the whole company would face a firing squad if a white man's body alive or dead was allowed to fall into Biafran hands.

It is the Biafrans' firm belief, which seemed to be supported by a lot of evidence, that the great majority of the weapons in Nigerian hands are being supplied by Britain. Certainly our High Commissioner in Nigeria, Sir David Hunt, has claimed this, and it may well be true.

And British Government spokesmen, both in Parliament and elsewhere, have been remarkably evasive about just what has been sent to Nigeria.

The Biafrans vigorously refute Britain's claim that she is obliged to support General Gowon's war with arms because he is the legal Government of Nigeria. The Biafran leader, Lt. Col. Ojukwu, points out that Britain does not always feel obliged to arm military regimes particularly when the use to which the weapons might be put is dubious in the extreme.

His attitude towards the British Government has gone from one of regret that they chose to reject the role of the impartial mediator, to one of great anger at what he regards as a betrayal of all the tenets for which a Christian and democratic country is supposed to stand.

But his attitude is, as usual, moderate compared to that of his more emotional countrymen. The hatred of Britain has steadily grown as 80,000 Biafrans, more than 65,000 of them civilians, have died. Now they believe that just about everything being thrown at them is of British origin—including bombs and rockets.

The Biafrans are quick to point out that they have nothing against the British people as such—only against the British Government. But in their helpless frustration they find no outlet for their disgust than to burn the buildings of the foremost British companies who used to operate there. In Port Harcourt especially, the imposing Shell-BP building, the Kingsway store and the United Africa company offices have been gutted by fire.

Last month, Col. Ojukwu issued an ultimatum to all companies who once operated there, requesting them to state clearly whether they wished to resume operations in Biafra. If so, he said, they should make some provision for their staff and the upkeep of their premises, or be presumed to have abandoned them. In this case, he would regard both assets and concessions as being renegotiable to anyone prepared to help Biafra survive.

Time is running short, as the Biafrans are squeezed ever more tightly into the centre of the ring, with a vengeful Nigerian Army seeking its pound of flesh for its own 35,000 casualties. Negotiation is one road; the other leads to the biggest bloodbath the Commonwealth has ever seen.

THREE MILLION PEOPLE STARVING TO DEATH IN BIAFRA

(By Matthew Rosa)

EMEKUKU, BIAFRA, June 22.—Many missionaries here in Biafra believe that three million people are doomed to die from malnutrition. They say the disease has already gone too far for the victims to be saved, help or no help.

Dr. Aaron Ifekwunigwe, a Biafran pediatrician trained at St. Thomas's and Ham-

mersmith hospitals in London, agrees with this estimate.

At his clinic six miles east of Owerri in western Biafra he saw 120 children yesterday, of whom only 10 had conditions other than severe malnutrition.

The children's ward at the clinic has 150 children on 35 cots, five to a cot. These children are lucky—most of them will survive because of the special treatment, although an average of three die each day.

They are swollen with body sores and reddish-yellow hair. The disease is known by the Ghanaian word 'kwashiorkor,' meaning 'red man' or 'deprived one.' Its medical term is protein-calorie malnutrition.

Dr. Ifekwunigwe says the first cases came in March 1967, among the children of refugees from Northern Nigeria. By early this year it had reached epidemic proportions and last month became 'catastrophic.'

At the Ogwa refugee camp are 1,200 Okrika people from just below Port Harcourt. They fled from the approach of Nigerian troops two months ago. They are a fishing people. This afternoon the food had run out again, so there would be no dinner.

Half the 1,200 are children, and one out of three has kwashiorkor. Unless a nun or nurse comes within two or three days, picks out the kwashiorkor children, and gets them to a unit where they can receive a powdered milk and egg mixture, they will all be dead within two weeks.

Ogwa is likely to lose half its children within the next month. Father Frederick Fullen, 60, says: 'Every day some children die in every village compound. You hear about it afterwards.'

There are 330 parish priests and nuns in Biafra, about half Irish of the Holy Ghost Congregation and half Biafran. They are the best source of intelligence on the total need.

Their reports go to Fr. Patrick Devine in Owerri, and he gives reports to Caritas, the International Catholic Charity Organization and to the International Red Cross representative here. The Red Cross uses the priests as a distribution system for a little food for the villages. But it is not up to a bag of food a village a month.

Father Devine says: 'We calculate working on a "per person" basis, that Biafra must get in 200 tons of protein food a day from now until six months after the end of the war. This is minimal. 300 to 400 tons a day is really needed. The Red Cross agrees. Otherwise, up to 4,500,000 people are just going to die in the next few months.'

[From the New York Times, June 30, 1968] BLOCKADED BIAFRANS ARE FACING MASS STARVATION

EMEKUKU, BIAFRA, June 27.—Hundreds of thousands of Biafrans face death from starvation in the next several months. Some independent authorities expect the toll to reach more than a million unless emergency food shipments soon reach the area, the secessionist former Eastern Region of Nigeria.

Leslie Kirkley, director of the Oxford Committee for Famine Relief, or Oxfam, a well-known nongovernmental and nonsectarian British relief organization, assessed the situation this way:

"Unless we pull out all the stops in Britain and other countries, we will have a terrifying disaster in Biafra before the end of August. By then, two million may have died."

Mr. Kirkley's organization spend about 3.25-million pounds (\$7.8-million) a year in relief efforts in 84 countries.

His conclusion was confirmed by physicians, priests and nursing sisters interviewed during a week's tour of refugee camps and villages in Biafra.

Mr. Kirkley, who is on an inspection visit, estimated that the current death toll from malnutrition was 200 a day. There was an especially urgent need, he said, for protein-

ous food for children under five and for pregnant and nursing mothers.

Blockaded by sea and surrounded by federal Nigerian forces on land, Biafra's only link to the outside world is a tenuous airlift to nearby Spanish and Portuguese islands in the Gulf of Guinea.

WAR STARTED IN JULY

The former Eastern Region, which has a population of nearly 13 million, seceded in May 1967 and declared itself an autonomous republic. On July 7, federal Nigerian troops invaded Biafra and civil war broke out.

The secession was preceded by a massacre of 30,000 Ibos, the dominant tribal group in the East, in September 1966. Odumegwu Ojukwu, the Eastern leader, has asserted that "sovereignty in the absolute" was essential to protect the region from a bloodbath. The Biafrans have fared poorly in the war, and have lost Enugu, the capital, and other major cities, to the federal forces.

"I fear that between two million and three million people are going to die," Sister Mary Lorcan of the Holy Rosary Sisters said at Emekuku Hospital, near Owerri in western Biafra. "Even if the war stopped tomorrow, hundreds of thousands are condemned to death now. I go out to the Odube camps every fortnight to look for severe malnutrition cases among the children. Last week there were 700 to 800 cases." The Odube refugee camps have about 2,500 people.

SISTERS RUN HOSPITAL

At the hospital, which is run by the sisters, Dr. Alfred Ikeme, a 36-year-old Biafran physician trained at Edinburgh and London, stated: "I see 60 to 80 women a day, and one out of three of them has severe protein malnutrition."

The Biafran pediatrician at Emekuku is Dr. Aaron Ifekwunigwe, 32. He explained that the medical term for the condition is "protein calorie malnutrition." It is known in Africa as "kwashiorkor," a Ghanaian word meaning "red man" or "deprived one." The term refers to the reddish-yellow hair color that is a prominent symptom of the disease.

Dr. Ifekwunigwe led an inspection tour around the children's wards. All the children had yellowish, almost golden hair, scaling skin, body sores, swollen ankles and legs, diarrhea, lack of appetite and an apathetic lethargic look.

Dr. Ifekwunigwe said: "When the child's body gets swollen and the child won't eat and has diarrhea, it is almost an irreversible cycle. The only proper help is protein, nothing else."

TEN CHILDREN DIE IN 2 WEEKS

"In one compound nearby, we've lost 10 out of 30 children in the past two weeks," said the Rev. Frederick Fullen, an Irish priest at Azaraegebelu. "All the joy has gone out of life. In the old days, you used to drive with the right hand and wave with your left. Now, the children don't even have the energy to wave."

Of the priests and nuns at Emekuku, half are Biafran and half are Irish from the Holy Ghost congregation and the Holy Rosary sisters. There are at least half a million refugees living in camps in Biafra, about half of them in Ibo and half minority tribes from areas now in federal hands.

The priests and sisters say of the village compounds near their parishes that the villages are as badly off as the camps, or worse.

At the Odube camps, at Izombe where there are thousands of Calabar and Ibibio people, at Umuagwu with Ogoni people, around Origwe where tens of thousands of refugees who were at Awgu gathered after a Nigerian advance, at Imerienwe, Ogbeké and Nbutu-Ngwá—all in western Biafra—the situation is the same.

About half of the children under 12 seen in the tour appeared to have the signs of kwashiorkor. The same proportion is seen among old people and mothers nursing babies.

At Owerri, reports from the parish priests are sent to the Rev. Patrick Devine, 36, of the Holy Ghost congregation, a large man with a sharp nose and a shy smile. He has worked out with the International Red Cross representative in Biafra, Henry Jaggi, the minimum daily amount of protein food that would have to be brought into Biafra to arrest the crisis.

"We need 200 tons of protein food per day as a minimum and 300 to 400 tons per day would probably be more accurate," Father Devine said. "The planes in the Biafran airlift can only handle 10 tons each. Port Harcourt must be opened to ships right away, either by a breaking of the blockade or by a cease-fire."

"The death rate is an upward sloping curve," said Mr. Jaggi. "In a month there will be more than a million dead here, before the end of August, two million are likely to die, and either we sit still and watch six million people go down the drain within six months or we pressure for a cease-fire."

A cease-fire was also stressed by Dr. Herman Middlekoop, a specialist in rural health who was appointed in March to supervise the help coming in from the World Council of Churches.

"Our present goal, 40 tons a day, will only postpone the death of a few people," he said. "It is like giving a drip feed to a person with a stroke. The catastrophe cannot be averted without a complete cease-fire within a month, opening up all transportation into and within Biafra. The figure of several million people likely to be dead by the end of August is quite correct, and that six million people will die in the next six months without a cease-fire and massive help, I have no doubt."

UNICEF EFFORTS THWARTED

UNITED NATIONS, N.Y., June 29.—A spokesman for the United Nations Children's Fund said this week that it had been trying "desperately" to reach the victims of the Biafran-Nigerian war and that supplies were "in position and available."

He added that both UNICEF and the International Red Cross had been trying repeatedly to bring the condition to the attention of the Nigerian Government without success and that their representatives had not been able to obtain permission to reach the victims.

[From Life, July 12, 1968]

BIAFRA: A WAR OF EXTINCTION AND STARVATION

In a West African rain forest a group of Ibo tribesmen swore blood allegiance to Biafra, a tiny and desperate breakaway nation threatened with extinction. For a year now the Biafrans have been trying to secede from the central government of Nigeria, and civil war has raged with a savagery barely noticed by the rest of the world. In recent weeks, as federal troops tightened their stranglehold on Biafra, the secessionist Ibos faced the possibility of mass starvation. Hundreds are dying daily of malnutrition, and relief experts fear that unless massive food shipments reach the beleaguered Biafrans soon, more than a million will die before summer's end.

Behind the savagery are the old regional rivalries (250 principal tribes and languages) which have troubled Nigeria since independence in 1960. In 1966, Ibo officers seized the Lagos central government in a coup and killed the prime minister. Then, backed by northern tribesmen, a military junta staged a countercoup. Thousands of Ibos—envied and hated for their adaptability to modern ways and technology—were slaughtered, and 4.5 million were left homeless in the tribal lands of the east, where refugees now make up a third of Biafra's population. Last summer the Ibos declared Biafra independent, and the war was on.

At least 50,000 died in the fighting as the federal armies pocketed the Ibos into an area less than one third Biafra's original size. The federal forces had arms from the Soviet Union, the United Arab Republic and Britain, which was anxious—for political and economic reasons—to keep Nigeria from disintegrating. Outnumbered militarily two to one, the Biafrans have broken off peace talks—and they vow to fight on.

AS DEVASTATING AS BOMBS, THE LACK OF PROTEIN FOOD

ABA BIAFRA.—The shell-cratered road from Aba to the front some 20 miles away winds through a crowded marketplace. Piles of juicy pineapples, tart oranges and stalks of golden bananas are everywhere. Their colorful presence mocks the cadaverous faces in the throng—and in the refugee camps that ring the city. But, our driver complains, there is no meat, no fish, no milk—and no protein means starvation. Vendors hawk cigarettes, but in Biafra there are few customers at nearly \$5 a pack. The briskest business is at the stands selling chestnut-sized kola nuts. Chewed with cracked pepper, they have a mild narcotic effect that deadens hunger. A kola nut for pennies kills appetite for 24 hours.

Outside town we ditched the car and transferred to a dugout canoe on a swift-running river. The stern paddler let it drift with the current. The gunwales dipped dangerously, and then he stroked strongly for the opposite shore, where we were met by the major in charge. He was with a tall, scrubby bearded sergeant whose vaguely clownish appearance was accentuated by a grin. The sergeant's plastic helmet liner was stenciled with the identification "Dangerous Mosquito on the Way." He wore his weapon, a captured Russian submachine gun, slung around his neck.

"We liberated this area—except for the usual infiltrators—just three days ago," the major said. The Nigerians—sometimes referred to as "Hausa," the North's dominant ethnic group—had artillery, air support and even a team of white mercenaries with a jeep-mounted mortar. "Oh, would I like to get my hands on those chaps—but we smashed them," said the major.

The story was interrupted by a sudden rustling in the brush. "Dangerous Mosquito" went into action. Like a child rolling a Hula Hoop, he swung the machine gun from around his neck and sprayed the bushes.

"A lizard, a lizard," jered the troopers who ran to search the jungle. "Mosquito is a great lizard killer."

"He killed nine Hausa lizards on this same spot three days ago," said the major. The sergeant's vague smile was still flickering on his lips.

We moved out again, seeing no sign of human life except for the grave markers one encounters so frequently in this part of Africa. Some of them depict a man enthroned. Others are stone carvings of a man and wife seated side by side—strange sights in the dripping jungle, silent save for the scissor-grinding shrieks of birds.

"The local people," explained the major with a shade of condescension (for the Ibos are Christians), "go in for ancestor worship and things like that. Even the poorest man will make a shrine to his papa on the land he farmed—for under ancient law, no one is able to take your land away if you can point and say, 'It is mine—see, there is the grave of my father.'"

We came to a cluster of huts made of rudely braided palm fronds. Out front was a little boy, bewildered and scared of us. "He's one of the abandoned ones," the major said. "Parents took off when the federals moved in, leaving the kids behind. When we attacked, the Hausa shoved the youngsters into the houses and nailed the doors shut." Dangerous Mosquito and some of the others

ripped the doors off with pineapple knives and carried the kids out in their arms. Framed in a hut entrance was one such: a girl about 5, eyes mirroring despair. Madonna-like, she cradled her little sister. The baby made a high keening noise, like an injured rabbit. There were other children in the huts, dead or dying. I don't want to remember their wasted bodies.

The worst sight was an elderly man we found kneeling in the road on the way back. His motionless figure was as frail as a dried grasshopper. His head was covered by a rush mat that hung down over his bony chest and back. I thought he was dead, but one of our group peered under the mat and found himself looking into live, unblinking eyes.

"Maybe the Hausa did something to him before they ran away," the major said, motioning Dangerous Mosquito toward the dug-out canoe that was to take us out of the battle zone. "But probably not. I think he is just starving and waiting to die."

—MICHAEL MOK.

BIAFRA: A HUMAN PROBLEM, A HUMAN TRAGEDY

(Statement made on the Nigeria/Biafra conflict by His Excellency Felix Houphouët-Boigny, President of Ivory Coast, on May 9, 1968, at the Ivory Coast Embassy, Paris)

Gentleman, since my departure in 1959 from the Government of Debre for Ivory Coast, in the course of several visits effected in your great and beautiful country, I have never accepted to hold a press conference in Paris except those I have held during my official visit, convinced that French public opinion is sufficiently informed about our modest action at the head of our young State.

If I break today this voluntary silence it is because I want to seize the opportunity, from this high place of liberty, equality and peace among men and among people, to cry out my indignation in the face of the inexplicable indifference—culpable indifference—of the whole world with respect to the massacres of which Biafra has been the theatre for more than ten months. I rejoin my country, pained, indignant, deeply upset and revolted by the prolongation of this atrocious war which rages in Biafra and which has already cost more than 200,000 human lives, not to count the immeasurable cost in destruction of all kinds, in a country definitely rich but still under-developed.

One will have to, one day, multiply by two, by three, the number of these deaths, a list that increases from day to day, if not from hour to hour when one thinks of the wounded who die for lack of care, of the so many people, in particular infants and the old, who are dying of hunger—food having been quantitatively and qualitatively lacking due to the fact that Biafra, overpopulated, is surviving only as a result of its miraculous resistance, having been cut off from the sea, from the banks of the Niger and its tributaries, from the North which used to furnish it with meat, has known for more than ten months neither fish nor meat, and has been subjected to aerial bombings by pilots—mostly foreigners—outstanding heroes more redoubtable for the fact that they do not meet any obstacle (fighter planes, rockets, D.C.A. shots) in their dirty duty of massive destruction and systematic extermination of a people without defence.

Do people know that there have been in Biafra in ten months more deaths than in three years in Vietnam? In Vietnam, in the North as well as in the South, people eat at least when they are hungry, furnished as they are by their allies. In spite of the incontestable superiority in materials of the United States, the North Vietnamese lack neither planes nor D.C.A. nor rockets to defend themselves with.

In front of the French T.V. screen, in the course of the programme "Cinq Colonnes a

la une" of last May 3, the poignant film projected on this forgotten war carried my indignation to the state of paroxysm.

I am addressing myself first of all to my African brothers in general, and also to my black African brothers in particular. (Let others excuse me for we, black people, have relatively suffered more and continue to suffer relatively still more racial discrimination with their evil consequences which we all know.)

When, therefore, will my black brothers understand the necessity of breaking with this fatality which has wanted and still wants, alas, that blacks be killed with impunity or kill themselves with impunity? If we cannot as yet, as a result of the present weakness of our material means (and there is the sad evidence), prevent people from killing us, at least we have the possibility of stopping not only killing ourselves but also allowing others to help us massacre ourselves.

But our race continues to bleed this double hemorrhage. What is it then that justifies our culpable, I would even say criminal, indifference in the face of the massacres of our brothers, because Nigerians and Biafrans who fall are all very much our brothers? An internal problem, respect for the territorial integrity of every member state of the O.A.U., the sacrosanct respect of unity, religious quarrel, an intentional secession decided by foreign powers so as to safeguard their egotistical interest? Nothing of the sort excuses our apathy in the face of the kind of crimes perpetrated by black brothers on other black brothers.

Among ourselves we must tell ourselves the truth, even if it hurts; even if it goes contrary to what we believe to be our own interest. We have all inherited from our ancient masters not nations but states—states that have within them extremely fragile links between the different ethnic groups put together by the colonisers.

Our number one objective is to build a nation, to realize national unity which is a pre-condition for all harmonious development. But it is a difficult task, a long range operation which necessitates, on the part of all, and of leaders in particular, constant efforts of patience, tolerance, comprehension, generosity, and love of a transcendental nature—rising above personal consideration, above tribe and quarrels between generations. It also necessitates an obstinate search for peace through dialogue and negotiation; the search no less obstinate for all that unites by the rational organisation of democratic parties, really democratic, without distinction of race or religion.

Unity will be the fruit of the common will to live together. It should not be imposed by force by one group upon another.

What happened in this vast, rich Nigeria, yesterday our source of pride, today a shame for everyone?

In Nigeria, as a result of the absence of a political organisation covering the entire Federation, opposition was never of an ideological nature, but of an essentially tribal one. When an Ibo committed a crime, people did not judge him as a misguided citizen of Nigeria; people held his whole race responsible for his crime. They killed 30,000 people residing in the North; from there they drove away more than a million of them after maltreating and expropriating them. By doing this they have broken, certainly without desiring it, the fragile links that united it with the other parts of Nigeria. The Ibos were thus forced to consider themselves as strangers in Nigeria and to return to their homes to proclaim their independence.

Instead of engaging in a fraternal dialogue, the Government, obviously overwhelmed by the explosion of hatred and vengeance which it had not foreseen (to govern is to be able to foresee) replied by dividing the country and could only offer blockade and war to these people distressed, humiliated and rejected by the Nigerian family.

Where is the Region in Africa which, placed in the same situation as the Ibos as a result of a crime perpetrated by one of its sons, would accept to continue to live with other parts of a state which considers it as an enemy? It is, therefore, necessary to bring back the problem between the Federation of Nigeria and Biafra under its one and only true aspect, the human aspect, and to find a solution to it.

It is not a religious problem. The two military leaders who are engaged in a murderous and unequal combat are both Christians. That takes away from the trouble all religious considerations. Moreover, in our days this problem should be considered as no longer valid, especially in Black Africa after the battle we all waged together against colonisation irrespective of our religious differences.

I, speaking to you, became a Christian not so long ago. As was the case with the majority of my Moslem and Christian brothers, I was converted from animism. A simple and practising believer, I consider all monotheists as my brothers, if not in religion, at least in God; that is the essential thing. I have more Moslem than Christian friends for the simple reason that there are more Moslems than Christians in Ivory Coast as well as in other parts of Africa. In any case, all these religions are based on charity and the love of one's neighbour. It is exactly this charity, this love of one's neighbour, which dictates my duty and which makes me cry out and proclaim my indignation in the face of this fratricidal conflict. It is because I know that I am a brother to all Nigerians, to all Biafrans, that I cannot support these massacres, this genocide which one century of British occupation itself did not inflict on Nigeria.

Secession manipulated from abroad so as to safeguard egotistical interests? We have all condemned this and we will all fight this kind of secession. Truth requires that we recognize that this is not the case in this lamentable affair.

No one can suspect Nyerere of serving any kind of interest. Whether the mineral and oil riches are exploited within the framework of one Nigeria or at the level of a region, it is always the same taxes and royalties the investors will pay since, as much as we know, the policy of the one and the other is not immediately one of nationalisation.

If Nyerere and myself who have different political and economic opinions are in agreement in recognising the necessity of withdrawing this conflict from a legal framework within which one would restrict us, it is because we nourish, with respect to the martyred people of Biafra, the same sentiments of compassion and because we consider their problem an essentially human one.

If we all are in agreement in the O.A.U. in recognising the imperious necessity of unity, unity as the ideal of framework for the full development of the African man, we cannot admit as for ourselves that it should become his grave. We say yes to unity in peace and through peace, unity in love and through brotherhood. We say no to unity in war and through war, or unity in hatred. Unity is for the living and not for the dead. It is banal to say it, but one has to repeat it quite often: war is evil for man; peace is salutary to him.

We must, therefore, sacrifice everything for peace. If our brothers fighting cannot live together in a Federation, let them both accept peace as neighbours, peace between neighbours being finally a bridge of love and of fraternity linking the two of them.

The example of Mali and Senegal teaches us that two countries that separate can meet again within a regional grouping on the basis of equality, of reciprocal confidence and of frank and loyal co-operation, conscious of their solidarity.

Tomorrow Nigerians and Biafrans, as good neighbours, will know how to heal their wounds, forget their quarrels.

The French and the Germans are considered as hereditary enemies, but are they not in the process of erecting a bridge over

the great gulf of blood which has kept them apart for a long time in order to achieve, partly as a result of a close economic co-operation, an European grouping politically solid?

Meantime let us recognize that so many crimes which have been committed against Biafra and so much ruins which have accumulated make difficult—in fact, impossible—life in common between the Ibos and their other Nigerian brothers.

The culpable indifference of Africans does not excuse however that of the whole world. We maintain, alas, with sorrow—with the most profound sorrow—that no official voice has been raised outside Africa to denounce or condemn this genocide in our unhappy continent.

The French who, looking at their small television screen, have lived in a moment like the revolting drama going on in Biafra; the French who have known the horrors of war; the French who have a cult of human liberty and who are fundamentally attached to peace; could they remain for long insensitive to the sorrow which hangs on a people of admirable courage and who is fighting under the most difficult and most inhuman conditions for its independence?

How could one understand the attitude of the British Government in this tragedy?

Since my country's concession to independence, we in the Ivory Coast have shown the greatest possible consideration and understanding for the British nation. Personally, I have never hidden my admiration for the great effort at decolonisation undertaken by Britain by giving back freedom to hundreds of millions of her colonised subjects, particularly in Asia and Africa. I even understood and admitted the complexity of the problem posed by the unilateral declaration of independence by the whites in Southern Rhodesia. Opposed always to all generalised condemnations, to all actions that do not lead to the desired results, being a convinced advocate of non-violence and negotiation, my country did not break diplomatic relations with England, although I was very pessimistic about the effectiveness of the methods prescribed by England to order to re-establish legality in Rhodesia.

I have always been opposed to the use of violence in Rhodesia for two reasons: first of all from political conviction (my constant and natural hostility to all violence is well known), and because I know surely that the English would never accept going to war against their white brothers in Rhodesia. I cannot condemn fratricidal conflict in Nigeria and approve of it in Rhodesia. I still continue to have confidence that Britain would herself find the means to put an end to this rebellion which is unacceptable to Africans.

From this premise, I hardly understand, and find it difficult to accept, the attitude of the British Government towards the people of Biafra.

That the Russians, faithful to their policies, even though it would be embarrassing for them to consider Biafrans as imperialists that should be crushed, should furnish all sorts of arms to the Government of Federal Nigeria, we can, to a certain extent, understand. But that the British Government, leader of the Commonwealth, whose duty it should have been, in the face of such a terrible drama, to play the role of mediator; that England, hostile to all use of violence in Rhodesia; that England which had gracefully recognised the independence of Ireland after several centuries of living together under the United Kingdom, should furnish the most lethal weapons for the massacre of Biafrans, who themselves are citizens of the Commonwealth, surpasses our comprehension; indignant and revolted as I am, being their old friend, so I want to remain, in spite of everything.

Insofar as we Africans form a part of the world, we could not but be astonished at how little we are valued; at the indifference with

which people treat everything that concerns us.

Certainly, we deplore, all of us, this war that the unfortunate Vietnamese people have had to bear since 30 years. The Vietnamese war cannot, however, compare in horror with the war in Biafra. More people die in Biafra from hunger than in Vietnam. The Biafrans, without arms, are fighting desperately for their independence, crushed by their own brothers who are assisted by two great Powers in their work of extermination.

The Westerners who have condemned the military junta in Greece astonish us—that is the least we could say—by their indifference in the face of the misfortune which has struck Africa. And, moreover, it is there essentially a Greek internal problem and the unity of Greece is not in question, neither are human lives there in danger. One could condemn the rape of individual and democratic freedoms by the new leaders.

All this should incite us, Africans, to reflect deeply on our common future. Let us avoid, at all costs, all that can pitch us one against the other. No one will help us in overcoming our crises. On the contrary, several are those who will venture to pour oil on the flames of our division. Where we cannot live under the same roof, let us try to live in peace in different cabins. Concord will not hesitate in coming back. Let us not clothe ourselves with considerations of a juridical nature when the life of men is at stake. Law is made by men for men. Law does not make a man. Let us take care that people do not exploit, at our expense, our own apathy, our flight in the face of our own responsibilities posed by the hundreds of thousands who have died in Biafra.

How do you want people to take seriously our complaints, our protests against South Africa, Rhodesia and Portugal when we accept with joy of heart this real genocide that Biafra is experiencing?

I condemn all fanaticism except one. I am and remain, in fact (I shall not be able to espouse it sufficiently), a fanatic for dialogue, negotiation, thus for non-violence and peace.

Finally, we must realize this ineluctable fact: even if, as a result of this military superiority in men and material, Nigeria succeeds in occupying the whole of Biafra, the problem of the secession will not be solved. There will, therefore, be no real peace in Nigeria as long as Biafra fights for its independence.

May universal conscience take a sympathetic interest in this sorrowful drama and impose the solution which men of flesh and blood, who love liberty, are waiting for: the "cease-fire" and negotiation which alone will bring peace to Biafra.

STATEMENT ON THE RECOGNITION OF THE REPUBLIC OF BIAFRA BY THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA, MAY 20, 1968

The tragedy which has befallen the Federation of Nigeria is a most unwelcome event in this phase of Africa's development. The current war and the atrocious excesses committed in waging the war, the loss of human life and property, have shaken this continent and there are no prospects yet that Biafra can yield to what has almost become a war of attrition.

The Zambian Government has been concerned about the future of this area of Africa. We have been, and are still, most concerned about peace, stability and unity among the peoples of that area. We have been even more concerned about the amount of blood which is being shed for what is obviously a futile cause. War in our opinion will not induce surrender. It will, as has already been seen, continue to widen the gap between the two combatants and increase fear among those who are the victims of war.

Even before the crisis burst into military hostilities the Zambian Government did everything in its power to prevent the in-

creasing tension from escalating into a shooting war. Since the outbreak of war, Zambia has employed all available means to avert further loss of life and property. But the indiscriminate massacre of the innocent civilian population has filled us with horror. Whereas it is our ardent desire to foster African unity it would be morally wrong to force anybody into unity founded on blood. For unity to be meaningful and beneficial it must be based on the consent of all the parties concerned, offering security and justice to all. This Government is convinced that the heritage of bitterness stemming from this horrifying war will make it impossible to create any basis for political unity of Biafra and Nigeria. The Zambian Government therefore has decided to recognize the Republic of Biafra as a sovereign and independent state.

We hope that the establishment of this Republic will now allow Nigeria and the people of Biafra to work out a better frame work for co-operation in order to ensure a better platform for more realistic unity among themselves in order to live in peace and to foster African unity in the spirit of brotherhood and mutual co-operation for the benefit of all the peoples of that region.

U.S. POLICY TOWARD COMMUNIST CHINA

Mr. MURPHY. Mr. President, on June 10, I spoke at some length concerning what might be termed subtle indications that the administration may be attempting to alter our established policy toward Communist China. I drew attention to statements made this year by the President, the Vice President, the Under Secretary of State, and the Under Secretary for Political Affairs which seem to run counter to previous statements by these same people and by other administration officials.

The new statements conveniently ignore the fact that the Government of China which the United States and a large majority of other countries in the world recognize as the legitimate representative of the Chinese people is at this moment suffering a long exile in the Chinese province of Taiwan.

The new statements specifically contradict the request of the former Secretary of Defense for \$5 billion for a "thin" ABM system designed to protect us from "the growing Chinese Communist nuclear threat," and the often-repeated assurance of the Secretary of State that one of the main reasons American troops are in Vietnam is to prevent Chinese Communist expansion into Southeast Asia.

In my original speech on the Senate floor, I suggested that the administration owes the American people a succinct, straightforward explanation of its policy toward Communist China. In furtherance of that objective, I have written directly to the Secretary of State asking for clarification of the many seeming contradictions in recent administration statements about Communist China.

Mr. President, I regret to say that there are now further indications that the thinking of certain administration figures concerning Communist China is perhaps out of touch with reality.

I wish specifically to invite the attention of Senators to two articles published in the New York Times at the end of June. In an interview published on June

23, Vice President HUBERT HUMPHREY is quoted as saying:

Mr. HUMPHREY. I think we must initiate a constant, persistent effort to open up China, and to get away from the isolation of China to peaceful engagement with her, or at a minimum, a policy of containment without isolation—but at least that she has contact. And we actively pursue that.

Now, I don't think it'll work right away, but I think we've got to pursue it. In trade—I don't mean just cultural exchanges, I don't mean just journalist exchanges, doctors and educators—I mean commerce. Most all political developments follow functional activities.

Question: Does that apply to China?

Mr. HUMPHREY. I say so. Yes, very definitely, to China.

Question: What about our embargo, sir?

Mr. HUMPHREY. I think that this is not serving our national interest. I think that on strategic goods, that is, military goods, yes, we must have an embargo. But to embargo, for example, the sale of food stuffs, or soft goods, is no longer relevant to the kind of world in which we live.

So here we have an absolutely crystal clear statement by the Vice President indicating that he wants to abandon our embargo on trade with Communist China. He indicates he wants to send American cultural delegations, journalists, doctors, educators, and trade officials to Peking in hopes of making the men in power there more reasonable and friendly towards the West.

I regret to say that although the Vice President obviously has access to information about what is going on in Communist China from many sources, including those which are classified and not available to other citizens, he seems to be seriously misinformed about the situation on the mainland. In fact, newspaper reports—which are readily accessible to those in public office as well as to the public in general—strongly suggest that this is hardly the time for the U.S. Government to send Americans on peaceful missions to the Chinese capital.

I call the attention of the Senate to an article which appeared in the New York Times on June 28 which indicates that the Chinese Communists are becoming more confused and even less civil—if that is possible—than ever before. This article states in part:

An increasingly edgy, xenophobic regime in Peking has cut down Communist China's contacts with the outside world to its lowest level to date.

Very few individuals get permits to go to China these days. Fewer still are allowed to live there, and those who do run the risk of being jailed or deported.

A member of the diplomatic mission in Peking who visited Hong Kong recently reported that most of the 160-odd foreigners who had been living in a sprawling three-story apartment complex in Peking called Friendship Hotel had disappeared.

They include Communists, fellow travelers and visiting specialists of many nationalities.

Some are known to be under arrest . . . some are thought to have left the country, either voluntarily or as a result of deportation.

The diplomatic visitor from Peking reported only two new arrivals at Friendship Hotel in the last three months. . .

More than 30 foreigners have been arrested. These include several ships' officers, a number of businessmen, a British engineer who had been working on the installation of a factory in Kansu and two British journalists.

Twelve Japanese trade representatives are known to be in prison. Several weeks ago the Peking correspondent of the Japanese daily, Nihon Keizai, was jailed on unspecified charges.

Only three Japanese correspondents of the eight who were in Peking a year ago are still there. . . .

Mr. President, I wonder if it is truly responsible for high administration officials to suggest that American journalists and trade representatives should go to Peking in light of what has happened to Japanese journalists and trade representatives who were also there seeking to establish peaceful contacts with the Chinese Communists?

Mr. President, is it responsible to suggest that American officials should seek visas to go to Communist China when Edgar Snow, the American writer who has been on very friendly terms with the Chinese Communists since his laudatory book, "Red Star Over China," was first published in 1937, has just been refused a visa to visit his old friends on the mainland?

Finally, I wish to inquire whether it is responsible for the second highest elected official in the land to be talking enthusiastically about closer relations with Communist China—an enthusiasm which the Chinese Communists themselves quite obviously do not share—when America is engaged in the longest war in the Nation's history and the Chinese Communists are urging our enemies in Hanoi to prolong the conflict and are supplying arms, equipment, and support personnel so that the North Vietnamese can prosecute the war even more vigorously.

We must not permit the same type of disastrous miscalculations which beset America's China policy in the late 1940's to reoccur.

This is the time for a continuing unemotional, clear, and deliberate assessment of the mainland situation. It is no time for the United States to offer the hand of friendship to a belligerent Chinese Communist regime on the basis of a contrived urgency that implies great new opportunities for improved relations are being lost.

It is no time to clamor for the substitution of current policies, which are based upon the almost universally accepted realities of the situation, by ill-defined new policies based upon wishful thinking and untested conjecture about what the future may bring.

SENATOR SPONG ADDRESSES HAMPDEN-SYDNEY COLLEGE

Mr. MUSKIE. Mr. President, consideration of the historical perspectives of the critical problems facing the United States at this time need not imply an abdication of their immediacy. Indeed, the awareness that this country has failed to solve the problems of the central city, of equal opportunities, of a relevant foreign policy, and of a liveable environment for far too many years can only heighten the immediate burden.

The distinguished Senator from Virginia [Mr. Spong] recently delivered the commencement address to the graduating class of Hampden-Sydney College, in Hampden-Sydney, Va. A member of the Hampden-Sydney class of 1941, he also

received an honorary doctor of laws degree during the commencement exercises. He spoke to this class of its burden, and of the burdens that previous classes had been forced to assume. Yet he avoided historical rationalization in favor of a thoughtful perspective that sharpens, rather than weakens, the relevance of their burdens.

This is most characteristic of the junior Senator from Virginia. He has displayed the same thoughtfulness, imagination, and ability that mark this commencement address since he first came to the Senate.

I commend this address to Senators and ask unanimous consent that it be printed in the RECORD.

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

TEXT OF COMMENCEMENT ADDRESS BY U.S. SENATOR WILLIAM B. SPONG, JR., HAMPDEN-SYDNEY COLLEGE, HAMPDEN-SYDNEY, VA., SUNDAY, JUNE 2, 1968

I am pleased to be able to share your commencement exercises with you, yet I was somewhat hesitant in preparing these remarks. Commencement exercises should, in a way, be optimistic. There is much before you and there are many things to do. Hopefully, you are well-prepared to make the most of your future. But there is pessimism today we cannot escape. There are problems we cannot overlook. There are questions we cannot easily answer. There will be difficult days we cannot avoid.

We have begun peace negotiations which are currently underway in Paris, yet in Viet Nam the week after peace talks began we suffered the highest casualty rate of any week during the war. And, in Paris itself, the initial weeks of negotiations appear to be little more than jousting tournaments of words.

We are the richest nation the world has ever known, yet the basis of our economy is threatened from abroad, with even our allies testing the strength of the dollar. Here at home, the affluence, and the means of obtaining the affluence, which so many of our people have found, has totally escaped some 30 million of our people.

We are the most powerful nation yet to exist, but we have often belittled the traditions and mores of the nations we have tried to help. We have often dominated co-operative efforts with our allies in an arrogant manner. Too often, we have reacted impulsively to situations, without taking into account the long-range potentialities of a situation. And many times, in many places, we find ourselves without friends.

For years, we talked about the rural-to-urban trend, about the migration of our people to the cities. And talk is about all we did, with the result that we created core city nightmares, suburbs without adequate transportation to places of work, air and water pollution problems and inadequately planned school, housing and medical facilities.

We have many problems and seemingly few answers. Yet, our situation is a little ironic. We are the richest and most powerful nation. We have offered our people more freedom, more opportunity than any other nation. We do today. At the same time, however, we have glossed over the problems which did exist. We have closed our eyes and wished they would go away. We have waited for things to work themselves out. And we have tacitly hoped, that no matter how little we did ourselves, a Supreme Being would take care of children, drunkards and the United States of America.

As a result, old problems still plague us, unsolved problems take on new faces and new complications and give rise to more intense problems.

In 1962 Michael Harrington published a book entitled *The Other America*. His subject was the poverty which exists in many of our large cities. Another author, Robert Hunter, wrote a book called *Poverty*, in which he defined the term as the condition in which persons "though using their best efforts, are failing to obtain sufficient necessities for maintaining physical efficiency." After studying all available statistics, Hunter concluded that "about 10 million Americans were living in poverty."

If the name of Robert Hunter is less familiar than that of Michael Harrington, it may be because Robert Hunter wrote in 1904.

People demonstrate—for civil rights, against the war in Vietnam, and for various other causes. But such activities are not without their antecedents. In the early years of our century, Susan Anthony waved picket signs for women's suffrage. The Women's Christian Temperance Union and the Anti-Saloon League carried their crusades into the bars and saloons themselves. The so-called "bonus army" of veterans marched on Washington in 1932 demanding cash bonuses and was dispersed only after regular troops had been called out.

And student involvement in such activities is not original with our decade. If today's anti-war signs say "Draft Beer, not Students" rather than "Schools, not Battle-ships," it may be because this is 1968 and not the 1930's. And, although there is undoubtedly a new dimension to student dissent today, the dissent itself is not new.

Racial riots erupt in Watts, Newark, Detroit and hundreds of other U.S. cities, including the nation's capital. Unfortunately, this is not singular to our times either. As early as 1844, there were anti-Irish disturbances in Philadelphia. Anti-Chinese disorders occurred in San Francisco in 1877. And, there are numerous instances throughout our history when riots involving Negroes and Whites have taken place, including Atlanta in 1906, Springfield, Illinois in 1908, East St. Louis in 1917 and Chicago, New York, Omaha and Washington in the summer of 1919, the summer the peace talks of World War I were concluded in Paris.

Furthermore, in testifying before the Kerner Commission, Kenneth B. Clark, characterized the commission reports which were issued on the 1919 Chicago riot and the Harlem riots of 1935 and 1943, as follows: "I must again in candor say . . . it is a kind of Alice in Wonderland—with the same moving picture reshown over and over again, the same analysis, the same recommendations, and the same inaction."

Today, some adults, including members of the academic community, encourage students to refuse to fight in Vietnam. Yet Charles Eliot Norton, Harvard professor emeritus at the time, advised students not to enlist for service in the Spanish-American War, because it was an "unrighteous war."

Pointing to antiwar demonstrators and draft card burners, some persons have concluded that the United States is losing its patriotic tradition. But it was in 1933 that the magazine, *The Nation*, after describing antiwar demonstrations, predicted, "It will take more than flag waving and bugle calls to empty the colleges for another war." Of course, only a few years later the colleges were emptied as Americans went to try where they had failed before "to make the world safe for democracy."

Unfortunately, the world is still not so safe for democracy—as evidenced by Cuba, Berlin, the Middle East, some of the developing nations and the Southeast Asia country of Vietnam.

Although negotiations are underway, we are still fighting a so-called "limited war."

Furthermore, we are told that our people are confused and uncertain about our involvement in this "limited" conflict.

But that is not so novel either. *U.S. News and World Report* once wrote "Down at the grass roots, what people want is peace, if

they can get it. Falling that, they want to fight a war, when they must, that they have a real chance to win. They don't see this chance in an all-out war with Communist China." The same article quotes one person as saying "It's foolish to fight little fires until Russia is ready to launch an all-out attack," while another person suggests "pull all our men out, cut the losses short."

The article is 18 years old and refers, of course, to the Korean conflict.

Observers speak of a breakdown in respect for law and order. Organized crime is said to present a particular threat. If we refer to the problem today as organized crime rather than gangsterism or racketeering, it is perhaps because crime has become more subtle, more sophisticated, if you like. But to say that it is a recent threat is to ignore the Al Capone era and such things as the 500 gang murders which took place in Chicago alone between 1920 and 1929.

Likewise, to point to a moral breakdown among youth is to disregard much of what took place in the 1920's and to point to a Billie Sol Estes or other corruption in government is to forget a Tammany Hall, the teapot dome and a Boss Tweed.

This does not mean that our problems are the same as they were in previous years. In fact, the complexity and magnitude of these problems, and even their focus has changed dramatically.

What I am suggesting is that many of our problems are in general the old industrial-age problems in the new wrappings of a further developed technological and urbanized nation. We have, for example, had the problem of war before, but not the same threat of destruction. We have had poverty before, but not on the same scale; war demonstrations, but not with the same implications; a previous relaxation of moral standards, but not with the same results. We have had urban problems but not the questions of air and water pollution, rapid transit, health and educational manpower on the same massive level.

Yet, despite this increase in the scope and intensity of our problems, advanced technology and expanding educational opportunities have offered a new insight into our problems and an increase in the capacity for solving them.

More and more this capacity will now be exercised by you. This does not mean that you must reject all that has come before. Much has been done; much has been accomplished. And if it has been brought about in ways of which you disapprove, you must also remember that situations and events color outlooks. You have lived outside of the immediate influence of two events which had significant materialistic and profound psychological implications for your elders. These events were the depression and a world war. In the same way that these events influenced your parents' attitudes and outlooks, your life in a world of materialistic plenty and a world alerted to the potentialities of nuclear power has affected many of your attitudes and outlooks.

You have spent four years here in preparation for your life ahead. The question now is, "What are you going to do with that preparation?"

There are many places you can go from here. There are many things you can do. And there are many ways you can hide. You can put on flowers and robes, smoke one thing or another and find your own world. You can seek the ivy-covered walls of some other institution. You can find a slot in the bureaucratic jungle of the military-industrial complex or in a federal government agency. Or, you can find a job in a business which will let you melt into the chamber of commerce, the country club and suburbia and disappear from relevancy.

It is not, of course, your actual involvement in any of these groups or situations, which determines your life, but the attitudes which you take with you. Those attitudes de-

cide whether your life is a venture or a retreat. I urge you to opt for the venture.

A retreat is only self-delusion. Government is not an impersonal institution which sits in Washington and disperses favors—either to those who clamor or to those who wait patiently. It is you. There is no one in the nation's capital with an endless amount of dollars or roads or schools or police protection. Government has only your money. It does only what is has been told or convinced that a majority of you want it to do. And it will survive only as long as it has your support and your willingness to make good. If all refuse to defend it or fail to labor to turn its resources to utilitarian goods and services, then it will not endure.

Likewise, society cannot be separated from its components. It is only as wealthy as the amount of goods and services which its members produce. Its activities are only as organized as the efforts of its citizens. Its social courtesies and pleasantries are only as genuine and widespread as each member takes it upon himself to make them. Its mores, attitudes and traditions are only as strong as its members' support and exist only as long as its members uphold them.

Thus, you determine, you influence, you destroy—or you abdicate responsibility entirely. Each day, no matter where you go from here, you accept or challenge. To a great extent, it makes no difference which you do. What is important is that neither your acceptance nor your challenge be a retreat—that your acceptance not be determined by laziness or unconcern or fear; that your challenge not be a dissent based on an inability or refusal to accept discipline and responsibility. Certainly dissent should be permitted, but it should be constructive and within the framework of the law.

Both government and society, then, can be your servant, or you can be their slave—depending on the role you choose to play. If you choose not to participate, you have given up a chance to help determine your own destiny and to ensure that many of your needs are met. And if you refrain from involvement, you surrender the right to disparage the policies and practices of your government and community.

You must choose your own course. Involvement will not always be easy and it will not always come out right. Life is a combination of victory and defeat. But if victory were always predetermined, there would be no challenge; and if defeat were always certain, there would be only eternal frustration.

I cannot give you the answers, but I can tell you that you must try, with me, to find them. Cities are not built without strength and youth and ideas and ideals. And dreams are not brought to fruition by the noise of demagogic oratory and violence, but by the reasonable and responsible combination of thought, discussion and action. The future of our government, our society, our nation, and perhaps the world, depends on individual effort, individual ability, individual commitment and constructive individual involvement. Justice Oliver Wendell Holmes, Jr., once noted, "I think that, as life is action and passion, it is required of a man that he should share the passion and action of his time at peril of being judged not to have lived."

I again urge you to make your life a venture and wish you well.

McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "What's A Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Miss Mary Margaret McKeown, of Casper, Wyo., and Jay H. Jolley, of Lovell, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

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

THERE'S A COUNTRY TO SERVE

(By Margaret McKeown)

Draft card burner! Rioter! Traitor! These are the cries of the American people. They give evidence to much of the discontent about those who do not comply with the present draft laws. Although it is a basic American right to dissent and express one's opinion, recent demonstrations against the draft have gone far beyond the original right to dissent. It has even been suggested that it may be a Communist conspiracy that provokes the demonstrations. "With this buildup of discontent and doubt about our draft system, a major facet of our government, it would be frivolous to ignore it." Instead, it is our duty as American citizens to inform ourselves before passing judgment and then join in an effort to correct the wrong or supposed wrong. A challenge has been put before us and it now becomes a challenge to protect our United States.

Those dissenting often ask why it is necessary to maintain such a military force for a strong world power. They doubt the worth of serving in a military regiment, for they have not looked into the future. Our changing world can no longer conform to standards of the past, it must create and conform to ideas and practices applicable to the present and future. For this reason it is not only logical but vitally necessary to maintain a large military force. The rise of new world powers, technological advances, perfection of nuclear missile facilities, and the position of the United States in the world today have created the situation. Our ideas and practices must now be ready to meet that situation.

With Communist advances not only in the Middle East, but in Cuba and South America, the security of our nation becomes less stable. Our security is dependent upon the security of our fellow nations in today's world. As they become less powerful, we too must re-evaluate our status and strive hard to maintain our position. One of the best ways to do so is the establishment of a substantial military power.

When other nations continue to increase their armies and expand military facilities, would it not be dangerous for us not to do the same? To protect themselves these nations produce armies that show progressing quality with each passing year. Will we meet that advance?

Now that the necessity for maintenance of a substantial military force has been established, the question arises as to the best type of system to obtain people for our

country's defense purposes. Before outlining one of the systems that perhaps, is one of the fairest and most advantageous, one should first consider two other basic arguments and then relate their favorable points to the proposed system. These two considerations are the voluntary service method and the universal draft method.

Lately there has been wide acclaim for a voluntary service method. This type of system would involve a pay increase and an attempt to make serving in the armies an attractive career. Unfortunately, we can only hope for such a program. The situation before us demands a large force and this system could not supply such a force. Also, it would not attract the men who excel in their field, for the military certainly could not compete with private industry. This would create a force lacking in many technological aspects. Representative Stratton, a Democrat from New York, reported that this kind of change would cost us six to twelve billion dollars annually. Thus, a defense system of this type would lack in both quality and quantity.

In view of this, others have proposed a universal draft. In this sense, they mean a "really" universal draft. Women would be taken out of the homes and put into service. Throughout the ages, although women may have been suitable for such service, their place has been in the home. To raise and provide for leaders of the future should be a woman's role.

On the basis of the advantages and disadvantages of these ideas, I believe there can be a system that would be a more probable solution in light of its combined advantages. The editor of "science" spoke of a similar idea, but he merely employed the use of the "prime-age" group.

Those who are first eligible for the draft, men between the ages of eighteen and twenty-two are undoubtedly most fit for service to their country. They are young, physically fit, and hold a great spirit of adventure. For these reasons it is to the Army's advantage to contain as many of these men as possible. Under my suggested solution, there will be three primary age groups; the "prime-age" group, ages eighteen through twenty-two, a "middle" group, ages twenty-three through twenty-seven, and the last group composed of those twenty-eight or older. It would be set up entirely on a lottery basis, thus avoiding accusations of possible partiality. It is only practical because of population density to have the system set up within the states. When the Defense Department issued orders for a certain quota, the request would be filled in proportion to population and men eligible to serve. Eligibility here is stated merely as the attainment of the age of eighteen. Most of the draftees should be from the group that is beneficial to the nation, this group being the "prime-age" group. The remainder of the needed men would be drawn from the other two groups.

Strict stipulations are necessary for college students. The draft call would be issued at a time such that those planning to enter college would know whether or not to complete their plans. If this type of person were not drafted at this time, he could not be conscripted during his initial four years in an institution of higher learning. Higher learning being here not only a college or university, but also art, trade, and apprentice type schools. After graduation he would once again be up for draft, but if he were not taken at this time, he could enter graduate school and once again be exempt from the draft until after graduation. Any schooling after graduate school would not be considered reason for deferment.

Men out of the first four years of college or schooling or graduate school would be put back into the lottery with the "prime-age" group. A continued existence of this plan would create a mixed selection from the initial "prime-age" group. Those not entering school and not drafted while they were in

that category would then be in the "middle" group. This would continue until they were in the last group. The last two groups would be smaller, but a larger proportion compared to the size would be taken from them so as to include these men in the service. If, at the age of thirty, a man by some unlikely chance had not been drafted he would be the first to be drafted during a draft call.

Deferment should be closely limited and examined. Those physically disabled or some who are or claim to be conscientious objectors shall be drafted and put in non-combat duty. There are also places for these people in positions that civilians now occupy and adoption of this method will allow for a cut in the civilian payroll. Only men with prison records, proven mental defects and disabilities that would prevent any type of work involved in the defense program would be given exemptions permanently.

Certain questions would again arise as to the practicability of this possible solution. The advantages of this method will be further discussed.

Now there is a looming uncertainty for men hoping to enter or finish college. Letting them complete their education benefits not only them, but the Army and the country as a whole. By permitting them to finish this education and then putting them back into the group from which the majority of the draftees are taken, the service will gain an advantageous variety of men, many of whom will have had training and education applicable to their assignments in the Army.

The lottery system to be conducted under military and civilian supervision is an advantage for all. Too many of the agitators today claim that they are not chosen fairly for the draft. Whether or not these accusations are true, an attempt must be made to eliminate them and provide for acceptance of the draft system.

"Hippies" or "flower children" in today's society would be given the same consideration as the "scholars". It is assuredly unfair to favor one group, for in accordance with our basic beliefs, both are equal.

A limited amount of deferments will create a more equalized system. Today many civilians are employed in jobs that can be filled by the increased amount of men obtained due to fewer deferments. An equalized method provides an opportunity for individuality. As each person enters the Army, he is considered on the same level as his comrades and only through his initiative and achievement will he be different. This would be a very favorable condition for character development.

To establish, maintain, and sustain an army with both quality and quantity is, at least, a most difficult task. Public interest and cooperation helping to fulfill the challenge of protecting our nation will be a step toward fulfillment of the task before us. But, as John F. Kennedy once told us, "American citizenship involves duties no less than privileges."

WHAT IS A FAIR DRAFT POLICY?

(By Jay H. Jolley)

I am a male approaching draft age; therefore I am vitally concerned with the "draft system" or any of its replacements. Until man has found a way to stay at peace with his fellows, there is not any doubt about the need for a method of retaining a defense force. I strongly believe that the fairest possible method is the Universal Military Training System. In this essay I am going to prove this statement.

Before I go about working up a new draft policy, I am going to point out the inequities and deficiencies in the old system. First of all, wars are always going to be unfair to the youth who have to fight them. The injustice, however, in the present system is much more prevalent than necessary. In the present system many unnecessary deferments are given. Students taking undergraduate or graduate

courses in college were automatically given deferments. This action created a rather privileged class. The IA classed potential draftees cried that this made the draft system a "poor man's army". They pointed out that the boys who could afford to go to college "bought" their way out of the draft. Married men also received deferments. Many men not yet ready for marriage jumped at the chance to "sneak" out of the draft.

When the Viet Nam conflict necessitated a change, only married men with children received deferments. Men began to father children as soon as possible after marriage. This is known as "babying out". With the many deferments being given for almost any reason, the ones who are drafted develop a "sucker" complex. The men become more interested in finding loopholes in the draft than they are in serving their country. They become militant in their refusal to fulfill their obligations to their country. This is evident in the marches, riots, and other demonstrations being staged against the draft. I believe that the injustice in the present system is killing the patriotism in our youth. A change is needed and now!

The change should be to Universal Military Training. Of course, Universal Military Training would have its problems too, but they could be worked out. In the long run it would be a much better program. The framework of the Universal Military Training that I propose would be this: Every eighteen year old male would serve in one of the armed forces. Only the lowest minimum of exceptions would be permitted; the mentally retarded, and those with some drastic physical defect. For instance, a person born without the use of a limb could be given tasks that he could perform. This would better prepare him for a more normal life. Upon his eighteenth birthday if he is still in high school or college the trainee would be allowed to finish the school year.

The new draftees would choose between joining the regular armed forces for a two year hitch or staying within the Universal Military Training program. In the regular armed forces they would receive all the pay, privileges, and benefits due the regulars. In Universal Military Training they would receive clothing, shelter, sustenance and other necessities but only a small stipend. Five or ten dollars for pocket change for extras. The trainees would spend their year in military training and other instruction necessary to military, and all-round preparedness. Also the trainees would be used in time of emergencies such as: floods, storms, riots, and fires. After serving their year of active duty, the Universal Military Training trainee would spend two weeks of his summer in a "refresher" camp. He would continue coming to these camps until age thirty-five at which he would go into the reserves. In this way America would have a continuous regular armed force, yet the rest of the total manpower of the country would have had some military training, and could be available as a backup force.

In preparing a new draft policy, certain objectives must be met. The system must be able to supply the men needed in our armed forces. It must be able to "enlarge" itself in times of emergency to bring great numbers of additional men into our armed forces. It should also build physical fitness and self-discipline in the young men. The system should accept the large number of presently unnecessarily exempted boys.

It should include those who are exempted because of moderate or correctable disabilities. The system should as far as possible eliminate the present unfairness. The system should create a desire for a man to serve his country.

Universal Military Training completes these objectives very well. With two million boys becoming of age eighteen every year, there isn't any doubt that Universal Military Training could not supply the men needed in

the armed forces. In times of emergency it could bring almost the total manpower of the United States into action already trained. If every young male went through a year of intensive military training, it would bring forth the qualities of physical fitness, and self-discipline. It would better prepare him for life. It would give to many presently exempted boys the chance to gain the benefits of Universal Military Training and to serve their country. By taking almost all of the young men Universal Military Training eliminates the idea of a "poor man's army." With the unfairness eliminated, the men would be able to gain a sense of pride in serving their country.

The following is a quote from former General and former President of the United States, Dwight D. Eisenhower. "During the years in which I served as Chief of Staff of the Army, I tried hard but unsuccessfully to persuade Congress to establish a sound system of Universal Military Training in this country.

"I felt that UMT was desirable not only from the standpoint of military preparedness, but for reasons of fitness and discipline among our youth. I also believed that it would provide the fairest approach to the always thorny problem of manpower procurement."

Universal Military Training would be a practical and workable plan. Universal Military Training would also be the fairest policy possible!

SUPREME COURT NOMINATIONS

Mr. GRIFFIN. Mr. President, in light of the current controversy over the nominations made by the President to the Supreme Court and the propriety of a member of the Federal judiciary participating in the actions and decisions of the executive branch of our Government, I ask unanimous consent that the following article which appeared in the American Bar Association Journal for August 1947 be printed in the RECORD.

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

[From the American Bar Association Journal, August 1947]

INDEPENDENCE OF JUDGES: SHOULD THEY BE USED FOR NONJUDICIAL WORK?

(NOTE.—The nominations, by the President, of Judge Marvin Jones, of Texas, to be Chief Justice of the Court of Claims and of United States District Judge John Caskie Collet, of Missouri, to be a judge of the United States Circuit Court of Appeals for the Eighth Circuit, were deemed by the Senate Committee on the Judiciary to call for a report and commentary on the undesirability of the practice of calling on judges of the Courts of the United States to perform tasks, perhaps political as well as controversial, in Executive departments and agencies of the federal Government. This aspect as to Judge Jones had been adverted to in the *Journal* at the time of his nomination (33 A.B.A.J. 271; March, 1947), and as to Judge Collet, at the time his non-judicial services had been performed, as cited in the Committee's statement, (32 A.B.A.J. 279, 682; May and October, 1946; see, also, 33 A.B.A.J. 710; July, 1947).

(The Senate Committee reported the Jones and Collet nominations favorably, and they were confirmed on July 8. The selection of Judge Collet had been approved by our Association's Committee because of his State and federal judicial experience and his qualifications for promotion. Judge Jones had been nominated before our Association's Committee had begun to function, and his nomination was not referred to the Committee for action. The statement from the Committee on the Judiciary, as submitted to

the Senate on July 2, went deeply into the question of using judges for nonjudicial services in Executive agencies of the Government, and brings to the fore again an issue which has been vigorously debated in the House of Delegates and also discussed in an editorial in the *Journal* (32 A.B.A.J. 862, 863; December, 1946), as well as in previous issues. In that editorial the significant views of Justice Robert H. Jackson, generally adverse to the practice save perhaps in limited and extremely emergent circumstances, were cited.

(A significant feature of the report is the extent to which it cites our Association's Canons of Judicial Ethics, the Opinions of the Committee on Professional Ethics and Grievances, and other matter published in the *Journal*. We give the report of the Senate Committee in full.)

On this occasion your Committee has been requested to go beyond the simple report on these nominations and to offer some commentary on the propriety of employing Court justices in Executive agencies of the Federal Government.

The growing practice of drafting judges to fill Executive posts is a matter of serious concern. Justices of the Supreme Court have been used in this manner, as in the case of Justice Roberts in the Pearl Harbor inquiry and Justice Jackson in the Nuremberg trials. In like manner Federal Circuit Judges, District Judges, and justices of the Court of Claims, have been called upon to perform executive and other nonjudicial functions.

Sometimes the assignment results in the permanent withdrawal of the judge from the Nation's judiciary. At other times the judge is merely "borrowed" for temporary Executive duty and then is returned to the bench. On still other occasions the judge leaves one judicial post to engage in Executive activities and is subsequently appointed to another judgeship often higher in rank than the one previously held.

Seriously disturbed by the growing frequency of this practice, and deeply concerned about its effect on the Nation's judiciary, the Committee requested this report on the subject.

LEGAL STATUS OF THE QUESTION

Existing law does not provide adequate rules of conduct for all the situations involved in this practice. On the contrary, the propriety of taking men from the bench to fill Executive posts is governed almost wholly by judicial ethics and public policy. The problem is presented in its most acute form when a federal judge is asked to act in some other official capacity in the Government without resignation from his office as judge.

The only statutory restriction upon such a practice is found in the Act of July 31, 1894 (sec. 2, 28 Stat. 205, 5 U.S.C. sec. 62, as amended), which provides in part that—

"No person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office to which compensation is attached unless specially authorized thereto by law . . ."

Even this law has been weakened by rulings which narrowly confine its operations. The word "office", for example, has been construed to apply only to "constitutional" offices, thus creating a large number of instances in which judges may accept non-judicial posts wholly outside the statutory restriction.¹ Where the nonjudicial office carries with it no compensation, the statutory restriction does not apply at all.² Yet it is precisely this class of cases which raise the most serious questions of public policy.

When historical precedent is examined, it appears that the practice of using federal

judges in non-judicial capacities has been defended in some quarters and strongly disapproved in others.³ A dearth of capable men in the early public life of the Nation gave rise to the frequent use of judges in non-judicial activities, but objections to the practice were voiced by many, including Jefferson, Madison, and Pinckney. It was said that the choice of federal judges for non-judicial duties made the bench an "annex" of a political party and an "auxiliary" to the Executive. The situation was criticized as "unwise and degrading."⁴

Where the practice is infrequent, it may well be reasoned that the situation will take care of itself; but where there is an increasing tendency to draft members of the judiciary for executive and nonjudicial duties, as is the case in modern times, the propriety of the practice should be examined anew if the integrity of the judiciary in American life is to be preserved.

INDEPENDENCE OF THE JUDICIARY

When the architects of the Constitution embodied in it the principle of the separation of powers—legislative, executive, judicial—they wisely gave to each the power to resist encroachment on the part of the others.⁵ Strongest of these powers in the case of the judiciary is independence of the judges maintained by security in tenure of office, by fixed salaries, and by clear delineation of jurisdiction. "The judiciary," wrote Hamilton, "is in continual jeopardy of being overpowered, awed or influenced by its coordinate branches."⁶

What may happen to judges in the exercise of their judicial functions if the tendency increases to appoint them to Executive offices? Will it not be difficult for them to maintain the integrity and independence of the judicial office if the practice becomes common of selecting them for executive positions carrying exceptional privileges and prestige? Would not the suspicion be ever present that the President might gain desired ends by favoring judges in Executive appointments? Ill motives need not be charged at all; they will be present as a matter of course where the situation, by its very nature, carries the seeds of suspicion.

How would the people regard a judiciary whose members were judges today, high public officials in the Executive branch tomorrow, and perhaps judges again when the Executive mission is ended?

The whole independence and integrity of judicial office must at least be embarrassed, if not compromised, by the easy flow from bench to political office. Yet this is where the practice of appointing judges to Executive offices tends to lead.

FREEDOM OF CHOICE

It is well settled that judges of constitutional Courts cannot be compelled to perform nonjudicial functions or duties.⁷ Whether they may do so voluntarily at the behest of the Chief Executive is another matter. Elements other than statutory are present. Public opinion is a compelling factor. It is difficult for a judge to refuse the Executive when the request is placed on the plane of patriotism in time of war. Even without the compelling argument of war a judge is embarrassed in refusing an appointment when urged to serve on the grounds of indispensability, even though the doc-

¹ Opinions of the Atty. Gen., *ibid.* See also Frank; *If Men Were Angels* (1942) pages 218-219; Comment (1938) 7 J. B. A. Kan. 172.

² See account in 1 Warren, *The Supreme Court in United States History* (rev. ed. 1935), pages 167-168.

³ Federalist, No. 51.

⁴ *Ibid.*, No. 78.

⁵ *Hayburns Case* (1792), 2 Dall. 409; *Muskra v. U.S.* (1911) 219 U.S. 346; Harris: *The Judicial Power of the United States* (1940), pages 45-51.

¹ 22 Op. Atty. Gen. 184 (1893).

² 40 Op. Atty. Gen. 99 (1945).

trine of the indispensable man has no real place in American public life.

Personal motives may easily join with the urgent call to duty in exerting strong pressure on the judge to accept nonjudicial appointments. Ambition is a wholesome human trait and judges are human. If it becomes common to expect Executive appointments, judges may slip into that frame of mind which seeks promotional opportunity at the hand of the Executive and the quality of the judicial character may be impaired. This could take on an ugly political tinge if judges came to see in the Executive appointment a chance to advance themselves politically or a chance to aid the Chief Executive politically.

Thus, while judges may not be compelled to accept executive posts, their freedom of voluntary choice is readily susceptible to strong public and personal forces. The judge is placed in a worse position than that of mere embarrassment; except in rare cases he has little freedom to choose. It is not conducive to an independent judiciary or in keeping with public respect for the impartial dispensation of justice to place judges in a position where they may feel the pressure or influence of the Executive branch.

ETHICS

In the realm of judicial ethics, one of the great figures in Anglo-American law, Sir Matthew Hale, when he became in 1660 the Chief Baron of the Exchequer, laid down the precept "to be continually had in remembrance" that—

"I be wholly intent upon the business I am about, remitting all other cares and thoughts as unseasonable, and interruptions."⁸

It was on this ground that Justice Harlan F. Stone declined to consider the chairmanship of the Atomic Energy Commission in September 1945. In a letter to Senator Arthur H. Vandenberg, Justice Stone observed that—"the duties of a Justice of the Supreme Court of the United States are difficult and exacting. Their adequate performance is in a very real sense a 'full-time job.' I have accepted the office, and acceptance carries with it the obligation on my part to give whatever time and energy are needful for the performance of its functions."⁹

Bar Associations have long been aware of the need to safeguard the independence of the judiciary and to preserve its high quality. The Canons of Judicial Ethics of the American Bar Association admonish a judge not to accept "inconsistent duties" (Canon 24); that "his conduct should be above reproach" (Canon 34); and that he may not practice law; although he may "act as arbitrator or lecturer upon or instruct in law, or write upon the subject, and accept compensation therefor" but only so long as "such course does not interfere with the due performance of his judicial duties" (Canon 31).

Upon another occasion the American Bar Association's Committee on Professional Ethics and Grievances was asked to rule whether a judge might also properly hold an office in another branch of the Government—such as the executive. The Committee held that this was clearly improper, since it "might easily involve conflicting obligations."¹⁰

It was on this ground that Justice Stone declined a second opportunity to serve in the executive branch of the Government. It was proposed to make him the decisive arbiter of a five-man United States Ballot Commission set up to handle the problem of soldier voting during the late war. In re-

sponse to a request for his views, the Justice wrote:

"... I regard the performance of such a function as incompatible with obligations which I assumed with the office of Chief Justice, and as likely to impair my usefulness in that office.

"It is enough to say, without more, which might be said, that action taken by the Chief Justice in connection with the administration of the proposed legislation might become subject to review in the Court over which he presides and that it might have political implications and political consequences which should be wholly dissociated from the duties of the judicial office."¹¹

In light of the above Canons, the Committee on Professional Ethics and Grievances of the American Bar Association was asked to rule whether it was proper for a judge to conduct, for a newspaper, a column of comment on current news items and matters of general interest. The Committee held that, while such conduct involved no wrongdoing, it was not in accordance with Canon 24 that a judge should not accept "inconsistent duties," and that such activity might lead, or be thought by the public to lead, "to impairment of judicial efficiency." It was also pointed out that since Canon 34 requires judicial conduct to be "above reproach, any activity which may be viewed with disfavor by many people as not consistent with judicial obligations comes within the scope of the Canon."¹² In the same vein, a former judge has written that a judge—"should not allow other affairs . . . to interfere with the prompt and proper performance of his judicial duties . . ."¹³

THE CHARACTER OF THE JUDGES MUST BE IMPECCABLE—THE OFFICE INVIOLE

It should be remembered that a judge is the human embodiment of an office dedicated to impartial justice and fair dealings—an office which must have and demand the highest public respect. Many forms of activity which are permissible in the ordinary affairs of the everyday world are not permissible to the bench. A judge who embarks upon official nonjudicial activities in another branch of the Government lays himself open to the charge that he is undertaking "conflicting obligations" or "inconsistent duties";¹⁴ that in spirit he is violating the doctrine of the separation of powers;¹⁵ and that in discharging his nonjudicial duties he is neglecting the proper performance of the judicial ones.¹⁶

Such charges or beliefs, even if entertained only by a few, may readily bring the bench into reproach.¹⁷ While it has been argued that a judge may properly act in two separate capacities, one judicial and one nonjudicial,¹⁸ this ignores the human element that the same man is the tangible representative of intangible offices. He cannot be divided

¹¹ Letter from Chief Justice Harlan F. Stone to Senator Arthur H. Vandenberg, November 22, 1943, Congressional Record, 78th Cong., 1st sess., vol. 89, pt. 7, page 9791.

¹² Opinion No. 52, Committee on Professional Ethics and Grievances, American Bar Association, December 14, 1931.

¹³ Andrews: *Judicial Ethics—The Judge and His Relations to the Lawyer, the Jury, and the Public* (1935), 9 Florida Law Journal, pages 525, 529.

¹⁴ Opinion No. 22, Committee on Professional Ethics and Grievances, American Bar Association, Jan. 24, 1930; Opinion No. 52, op. cit. *supra*, Dec. 14, 1931.

¹⁵ See I. Warren: *The Supreme Court in United States History* (rev. ed. 1935), pages 167-168.

¹⁶ Opinion No. 52, op. cit. *supra*, Dec. 14, 1931.

¹⁷ Carter: *Ethics of the Legal Profession* (1915), page 78.

¹⁸ Frank: *If Men Were Angels* (1942), pages 218-219.

in fact or in spirit so that at one time he sits as judge and another as a public official of a nonjudicial character. The detachment with which judges normally surround themselves, and which the public expects, is one of the safeguards of the proper administration of justice.¹⁹ The mantle of judicial probity cannot and should not be worn or laid aside as convenience suits. Particularly in matters of internal concern, to step from the justice seat to next day direct participation in controversial public activities "runs counter to accepted ideas of propriety" and brings judicial and other affairs into too close an association.²⁰

FEDERAL JUDICIARY MUST MAINTAIN THE HIGHEST STANDARDS

The high standard demanded of the Federal judiciary and its complete attachment to things judicial should not be subjected to the disintegrating erosion of particular exceptions. The business of judges is and should remain judging. The great respect with which courts generally, and the federal judiciary especially, are regarded has been attained through an unremitting devotion to the highest ideals. At one time in Anglo-American history, judges were in low repute because of their improper conduct both on and off the bench.²¹ The personal touch in judicature may be a blighting touch, and even slight deviations from a superior norm of behavior may destroy the respect of Courts as tribunals of impersonal justice. In the words of Judge Bond:

"Perhaps it is only by preserving the conception of a court of justice as something larger than the men who carry it on, as something which transcends them, and compels their reverence, that the ground gained through the centuries and left to us of the later generations, can be held secure."²²

DUTY OF THE EXECUTIVE

Where there are no legal rules of conduct precisely laid down in statute law, and where the judge may be in a difficult position in declining the request to serve in an executive post, the burden of discretion falls heavily upon the Chief Executive. He must exercise exceptional care in making appointments of this kind.

The nominating power is far reaching; it has significances and implications not always easy to see. An Executive appointment praiseworthy in the public service may imperceptibly work greater harm to the judiciary. The Executive must forbear the temptation of using judges for their prestige. He must decline to use public opinion against the bench. Judicial eminence is the great intangible value of public faith in justice; and faith in public institutions is the very foundation of the good society.

UNDESIRABLE RESULTS

In cases where federal judges accept the responsibility of extrajudicial duties or functions in the executive branch of the Government, several undesirable results may follow:

- (1) Reward may be conferred or expected in the form of elevation to a higher judicial post.²³
- (2) The judicial and Executive functions may be improperly merged.²⁴
- (3) The absence of the judge from his regular duties increases the work load of

¹⁹ *Judicial Detachment* (1935), 11 *New Zealand Law Journal*, page 216.

²⁰ Bond: *The Growth of Judicial Ethics* (1925), 10 *Massachusetts Law Quarterly*, page 1.

²¹ Bond: *The Growth of Judicial Ethics* (1925), 10 *Massachusetts Law Quarterly*, page 20.

²² See also I. Warren, *The Supreme Court in United States History* (rev. ed. 1935), pages 120-121.

²³ *Ibid.*, pages 119-120.

⁸ Warville: *Legal Ethics* (1902), pages 207-208; Hale: *History of the Common Law* (1792, 4th ed.), pages xv-xvi.

⁹ Congressional Record, 79th Cong., 1st sess., (September 25, 1945), vol. 91, pt. 7, pages 8950-8951.

¹⁰ Opinion No. 22, January 24, 1930.

the other judges of the Court, if any, and may result in an impairment of judicial efficiency in the disposition of cases.²⁴

(4) Nonjudicial activities may produce dissension or criticism and may be destructive of the prestige and respect of the federal judiciary.²⁵

(5) A judge, upon resumption of his regular duties, may be called upon to justify or defend his activities under an Executive commission.²⁶

CONCLUSION

The Committee on the Judiciary of the United States Senate declares that the practice of using Federal judges for non-judicial activities is undesirable. The practice holds great danger of working a diminution of the prestige of the judiciary. It is a deterrent to the proper functioning of the judicial branch of the Government.

The Committee is not now disposed to recommend legislative action. It believes the remedy lies, in the first instance, in the good sense and discretion of the Chief Executive. His is the prime initiative in the matter of these appointments and that is the point where the independence of the judges and the prestige of the judiciary may best be preserved.

LIST OF SOME FEDERAL JUDGES WHO HAVE BEEN COMMISSIONED BY THE PRESIDENT FOR DUTIES OTHER THAN THOSE OF THE FEDERAL BENCH

Although the following list is not exhaustive, it contains some of the more recent appointments of federal judges to executive and nonjudicial posts:

Associate Justice Owen J. Roberts: In 1942 acted as chairman of a committee to investigate the Pearl Harbor disaster.²⁷

Associate Justice Robert H. Jackson: Appointed on May 2, 1945, as United States chief counsel for the prosecution of Axis criminality before an international military tribunal.²⁸

Circuit Judge John J. Parker: Appointed October 15, 1943, as member of Advisory Board on Just Compensation, to assist the War Shipping Administration; reappointed September 10, 1945.²⁹ Also appointed in 1945 as alternate judicial member of the International Military Tribunal for trial of persons charged with war crimes; no compensation.³⁰

Circuit Judge Learned Hand: Appointed October 15, 1943, as member of Advisory Board on Just Compensation, to assist the War Shipping Administration.³¹

Circuit Judge Joseph C. Hutcheson, Jr.: Appointed October 15, 1943, as member of Advisory Board on Just Compensation, to assist the War Shipping Administration; reappointed September 10, 1945.³²

District Judge John C. Collet: Acted as Chairman of Economic Stabilization Board.³³

²⁴ See 15 L. W. 3109, "Review of Supreme Court's Docket," pointing out that with the resumption of a full bench at the beginning of the 1946-47 term, 14 cases from the previous term were scheduled for reargument before the full bench.

²⁵ 1 Warren, op. cit., pages 119-121, 167-168.

²⁶ 1 Warren, op. cit., supra, pages 119-120.

²⁷ 40 Op. Atty. Gen. No. 99 (1945); Frank, op. cit. supra, page 219.

²⁸ Seen Gregory, *Murder Is Murder and the Guilty Can Be Punished* (1946), 32 American Bar Association Journal, pages 545, 546.

²⁹ Executive Order 9387, 8 Fed. Reg., page 14105; Executive Order 9611, 10 Fed. Reg., page 11637.

³⁰ 40 Op. Atty. Gen. No. 99 (1945); 31 American Bar Association Journal, page 515 (1945).

³¹ Executive Order 9387, 8 Fed. Reg., page 14105; Executive Order 9611, 10 Fed. Reg., page 11637.

³² 32 American Bar Association Journal, page 279 (1946).

Later, in 1946, undertook further duties as "over-all associate" of Director John R. Steelman, in Office of War Mobilization and Reconstruction.³⁴

Justice Marvin Jones, of the Court of Claims, served as assistant adviser to the Honorable James F. Byrnes, chairman of the American delegation to the United Nations Conference on Food and Agriculture. On June 28, 1943, he was appointed United States Food Administrator. After an absence of some three years he was appointed Chief Justice of the United States Court of Claims.

Judges Mathew McGuire and Alexander Holtzoff, of the United States District Court for the District of Columbia, left the bench to assist the Army and Navy in the renovation of their court-martial systems.

Judge Simeon Riskind, of the District Court for the Southern District of New York, aided a survey of the problems of the Jews in Germany.

Judge Peirson Hall, of the District Court of the Southern District of California, assisted the Army in the review of court-martial sentences.

Judge Joseph W. Madden, of the Court of Claims, went to Germany in July 1945 on leave of absence to become a legal adviser to the United States Military Governor of Germany.

SBA AIDS MAINE POTATO FARMERS

Mr. MUSKIE. Mr. President, the farmers of Maine are justly celebrated for growing the finest potatoes that anyone can produce. The popularity of Maine potatoes is demonstrated by the fact that Maine produces one out of every seven potatoes grown in this country.

But agriculture and industry are closely allied. They are mutually dependent. Agriculture cannot prosper without modern marketing and shipping facilities.

The H. Smith Packing Corp., of Mars Hill, Maine, one of the most modern plants of its kind in the country, is Maine's largest potato storage facility designed for fresh potato shipments.

This company, combining agricultural excellence with improved processing techniques, has made successful and imaginative use of a Small Business Administration loan. The Mars Hill experience is a fine example of the increasing trend toward the creative use of Federal funds to benefit both the producer and the consumer.

I share with the people of Mars Hill and the rest of Maine their pride in this new facility and in the reputation the firm has earned as a packer and shipper of high-quality Maine potatoes.

The story of this remarkable facility, and of the part the Small Business Administration played in making it possible, was brought to mind by an article published in the newspaper *Potato Counciller*.

Because of its interest to all small businessmen, and particularly to the people of Maine who derive their living from the potato industry, I ask unanimous consent that the article be printed in the RECORD.

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

SMITH STORAGE IN MARS HILL MAINE'S LARGEST MODERN PACKING PLANT

The H. Smith Packing Corporation's new plant in Mars Hill is Maine's largest potato

³⁴ 32 American Bar Association Journal, page 682 (1946).

storage designed for fresh shipments, and one of the most modern packing plants in the state.

The huge storage and packing facility is a Stran-Steel building with concrete floor and steel partitions. The storage building, measuring 140 by 320 feet, contains 23 bulk bins, each with a storage capacity of 15 cars of potatoes. Each bin has an outside door for loading. The main walk or rollway runs between the bins. The storage has a total capacity of 140,000 barrels, or about 420 cars of potatoes. The 70 by 140-foot grading and packing wing is at right angles to the storage structure.

Eight automatic forced air ventilators, each with a gas heating unit, take care of ventilating and heating the storage bins. The heating and ventilating units are equipped with low limit thermostats as a safety feature. The entire plant is sprinklered.

The plant has a complete Meuret fluming system, built in Oregon, to move the potatoes from the bulk bins to the grading line. A flume in the center of each bin runs to the central flume which runs the length of the rollway to the packing shed. A slope of one inch to ten feet in the bins moves the potatoes into and along the bin flume to the main flume.

When the potatoes reach the packing room, a Draper chain pulls the tubers out of the flume and into the pump, with variable speed control to maintain the desired volume of potatoes entering the grading line. A rock eliminator gets stones out of the potatoes before they enter the pump, which lifts the tubers about 15 feet to the grading line. Head of water gravity flow is used to flume more potatoes.

The plant is now using water from a drilled well which has a capacity of more than 4,000 gallons an hour. An eight-inch main has been laid to connect the plant to the Mars Hill municipal water supply.

The grading and packing plant has completely new and modern equipment, most of which was custom built by WASA of Mars Hill. The washing and drying unit was built by Boneville Manufacturing of Presque Isle.

Equipment includes a 14-head Baker bagger, and an Adcox-Smith electronic sizer for packing count boxes.

Most of the potatoes in the new Smith storage are of the Russet Variety, and the fluming system and full grading line is used only for Russets. All the potatoes are bagged, boxed, or loaded in bulk for some commercial outlet as they run through the grading line.

Size B potatoes are bagged for shipment to such processors as salad makers and pre-peeling plants. Off grades are trimmed and graded as U.S. No. 2, and shipped in bulk to french fry plants.

Expanding roll sizes take off the top grade potatoes in three sizes. Ten-ounce bakerys are drawn off to the one table, and 6 to 12 ounce tubers are perfectly graded by the electronic sizer for count boxes and tray packs. The U.S. 1 size A potatoes go to the Baker bagger to be loaded in consumer packs—5 and 10 pound poly or mesh bags.

The Smith storage contains some Katahdin type potatoes this season, and the round whites are handled dry, brushed and graded out of the bin.

"This is basically a Russet deal," Herschel Smith, head of the firm commented. "The plant is designed and built for storing fluming, washing, and packing Russet Burbanks and Norgold Russets."

The plant can set 10 rail cars and three trailers outside the building at one time, and four trailers can be set inside the building for loading in severe cold weather. The packing plant has a capacity of about 10 cars a day. With the plant running at full capacity, 65 to 75 people would be required for the grading and loading operation.

The Smith firm will own about 1,500 to 2,000 acres which will be planted to potatoes this season, either grown by the firm

itself or contracted. Herschel Smith said this year's plant will be mostly Russet Burbanks, with about 300 acres of Norgold Russets.

ASSISTANCE FOR RETURNING VIETNAM VETERANS

Mr. JAVITS. Mr. President, on May 11, 1968, a group of Federal, State, and local officials and representatives of New York State's veterans organizations and of a wide variety of local community and service organizations met in New York City at my invitation. The objective of this conference was to discuss public and private programs of assistance for those Vietnam veterans who are returning to homes in city slums or areas of high unemployment. Too many of these men, who have gained new self-assurance and belief in their own abilities, are unable to find proper housing or adequate jobs or job training, upon their return to civilian society.

I have, over the past few months, discussed and investigated this issue and offered legislative proposals to meet this challenge—most recently, the Veterans' Employment and Relocation Assistance Act of 1968 (S. 3408), which would assist veterans in locating job opportunities in any part of the country and give them financial assistance if relocation were necessary. Such a program is crucial, for it is my belief that those veterans who return to ghetto areas are still experiencing great difficulty in locating jobs—particularly, jobs that afford real security and opportunity.

However, in the long run, real opportunity can be assured the Vietnam veterans only if there is local private action. It was the purpose of this conference to stimulate that action. Representatives of many veterans' and community organizations were urged to mobilize the energies and resources of their local units throughout the State to search out jobs and training opportunities and homes for these returning veterans.

As a result of the discussions which took place at this conference, certain conclusions emerged:

Most important, there was broad agreement that minority group veterans returning to areas of high unemployment offer special problems which the present program of GI benefits is not specifically designed to meet. Such veterans face particularly severe problems of transition and readjustment in regard to housing, jobs, disabilities and, in some cases, addiction. On the other hand, these men also present American society with a unique opportunity for leadership and initiative in these areas.

The discussion at the conference indicated that a wide variety of programs to meet the needs of these veterans have been initiated by government at all levels and by certain private organizations. However, these programs are late in getting started. What is worse, there is a "communications gap," so that those who are to be benefited by the variety of programs often are unaware of their existence. Most important, the services have not been—and must be—brought to the ghetto veterans. This would require for example, a decentralization of veterans' benefits services and locating the counseling and service centers in the

ghetto areas. The "gap" is also, often, attributable to language barriers—in the case of Spanish-speaking veterans—and timing; that is, the young minority group serviceman is not aware of the programs and benefits available to assist his transition to civilian life at the crucial moment—the moment when he must decide whether to reenlist or not.

It appeared to be the almost universal feeling among the conferees that, in the long run, real opportunity can be guaranteed these Vietnam veterans only if there is local action which supports existing governmental and private programs. Government can train—and is training—these men, but industry and labor unions must cooperate in guiding these men into "open-ended" jobs, jobs which promise real security and opportunity. We must use the facilities of existing private organizations to supplement existing public programs.

It should also be emphasized that the conferees stressed the opportunity of assisting these veterans to own and manage businesses. The Vietnam veteran has acquired the skills and discipline to enable him to become an entrepreneur if there are sufficient forms of assistance to him once he has returned to civilian life.

It is necessary to turn our attention away from training veterans for entrance level jobs. The concern should really be for training minority group veterans for middle and upper level management jobs. The veteran returns to civilian life with a whole set of disciplines which the hard-core unemployed often does not possess. He often has skills which can be transferred to the management level. It is necessary that he be offered training to achieve that.

It is my hope that, as a result of this conference, the following program of action will be established:

First. A continuing dialog between private organizations and Government agencies must be maintained, so that such organizations are informed of changes in the program of veterans' rights and benefits, and public authorities are informed of the effects of and necessary improvements, both legislative and administrative, in these programs. In this regard, my staff and I are anxious and prepared to play a role in establishing and maintaining that dialog.

Second. Voluntary organizations in each community of New York State should establish a coordinated effort to assist the Veterans' Administration, other public agencies and those organizations, such as the National Urban League and the National Association of Manufacturers, which have established programs of veterans assistance, in reaching each veteran and in bringing these programs and benefits to the attention of every veteran returning to that particular locality.

Third. Attempts should be made by such local voluntary veterans' "action coalitions" to identify every single veteran returning to the community, to reach them personally and to identify the skills, training, and needs of all veterans. Each veteran should then receive assistance in the location of job, home, training, and/or education, depending upon his needs. Such assistance is particularly crucial in regard to minority

group veterans returning to depressed areas, for they are the least likely to be aware of existing opportunities.

Fourth. Private organizations, industry and labor unions must cooperate in each community in opening up new opportunities for returning veterans. We must set as our goal the opportunity for job, home, training, and education for every returning veteran and the existence of full freedom of choice for each of these men in the manner in which he pursues his life once he has returned to civilian society.

I hope to supply any needed assistance in this regard and look forward to working, on a regular basis, with those organizations which act to meet the objectives of the conference and this program.

Mr. President, I believe that this conference and this program can serve as an example to other States. Most importantly, I hope that all of us can move forward together in guaranteeing a life of full opportunity to the brave men who have been asked to bear the burdens of the tragic conflict in Vietnam.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the program for this conference, summaries of the opening speeches, and recent articles which deal with the issue of the returning minority group veteran and with those programs which, like "Operation Transition," have been established to assist them.

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

THE NEW YORK STATE VETERANS' RIGHTS AND BENEFITS CONFERENCE, SPONSORED BY U.S. SENATOR JACOB K. JAVITS, NEW YORK ACADEMY OF MEDICINE, NEW YORK, N.Y., MAY 11, 1968

PROGRAM

Introduction of Senator Javits, Hon. William H. Booth.

Opening Address: Senator Jacob K. Javits. "Veterans Benefits": E. J. Raus, Assistant Manager, New York Regional Office, Veterans Administration.

"Project Transition": Frank M. McKernan, Director, "Project Transition," Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs, Department of Defense, Washington, D.C.

"Employment": Benjamin I. Trotter, Program Policy Coordinator, Veterans Employment Service, U.S. Department of Labor, Washington, D.C.

WORKING SESSION

"Housing, Education and Training."

Panel

Archibald Murray, esq. Patterson, Michaels and Murray, Moderator.

Robert Schrank, Assistant Commissioner for Manpower, Human Resources Administration, City of New York.

William F. Flynn, Director, Urban Affairs Division, National Association of Manufacturers.

Robert J. DeSanctis, Chairman, Rehabilitation Committee, New York Department, American Legion.

James O. Casey, esq. Counsel, New York State Division of Veterans Affairs.

"Jobs for Veterans."

Panel

Jay A. Best, Addiction Services Agency, Moderator.

William G. Pegg, Veterans' Employment Representative for New York State, U.S. Department of Labor.

Peter Brennan, President, New York Building Trades Council.

Frank Steele, National Urban League.
John R. Ray, New York Department Com-
mander, Veterans of Foreign Wars.
John Silvera, Governor Rockefeller's Staff,
State of New York.

**LOCAL ACTION VITAL TO ASSURE OPPORTUNITY
FOR ALL VIETNAM VETERANS**

(Remarks by Senator JACOB K. JAVITS at the
New York State Veterans' Rights and Ben-
efits Conference sponsored by Senator
JAVITS, New York Academy of Medicine,
New York City, May 11, 1968)

I welcome you to this Conference on veter-
ans' rights and benefits. I appreciate the
fact that you have taken the time and trouble
to attend this Conference. You represent a
wide cross-section of communities and orga-
nizations and individuals. May I also take this
opportunity to thank those who have kindly
consented to address this conference or to
serve as panelists for the "working sessions."

We are today addressing ourselves to an
issue of great significance, one that has only
recently begun to receive the attention it de-
serves. This nation has long recognized that
it has a particular obligation to the men who
have served it in the armed services—in the
immortal words of Lincoln, "to care for him
who shall have borne the battle and for his
widow and orphan." Since the end of World
War II we have adopted a policy of greater
commitment to our returning veterans—that
is, to assist each one in his transition to
civilian life.

The GI "Bill of Rights"—and its subse-
quent extensions—has had great impact on
American society. The enormously wide dis-
persion of affluence in this Nation, the great
increase in the number and percentage of the
college educated, the explosion of the sub-
urbs—all of these "revolutions" which have
characterized American society since World
War II have been accelerated—in some
cases, caused—by the broad extension of GI
benefits.

However, the existing program of GI ben-
efits—even as they would be altered by rec-
ommendations of the President recently
passed or now pending before the Congress—is
not sufficient to meet all the needs of men
now serving in the armed forces; and cer-
tainly it is inadequate to give the needed
and deserved help in the transition to civilian
life of minority group veterans from poverty
areas.

Many of the men who are recruited or
drafted from such areas enter the armed
services without prior skill training, even
without a background of regular employ-
ment or adequate education. For such men,
their return to civilian life may only be a
return to an existence of limited opportunity.

This need not be the result. Despite the
dissension which has characterized our in-
volvement in Vietnam, we should not lose
sight of the fact that, for many men of this
background, military service in Vietnam has
afforded them their first opportunity to con-
tribute to a national effort on a basis of
equality and personal dignity. In the process,
some are acquiring a renewed sense of self-
assurance and of belief in themselves.

It is estimated that approximately 7000
veterans are now returning to New York State
each month. The Veterans' Employment
Service of the U.S. Department of Labor in
New York, as of March 31st, had an active
file of over 32,000 men it is assisting. In the
month of March alone, the Veterans' Em-
ployment Service in New York received over
8,000 new applications for assistance in locat-
ing jobs. Nonetheless, too many veterans are
unemployed. In Fiscal Year 1967, 161,878
veterans filed for unemployment compensa-
tion throughout the nation and drew such
compensation for an average period of 9.3
weeks. There is no way to measure whether
those veterans who do find work, find employ-
ment commensurate with the skills and
experience they have acquired while in the
armed services or whether they have found

employment with a future. The impression
exists that those veterans who return to
ghetto areas are still experiencing great dif-
ficulty in locating jobs—particularly jobs that
afford real security and opportunity. For
such men, the present program of GI ben-
efits is not enough.

We must guarantee all of our returning
veterans—no matter what their economic
status or race—at least the chance to live
in an open society, receptive to their talents,
skills and commitments. These men have met
their duty to us; it is now time for us to
meet our duty to them.

The system of veterans' benefits and its
administration must be restructured to fit
new needs and to meet new challenges.

*First, particular benefits must be tailored
to assist those veterans who are returning
to central city slums.* Specific VA housing,
training and counseling benefits should be
made available to such men. Accordingly, in
March of this year I introduced three bills
to amend the veterans law to expand op-
portunity in this regard. The first of those
bills would expand the program of direct VA
loans for the purchase or construction of
homes so as to include veterans living in
the ghettos of our cities. Many veterans can
obtain housing only or may choose to live in
such areas and often are unable to obtain
mortgages through normal private channels.
Such veterans cannot take full advantage of
the home loan guaranty program. This bill
which has also been offered as an amend-
ment to the omnibus housing bill soon to
be reported, seeks to alleviate this situa-
tion.

*The second of those bills would give the
VA new authority to provide counseling and
technical assistance to veterans with regard
to business and home loans.* This would in-
clude advising veterans as to available hous-
ing and equal housing opportunity rights.
The technical assistance would seek to pro-
mote and train veterans as owners and man-
agers of businesses. To make this assist-
ance meaningful I have also proposed the
extension of the business loan program to
Cold War and Vietnam veterans.

The third of those bills would give the Ad-
ministrator of Veterans' Affairs authority to
accredit training programs which have been
in existence for less than two years to allow
the enrollment of veterans. Such a waiver
procedure should be of assistance to new
training programs—attributable to the great
new private and public interest in such
programs—made available by government, in-
dustry and labor to the residents of de-
pressed areas.

*Second, an attempt must be made to build
upon the potential mobility of young veter-
ans and to direct them away from areas of
high unemployment to those sections of the
country where there will be a market for the
skills they have acquired or practiced while
in the military.* The "Veterans' Employment
and Relocation Assistance Act of 1968," which
I have recently introduced would assist vet-
erans in locating job opportunities in any
part of the country and give them financial
assistance if relocation were necessary. This
would be accomplished by requiring the
USES to compile data on employment op-
portunities listed with USES throughout the
country and to match that data with the
military skills as supplied by the Depart-
ment of Defense upon discharge. A veteran,
unable to find suitable employment in his
home area, would then be enabled to take
advantage of openings anywhere in the coun-
try by providing him, as a GI benefit, with
transportation expenses for interviews and a
moving allowance if he found a job away
from home as a result.

*Third, services presently being provided by
government at various levels must be
brought to those veterans who are most in
need of them.* Thus, for example, the VA's
offices—and particularly the new "one stop"
centers—should be located in the depressed

areas of our core cities. Armed Forces re-
cruiting centers are frequently located in
such areas; certainly a similar effort can
and must be made to reach these men after
their military service is completed. Moreover,
the hours of all agencies of veterans' assist-
ance—Federal, state and local—should be
long and flexible. Assistance and counseling
should be brought to these returning vet-
erans to advise them fully as to all GI ben-
efits and other community resources available
to them.

*Finally, the ultimate responsibility for
meeting this challenge rests with you.* Al-
though public authorities bear a major re-
sponsibility in insuring full and equal par-
ticipation in society for returning veterans,
in the long run, the capacity of American so-
ciety to guarantee such opportunity is a mat-
ter for private action.

It is the purpose of this Conference to
stimulate such private action. It is my hope
that, through the exchange of ideas and in-
formation, each of you will return to your
communities and your organizations and will
establish, in each area of this state, specific
programs for private action to assist veterans.
Permit me to emphasize that these programs
must be active, rather than passive. It is not
enough to let returning veterans know that
assistance is available. Instead, we must go
to the veterans who are returning to de-
pressed poverty areas; we must seek them out
and recruit them into industry and unions
and training programs and organizations.
They should be urged to take advantage of
their rights and benefits so as to become own-
ers of businesses and homeowners anywhere
and everywhere in this State. These men can
become constructive leaders of the commu-
nity; and they have the capacity to fill this
role. It is our obligation to make sure that
this yearning will not be frustrated; that this
opportunity will not be lost; that these men
will not be allowed to return to the "same old
life" that they left.

The Government cannot do this job alone,
nor would we wish it to. Similarly, the re-
sources of a single organization like the Na-
tional Urban League which has sought to
meet this problem, are alone too limited to
offer the sort of active assistance and counsel-
ing which is required in every city and town
of New York State. Established groups, such
as the veterans' organizations, must become
actively involved in this task. Changing times
and complex problems demand that tradi-
tional organizations assume new roles and
new tasks. Only in this way will private or-
ganizations and institutions remain relevant to
our exploding urban society.

At the conclusion of the "working sessions"
today, a summary of your discussions will be
reported. My office will prepare a more formal
report of the proceedings of this Conference
and make that report available to each of you.
It is my sincere hope that, from these pro-
ceedings and from our discussions and con-
clusions, there will emerge a renewed com-
mitment to make the veterans' return one of
hope and promise.

SUMMARIES OF OPENING SPEECHES

E. J. RAUS, Acting Manager, New York Re-
gional Office, Veterans' Administration. The
Veterans' Administration is concerned about
the veterans returning from the Vietnam
conflict, especially those veterans returning
to the disadvantaged sectors of our larger
cities. In addition to such GI benefits as
those for education, home loans, disability
and death pensions, the amputee car, civil
service preference, and special medical care;
for the first time, a Vietnam veteran can go
to high school under the GI bill without
utilizing his overall entitlement. The VA is
also doing things that it has never done be-
fore. We are sending counselors to Vietnam
to advise soldiers of veterans benefits. This
is the first battlefield counseling service ever
given in our history. When the boys come
back home to the separation points scattered
around the country for discharge, we are,

also for the first time, making contact with them. Of even greater importance than the separation centers is the contract made with the disabled veterans who are in military hospitals all over the country. We're visiting every one of those military hospitals. Finally, the VA is contacting veterans in their home towns. Cards are sent to each of them to be sure that he has filed for all benefits. Their applications are being expedited. These stepped up efforts will bring the word on veterans benefits to an average of 70,000 veterans who are receiving our monthly, country-wide contact. One-stop assistance centers were opened in 20 major cities with representatives from the Veterans' Administration, Department of Labor, Civil Service Commission, Department of Health, Education, and Welfare, Office of Economic Opportunity, Department of Housing and Urban Development, Small Business Administration, state and local government and community and veterans organizations. The primary purpose of the centers is to seek out individual veterans, particularly those who have never finished high school. We seek to motivate them to return to school, to get them a part-time job, and other veterans' benefits and re-employment rights. If we can't get them to come to us, we write them, we call them on the phone. The New York center is 211 Seventh Avenue. As a corollary program of assistance to Vietnam veterans, the President in February issued an Executive Order for the purpose of making federal employment easier for certain Vietnam veterans who need jobs while continuing their education.

FRANK M. MCKERNAN, Director "Project Transition" Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs, Department of Defense, Washington, D.C. The Department of Defense, during the last six months of a man's enlistment, when he is beginning to think about returning to civilian life, seeks to help him, to direct him, to move him toward the kind of decisions that are going to be very important for him. The Department of Defense's program, named Operation Transition, has four basic elements: 1) Counseling 2) Education 3) Training and 4) Placement. Next year, over 800,000 men will be leaving the service. However, there is a group of men, about whom we are concerned, who do not go back to a suburban community, to college, do not have jobs waiting for them, do not have people able to assist them. We prioritized our people: the combat disabled, the man who cannot reenlist, the man who has low educational achievement, the man who does not have a convertible civilian skill that either was learned before he came into the service or while he was in the service, and men who would like to do something different than they have ever done before. During those last six months those men who have low educational achievement we're trying to do three things, through the kind of program which the armed forces themselves already have, to move the men either toward equivalency of 8th grade completion, high school completion, or specific kinds of courses like shop and math which would assist them in the kinds of employment to which they may be desiring to go.

The Department of Defense is attempting to assume the responsibility for trying to train as many men as we desire to do in this program alone. We are utilizing the facilities of the government agencies, who have opportunities near or on a military base to assist us. In addition to that, we are using some of the Manpower and Development Training Act funds for providing training—courses in welding, small appliance repair and the like. This is done on or near a military base. Finally, American industry is providing training for many of these men on or near a military base. I am very heartened by what American industry is doing, and can do, in this area, and I think one of the important things I have learned is you have got to ask.

In all of this program of training, whether by government agencies or by private industries, the essential thing at the end is placement. The important thing is to get the trained man into a job waiting for him. I have found that if the veteran knows that there is a good opportunity at the end of the line, he will line up for that kind of training.

In the placement effort itself, we are utilizing two facilities: one, the United States Employment Service and two, American industry itself. We have been operating at 202 military centers since about the 6th of January. Since this time, we have contacted 103,000 men; we have counseled 55,000; we have about 5300 in our training or education programs now. We will attempt to cover some 150,000 of these men per year. I can't accent too strongly that anything that can be done primarily in the placement area of getting the man to the kind of community and job he wants in terms of the training he has had, is extremely important.

BENJAMIN I. TROTTER, Program Policy Officer, Veterans Employment Service, U.S. Department of Labor, Washington, D.C. The Veterans Employment Service is a very small unit of the U.S. Employment Service of the Labor Department. We have a Field Representative in each state. At the 2200 local offices last year, 1,800,000 veterans applied for employment assistance, a fifty percent increase over the previous year. Under a program announced by the President last August, the local employment offices are attempting to contact the returning veterans to explain to them their employment benefits. Job finding is one of the services of the Employment Office. Manpower training is another. Last year (1967) about 70,000 veterans were enrolled in MDTA training. Finally, reemployment rights, the right to his old job that he held before he went into the service, or another one that he would have attained had he not been absent, is another right administered by the Labor Department. Where disability disqualified a veteran for his old job—he is entitled to one that he can perform, which is most nearly like the job to which he would have returned if he were not disabled.

[From the Reporter, Apr. 18, 1968]

A BELATED JOB PROGRAM
FOR VIETNAM VETERANS
(By John I. Brooks)

A Defense Department survey last year showed that about half of the men who leave the armed services need some sort of help in making the shift from military to civilian life. The assistance they most often require is in preparing for and finding a job. Yet even though the discharge rate from the services is one of the easiest and most reliable statistical projections the government can make, efforts to help veterans in their job hunts are lagging behind the need. It was not until last April—nearly two years after the Southeast Asian buildup began in earnest—that a White House report to Congress on manpower clearly established jobs for veterans as a national goal. And it was not until January of this year that President Johnson, in a message to Congress on veterans' benefits, outlined a broad program for achieving that goal.

Last year about 750,000 men left the services, and this year the total will rise to about 813,000. Thousands of veterans—the exact total is unknown—are now back home and unemployed, but most of the government's programs are either just getting under way or still in the proposal stage. The task ahead is enormous, for the President's plan calls for counseling 500,000 of the men due for discharge; furnishing education, job training, and placement service to those who need it; and trying to reach as many as possible of those who already have returned to civilian life.

There are urgencies on the home front that cry out for a serious approach to the

problem of finding jobs for these men. The talent-hungry public sector needs them, and many private firms have openings for them. Those veterans with acute employment handicaps—notably urban Negroes and men who are going home to depressed rural areas—threaten to aggravate some of the administration's knottiest economic problems. In the case of the urban Negro, there is also the haunting fear that his grievances could find violent expression if he isn't given a fair chance to lead a productive life.

A NEW TRANSITION

In the April 1967, manpower report, the first to call attention to veterans' job needs, the President spoke of "making military service a path to productive careers." He noted that while some servicemen had civilian skills before they reached the induction center and other learned them while in uniform, there remained many whose civilian background and military training fitted them for nothing in the labor market. The President said he had asked Robert S. McNamara, then Secretary of Defense, to see what could be done.

McNamara's response was Project Transition, plans for which had begun a month before the President's message. The framers of the project at the Pentagon quickly decided to draw upon non-Defense agencies and private industry to broaden the program's scope. Frank M. McKernan, a twenty-two-year veteran of the Defense bureaucracy who is the program's director, says that his office merely acts as a catalyst in pulling together the available resources to cope with the employment problem.

The pulling together is by no means complete. The basic elements in Project Transition are counseling, education, vocational training, and placement. The first two phases of the program are fairly well under way, because the military services had men and materials ready to begin counseling and education efforts on short notice.

No such rapid mobilization could take place in the job-training and placement fields. These efforts required a large-scale co-ordination among a number of government agencies and private employers. Pilot programs were conducted during the latter half of 1967 at Fort Knox, Kentucky, and four other installations. Counselors talked to 4,674 men with one to six months' service time remaining—the limits of eligibility for the program. Thirty-eight enrolled in courses leading to eighth-grade certificates, 408 did similar work toward a high-school diploma, 477 entered vocational training, and 391 signed up for academic courses beyond the high-school level. Many of the soldiers interviewed needed no assistance, but a substantial segment of the more than 3,300 who took no training wanted courses that weren't available, McKernan reported.

Some servicemen were counseled and some educational courses were offered at other bases during this initial phase of the program, but fighter pilot bases offered the only vocational instruction. Labor Department manpower figures showed widespread needs for industrial electricians, small-appliance repairmen, draftsmen, welders, and computer technicians, so these were the original vocational offerings. Most of the instruction was done on the bases, with courses from the Labor Department prepared under the Manpower Training and Development Act and instructors from both the services and civilian technical institutes near the bases. Where distances were not prohibitive, some men were bussed to the technical schools.

McKernan hopes eventually to have five or six MDTA courses, some of which will be adapted from training programs in private industry, at each of the fifty-nine major Army, Navy, and Marine Corps separation points in the United States. But this will take many months because each of the courses must be approved by two state and two Federal agencies. (The Air Force is a spe-

cial case because it does not collect men at central points for discharge. It will concentrate on counseling and programmed instruction at 183 installations, and in some cases may send men to be trained at neighboring bases of other services.)

The Pentagon is beginning to get direct support from industry in the form of company-sponsored courses taught on bases. Humble Oil supplemented the pilot program with a course to train service-station managers at Fort Knox. Nineteen soldiers were enrolled in this 240-hour course, and all seventeen who finished were offered jobs.

Meanwhile, McKernan in January asked the fifty top Defense contractors to consider similar efforts, and nearly all have agreed to establish courses or have indicated active interest. IBM has started equipment-repair instruction at four bases. The Electronics Industry Association is training men at Great Lakes Naval Training Station in television and radio repair, and it hopes to set up programs at twenty other bases. Mobil, Shell, and Sun oil companies are preparing courses following the Humble model, and Humble plans to expand its operation to thirty more bases. Around May 1, General Motors will begin training auto mechanics from among servicemen in the Washington area and the region around Fort Dix, New Jersey. New commitments are coming in to McKernan's office every week, and fifty more major firms are now being asked to take part in the program. At the same time, the AFL-CIO has agreed to support Project Transition. Union leaders now are studying ways of adapting training available under the program to apprenticeships.

Some major firms that are not geared to such training programs are offering job-opportunity information to assist in the counseling program. Smaller companies in the area of the major separation points are being solicited by Project Transition officers for job information and training possibilities. McKernan is heartened by the response to date, and he has reason to be optimistic about the outlook for private support. Whatever misgivings there may be about the "military-industrial complex," in the case of Project Transition it is only realistic to observe that the Pentagon's huge procurement budget gives it more leverage with industry than any other Federal agency could have.

Two government agencies already are turning to Transition to help fill their manpower needs. The Post Office, which can use up to thirty thousand new workers a year, is conducting classes at forty-one bases. Officials of the General Services Administration are making their needs in each area known to project officers at local bases. Other branches of the government are expected to follow suit in the near future.

The placement record to date is too limited to be significant. The results of the program will be closely measured, however, because the Defense Department is insisting on a follow-up on every man who takes part in Project Transition. Statistically significant results may be available this summer.

SPOTTING THE DRAWBACKS

While the outlook for the program seems bright, there are problems. The limitation on eligibility of one to six months' service time remaining is a constraint, and many men return to the United States too close to their discharge date for more than counseling. Many others have too little time left for academic courses or job training. At some discharge centers, thousands of men have left the service with no opportunity to be trained because courses were not yet available. Mobility presents another difficulty, because much of Project Transition's success depends on a man's willingness to go where the job is. The results of past government experiments in shifting workers from areas of high unemployment to more promising places have been discouraging, but McKernan be-

lieves that the returning veteran is at "a point of high mobility" in his life because of his recent separation from home and his travels in the service.

Military sponsorship of Transition may have inherent drawbacks. Men who harbor hostilities toward the military may not communicate well with counselors who represent the Defense Department, and some base commanders hard pressed for manpower may be reluctant to release personnel long enough to complete the more time-consuming courses. While the Defense Department can't ignore its need to stimulate re-enlistment, the word from Washington to the counselors is to "think civilian," and base commanders have been asked to be "flexible" about releasing men for training.

The urban Negro presents a special problem. Outlining the new project in a speech last November, Secretary McNamara bluntly stressed the problem of "the Negro veteran who without help might be compelled to drift back into the stagnation of the urban ghetto." While overemphasis of the Negro's plight could amount to a "reverse bias," the shocking Negro unemployment rate in the slums justified considerable attention. McKernan realizes this, and he sees the need for steering a cautious course in guiding the Negro veteran. His counselors are being told to avoid two great dangers: first, sending men back to the ghetto with no job opportunity; and second, encouraging too much movement away from the inner cities. The second and subtler point is based on the theory that many returning Negro servicemen have a potential for needed community leadership in the neighborhoods from which they came. To strike a balance between aggravation of city unemployment and excessive emigration will be difficult.

Of course the Defense Department can do nothing to help the Negro already released without training, but McKernan and his associates think that the problem ahead may be manageable. One main reason for this view is the fact that Negroes reenlist at a far higher rate than do whites. In 1968 the armed forces expect to discharge only about 41,000 Negroes, even though about twice that number will become eligible for separation. The security and general absence of discrimination in service life appeal to many Negroes, particularly in the Army, where their re-enlistment rate runs about sixty per cent. Some Negro leaders deplore this trend, feeling that the talents of many of these soldiers are needed outside the armed services, but the trend is a fact and it will give counselors in Project Transition more time to deal with the needs of those who do elect to return to civilian life.

To help the Negroes of the cities, particularly those missed by Transition, a special effort has been undertaken by the National Urban League. In each of the eight cities with the highest number of Negroes entering the armed forces, the League has named a staff to devote special attention to veterans' problems. This project is backed with some starting money from the Rockefeller Brothers Fund and is the brainchild of Whitney M. Young, Jr., head of the League. The program goes beyond jobs and advises veterans about housing, education, operating a small business, and health. The primary target is employment, however, and Frank Steele, who as national director of veterans' affairs is coordinating operations from the League's New York headquarters considers the response from industry and government generally good so far. Because the League has been in the employment field a long time, its reputation may draw to its offices some of the Negroes who have been discharged while the new government programs were getting under way.

At the Washington office of the Urban League, the local program is headed by Leafford Williams, an intense young man who helped place nearly a hundred men in jobs

between last October and early April. Williams had a complaint that shows a dark side of the Federal government's efforts. He said that while private firms had been cooperative, he had been able to place only one man on the Federal payroll in Washington. And of course in the District of Columbia, the government is the biggest supplier of jobs. Williams's experience suggests that the urgency felt by President Johnson about the jobs-for-veterans drive hasn't communicated itself to the slow-moving Civil Service Commission or to other parts of the bureaucracy.

This situation soon may change. Fulfilling a pledge in his January message on veterans, President Johnson recently signed an Executive order directing the Civil Service Commission to waive examination requirements for veterans seeking jobs at the lowest five levels of the Federal pay scale, provided the men take courses under the G.I. Bill. This already has produced predictable lamentations from the government workers' unions, but it is sure to stand. It should serve as a signal to the bureaucracy that the White House will insist on better performance than Williams's experience indicates has been turned in so far.

CITY CENTERS

The Civil Service directive is only one of a number of major efforts the President outlined in his message. The new programs are largely the result of recommendations from an interagency task force that was assembled only last fall to tackle the veterans' employment problem. It faced quite a problem: using the Pentagon's own statement that half of the returning servicemen need help and its projection of 813,000 discharges in 1968, it appears that upwards of 400,000 men will be seeking assistance this year.

At the recommendation of the task force, the President announced in his message that Project Transition will be expanded to "reach" 500,000 men during the year ahead. McKernan said this must be interpreted as providing counseling for that number, because training programs probably will be able to accommodate only about 150,000.

One new action announced by the President should be a help in meeting the problem created by the sizable backlog that has built up during the months when the government programs were taking shape. He ordered establishment of a "one-stop center" in each of twenty major cities to provide the man coming home with personal attention and counsel on all his benefits. This program, coming several months after the similar Urban League project for Negroes, clearly is aimed at men who have slipped past Pentagon and Veterans Affairs counselors without learning how to take advantage of what the law affords them. These centers already are open, with VA officials in charge and representatives from the Labor Department and Civil Service Commission on hand.

Tracing men who have returned home, particularly in the ghettos, can be difficult, and in his message the President reported a program launched last August to help overcome this problem. The addresses of men leaving the service are sent to the Federal-state employment office nearest their homes, and the local office tries to get in touch with each man to offer assistance in his job hunt. More than 300,000 names now have been fed into this system. The Labor Department has no figures to show how many have been reached, but the President said servicemen, parents, and veterans' organizations have praised the results.

One of the new programs, aimed at attracting veterans into public service, requires action by Congress. The President ask \$50 million to subsidize the training and starting salaries of men coming out of the services who were willing to become teachers in deprived areas, policemen, firemen, hospital workers, or Federal employees in any one of

a number of social-service programs. In a sense this is a major expansion of a program started last November by the Defense Department, under which police officials from several cities have been permitted to recruit men soon to leave active duty.

The public-service proposal, which probably will be approved soon by Congress, is the only one advanced by the President that carries a price tag. White House officials declined to put a cost figure on the total effort for veterans' employment, explaining that in many cases the sums involved cannot be separated from other programs. Most of the costs are small, however, in terms of the Federal budget or even in terms of the \$7.3 billion that the administration is seeking for all veterans' programs in the year beginning July 1.

If the cost is not staggering, the scope and variety of the job programs are tremendous. Indeed, the attack on employment problems of veterans is so broad that it could suffer from fragmentation. Its besetting weakness, however, is more apt to be the government's slow start, and the nation can only hope that this will not induce the kind of ineffectual panic that so often characterizes crash programs.

[From the New York Times, Apr. 29, 1968]

THE NEGRO IN VIETNAM: STRIDES TOWARD PARTNERSHIP CONTRAST WITH LAG AT HOME—MILITARY CAREER A ROAD TO DIGNITY—BUT COST IN LIVES IS HIGH—MANY CIVILIANS ATTRACTED ABROAD BY PREMIUM PAY

(By Thomas A. Johnson)

SAIGON, SOUTH VIETNAM.—The Army sergeant with the coal-black face muttered: "What in the hell am I doing here? Tell me that—what in the hell am I doing here?"

But there was a smile on his face.

At the moment, he and the men of his under-strength platoon—about half of them Negroes—were crouching on a jungle trail as artillery shells pounded the brush 100 yards away.

At the same time, some 50,000 other Negroes in Vietnam were unloading ships and commanding battalions, walking mountain ranges and flying warplanes, cowering in bunkers and relaxing in Saigon villas.

They were planning battles, moving supplies, baking bread, advising the South Vietnamese Army, practicing international law, patrolling Mekong Delta canals, repairing jets on carriers in the Tonkin Gulf, guarding the United States Embassy, drinking in sleazy bars and dining in the best French restaurants in Saigon, running press centers, digging latrines, driving trucks and serving on the staff of Gen. William C. Westmoreland, the American commander.

They were doing everything and they were everywhere. In this highly controversial and exhaustively documented war, the Negro, and particularly the Negro fighting man, has attained a sudden visibility—a visibility his forefathers never realized while fighting in past American wars.

Fourteen weeks of interviews with black and white Americans serving here reveal that Vietnam is like a speeded-up film of recent racial progress at home. But Vietnam also demonstrates that the United States has not yet come close to solving its volatile racial problem.

Why was the sergeant—a 34-year-old career soldier—in Vietnam?

He talked with good humor of the "good Regular Army" to a Negro correspondent, he shrugged with anger recalling that his home-town paper in the Deep South called his parents "Mr. and Mrs." only when referring to their hero son, and he pointed out that he had stayed in the Army because his hometown offered only "colored" jobs in a clothing factory where whites did the same work for higher pay.

ONLY WAR WE'VE GOT

Most often, Negro and white civilians and career soldiers see Vietnam as a boon to their careers and as a source of greater income than at home. It was not unusual to hear civilians and career soldiers—Negro and white—express such views as, "Hell, Vietnam's the only war we've got."

For the Negro there is the additional inducement that Southeast Asia offers an environment almost free of discrimination.

One civilian remarked, "Bread and freedom, man, bread and freedom."

To the ordinary Negro fighting man, Vietnam means not only integration but also an integral role in American life—or at least this aspect of American life.

"The man' can't overlook talent when he wants the job done," said S. Sgt. James Frost, a 29-year-old Negro from Youngstown, Ohio.

In the job of battle, fighting prowess and dependability quickly erase color barriers. Staying alive becomes more important than keeping stateside racial patterns.

During the battle for Hue in February, a knot of white and Negro marines stood knee deep in the mean red mud beside their tank. They were grimy-faced, beard-stubbed and grease-spattered.

A TOAST AT 9 A.M.

They peered across the Huong (Perfume) River, where, more than 300 yards away, unseen North Vietnamese gunners had just given up a mortar and artillery duel.

"They're through for now," said Sgt. Eddie Dalley, a Negro from York, Pa.

"It looks like it," said a white marine with field glasses.

It was 9 A.M., but from somewhere a bottle of liberated Black and White scotch was produced and passed around. "Integration whisky," someone commented.

"And that's just what's winning this Goddamn battle," the Negro sergeant said.

A white lance corporal agreed. "You're damn straight, bro," he said. The Negro shorthand for "soul brother" seemed to slip out naturally.

As the corporal, John Tice of Savannah, Ga., passed the bottle, a tattoo could be seen on his bare right arm. It showed a Confederate flag and the words "Johnny Rebel."

That's just what's gonna win this Goddamn war," Sergeant Dalley spat. Integration, Goddamn it."

With the integration of the armed forces in the late nineteen-forties and early fifties, the military quickly outdistanced civilian efforts at breaking down color barriers. This has continued to a point where young Negro men flock to military service for the status, careers and security that many cannot find in civilian life.

A junior infantry officer, who is white, commented:

It's an awful indictment of America that many young Negroes must go into the military for fulfillment, for status—and that they prefer service overseas to their homeland."

The war in Vietnam is filled with ironies, and one of the biggest is that the ordinary Negro fighting man—and especially the teenage front-line soldier—is not aware of the Negro's participation in previous American wars.

An 18-year-old Marine private at Dongha said proudly: "The brother is here, and he's raising hell. We're proving ourselves."

Officers in Saigon at the headquarters of the Military Assistance Command, Vietnam, say the heavily Negro 173d Airborne Brigade is the best performing unit in Vietnam.

YOU TELL THEM

This correspondent went in with the second helicopter wave when the Fourth Battalion of the 173d struck a Vietcong supply base in a thickly forested area of Phuyen Province.

Taking cover in tall grass, he found himself with a young Negro paratrooper, a private first class whose face had not yet sprouted a serious growth of beard.

"What you doin' here, bro?" the paratrooper asked. "You gonna do a story on the Fourth Battalion?"

Without waiting for an answer he kept talking.

"You tell them that the 173d is the best Goddamn outfit on this rock. We were the first brigade-size combat unit in Vietnam."

His squad was ordered forward, but he kept talking:

"Tell them we made the first combat jump in Vietnam on Operation Junction City, and that the Fourth Battalion is the best in the 173d. You tell them that—tell them we took Hill 875 at Dakto and that we are steadily kicking Charlie's rear."

Only then did the paratrooper stand up, and as he ran with his squad he called back: "You tell them, you hear?"

WHAT HISTORY BOOKS OMIT

Capt. Robert Fitzgerald, a Harlem-born intelligence officer on General Westmoreland's staff, commented:

"They feel they're the first Negroes to fight because their history books told only of white soldiers, and their movies showed that John Wayne and Errol Flynn won all American wars."

The 31-year-old officer went on: "The only uniform they've seen on Sidney Poitier was a chain-gang suit, and—oh, yes—that of an Army truckdriver once."

Talk of race often leaves white servicemen bored, embarrassed or annoyed. Many say the problem is overly stressed, and many Negro servicemen, especially the teenaged, first-hitch foot soldiers, say the same thing.

But a Negro sailor stationed in Saigon noted:

"The question of race is always there for the Negro. He would either be blind or insane if it were not. But Vietnam is a buffer or isolation ward to the whole question of race as we know it."

If Vietnam is an isolation ward, then combat is a private room off the ward where the ordinary G.I. can bring to bear the special skill for which he has been trained—killing. And white or black, the G.I.—usually referred to here as a "grunt" or a "crunch"—is adept at his specialty. The elite units—the airborne, Marines, air cavalry and Special Forces—to which Negro youths flock are among the best of these specialists.

A paratroop officer commented: "The crunch wants to fight, pure and simple. He's one hell of a fighter, and we couldn't win any war without him because he lives, eats and sleeps to fight. You don't fight wars with gentlemen—that is, you don't win wars with gentlemen."

The grunt is no gentleman.

His average age is 19, and he left high school without finishing. His skills are with the M-16 rifle, the M-60 machine gun, the M-79 grenade launcher, hand grenades and bayonets.

He brags and swears and swaggers, and he runs to a fight. He runs into battle when the first shot is fired, screaming or cursing, as if he does not believe he can be killed.

He can be, however, and he is.

He is killed and wrapped in a green paper blanket and put off to one side until a truck or a helicopter can take him to the rear.

Then he is remembered during quiet times by other young soldiers and marines who still rush into battle, screaming and cursing as if they cannot be killed.

LIKE GIRL SCOUTS

And during those quiet times other things come out.

Like that night in a pitchblack front-line bunker, when it was comforting to hear one another's voices, and the correspondent learned how it was after the Fourth Battalion

of the 173d took Hill 875 from a determined enemy force, a force that "had chewed up the Second Battalion."

"We hugged and kissed one another like Girl Scouts, and we cried," said a voice in the darkness.

An Army chaplain comments: "Their anxiousness to prove themselves as men makes them quickly absorb the lesson the military is anxious to teach."

That lesson, an infantry platoon sergeant said, "is to make every man feel that he's in the best army, the best division, the best brigade, the best battalion, the best company, the best platoon, the best squad—and that he's the best — man in that squad."

And the Negro youngster—from the high-school basketball team, the sharecropper's farm or the riot-ready slums—has consistently volunteered for the élite of the military fighting forces.

"You take a good look at an airborne rifle company and it'll look like there ain't no foreign (white) troops there," one Negro commented.

Dr. Kenneth B. Clark, the Negro psychologist, has noted that a "status not readily available in civilian life" causes Negroes to join the military service at a rate two to three times greater than that for whites, and then to volunteer for élite units.

"There is no chance of asserting his manhood and demonstrating his sense of worth in civilian life," said Dr. Clark, who heads the Metropolitan Applied Research Center in New York.

The 1943 interview recalled

Dr. Clark said the ferocity demonstrated by young front-line soldiers could be related to their youth and their eagerness to prove themselves. He noted that after the 1943 riots in Harlem he interviewed a youth who "got a terrific boost out of the destruction."

Dr. Clark added: "A few months later he was a soldier, in uniform and with a riding crop, and getting an even bigger kick out of potential destruction he could legally cause."

The Negro makes up 9.8 per cent of the military forces in Vietnam, but close to 20 per cent of the combat troops and more than 25 per cent of such élite Army units as the paratroops. Estimates of Negro participation in some airborne units have been as high as 45 per cent, and up to 60 per cent of some airborne rifle platoons.

A Negro private first class in the Fourth Battalion of the 173d Airborne Brigade said that when he joined the unit in the summer of 1967 "there were 20 brothers and 8 foreign troops" in his platoon.

About one in every four of the Army's front-line supervisors in the grades of sergeant first class and master sergeant is a Negro, a fact attesting to the higher Negro re-enlistment rate in the armed forces in general and the Army in particular.

The re-enlistment rate for first-term Army men in 1965 was 49.3 per cent for Negroes and 13.7 per cent for whites; in 1966 the figures were 66.5 and 20.0. Re-enlistment figures for 1967 have not been completed, a Pentagon spokesman said. Generally, the rate in the Army runs at least three times as high as for whites, and in the other services two times as high.

DEATH RATE IS 14.1 PERCENT

The present Negro death rate in Vietnam is 14.1 per cent of total American fatalities; for 1961 to 1967 it was 12.7 per cent. Late in 1965 and early in 1966 the Negro death rate soared to about 25 per cent, and the Pentagon ordered a cutback in front-line participation by Negroes.

It is in the front lines that commonly shared adversity has always sprouted quickly into group loyalty and brotherhood. And whether between white and white, Negro and Negro, or Negro and white, Vietnam is no exception to the tradition of battlefield brotherhood.

"The stereotypes they had believed just sort of melt away," said Capt. Richard Traegerman, a 25-year-old West Pointer from Philadelphia. "Whites see Negroes as intelligent and brave as anyone else, and Negroes see whites are just guys with the same strengths and weaknesses as anyone else."

A Negro soldier said he felt that the Negro underwent more of a change than the white.

"The Negro sees the white boy—really sees him—for the first time," he said. "He's just another dude without all those things to back him up and make him bigger than he is—things like a police department, big job or salary."

CLOSER THAN BROTHERS

And a long-time front-line observer said: "It's the most natural thing in the world to come out closer than brothers after a few days on the line. Up here it's a real pleasure to just be warm and dry or to feel a cool breeze; to have fresh water, a heat cube for C rations; to wash or take off your shoes or to be alive when others are dying. This will make any two people brothers."

For the most part, Negroes in Vietnam say that the closest thing to real integration that America has produced exists here.

"It's the kind of integration that could kill you, though," a Negro sailor remarked.

There are reports of racial discrimination, racial fights and instances of self-segregation, but most Negroes interviewed said these instances were greatly outweighed by racial cooperation.

In effect, while participating in a war that pits yellow people against yellow people, America is demonstrating that its black and white people can get along.

SYMPATHY FOR MONTAGNARDS

So pervasive is this demonstration that some Negroes, in discussing the prejudice of lowland Vietnamese toward the mountain-dwelling and usually primitive montagnard tribesmen, convey the idea that discrimination against Negroes has ended at home as well as in Vietnam.

Oscar Roberts, an Army captain stationed at Pleiku as an adviser to the South Vietnamese Army, pointed up this attitude when he remarked: "The montagnards are treated the way we used to be treated back home."

But then he smiled and added: "The way we used to be and still are treated some places back home."

Other Negroes did not remember, or smile, or correct themselves.

Race is quite often a laughing matter among servicemen in Vietnam.

Sgt. Charles C. Hardy, a 21-year-old marine from Chicago, was on duty one night in Danang and gave his bed to a visiting white friend, but not without some specific admonitions.

"That sack has lots of soul," he said. "It's a soul-recharging station, so you'd better be careful. I don't want to see you wake up tomorrow morning thinking you can talk trash and trying to dance the boogaloo and the Philly dog, you hear me?"

Some of the "brothers" in an airborne unit held a "soul session" to "cuss Chuck," the white man. When a late-arriving brother inquired what a "couple of Chucks" were doing attending a soul session, it was explained that they were "honorary souls," and the Chuck-cussing continued.

And after watching a plea for brotherhood on a television set in a bunker in the Central Highlands, a youth of Mexican origin spoke up.

"All right," he said. "What one of my Goddamn brothers is going to buy me a beer?"

He got the beer, but not before the whites and Negroes unleashed a barrage of anti-Mexican remarks that included: "Give me, give me, give me! A Goddamn spec 4 in the Regular Army and he still thinks he's on relief! Give me, give me, give me!"

Even the highly potent taboo on interracial sex is much less a taboo in Vietnam than it was in the military in past years.

A white officer from North Carolina visited the luxurious Saigon apartment of a Negro officer from Illinois, carrying a dozen red roses for the Vietnamese Lunar New Year, Tet. Their friendship dated from the time they both commanded segregated airborne companies at Fort Bragg, N.C., in the late forties.

PINUPS ARE INTEGRATED

While discussing a double date with Vietnamese girls that the Negro was arranging, they reminisced about the "German broads" and Japanese women they had known.

Walls and lockers, from neat hotels in Saigon to red-earth bunkers in Khesanh, have both white and Negro pinups, regardless of the race of the serviceman.

Some bars tend to be predominantly white or predominantly Negro. This is especially true in the rear areas where the permanently assigned and normally noncombatant troops gather every day. In Saigon, for example, it is mostly whites who frequent the bars along Tu Do Street, while Negroes predominate in the Khanh Hoi area across the Saigon River along Trinh Minh The Street.

It is not uncommon, though, to find both races in both locations, and to see integrated teams making "skivvy runs"—forays in search of bar girls. And white and Negro servicemen talk to the same bar girls.

Still, there is much off-duty separation of the races, and most of it is voluntary separation by Negroes. There are several reasons, not the least of which was expressed by a high Negro civilian official:

"Wherever you have a lot of American whites with a lot of time for relaxing," he said, "then you can figure that the brother is in for a little difficulty."

A German in Vietnam asked a Negro civilian if he was aware of how some American whites talked about Negroes when they were alone. The Negro said he was.

"Do you know that they call you animals," the German said, "that they say you have tails and that they seem especially anxious that foreigners—myself and the Vietnamese—hear this?"

"I know," the Negro said.

"What's wrong with them?" the German asked.

"They're white Americans," he was told, "a strange breed of people."

ALOOF AROUND WHITES

A Negro field-grade officer said he relaxed only around Negroes and put up an "aloof" and "even unfriendly" front around whites.

"You don't want to overextend yourself because you never know when whites are for real," he explained. He went on to suggest that the Negro officer must often be a "super Negro."

"I see white officers bringing Vietnamese girls into our quarters and getting away with it," he said, "and I wouldn't think of joining them. Whites prove every day how vulnerable the 'successful' Negro is in our society. If they can go to such great length and bend the rules to kick Adam Powell out of Congress and take Cassius Clay's title, they can certainly get to me. I don't intend to give them the chance."

Still, separation and aloofness are not rigid situations and attitudes.

A Negro specialist 4 in an infantry outfit said:

"I got some white friends who are 'for real' studs, and, hell, they could call me anything and do anything they want, because I know they are for real. I know some other Chucks who I'd most likely punch in the mouth if they said good morning to me, because I know they are some wrong studs."

A rear-echelon Negro private first class, sitting in a bar in Saigon's Khan Hoi with a white friend with a Deep South accent,

started to discuss why Negroes segregate themselves.

"White people are dull," he said. "They have no style and they don't know how to relax."

"What do you mean?" the white youth interrupted.

"Shut up," the Negro said. "I'm not talking about you, nigger. I'm talking about white people."

LIKE THE CRUSADES

Another Negro, explaining why he frequented the Negro-owned "soul food" places in Saigon—such as the L & M and the C.M.G. Guest House, both of which have white and Negro clientele—said:

"Look, you've proven your point when you go out and work and soldier with Chuck all day. It's like you went to the Crusades and now you're back relaxing around the Round Table—ain't no need bringing the dragon home with you."

The term "soul session" is often used here to describe Negro efforts to "get away from 'the man.'" to luxuriate in blackness or to "get the black view." These sessions occur in front-line bunkers and in Saigon villas, and quite often they include some "for real" whites.

Negro V.I.P.'s who come to Vietnam find that despite full schedule a "brother" will get to them with a dinner invitation so the visitors can get "down to the nitty-gritty."

Senator Edward W. Brooke of Massachusetts, Whitney M. Young Jr. of the Urban League and the Rev. Ralph D. Abernathy of the Southern Christian Leadership Conference are among those who have got the benefit of the black view.

"Sometimes it doesn't do too much good, from what some of the black V.I.P.'s have said when they got back home," one soul-session advocate said later.

Self-segregation does not attract all Negroes, and there are some who shun any appearance of Negroes' getting together, no matter what the purpose.

There are Negro officers and civilians in Saigon hotels who prominently display record albums by Mantovani and Lawrence Welk and hide albums by such soul-sound purveyors as James Brown and Aretha Franklin.

"A lot of the brothers feel they can't be themselves and integrated," said Lieut. Col. Felix L. Goodwin, a Negro veteran of 27 years of Army service.

"This dates back to the time the Army was first integrated and we all felt we had to show whites we were not prejudiced," the colonel added. "Most of us feel comfortable enough now to be both black and integrated, and we think this is healthy."

While integration is fairly recent in the military, Negro participation in American wars is as old as the country's history.

Negroes were with Columbus, the Conquistadors and Henry Hudson. They fought the Indians in Nieuw Amsterdam and the English in the Revolutionary War. Three thousand fought in the War of 1812, and Commodore Oliver H. Perry described them as "insensible to danger."

MORE THAN 200,000 IN CIVIL WAR

In the Civil War, more than 200,000 black men wore Union uniforms, and the Confederacy began organizing Negro units toward the end of the war.

Negroes were at Little Big Horn with Custer. They helped to chase the Sioux into Canada, they captured Geronimo and they pursued Billy the Kid across the Southwest. Some runaway black slaves and their descendants fought on the side of the Indians.

Ten thousand Negroes fought in the Spanish-American War, and a group of Negro cavalrymen rescued Theodore Roosevelt's Rough Riders in the battle of El Caney.

A controversy over the fighting qualities of the Negro combat soldier began in World War I. The all-Negro 369th Infantry Regiment stayed under fire for 191 days without relief—longer than any other American

unit—and was the first to fight its way to the Rhine.

But the 368th, also all Negro, was sent to the rear as a result of confusion and disorder after five days at the front in the Oise-Aisne offensive.

LACK OF WILL IN FORTIES

The controversy was renewed in World War II as a result of reports that the all-Negro 92d Infantry Division in Italy "melted" when it met German troops. After an investigation a Negro aide to the Secretary of War reported that some units—not all—had made "panicky and disorderly" retreats and had shown "a lack of will to fight."

But the report also pointed out that many of the men did not know how to use their weapons, and the Army learned during World War II that the efficiency of any unit fell off sharply when more than 10 per cent of its men had scored in the lowest grade of the general classification test. The 92d went into battle with 50 per cent of its men in the lowest grade and 90 per cent in the two lowest.

The controversy subsided during the Korean war as a growing number of units were integrated racially.

The Negro's ability and willingness have not been questioned in the war in Vietnam, and have in fact been consistently praised.

PRaise FROM WESTMORELAND

In a speech to fellow South Carolinians last year, General Westmoreland said: "The performance of the Negro serviceman has been particularly inspirational to me. They have served with distinction. He has been courageous on the battle field, proficient, and a possessor of technical skills."

Courage—and often bravado—is the young combat soldier's long suit.

"When America invented the grunt, she legalized thuggery," one front-line observer said. "When I'm out with grunts and the Vietcong fires on us, I'm damn glad she invented them."

A young Negro marine in war-ravaged Hue typified the grunt's bravado, his eagerness to fight, his disbelief that he can be hurt or killed.

The marine sat on a naval landing craft on the Huong River, bound for the Citadel, once the seat of the Vietnamese imperial government and now, during the Tet fighting, South Vietnam's major killing ground.

"Put me in your paper," the marine told a correspondent.

"What can I say about you?" the newsman asked.

"You can say Lance Cpl. Raymond Howard, 18, better known as 'Trouble,' from Bay Manette, Ala., squad leader, Second Platoon, Delta Company, First Battalion, Fifth Marine Regiment, is going 'cross the river to kick him a few behinds.'"

[From the New York Times, May 1, 1968]
NEGRO IN VIETNAM UNEASY ABOUT UNITED STATES—MANY SADDENED BY TURMOIL—INTENT ON BRINGING HOME RIGHTS ENJOYED ABROAD

(By Thomas A. Johnson)

SAIGON, SOUTH VIETNAM.—"The big question is whether the black cat can walk like a dragon here in South Vietnam and like a fairy back in the Land of the Big PX.

"Also, can America expect him to?"

The Speaker, who said he had observed "America's wars both at home and abroad," was at a Negro civilian's villa on Cong Ly Street, near Independence Palace.

The year 1968 was just a few hours old, and a "soul session" was in full swing at the villa.

The answers to the questions about Negroes in the war zone and Negroes back home in a bountiful America were, for the most part, that "the black cat" could not accept a double standard and should not, but that "while America could not honestly expect

him to, she would—in that undying hypocrisy for which she is so justly famous."

THE PROBLEM ARISES

The session was a gathering of "soul brothers"—Negro military men and civilians, including a correspondent. Earlier, several had made their appearances at the American community's most "in" New Year's party, on Phan Thanh Gian Street (the invitation had read: "The flower people of Saigon invite you to see the light at the end of the tunnel"), and now they had got down to "the problem."

Saigon's 11 P.M. curfew was not strictly enforced that night, and the first dawn of 1968 found the soul-session participants in general agreement that the presence of the Negro in Vietnam raised more questions than it answered.

With his sudden visibility on the battlefield, the Negro has achieved the most genuine integration and the fullest participation in policies that America has yet granted. "And," it was pointed out during the soul session, "the brother is dying in order to participate—again."

The Negro is 9.8 per cent of all United States military forces here, close to 20 per cent of the combat forces, about 25 per cent of the front-line combat leaders and currently 14.1 per cent of those killed in action.

Front-line commanders are partial to whoever will volunteer to fight, white or black. And the prime requirement, when a G.I., black or white, looks for a bunker companion, is a man who will stick with him when the shooting starts.

But the Negro here has achieved his blood-spattered "equality" in America's most unpopular war. While some Americans praise him as a hero, others condemn him as a mercenary.

While he battles the Vietcong and the North Vietnamese, he reads of racial outbreaks at home, and of authorities putting down these outbreaks with varying degrees of force and counterviolence. He hears predictions of more to come.

Discharged from the service, he is approached by black ultra-militants eager to capitalize on his battle skills and on his resentment—a resentment that the militants are certain will follow when a former serviceman realizes that at-home America has not reached the state of racial integration that Vietnam-America has.

ROLE IN QUELLING RIOTS

Those who stay in the service—especially in the elite units—can expect to be used to help put down any racial outbreaks.

The Negro in Vietnam has achieved this war-zone integration 10,000 miles from home and at a time when the loudest black voices—if not the most representative—clamor for racial separation.

And there is an undeniable truth in the most effective argument of these voices: The degree of equality that has been struggled into here is not available in some places in the United States, and is not yet a hope in many places at home.

This is the first time in the history of American wars that national Negro figures are not urging black youths to take up arms in support of American policy to improve the lot of the black man in the United States.

One of the first Negroes to subscribe to this "prove yourself worthy" theory was Benjamin Banneker, a freedman and architect who helped lay out the streets of Washington. He urged Negro freedmen to fight against the British during the Revolutionary War, and according to historians, he was heartsick when he was not accepted for service.

Black slaves were sent off to war in the place of their masters as a matter of course.

BETTER TO DIE FREE

The Negro abolitionist Frederick Douglass helped to raise several black regiments—and sent his two sons—to fight against the South

during the Civil War. He preached: "Men of color, to arms! Better to die free than live slaves!"

During World War I, Dr. W. E. B. DuBois, then the editor of *Crisis*, the publication of the National Association for the Advancement of Colored People wrote:

"The *Crisis* says, first your country, then your Rights! Certain honest thinkers among us hesitate at that last sentence. They say it is all well to be idealistic, but is it not true that while we have fought our country's battles for one hundred fifty years, we have not gained our rights? No, we have gained them rapidly and effectively by our loyalty in time of trial."

Dr. DuBois later gave up on America's willingness to grant equality to Negroes and embraced Communism at the age of 93 while living in Ghana. A nationwide network of leftist student organizations named for him sprang up in the United States after his death in 1963.

During World War II and the Korean conflict, a parade of Negro athletes, entertainers and public figures assured white America that blacks would fight.

Vietnam is a far different story.

MANY FACTIONS UNITED

The Rev. Dr. Martin Luther King Jr., who was perhaps the most charismatic of contemporary Negro spokesmen, directly opposed the war.

Also opposed to the war are H. Rap Brown and Stokely Carmichael, the present and former chairman of the Student Nonviolent Coordinating Committee, who are believed to have significant influence among young Negro militants in the ghettos.

Floyd B. McKissick, head of the Congress of Racial Equality, which seeks to carry its economic, social and political concept of black power into Negro population centers, is also opposed to the war.

The national board of the largest civil-rights organization, the 450,000-member N.A.A.C.P., has refused to take a public stand on the war, stating that peace efforts and civil rights should not be mixed. But the New York State conference of the association, the largest state unit, voted last autumn, after a stormy session in Albany, to oppose the war.

CAUSE AND EFFECT

Whitney M. Young, Jr., executive director of the Urban League, a civil-rights group that enjoys good cooperation with government and industry, takes an after-the-fact position: "since" the Negro performs well in Vietnam, he should not suffer discrimination in America.

The most hawkish statements from blacks on the war in Vietnam have come from Negro military men. A Negro field-grade officer commented:

"You won't find many public doves—if any at all—among Negro or white career military men, no more than you'd find ambitious executives in a Ford plant urging company workers to buy Chevrolets. An executive is product-conscious."

The war's lack of popularity at home seems to have had little effect on the Negro soldier's willingness to fight it. The job, the mission, takes precedence.

"I think we're on the wrong side in this war, but I'm going to do my job as long as I'm here," said a Negro junior officer in the Army's Americal Division.

"Your job includes killing people," he was told.

"Yes, it does, doesn't it?" he replied.

HOLDING THE LINE

Most Negro servicemen interviewed in Vietnam over three and a half months felt that their uniforms kept them from participating in traditional civil-rights activities, but many career men contended that their staying in the service was in itself a civil-rights battle.

"We were working our show the same as Negroes back home," said Sgt. George Terry of the Army. "We brought democracy to the service by sticking it out."

"Many people called us Uncle Toms, but we were actually holding the line," said Lieut. Col. Felix L. Goodwin, a 27-year veteran who is information officer for the First Logistical Command.

Another Negro lieutenant colonel recalled that when he was graduated from infantry officer candidate school at Fort Benning, Ga., in the late nineteen-forties a party was given in the back room of a Negro beauty parlor in "colored town" for the few Negro graduates.

"A Negro chaplain told us 'not to make trouble' by insisting on attending the main graduation party on the base," he said. "We should have 'made trouble,' but we did not. I simply can't conceive of anything happening like that nowadays. Anyway, I went back to Benning a few years ago and I lived on Colonels' Row."

SOME FAVOR QUITTING

A minority of Negro career men say they will get out of the service because "our fight is back home."

"No honest Negro can stay in the service," said a junior officer. "I can't send a man to die to give the Vietnamese a democracy that he does not have himself."

Ultramilitancy in the civil-rights movement is neither consistently condemned nor condoned by Negro servicemen in Vietnam. Many career men say they can readily understand how the militants evolved. "They are created by white people, not by Negroes," an officer said.

Lieut. Col. Howard L. Moon of Pemberton, N.J., the senior military adviser to the South Vietnamese province chief of Thuathien, near the northern border, noted that "the main problem with Negro leadership is that the militants, who speak for very few people, are now in the forefront and the real leaders are silent."

Another field-grade officer complained that newsmen came to him "for some kind of anti-Rap Brown statement every time Brown spoke against the war."

"Once," he went on, "I told a reporter I loved Rap Brown, agreed with everything he said—and the story was never used. What annoyed me was that he expected me to tell in two minutes what it has taken me 40 years to conceive. I know the Rap Browns and their frustrations too well."

A CHALLENGE TO WHITE

A Negro sergeant in the Marines commented that he planned to come out against Stokely Carmichael publicly "as soon as General Westmoreland comes out against George Wallace."

An Army officer said he had always wanted an R.O.T.C. instructor's appointment at one of the large predominantly Negro colleges, "until recently."

"Look," he said, "I feel Negroes should be in the service, and many more of them as officers. I saw myself advising a lot of young people on what I think is a pretty good career. I also had visions of a relaxed, stimulating couple of years in an academic atmosphere."

"But hell," he continued, "with Negro kids taking such a violent antiwar position on the college campuses I would hate to oppose them. After all, what do you do? Do you punch them in the mouth? Do you shoot them? And when they argue that America is not fair to black people—damn it, nobody knows this better than I do."

"And just what would you do if you did get an R.O.T.C. assignment?" the officer was asked.

"I hope I don't now," he said, "but if I did, I'd do my job."

FOCUS OF DEBATE

The job—what it does and what it does not include and whether a Negro soldier should

continue to do it if war breaks out between white America and its Negro ghettos—is another topic Negroes take up in Vietnam, among themselves for the most part.

A group of Negro officers and civilians sat one hot Sunday afternoon in the Continental Hotel's patio in Saigon watching the slow-moving crowds of Vietnamese along Tu Do and Le Loi Streets.

For a time they joked about how French officers had sat in the same chairs 15 years ago, sipping cognac and talking about how they would defeat the Vietminh "after this disturbance around Dienbienphu is settled."

Then one young officer asked, "Did you read where police departments are buying armored personnel carriers to stop riots back home this summer?"

The others had.

"No police force can stop a riot," a captain said. "They'll need the Army to zap those hoodlums, just like in Detroit."

Then, with mock seriousness, another captain pretended to be talking into a field radio: "All right, Sergeant Do Funny, take your platoon up 125th Street and zap those hostiles in the Apollo Theater. Sergeant What's-Your-Name, fire on that soul-food joint."

A civilian picked up the game.

"Snipers firing from the window of the Greater Mount Moriah Solid Rock True Holiness and All-Believing Baptist Church—get 'em!"

The group laughed for a time.

"That's why I'm getting out of the service," said the officer who had brought up the topic. "It's coming to that."

"It's not coming to that," a captain assured him, "and besides, it's just hoodlums looting. They've got to be stopped before they give us all a bad name."

"Have you ever seen a riot?" the young officer asked. "They're not all hoodlums."

"I've seen a riot—I say they're hoodlums."

"Aw, cut it out," a civilian interrupted. "I'll tell you about how the French planned this big attack from Dienbienphu."

"I'm getting out," the young officer said. "We're building to a black and white civil war and black troops—look at the high percentages of black troops in the elite units—black troops will be used to zap black civilians. I'm getting out."

Among Negroes in Vietnam not only can one hear frightened talk of future racial violence but also talk of past riots and sometimes first-hand accounts.

Three young Negro marines in Hue, watching the thickly jungled shores of the Huong (Perfume) River from the deck of a naval landing craft, talked freely about the riots in Watts in 1965 and in several northern New Jersey communities the year before.

Two of them told how, as teen-agers, they had joined the mobs in the streets, fought policemen and helped to ransack stores. The other youngster, from a small town in the South, greeted the reminiscences with "Damn!" and "No kidding!" and "Man, oh man, that must have been a bitch of a time!"

Then small-arms fire chattered from the shore. Several explosions went off near the landing craft.

As one man, the scores of marines on board rushed to the side of the landing craft and fired at the jungle.

"Get some! Get some! the three Negroes shouted as they fired.

At once the cry was taken up by several other marines. "Get some!" they shouted. "Get some!"

NOT TO MESS WITH US

The landing craft was struck twice, apparently by rocket fire, but the marines ducked their heads only to reload. After several minutes it was over.

There had been no casualties among the Americans, and the young marines were proud of themselves.

"They'll know not to mess with us," a white youth of about 17 was saying, over and over again, while he walked from one cluster of marines to another. "They'll know

not to mess with us," he said, approaching the three Negroes.

"Aw, man, we put a hurting on Charlie's hips that time," the Negro from the Watts area said to the white youth.

"Didn't we?" asked the Negro youth from the Southern town. "Baby, we zapped us some gooks."

And the Negro from New Jersey put in: "We damn sure did. It was gook-zapping time on the Perfume River."

"They'll know not to mess with us," the white youth said, slapping each of their hands. "They'll know not to mess with us."

After several moments of reliving the enemy attack on the landing craft, the three Negro marines recounted an attack on their truck convoy and then other battles in other areas.

"Charlie don't mess with us for too long," one marine assured the correspondent.

At one point the correspondent asked if they would put down riots, as marines, if ordered to do so. The answers were "yes," and they came without hesitation.

And back in the civilian world, if they found themselves on the side opposite the police, would they fight?

After some hesitation, the youth from California said, "That depends, you know, that depends on a lot of things."

"Yeah," the other two agreed. "That depends."

Many front-line supervisors believe that the "grunt," the foot soldier or marine, usually 17 to 22 years old, who performs so well as a fighting man in South Vietnam with official sanction, would probably fight just as well outside the law from a personal need to "prove himself" as a man.

Capt. Norman K. McInnis, a white Navy officer who commands the aircraft carrier Ticonderoga said: "There's nothing wrong with American youth. What he needs mostly is strong leadership and the feeling that he is a part of things."

Without these, he said, youths can get into trouble.

The Louisiana-born officer spoke as he observed hundreds of white and Negro youths in yellow, blue, red and green sweatshirts, scurrying about the carrier deck preparing jet fighter-bombers for raids on North Vietnam.

"My men—we have no boys here, only men—work 10 or 12 hours a day," he said, "and they never complain. They know they have a responsible job to do and that they are a part of what's going on."

Negro sailors were the most vocal of military men to complain about "lingering discrimination." But many, like Chief Petty Officer Robert M. Johnston, a St. Louisan aboard the Ticonderoga, felt that "the Navy's changing fast—and for the better."

"It's a lot better than it was," Chief Johnston said.

OUTLOOK FOR VETERANS

Should recent trends continue, about two-thirds of the first-term Negro servicemen will re-enlist. Some 41,000 Negroes will be discharged this year, and about 5,000 of these will have served in Vietnam.

While some Negro militants predict that the returning Vietnam veteran will supply the cadre for a black-vs.-white civil war, some Government spokesmen say he will be a leader for integration.

There is evidence to support both predictions.

Some groups that are considered extremist have added returning veterans to their number. One such recruit in New York remarked to a Negro correspondent: "I saved two white boys' lives in Vietnam. I must have been out of my Goddamn mind."

"You were," said the militant who had recruited him, "but you're on Straight Street now."

On the other hand, some returning veterans have ignored the pleas of ultramilitants.

Melvin Murrell Smith, a Negro from Syracuse who served as a Marine sergeant, maintains that "the friendships formed between whites and Negroes in Vietnam will never die because of what we went through together."

Mr. Smith, whose organization of self-defense units in the Vietnamese village of Tuyloan caused the Vietcong to place a \$1,700 price on his head, said that he and several white buddies from Vietnam now often telephoned and visited one another.

"Civilians can't see this because they've never been through what we went through together," Mr. Smith said.

The big question is still what will happen to the Negro grunt whose skills with the M-16 rifle and the M-79 grenade launcher are hardly marketable and who, if historical patterns prevail, will find employers much less interested in him than front-line commanders were.

There are programs trying to reverse the historic patterns. The Urban League and the American Legion are seeking jobs for the returning veteran. And an armed forces training program—Project Transition, set up on 86 military posts—gives courses in civilian skills for the serviceman who is to be discharged.

PROJECTS UNDER FIRE

Although relatively new, these programs are being attacked by Negro militants as hypocritical. Much effort, they say, is being made to keep the Negro veteran from becoming disillusioned with the American system while "the war on poverty is being scrapped."

Militants are also quick to point out that Project Transition is helping city police forces to recruit Negro veterans—to pit blacks against blacks, in the view of these critics, should violence flare.

And the speculation continues over whether the Negro veteran will integrate or disintegrate: Will he riot?

A young Negro naval officer at Camranh Bay called this "a white question, since whites like to convince themselves that people start riots intentionally."

"I say yes," the officer added. "He will riot—if white people make him."

S. Sgt. Hector Robertin, a Puerto Rican born in Spanish Harlem who supervises an Army photography team, said it was hard for most people to "realize just why people do riot."

A NEW NEGRO

"Take a middle-class white of 19 from Oregon," he said. "You could never make him understand the resentment of a cop pushing you off a street corner just because you're there, the credit gyps and landlord leeches and the feeling you come to have that if you ever get anything, you're going to have to take it."

"People talk about burning down their own neighborhood. Hell, the people there don't own a damn thing, and the Government should've burned down those rat traps years ago to give people a chance for a better life. But how do you make people understand that who've never seen it, lived it?"

A Negro field-grade officer took a related view, if more gently. "There is no doubt about it," he said. "You'll have a new Negro coming out of Vietnam who has seen that America will allow him to die without discrimination, and he'll want to live without discrimination."

"You've also got a new Negro on the streets back home demanding only what white people take for granted every day."

"But what will happen? That's a question for America—for white people, not me."

"I think we stumbled into this war in Vietnam. God, I hope we don't stumble into another one back home."

Then the question was asked: "And what about you? What about you when and if we 'stumble' into a civil war back home?"

"I honestly don't know," the officer said. "I'm a soldier, yes, and I believe in America;

yes, and I'm certain that it is the only country capable of bringing about a true democracy and a good standard of living for all people—but I really don't know."

"Those kids on the street—they are angry, they are inarticulate and nobody can talk to them, but do you realize they are saying no less than what Patrick Henry said?"

AS GOOD AS ANYBODY

Pfc. James Williams of Manhattan, a foot soldier with the heavily Negro 173d Airborne Brigade, commented: "I know a lot of brothers who'll stay in the Army because they're afraid to get out and face what's out there. I feel I'm as good as anybody else, and it didn't take the Army to convince me of it. I won't threaten anybody, but I don't intend to take any stiff out of anybody either."

A reporter asked him: "What about talk back home, about not being able to 'make' whites accept you, and about their having rights too?"

"I couldn't care less if he likes me, and sure, he does have rights," the infantryman said. "But he has no right that says he can keep me down—can deny me my rights."

Finally the correspondent remarked: "You're not the first Negro fighting man to say this. They've said it for many wars. If you're right, what will make the difference this time?"

"They might have said it and meant it, too," Private Williams said, "but I don't know about them. That was them and that was in their time. This is me and this is now, and believe me, I'll make the difference. This stuff has got to stop. I'll make the difference."

[From the Wall Street Journal, May 14, 1968]

JOBS FOR EX-GIS—COMPANIES COOPERATE WITH SERVICES TO TRAIN MEN NEARING DISCHARGE—HUMBLE RUNS SERVICE STATION COURSE AT FORT KNOX—IBM SEES SOURCE OF REPAIRMEN—HEADING OFF "DISILLUSIONMENT"

(By Richard J. Levine)

FORT LEE, VA.—Army Specialist Jimmy Baker leads two lives.

Half the day, the 21-year-old soldier works for the Army as a clerk in the supply school at this Quartermaster post. The other half, mornings from 8:30 to 12:30, he works as a trainee with International Business Machines Corp. In an on-post course run by the company, he's preparing for a job as an IBM office-machine repairman when he completes his four-year hitch July 26.

Specialist Fifth Class Baker is still paid, fed, clothed and ordered about by the Army. But as one of over 200 participants here in Project Transition, a new Defense Department program for soon-to-be discharged GIs, he's encouraged to "think civilian" for part of the day.

Project Transition seeks to provide GIs who have one to six months left to serve with counseling and academic and vocational training designed to help them land a job. Launched as a small pilot program last year and fully operational only since January, it is now giving training and counseling to thousands of soon-to-be civilians at 238 Army, Navy, Air Force and Marine bases. About 840,000 men are scheduled to pour out of the service in the year starting July 1, and through Transition the Pentagon hopes to reach 150,000 of them with training and 350,000 with counseling.

A SPECIAL CHALLENGE

Project Transition is the most ambitious of an array of programs ordered by the White House in the past year to aid Vietnam-era veterans. It aims to help all returning servicemen—white and black. Yet in the current period of racial unrest, defense officials recognize the special challenge presented by the 40,000 Negro GIs expected to shed their uniforms this year.

"A large majority of these boys really want to get started in life," declares a Pentagon

planner, and the challenge is to help them avoid "disillusionment." William Foote, a retired Army major who is the No. 2 official in Fort Lee's Transition program, depicts the task more bluntly: "One of our prime jobs is to keep these kids out of the ghettos and off the rooftops."

The degree of Project Transition's success may hinge on the level and quality of private industry participation. The beauty of industry is that it has a job to offer the GI at the end of training," says a defense official.

Since the beginning of the year, the Defense Department has been urging companies to train servicemen with their own instructors on or near military bases. So far, 20 major companies, including General Motors, Gulf Oil Corp., Mobil Oil Corp., and Lockheed Aircraft Corp., have agreed to participate and 25 others have exhibited interest. Of 8,000 men now taking academic or vocational training, about 1,000 are enrolled in programs conducted by industry.

NO FUSS, NO BOTHER

Frank McKernan, the Pentagon official directing Transition, is "optimistic about the reaction of business" to Project Transition. As he sees it, "We're saying to industry, 'Here's a potential manpower pool, and there's no recruiting required. All you have to do is the training. We give you a ready-made class of men who have developed leadership, a sense of responsibility and maturity.'"

Many businessmen share Mr. McKernan's enthusiasm.

Humble Oil & Refining Co. ran a 12-week course in service-station management at Fort Knox, Ky., as part of the pilot program. Seventeen men started the course, and 14 completed it; six of the graduates are now running Humble stations, three are waiting for stations and one is employed as a Humble salesman. "That's a tremendous batting average," says Freeman Smith, the Company's dealer-training coordinator. Humble is so pleased that it plans to give courses on 11 bases shortly.

In the old wood-frame building here that IBM is using for its machine-repair course, Bill Gardner, Project Transition coordinator for IBM's office, products division, declares: "We've been waiting for something like this. It's just made for us."

Mr. Gardner suggests the program eventually "could be the major source of our manpower" in the office machines repair field. The company stands ready to expand its courses at Fort Lee and four other posts if the demand warrants.

Still, there are problems that worry Pentagon officials. Employers naturally tend to select as trainees the best-educated and most highly motivated servicemen—who would have the least trouble getting a job without help. To find the first three men for its 10-man course at Fort Lee, for example, IBM interviewed 30, and those had already been prescreened by Transition counselors.

LOWER REQUIREMENTS

One way to meet this problem of "cream-skimming," Mr. McKernan suggests, is to lure companies trying to fill jobs that have less demanding regulations than those at IBM and Humble. But progress in this direction has been slow.

Fort Lee's Transition program, labeled by defense officials as "one of the best," is trying to get around the problem of limited industry participation by providing "something for every man."

In quest of diversity, they have induced local lawyers and law enforcement officials to teach a course in police work, brought in the Post Office Department to prepare soldiers for jobs as letter carriers and mail handlers, arranged with the Government's Defense Supply Center in Richmond for extensive on-the-job training and set up accelerated classes to give GIs the equivalent of eighth-grade or high school educations.

Such activity would have been impossible without the active cooperation of the Fort Lee commander, Maj. Gen. Victor MacLaughlin, and his staff. Gen. MacLaughlin has been able to free considerable manpower and facilities for Project Transition training. However, he cautions, if it should ever interfere with Lee's military mission, "I'd have to play it by ear," perhaps scheduling more courses after duty hours.

Since about 24% of all returning veterans haven't completed high school, the Fort Lee "equivalency" courses are well attended, especially by Negro soldiers. Forty-seven of the first 208 Transition participants were enrolled in the high-school completion course; 17 were Negroes.

Transition counselors here are routing almost every dropout they interview into these classes on the theory that a high-school equivalency certificate will significantly improve his chances of getting a job.

Specialist Fourth Class Clarence Glass, a 24-year-old Negro cook from Indianapolis, agrees. The high school certificate is "pretty valuable to me," he says. "You don't get anything without an education. Quite often employers use the lack of it as an excuse for not hiring you." Specialist Glass, who had a porter's job when drafted, hopes to get on-the-job training in photography or meat cutting before he's discharged in July.

For the immediate future, on-the-job training will play a major role in Transition here. Among other things, the Defense Supply Center in Richmond has agreed to accept 220 Fort Lee soldiers for training in any of 60 occupations ranging from drafting, accountancy and data-processing to fork-lift truck operation, auto repair and water pollution control.

Early results have been encouraging. Specialist Fifth Class Michael Dukes, 20, has been working in the center's typewriter repair shop for little over a month, and his supervisor says proudly, "He's already at the point where he's productive." To allow him to move inconspicuously among the center's 3,700 civilians, Mike is even allowed to wear mufti. Grinning broadly, he praises the Army for "not just booting you out and putting you on your own."

The law enforcement courses here dovetail nicely with another new program that allows city police forces to recruit on military bases and permits GIs who land jobs as cops to leave the service 90 days early. Twenty-one men, 13 of them Negro, completed the first course, and five of the 21 have had firm offers of police jobs in Richmond, Los Angeles, Chicago, New York and Honolulu.

At present, the weakest spot in Transition is job placement. "We don't want men to go back to areas of high unemployment," says Leland Slaydon, who directs the program at Fort Lee. Pentagon officials believe that a man completing his service tour is willing to move far for a good job. But if local Transition officials are to capitalize on this mobility, they must have ready access to complete and current information on job openings throughout the country. And what's available is often less than satisfactory.

In any case, the 2,200 U.S. Employment Service offices are under orders from President Johnson to insure that "every returning veteran" is "personally contacted by telephone or by personal visit . . . in order to ascertain his or her particular job needs." And a day spent at the office in the District of Columbia provides some insight into the attitude of recently discharged veterans, many of whom probably would have participated in Transition if it had been available prior to their release.

Robert O. Johnson, a veterans' employment representative, sees some 350 former servicemen a month, about 250 of them Negro; Washington's population is over 60% Negro. Among the Negro veterans, he's finding "very little bitterness—they're eager to

go to work and willing to take schooling and training."

Alvin Richardson, who until last March was an Air Force sergeant in Vietnam, is seeking a temporary job until he starts college in January. "After being over there for a year risking your life like everyone else, I would definitely get teed off" if denied a job because of prejudice, he says. But he doesn't anticipate "any strain" in finding work.

After 17 months in Korea, former Army Specialist Fifth Class Julius Snype, a 21-year-old Negro, is seeking a Federal job and planning to go to school at night. As a veteran, he's eligible for a new "transitional" civil service appointment, for which no exam is required, if he agrees to take additional schooling. Before the Army, Mr. Snype was employed by a nursery, but "it was labor work and I'm tired of that," he says firmly.

Elijah Bush, a 21-year-old former Army sergeant who served in West Germany, declares: "When you run into prejudice here, it feels like you did all that for nothing. It makes you ask yourself, 'What did I go into the service for?'"

Mr. Bush is trying to get into a union apprenticeship program in carpentry or book-binding. He's impressed with the assistance the Government is providing; recently an official of the Washington veterans assistance center visited him at home.

Still, Mr. Bush says that if there is another outbreak of rioting in Washington, "I'd have to be all for it. These are my people. As long as anyone is being shortchanged, there can't be peace."

SENATOR ELLENDER PLANS PRESENTATION OF SOUTH ASIAN FILM

Mr. ELLENDER. On Tuesday, July 16, I will present documentary films dealing with South Asian nations to the Congress and the public. Three showings will be held in the Senate Auditorium, room G-203, New Senate Office Building, First and C Streets NE.

The time of the showings will be 1-2, 4-5, and 7:30-8:30 p.m.

I produced these documentaries from footage I took while touring South Asia last fall on behalf of the Senate Appropriations Committee. There are two films in the South Asian series, one dealing with the nations of India and Pakistan, and the other with Afghanistan, Iran, Nepal, Burma, and Ceylon.

Members of Congress and their staffs are cordially invited to attend one of these showings, as are members of the general public. South Asia is now one of the areas most important to U.S. foreign policy. It is my hope that these documentaries will help Americans gain a better understanding of the ways of life and problems of the nations in that area.

These films are in color, with sound.

AMENDMENT OF THE HIGHER EDUCATION ACT OF 1965, THE NATIONAL DEFENSE EDUCATION ACT OF 1958, THE NATIONAL VOCATIONAL STUDENT LOAN INSURANCE ACT OF 1963 AND RELATED ACTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1366, S. 3769. I do this so that the bill may be the pending business on Monday next.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3769)

to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1963 and related acts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ADJOURNMENT UNTIL MONDAY,
JULY 15, 1968, AT 10 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, under the previous order of July 11, 1968, that the Senate stand in adjournment until 10 o'clock on Monday morning next.

The motion was agreed to; and (at 12 o'clock and 21 minutes p.m.) the Senate adjourned, under the order of July 11, 1968, until Monday, July 15, 1968, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 12, 1968:

NATIONAL TRANSPORTATION SAFETY BOARD
Louis M. Thayer, of Florida, to be a member of the National Transportation Safety Board for the term expiring December 31, 1973.

RAILROAD RETIREMENT BOARD
Thomas M. Healy, of Illinois, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1968.

NATIONAL LABOR RELATIONS BOARD

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1973.

IN THE AIR FORCE

The nominations beginning James W. Abbott, to be captain, and ending George F. Zielsdorf, to be 2d lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 28, 1968.

PUBLIC HEALTH SERVICE

The nominations beginning Leon R. Jellerson, to be senior surgeon, and ending James E. Delozier, to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 24, 1968.

HOUSE OF REPRESENTATIVES—Friday, July 12, 1968

The House met at 11 o'clock a.m.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Continue steadfastly in prayer.—
Colossians 4: 2.

O Lord, our God, who knowest the problems that perplex us, the trials that trouble us, and the happenings that harass us, grant unto us the royalty of an inward happiness and the serenity of mind which comes from living close to Thee. Do Thou dwell in the heart of every one of us that we may have joy in living, courage for life, and enthusiasm for our country.

In our relations to others may we be persistent in patience, loyal in love, gentle in our goodness, and good in our gentleness. In our contacts with other nations may we be strong in spirit, generous in heart, and ready to help those who are willing to help themselves.

Before all the people on this planet may we have the confidence to stand for what is right and good for all. Thus may our deeds in private and our duties in public measure up to our devotion in prayer.

In the name of Him who took time to pray, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulations, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 14935. An act to amend title 39, United States Code, to regulate the mailing of master

keys for motor vehicle ignition switches, and for other purposes; and

H.R. 15794. An act to provide for U.S. standards and a national inspection system for grain, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16703) entitled "An act to authorize certain construction at military installations, and for other purposes."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 356. An act to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.;

S. 3065. An act to amend the Federal Trade Commission Act, as amended, by providing for preliminary injunctions for certain violations of that act; and

S. 3566. An act to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation", and for other purposes.

S.J. Res. 130. Joint resolution to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes.

PERMITTING THE UNIFORM OR BADGE OF THE LETTER-CARRIER BRANCH OF THE POSTAL SERVICE TO BE WORN IN THEATRICAL AND OTHER PRODUCTIONS UNDER CERTAIN CIRCUMSTANCES

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10773) to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "postal service" and insert "Postal Service."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MAURITZ A. STERNER

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3865) for the relief of Mauritz A. Sterner, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. ASHMORE, HUNGATE, and SMITH of New York.

USE OF THE MAILS TO OBTAIN MONEY OR PROPERTY UNDER FALSE REPRESENTATIONS

Mr. NIX. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1411) to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes, with Senate amendments thereto, and disagree to the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the mail fraud bill that was passed by the House and sent to the Senate and to which was added the supergrades provision?

Mr. NIX. The gentleman is correct. This is the bill we passed in the House and to which was added the supergrades provision in the Senate.