

William A. Buhr, of California.  
George Deligianis, of New York.  
George A. T. Donely, of New Jersey.  
Lawrence D. Estes, of California.  
Charles T. Foo, of Florida.  
Donald A. Foresta, of New York.  
Jacob P. Gillespie, of Connecticut.  
Robert D. Jones, of New York.  
Joseph L. Marek, Jr., of Texas.  
Marcellus P. Murphy, of Florida.  
Charles C. Ransom, of New York.  
Frank W. Scotton, of Hawaii.  
Miss Barbara M. Shelby, of New York.  
Foreign Service information officer of class 6, a consular officer, and a secretary in the diplomatic service of the United States of America:  
Miss Jean Elizabeth Mammen, of New York.

#### POSTMASTERS

The following-named persons to be postmasters:

#### ILLINOIS

Robert W. Buhrke, Glenview, Ill., in place of C. J. Ginaine, retired.

#### IOWA

Howard L. Snook, Newton, Iowa, in place of Dick Steenhoek, retired.

#### MARYLAND

Thomas M. Eichelberger, Frederick, Md., in place of J. A. Grove, retired.

#### WITHDRAWAL

Executive nomination withdrawn from the Senate January 19 (legislative day of January 10), 1969, under authority of

the order of the Senate of January 16, 1969:

#### POSTMASTER

The nomination sent to the Senate on January 13, 1969, of R. Todd O'Flynn to be postmaster at Philpot, in the State of Kentucky.

#### NOMINATIONS

Executive nominations received by the Senate January 20 (legislative day of January 10), 1969:

#### CABINET MEMBERS

William P. Rogers, of Maryland, to be Secretary of State.

David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

John N. Mitchell, of New York, to be Attorney General.

Winton M. Blount, of Alabama, to be Postmaster General.

Walter J. Hickel, of Alaska, to be Secretary of the Interior.

Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

Maurice H. Stans, of New York, to be Secretary of Commerce.

George P. Shultz, of Illinois, to be Secretary of Labor.

Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

John A. Volpe, of Massachusetts, to be Secretary of Transportation.

#### UNITED NATIONS

Charles W. Yost, of New York, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate January 20 (legislative day of January 10), 1969:

#### CABINET MEMBERS

William P. Rogers, of Maryland, to be Secretary of State.

David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

John N. Mitchell, of New York, to be Attorney General.

Winton M. Blount, of Alabama, to be Postmaster General.

Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

Maurice H. Stans, of New York, to be Secretary of Commerce.

George P. Shultz, of Illinois, to be Secretary of Labor.

Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

John A. Volpe, of Massachusetts, to be Secretary of Transportation.

## HOUSE OF REPRESENTATIVES—Monday, January 20, 1969

The House met at 10:30 o'clock a.m., and was called to order by the Speaker pro tempore, Mr. CELLER.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*You shall keep all the commandments which I command you this day, that you may be strong.*—Deuteronomy 11: 8.

Almighty and eternal God, we pray humbly and sincerely for our country, the land we love with all our hearts. We thank Thee for the men who founded our Republic and for those who through the years have kept the flame of freedom aglow in our world.

Now we invoke Thy blessing upon our President and Vice President as they take the oath of office and pledge their allegiance to this free land of their birth. Bless them with creative minds, courageous hearts and constructive hands as they endeavor to meet the challenge of these critical days.

Give us, the representatives of our people, patience, wisdom, and understanding during this time of transition. Make us great enough for this day, strong enough for this hour, and good enough for this moment.

Bless all our people and help us as a nation to accept the privileges and responsibilities of sound citizenship, walking in the way of Thy commandments and keeping our faith in Thee. So rule our hearts and so prosper our endeavors that law and order, justice and peace may here and everywhere prevail to the glory of Thy name and the good of our country. Amen.

#### THE JOURNAL

The Journal of the proceedings of Friday, January 17, 1969 was read and approved.

#### ANNOUNCEMENT

The SPEAKER pro tempore. The Chair desires to announce that Members must display their official tickets in order to get a seat on the platform. There are no extra seats available, so former Members cannot join the procession.

The same holds true for children. They can neither go with the procession nor be seated on the platform.

The seats for Members of the House and Senate have no cover. Therefore, Members are urged to wear overcoats and take hats for protection against the cold weather.

The procession will be headed by the Sergeant at Arms bearing the mace. He will be followed by the Speaker pro tempore, then the chairmen of committees and other Members in order of seniority.

Following the Presidential oath of office proceeding on the east front, shuttle buses will be available on First Street SE., east of the Cannon House Office Building, between Independence Avenue and C Street SE., subsequent to the ceremonies on the east front, to take Members and their families to the parade reviewing stands at the White House. The buses will also be available to bring Members and families back to the Capitol after the parade.

And now, pursuant to House Resolution 141, the House will form in proces-

sion and go in a body to the east front to attend the swearing-in ceremonies for the President and Vice President of the United States.

Thereupon, at 10 o'clock and 35 minutes a.m., the Members of the House, preceded by the Sergeant at Arms and the Speaker pro tempore, proceeded to the east front of the Capitol.

#### ADJOURNMENT

At the conclusion of the inaugural ceremonies (at 12 o'clock and 44 minutes p.m.) the House, without returning to its Chamber, pursuant to House Resolution 141, stood in adjournment until Thursday, January 23, 1969, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

342. A letter from the Secretary of Health, Education, and Welfare, transmitting the second annual report on the operation of the medicare program for fiscal year 1968, and recommendations for legislation to improve the medicare program, both pursuant to the provisions of section 1875 of the Social Security Act (H. Doc. No. 91-57); to the Committee on Ways and Means and ordered to be printed with illustrations.

343. A letter from the Secretary of Agriculture, transmitting the annual report of the Federal Crop Insurance Corporation for 1968, pursuant to the provisions of the Federal Crop Insurance Act; to the Committee on Agriculture.

344. A letter from the Secretary of Agricul-

ture, transmitting a report on the activities of the Rural Electrification Administration for fiscal year 1968; to the Committee on Agriculture.

345. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, to provide for payment by handler assessments of the administrative costs of the Department of Agriculture; to the Committee on Agriculture.

346. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide a supplemental source of credit to cooperatives serving rural people, and for other purposes; to the Committee on Agriculture.

347. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Army National Guard, pursuant to 10 U.S.C. 2233(a)(1); to the Committee on Armed Services.

348. A letter from the Secretary of Labor, transmitting a report on exemplary rehabilitation certificates, pursuant to the provisions of Public Law 89-690; to the Committee on Armed Services.

349. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide entitlement to round-trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; to the Committee on Armed Services.

350. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation, to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes; to the Committee on Armed Services.

351. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize command of the U.S.S. Constitution (IX-21) by retired officers of the U.S. Navy; to the Committee on Armed Services.

352. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of industrial diamond crushing bort from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

353. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of castor oil from the national stockpile; to the Committee on Armed Services.

354. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July-October 1968, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

355. A letter from the Secretary, Housing and Urban Development, transmitting a report on the progress of the work undertaken in connection with section 109 of Public Law 90-448; to the Committee on Banking and Currency.

356. A letter from the Secretary of the Treasury and the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to establish an Urban Development Bank to assist in broadening the sources and decreasing the costs of capital funds for State and local governments,

and for other purposes; to the Committee on Banking and Currency.

357. A letter from the Administrator, Small Business Administration, transmitting a draft of proposed legislation to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

358. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries of certain District of Columbia judges, members of the District of Columbia Council, and U.S. magistrates; to the Committee on the District of Columbia.

359. A letter from the Secretary of Labor, transmitting a draft of proposed legislation, to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits, and for other purposes; to the Committee on Education and Labor.

360. A letter from the Secretary of Labor, transmitting the seventh annual report on the administration of the Welfare and Pension Plans Disclosure Act for the year 1968; to the Committee on Education and Labor.

361. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

362. A letter from the Director of the Peace Corps, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

363. A letter from the general manager, U.S. Atomic Energy Commission, transmitting a report on the disposal of foreign excess property for the fiscal year 1968; to the Committee on Government Operations.

364. A letter from the Secretary of the Interior, transmitting a report from the Office of Coal Research on coal research activities undertaken during calendar year 1968, pursuant to the provisions of Public Law 86-599; to the Committee on Interior and Insular Affairs.

365. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize appropriations for the saline water conservation program for fiscal year 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

366. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

367. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

368. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the economic development of Indians, Indian tribes, and other Indian organizations, and for other purposes; to the Committee on Insular and Insular Affairs.

369. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives; to the Committee on Interior and Insular Affairs.

370. A letter from the Acting Deputy Assistant Secretary of the Interior; transmitting a copy of a proposed amendment to the concession contract under which the S. G. Leoffer Co. will be authorized to continue to operate certain designated facilities for the public in areas administered by the National Capitol region, National Park Service, for 1 year from January 1, 1969, through December

31, 1969, pursuant to the provisions of 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

371. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

372. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

373. A letter from the Attorney General, transmitting the annual report of the Department of Justice for fiscal year 1968; to the Committee on the Judiciary.

374. A letter from the Chairman, American Revolution Bicentennial Commission, transmitting a draft of proposed legislation to amend the act of July 4, 1966 (80 Stat. 259), as amended by the act of December 12, 1967 (81 Stat. 567); to the Committee on the Judiciary.

375. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes; to the Committee on Merchant Marine and Fisheries.

376. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries for the Vice President and certain officers of Congress; to the Committee on Post Office and Civil Service.

377. A letter from the head, congressional and public affairs, National Science Foundation, transmitting a revision of the first page of a draft of proposed legislation submitted January 17, 1969, in Executive Communication No. 332; to the Committee on Science and Astronautics.

378. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to increase the amount deductible by Members of Congress for living expenses; to the Committee on Ways and Means.

379. A letter from the Director, Selective Service System, transmitting the second semiannual report of the operations of the Selective Service during the period January 1, 1968, to June 30, 1968, pursuant to the provisions of section 10(g) of the Military Selective Service Act of 1967; to the Committee on Armed Services.

380. A letter from the Secretary of the Interior, transmitting the second annual report of the Federal costs of water pollution control, pursuant to the provisions of section 16(a) of the Federal Water Pollution Control Act of 1966, as amended; to the Committee on Public Works.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HECHLER of West Virginia:

H.R. 4119. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general-purpose airports, airport terminals, and related facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REINECKE:

H.R. 4120. A bill to create a national com-

mission to study quality controls and manufacturing procedures of medical devices, surgical instruments, artificial organs and limbs, therapeutic instruments and devices, and other medical and hospital equipment; to determine the need for, and the extent of, Federal regulation of such medical devices; to recommend to the President and to the Congress methods for determining constructive minimum performance standards, and feasible methods for Federal regulation; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wisconsin:

H.R. 4121. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 4 of rule XXII,

6. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to the allocation of certain imported fuel oil to New England and the establishment of a foreign trade zone and subzone for the purpose of oil refining, which was referred to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HALPERN:

H.R. 4122. A bill for the relief of Herminia Dulay; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 4123. A bill for the relief of Dr. Pedro Jara Obregon; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 4124. A bill for the relief of Maria David; to the Committee on the Judiciary.

H.R. 4125. A bill for the relief of Pasqualina Silveroli (Linda) Fiore; to the Committee on the Judiciary.

H.R. 4126. A bill for the relief of Maria Labrizzi; to the Committee on the Judiciary.

By Mr. HELSTOSKI (by request):

H.R. 4127. A bill for the relief of Victoria Georgina Morena; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### PENDING TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS

#### HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, January 20, 1969

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the address I made before the West Point Society at Fort Myer, Va., on January 15, 1969.

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

The remarks are as follows:

REMARKS BY SENATOR GOLDWATER BEFORE WEST POINT SOCIETY, FORT MYER, VA.

Needless to say, I am very happy to be back in Washington and the United States Senate. I am also happy that I was put on the Senate Armed Services Committee.

Of course, many changes have been made during my four years of absence and many more, as you all know, are about to be made in the near future. One of the alterations on the Washington scene of particular note to me like you and me is the absence of Robert McNamara from the Pentagon.

I have got to say that this absence does not make my heart grow fonder of Mr. McNamara and his policies. Frankly, I am delighted that he no longer has the right to dictate our Nation's defense policy. I only wish he could have taken with him the legacy which he left behind.

But perhaps I was too fast in assuming that Mr. McNamara has relinquished his voice in the affairs of this Nation having to do with defense. I noticed in the papers not long ago that he visited the Soviet Union and discussed with the leaders of that nation the question of the pending treaty on non-proliferation of nuclear weapons.

And that brings me to the subject of my talk here today. I am deeply concerned at the emotional, oversimplified arguments that are being advanced to bring about a speedy Senate ratification of this treaty. What bothers me is that not nearly enough attention is being given to the technical and practical weaknesses of this diplomatic device, to say nothing of its dangerous psychological implications.

Let me take you back for a moment to another treaty with the Soviet Union. That one, negotiated in 1963, was called the Nuclear Test Ban Treaty. It was promoted to an almost hysterical degree by those advocates of accommodation as a "great forward step" in the never ceasing struggle for world peace. In that instance, all technical and factual consideration were swept aside in a wave of optimism generated by one of the sharpest

public relations promotions in our history. I would remind you that I, along with most other members of the Senate Preparedness Subcommittee, voted against that treaty.

In opposing that earlier nuclear treaty, I was swayed by the testimony, a lot of it still secret, of scientists and military experts who believed sincerely that the Russians had an ulterior motive in accepting the treaty. It was pointed out that unlike the United States, the Russians had already conducted a series of high magnitude and high altitude nuclear tests and had gained valuable information about the mysterious problem called EMP (electro-magnetic pulse). By pushing through the test ban treaty, the Russians could make sure that the United States would not solve the problems of EMP in the near future. In fact, there are military experts today who insist that we will never discover how to solve this problem until the testing ban is abrogated.

Now we are being asked to adopt a nuclear non-proliferation treaty with the Soviet Union and other nations. The arguments are familiar. They are all lofty and noble. They say that the greatest way in the world to avoid a nuclear holocaust is to deter the proliferation of the most horrible weapons ever devised. I ask you who, on the surface, could oppose such an appeal? If we want to take this argument at its superficial face value, then the answer is—no one could oppose it.

But I'm sure I do not have to tell most of you here that this question, no more than the test ban treaty, does not lend itself to quick and easy answers.

To begin with, the treaty is meaningless because two present nuclear powers, France and Red China, will have nothing to do with it. In addition, many nations who presently are on the brink of developing nuclear weapons are likewise among the nonsignatories. These include nations such as India, West Germany, and Israel.

Consequently, we see that the most probable sources of nuclear proliferation in today's world are beyond the treaty's reach.

If there is a reason for ratification of this treaty, it has to be nothing but a token. In other words, if we are interested in trying to tell the world that the United States and the Soviet Union are engaging in meaningless gestures of accommodation, then there might be some excusable reason in the area of hope, humanitarianism or good will. This, of course, assumes that there are no technical disadvantages to the United States in the way the treaty is presently drawn. I believe that there are such deficiencies, and I will discuss them.

But my objection to the non-proliferation treaty at this time has to do more with the effect it might have on foreign affairs generally. Look at what has happened in the struggle between East and West since we

ratified the test ban treaty and presumably took a giant step toward resolving our differences. The Soviet Union has repeatedly demonstrated that, far from reducing or being interested in a reduction of world tensions, it has actively and aggressively promoted such tensions on a worldwide basis. Vietnam is a case in point. The Vietcong and Hanoi couldn't have kept up the pace at which they are killing American soldiers for six months without the supplies and support sent to them by our partner in the test ban treaty. The Middle East would not today be the tinder box threatening the peace of three continents if it were not for an aggressive policy of Soviet arming of the Arab nations. The Mediterranean would not today be bristling with Soviet naval power. Czechoslovakia would not have been invaded, nor would Rumania and West Germany be threatened.

No, I tell you there can be no case made in fact for the argument that the Soviet Union is mellowing and that we must further that softening process through the ratification of a nuclear non-proliferation treaty. There is reason to believe that ratification of this treaty at this time would in effect place the U.S. stamp of approval on an aggressive and militant move made by Russia to stamp out human freedom. Members of the Senate I believe will have to ask themselves, if they accept a treaty with the Soviet Union in good conscience, whether they don't also ratify Soviet moves in other areas. Do we dignify Soviet policy, in effect, saying that they are honorable enough to sign a treaty with? Do we, in ratifying this treaty, announce to the world that we are ready to forget that the Soviet Union has a long, dishonorable history of broken treaties?

These are serious questions which bear directly on the security of this Nation and which the advocates of the non-proliferation treaty would have us skip over in the interest of a word they love to use called "detente."

They don't seem to understand that there can be no accommodation, there can be no true *detente*, so long as the Soviet Union continues to foment aggression and stir up war. A thousand non-proliferation treaties with the Soviet Union will not wipe out actions such as the invasion of Czechoslovakia.

I presume by this time you understand that I am opposed to Senate ratification of the nuclear non-proliferation treaty at this time.

Now I want to go into some of the technical and practical aspects of this treaty.

A close examination of the possible effect leads to the conclusion that a definite possibility exists that if this treaty is ratified, some 100 non-nuclear nations may construe it as giving rise to a commitment of the United States to provide immediate military support in case of a nuclear attack or the threat of a nuclear attack against any such nation.