

## SENATE—Thursday, May 28, 1970

The Senate met at 10 o'clock a.m. and was called to order by Hon. HAROLD E. HUGHES, a Senator from the State of Iowa.

Rabbi Saul Israel Wisemon, Temple Beth Israel, Waltham, Mass., offered the following prayer:

Heavenly Father, bless these men and all in rightful authority, who minister to the needs of this great Nation.

God of the living and of the living dead, we call to mind our valiant sons and daughters who gave their last full measure of devotion. Ever mindful of their supreme sacrifice, help us finish our mutual task—bind up the Nation's wounds, do all which may achieve a just and lasting peace among ourselves and all mankind.

Merciful Father, hasten the day when nations shall finally beat their swords into plowshares, their spears into pruning hooks. Let not nations continue to lift up sword against nations, nor let them learn war any more.

Bless us, as Thou alone canst bless with Thy most precious gift "shalom"—peace.

May He who ordains the harmony of the universe bring peace to us and all mankind. Amen.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore of the Senate (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., May 28, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HAROLD E. HUGHES, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,  
President pro tempore.

Mr. HUGHES 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 Wednesday, May 27, 1970, be dispensed with.

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

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

## NOTICE OF JOINT MEETING OF THE TWO HOUSES ON JUNE 3, 1970, TO RECEIVE THE PRESIDENT OF THE REPUBLIC OF VENEZUELA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Wednesday next, June 3, 1970, at a time to be announced later, and upon motion, that the Senate stand in recess, subject to the call of the Chair, for the purpose of attending a joint meeting with the House of Representatives to receive the President of the Republic of Venezuela.

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

## EXECUTIVE SESSION

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

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

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

## CABINET COMMITTEE ON OPPORTUNITIES FOR SPANISH-SPEAKING PEOPLE

The bill clerk read the nomination of Martin G. Castillo, of California, to be Chairman of the Cabinet Committee on Opportunities for Spanish-Speaking People.

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

## U.S. AIR FORCE

The bill clerk proceeded to read sundry nominations in the U.S. Air Force.

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

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

## U.S. ARMY

The bill clerk proceeded to read sundry nominations in the U.S. Army.

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

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

## U.S. NAVY

The bill clerk proceeded to read sundry nominations in the U.S. Navy.

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

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

## FEDERAL HOME LOAN BANK BOARD

The bill clerk read the nomination of Preston Martin, of California, to be a member of the Federal Home Loan Bank Board for the term expiring June 30, 1974.

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

## NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE AIR FORCE, IN THE ARMY, AND IN THE NAVY

The bill clerk proceeded to read sundry nominations in the Air Force, in the Army, and in the Navy, 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.

## ORDER FOR RECOGNITION OF SENATOR SPONG OF VIRGINIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and this is a request I should have made on yesterday, but I forgot—that the distinguished Senator from Virginia (Mr. SPONG) be recognized now for not to exceed 25 minutes.

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

## LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the speech by the distinguished Senator from Virginia (Mr. SPONG), there be a time limitation of 3 minutes on statements in relation to routine morning business.

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

## STRETCH JETS AT NATIONAL AIRPORT

Mr. SPONG. Mr. President, contrary to every assurance it has given the public and Members of the Congress, the Federal Aviation Administration is now permitting larger jets to operate at Washington National Airport.

That abrupt decision came only 2 weeks after I was informed by FAA Administrator John Shaffer that there were no immediate plans to change the long-standing policy and that the odds were 99 to 1 against it ever being changed.

Only a few months before that, FAA representatives testified at hearings of the Senate District of Columbia Committee that the large stretch jets and air buses would continue to be excluded from the airport.

When I first brought this matter to the attention of the Senate on April 27, my chief concern was over the way in which the Congress and the public had been misled. And I have found little to dissuade me from that view in the Administrator's explanation that "no decision is immutable."

Since making that speech, however, I have had the opportunity to look further into this decision and learn that not only was it contrary to assurances given the Congress but it was also against the strongest recommendations of the FAA's own staff of experts.

Those recommendations are contained in a study prepared by senior budget officials of the National Capital Airports Bureau which is charged with operating National and Dulles Airports for the FAA. I obtained a draft copy of the study from the General Accounting Office, but have since received a copy of the revised study which was approved by the Bureau chief and transmitted to the FAA Administrator on January 21, 1970.

At the close of my remarks, I will ask that the revised study be printed in its entirety, but at this time, I would like to read certain excerpts which will give the Members of the Senate some idea of the nature and strength of the objections posed by those whose sole job is to operate these Federal airports in the public interest.

After estimating the value of the decision to the airlines at between \$40 and \$120 million with a potential for pure profit of 50 percent, the study observes:

If the decision to admit the stretch 727 to DCA (National) has already been made and is irrevocable, the price we extract from the benefitting air carriers in return for this decision must be based, in our judgment, not only on the substantial financial gain they can realize from that decision but also on the substantial loss the Government and its stockholders, the taxpayers, stand to suffer as a result of the decision.

#### The study continues:

As we see it, that loss is immeasurable because the decision will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area, seriously compromising the Bureau's and FAA's ability to carry out responsibility for fostering the growth of Dulles International Airport and damaging the future of Friendship International Airport to an extent which will certainly jeopardize, if not foreclose, prospects for a regional airport system.

Mr. President, Dulles International Airport was built in 1962 at a cost to the taxpayers of \$110 million. Since that time, the airport has operated at a deficit totaling about \$50 million, principally

because the FAA has not established meaningful limits on the use of National Airport. So long as the air carriers can continue to crowd more and more passengers into that facility and so long as the FAA continues to bend every restriction to make it possible, Dulles will continue to be underutilized and the taxpayer of this country will continue to pay the bill.

The Bureau study made this clear to the Administrator:

The hard, cold facts are that the stretch 727 cannot be employed profitably at DCA (National) without substantially altering the prospects for growth of Dulles and Friendship. The Bureau and the FAA have a responsibility to foster the operation of Dulles as a successful airport serving the public interest. The taxpayers have a right to expect that it will fulfill that role. Economic self-sufficiency for Dulles, even if it could be totally achieved as a price for increased use of DCA (National) will not serve that right or fulfill that duty. Moreover there is every reason to believe that financial self-sufficiency for Dulles cannot be attained as the price for this decision.

Mr. President, it is incredible that in the face of this clear statement of the cost to the taxpayer and the harm to the public interest this decision would ever have been made. It would be even more incredible now that the facts are known if the decision were allowed to stand.

As this study makes clear, the large stretch jet is only the camel's nose under the tent for the even larger air buses which will be coming into operation in late 1971 or 1972. These three-engine aircraft are capable of carrying anywhere from 250 to 400 passengers and of using National Airport runways.

The same rationale which has been offered for the introduction of the stretch jet; namely, that the airlines must be allowed to make flexible use of the equipment they have in service, can be used to justify the introduction of the air bus when that time comes. But the result will be unlimited expansion of National Airport from the present 10 million passengers a year to as many as 30 or 35 million, and the continued waste of the enormous public investment in Dulles Airport.

Mr. President, I want to make it clear that I believe National Airport has an important role to play in meeting the air transportation needs of this region, but I do not believe it serves the interests of the taxpayers of this country or of the residents of this area to allow it to grow without limit and without concern for the impact on the other airports in the region. Certainly, it is not in the public interest to take an action which is clearly going to jeopardize the future growth of the publicly supported Dulles Airport.

I have no objection if the FAA wishes to give further study to the feasibility of allowing stretch jets to operate at National. But, given the weight of evidence and expert opinion now available, it is unconscionable to allow those jets to operate pending such further study. In fact, what would have to be proved under those circumstances is a negative propo-

sition of sorts. It would have to be shown that had the decision not been made Dulles and Friendship might have grown at a more rapid rate. This, I submit, is all but impossible.

The only resolution of this question is to remove the stretch jets first. Then studies can continue for as long as the FAA likes. But, if the jets are ultimately allowed back, the FAA should establish firm conditions which would assure that their operation will not injure the growth of Dulles and Friendship or lead to a substantial enlargement of National.

Mr. President, on the same day that I was informing the Senate of the FAA decision to keep stretch jets at National, the Civil Aeronautics Board issued an order discontinuing its long-delayed investigation of congestion at National Airport. Principal among the reasons cited for that action was the contention of the Department of Transportation and the FAA that the problem had been resolved.

The study to which I have been referring makes it clear, however, that the introduction of stretch jets changes all of that and is inconsistent with the position being taken by the Department for dismissal of CAB's Washington/Baltimore airport investigation.

Mr. President, I recognize that the Administrator is free to disregard the views of his subordinates no matter how expert they may be when making a policy decision of this kind. But he cannot disregard his responsibility to the public and the Congress to justify the action which he takes.

The Bureau study I have mentioned is only one of three studies that I know of on this subject.

A second FAA study sent to me by the Administrator warns that the introduction of the 727-200 could reverse passenger trends at National and return that facility to the chaotic conditions which existed in the summer of 1966.

The third study which was carried out by the National Capital Planning Commission also strongly urges that stretch jets and other larger aircraft continue to be prohibited at National.

Mr. President, again, I find it incredible that the FAA would make the decision it has in the face of this overwhelming opposition to it by the FAA's own top staff and by other experts in the field. This is a matter which I believe should concern every Senator.

I ask unanimous consent to insert in the RECORD a study which was prepared by the Bureau of National Capital Airports and transmitted to the Administrator of the FAA on January 21, 1970.

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

#### ADMISSION OF THE STRETCH 727 TO WASHINGTON NATIONAL AIRPORT

Admission of the stretch 727 to Washington National Airport can and probably will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area.

The aircraft is 20 feet longer than any aircraft now used at the airport and on the average weighs 11,000 more pounds and has

31 more seats. Nine of the 12 carriers now using DCA already have the aircraft in their fleets or on order. Exhibit A shows that full use of the aircraft by seven of the trunk carriers serving the airport could increase daily seating capacity by almost 16,000 or 30% and annual seating capacity from 18.3 million to almost 24.2 million or by more than 5.8 million. Assuming continuance of the current load factor at DCA of 56%, the passenger volume would increase from 10.2 million to 13.6 million annually. Under present restrictions, this is roughly the equivalent of adding 192 operations daily, an increase of 31% over current levels.

(A) POTENTIAL PROFIT FOR AFFECTED AIRLINES

Although this is a theoretical and ultimate potential which may never be fully realized and will not materialize overnight, it represents a rich market opportunity for some of the air carriers. They can be counted on to push hard for full exploitation of this chance to use Washington National Airport to offset losses that are occurring elsewhere in their systems. It is estimated (very roughly) that this decision offers a potential increase of around \$120 million in annual gross revenues to the airlines involved. It appears that at least 50% of this potential or \$60 million would be pure profit since the marginal revenues to be realized from use of the stretch 727 far exceed the marginal costs of using the aircraft to replace existing equipment. It is important to note, however, that this potential gain to individual carriers is not all new business for the Washington/Baltimore area. Much of it, perhaps the bulk, will be generated by diversion of passengers from the service of other carriers at DCA or from service at Dulles and Friendship. Because of the lack of data and time for study, this estimate of the potential financial impact of the 727-200 is at best rough and loose. The order of magnitude, however, clearly spells bonanza to some of the airlines and presents a fertile avenue for cutting down system-wide losses.

(B) PROBABLE PROFIT FOR AFFECTED AIRLINES

Proceeding from this theoretical picture of potential and ultimate gain to a hard-nosed, practical assessment of probable impact, Exhibit B shows a probable capacity increase for the seven major airlines involved of almost 5,000 seats daily or 1.8 million seats annually. On the basis of the current 56% load factor this means 1 million additional passengers at DCA annually. At an average ticket value of \$40, this 10% increase in production for affected carriers would increase their annual gross revenues by some \$40 million with the profit increase estimated conservatively at \$20 million. (It is impossible to estimate the extent to which this profit potential would be offset for the benefitting carriers by losses on competing service they themselves may maintain at Dulles and Friendship. This effect is therefore discounted in the discussion that follows but should not be overlooked.)

Based on the best estimates it is possible to produce under the circumstances, it therefore appears that admitting the stretch 727 to DCA is probably worth \$40 million to the air carriers involved with a potential worth of up to \$120 million. The potential for profit would seem to range from a probable minimum of \$20 million to a potential of about \$60 million. Rough as these estimates are they establish that the benefitting carriers should be willing to make substantial concessions to the Government in return for permission to use the stretch 727 in their operations at DCA.

(C) AFFECT ON OTHER AIRPORTS AND OTHER AIRLINES

Once this bonanza has been uncovered and its allure disclosed in all its glitter, it

is extremely important to recognize that all that glitters is by no means gold to all of the airlines serving the Washington metropolitan area. By the same token, the Bureau and FAA should take a long, hard, practical look at the dross that is necessary to produce the glitter before responding to its allure. If the decision to admit the stretch 727 to DCA has already been made and is irrevocable, the price we extract from the benefitting air carriers in return for this decision must be based, in our judgment, not only on the substantial financial gain they can realize from that decision but also on the substantial loss the Government and its stockholders, the taxpayers, stand to suffer as a result of the decision.

*Affect on area growth pattern*

As we see it, that loss is immeasurable because the decision will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area, seriously compromising the Bureau's and FAA's ability to carry out responsibility for fostering the growth of Dulles International Airport and damaging the future of Friendship International Airport to an extent which will certainly jeopardize, if not foreclose, prospects for a regional airport system. This is a big price to pay for additional revenues even if the benefitting air carriers could be persuaded to accept fee and rate adjustments that would put the Bureau's airports totally in the black.

The hard, cold facts are that the stretch 727 cannot be employed profitably at DCA without substantially altering the prospects for growth of Dulles and Friendship. Under present circumstances, the critical point in the growth of Dulles will occur when restrictions at DCA force transfer of significant service, particularly Chicago service, from DCA to IAD. In our judgement, that day is not far off now. (On our busiest day of last year, the Sunday following Thanksgiving, only 7,160 of 57,183 seats going through the airport were not used by local passengers. During the peak hour only 299 of 4,589 seats were not used by local passengers. The airline load factor for the day (including through passengers) was almost certainly close to 100%.) But the decision to admit the stretch 727 to DCA (possibly setting the precedent for the even larger air bus) will postpone that day indefinitely. The Bureau and FAA have a responsibility to foster the operation of Dulles as a successful airport serving the public interest. The taxpayers have a right to expect that it will fulfill that role. Economic self-sufficiency for Dulles, even if it could be totally achieved as a price for increased use of DCA, will not serve that right or fulfill that duty. Moreover there is every reason to believe that financial self-sufficiency for Dulles cannot be attained as the price for this decision.

*Conflict with motion to dismiss CAB investigation*

The decision is also inconsistent with the position being taken by the Department for dismissal of CAB's Washington/Baltimore Airport Investigation. The draft motion to dismiss this investigation rests largely on the argument that congestion at Washington National Airport has been contained and that increases in passenger levels can be accommodated under existing controls by increases in passenger facilities constructed by the air carriers. Specifically the motion states that public areas have been increased by 44% since the investigation began while passenger levels have increased only 10%. This argument will be difficult to sustain in the face of a decision that is almost certain to increase passenger levels by an additional 31% and produces a potential for an increase of almost 60%.

The motion also states that there has been substantial improvement in parking facilities but admits that there is still a problem in parking capacity. This problem will be dramatically compounded as a result of the stretch 727 decision at least until such time as additional capacity can be constructed. Unmentioned in the motion but equally important (perhaps even more important) is the capacity of the interior roadways to keep airport ground traffic moving to and from the terminal building without interference with Mount Vernon Parkway. This problem will also be dramatically compounded by the decision at least until planned improvements to the roadway system are in place.

The motion further states that the long-range answer to congestion at Washington National Airport is ownership of the areas three airports by a single enterprise. As indicated earlier, Departmental efforts to organize such an enterprise may be jeopardized by the stretch 727 decision and its depressing effect on the growth of Friendship International Airport.

*Probable opposition of other airlines*

The decision to admit the stretch 727 will not be popular with all of the air carriers serving the Washington metropolitan area. It will in fact be bitterly opposed by some of them and any attempt to negotiate adjustments of rates, fees and contractual commitments on an overall basis will inevitably be complicated if not totally frustrated by this fact. Although a majority of the 12 air carriers serving DCA stand to benefit substantially from using the stretch 727 at that airport, the majority of the carriers at Dulles do not. In fact some of them stand to suffer substantial losses as a result of this decision.

Nine of the 14 carriers serving Dulles either do not own the stretch 727 or do not operate out of DCA. In fact it is clear that nine of the 18 carriers serving our two airports are not interested in using the stretch 727 at DCA and some of these will vigorously oppose its use there because it presents the prospect of indomitable competition to service they are furnishing from Dulles and Friendship. All nine of these carriers can be counted on to resist any changes in the IAD contract and fee structure that we might propose as a price for admission of the stretch 727 to DCA. Since the fee structures of the two airports are inextricably interwoven, this will make it extremely difficult, if not impossible, to achieve adjustments which would permit us to share, in any real measure, the financial bonanza that this decision offers to about one-half of our airline customers. It would also put us generally on the side of those who have ignored our exhortations to use Dulles against those who have genuinely tried to promote growth of that airport.

(D) AFFECT ON FAA BARGAINING POSITION

Aside from this pessimistic assessment of our ability to negotiate a realistic "payment" for the decision itself because of opposition from our Dulles customers, it also appears that the decision gives away the substantial bargaining leverage that it could have represented in ensuring that the airline investment in modernizing DCA serves the public interest and follows an orderly pattern established by the Bureau. This leaves admission of other larger aircraft, such as the air bus, as our only trump card from a bargaining point of view—and a weak one at that since the decision on the stretch 727 will inevitably be regarded as having already established the precedent not only by the air carriers but also by those—from congressmen to civic associations—whom we have assured repeatedly that we will not remove our finger from the dike.

EXHIBIT A.—DCA B 727-200 REPLACEMENTS, POTENTIAL CAPACITY INCREASE

	Daily seats		BAC-111 or CVL	Total
	B-727	B-737		
AA-seats scheduled December 1969	5,428		1,430	6,858
Seats available w/727-200	7,198		2,684	9,882
Increase	1,770		1,254	3,024
EA-seats scheduled	2,156	(A/S 4,708)	10,704	12,860
Seats available w/727-200	2,904	(A/S 5,808)	15,312	18,216
Increase	748	4,608 (A/S 1,100)		5,356
NA-seats scheduled December 1969	5,670			5,670
Seats available w/727-200	7,290			7,290
Increase	1,620			1,620
NE-seats scheduled December 1969	420		1,260	1,680
Seats available w/727-200	544		1,904	2,448
Increase	124		644	768

	Daily seats		BAC-111 or CVL	Total
	B-727	B-737		
NW-seats scheduled December 1969	3,906			3,906
Seats available w/727-200	5,124			5,124
Increase	1,218			1,218
TW-seats scheduled December 1969	930		900	1,830
Seats available w/727-200	1,250		1,500	2,750
Increase	320		600	920
UA-seats scheduled December 1969	3,840	4,732	256	8,828
Seats available w/727-200	5,000	6,396	492	11,888
Increase	1,160	1,664	236	3,060
Total increase, daily	6,960	1,664	5,852	15,966
Equivalent flts./day	74	18	78	22
Annual increase (X365)	2,540,400	607,360	2,135,980	5,827,590

EXHIBIT B.—DCA B 727-200 REPLACEMENTS PROBABLE CAPACITY INCREASE

	BAC-111	DC-9	B-100	B-737	-200
AA	-22		-18		+40
NW			-12		-12
TW		-1	-9		+10
NE			-2		+2
NA			-18		+18
UA			-22	-2	+24

	BAC-111	DC-9	B-100	B-737	-200
EA		-22	-6		+28
Seats	X65	X88	X98	X91	X128
Total	-1,430	-2,024	-8,526	-182	+17,152
			-12,162		

Note: Net change in seats per day +4,900

Highlight summary

Admission of the stretch 727 to Washington National Airport can and probably will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area.

The hard, cold facts are that the stretch 727 cannot be employed profitably at DCA without substantially altering the prospects for growth of Dulles and Friendship.

For the seven major airlines now having stretch 727's, large profit potentials are available, but nine of the 18 carriers serving our two airports are not interested in using the stretch 727 at National and some of these will vigorously oppose its use there. The addition of the stretch 727 is inconsistent with the DOT motion for dismissal for CAB's Washington/Baltimore airport investigation.

Since Friendship Airport would be severely affected, the Department's efforts to achieve a three airport organization would be seriously jeopardized.

Mr. KENNEDY. Mr. President, would the Senator yield at that point for a question?

Mr. SPONG. I yield.

Mr. KENNEDY. Mr. President, I was wondering, since I know that the Senator has given a good deal of attention to the whole problem, whether he noticed that change in the regulations affecting National Airport in terms of night flights of the jets coming into National Airport.

One of the things that I thought made a great deal of sense was the restriction on jets into National Airport between 10 o'clock at night and 7 o'clock in the morning. They permit turbine jets to land there, but because of the noise factor in a heavily populated area, there had been restrictions, as I understand it, on jets landing at National Airport.

The result was that Dulles was utilized for night flights from the West and from the Northeast. I know that jets coming

from the Northeast would land at Dulles at night.

I notice that in the course of the last few weeks, since the time of the FAA strike, there was some relaxation of those rules and regulations and that now there has been a noticeable increase in the number of jets that have been arriving at National Airport in the night. And there is a considerable noise factor involved along these patterns.

I was wondering if this was of some concern to the Senator's constituents in northern Virginia. I know that it is a frequent source of complaint on the part of many of the people up in the Northeast, and in the Boston area, particularly in the summer when many people who live in the surrounding areas of these airports open their doors and windows because of the heat. The increasing noise factor is a serious inconvenience.

I notice that there has been this apparent alteration or change. And I was wondering if this had been brought to the attention of the Senator and if this is a matter of interest to him.

Mr. SPONG. It is a matter of interest. It has been brought to my attention.

Two things took place insofar as the operation of National is concerned. They sought to limit the number of flights coming into National. And they imposed, as the Senator has said, a curfew. Since the slowdown took place, they have brought the stretch jets in, and used the slowdown as an excuse for doing this. But they also relaxed the curfew.

I received a letter from Mr. Shaffer on April 22, 1970, on this subject. In the last paragraph of that letter—and I believe that has been introduced into the record of the hearings—he said that the airlines would be advised immediately to reim-

pose the curfew. At the hearings last week, I made public the regulation presently in existence which allows jets to come into National an hour or so later than they had been previously allowed to do. This regulation was posted after I received this letter saying that the curfew would be reimposed.

I think it is a matter of concern. I do not know the situation as of yesterday, but as of last week, contrary to the letter saying that the curfew would be reimposed, the regulations at National were such that the jets could come in later than they had been allowed to come in previously.

I am pleased that the Senator from Massachusetts has mentioned this. I do not believe this should be allowed to continue, and particularly at this time of the year, in view of the noise and other factors that are troublesome not only for the citizens of northern Virginia but also for the residents of the District and those of Maryland.

Mr. KENNEDY. Mr. President, it is my understanding that there has been a relaxation of the previous restrictions. I am particularly interested as the chairman of the Subcommittee on Administrative Practice and Procedure, because we have within our jurisdiction the reviewing of the various administrative agencies and their rulemaking powers.

And it is always a matter of concern to the citizens of northern Virginia, as well as the citizens of any of the other areas, when regulatory agencies promulgate regulations without any serious effort to try to obtain the input of the public reaction to the rules and changes. This does cause concern among people and a further alienation from Government agencies and Government generally.

I am very much interested in determining whether there have been such changes, as I understand there have been. I am very interested as the chairman of the Subcommittee on Administrative Practices and Procedures in seeing what steps the FAA has taken to try to elicit whether there is any public reaction among the citizens or whether this is an arbitrary change made at the instance of the airlines without determining any kind of public reaction.

Mr. SPONG. Mr. President, I would say to the distinguished Senator from Massachusetts that this was a decision made without consultation with any public groups or public body and against—and this is the point of my remarks today—the recommendations of three different study groups with regard to the airport.

This situation is further compounded because Dulles Airport and National Airport are the only two airports in the United States which have no connection with a local public body.

The Federal Government, it seems to me, has a much stronger obligation because of this fact.

Mr. KENNEDY. The Senator is correct.

Mr. SPONG. We operate these airports, and it would seem to me that in the absence of any regional groups such as there would be, for example, in the Boston area and in many other areas where there would be an opportunity for the people to make their views known about changes in the operations of these airports, the Federal Government should especially listen to the public.

We do not have anything like that. And it seems to me that not having it, the FAA or any other Federal regulatory agency charged with an operation such as this has a greater responsibility than normally.

I will see that the Senator from Massachusetts receives all of the hearings in connection with this matter. This has been going on for 18 months, and everything that we have been told was not going to happen has happened. And there has not been any opportunity for the citizens to come in and discuss the matter.

Mr. KENNEDY. Mr. President, I am particularly appreciative that the Senator from Virginia has brought this matter to the attention of the Senate.

I assure the Senator that our subcommittee will go into this matter in detail and will come to grips with the problem.

I think that the point I have heard the Senator make on a number of occasions—and I think it is important for us to be reminded of it today—is that northern Virginia and a great deal of the Washington area, unlike Boston, has additional airport facilities besides its primary airport.

One of the principal points the Senator is making on the floor of the Senate is that Dulles Airport is obviously underutilized and can be utilized more.

In a situation like that in Boston, we have considered time and again whether

to get the imposition of a curfew at night because of the extraordinary noise factor in a heavily populated area. It has always been stated by the FAA representatives that if the airlines cannot land in Boston at night, there is no alternative port for them to land in.

Certainly here in the greater Washington metropolitan area that should not be a reason for the additional stress from noise pollution which is placed on the residents of northern Virginia. I commend the Senator from Virginia for bringing our attention to this matter. I think it is a matter of importance and significance. What happens here in terms of the people of northern Virginia reflects on the people of this country and it is important to all of us concerned about air traffic and noise pollution that we be reminded of this problem in the greater Washington area.

I thank the Senator and I look forward to working with him on this problem.

Mr. SPONG. Mr. President, I thank the Senator from Massachusetts. It seems to me that where we have two airports under Federal authority completely, and we also have Friendship Airport, if we cannot give an example of orderly regional planning for air transportation and instead just keep on developing one airport to the exclusion of considering the effect of its growth on others, we can hardly expect other regions in the United States to do otherwise.

I thank the Senator.

#### ROSE McCONNELL LONG

Mr. ELLENDER. Mr. President, it is with regret that I announce the death of Rose McConnell Long who served in this body for about a year following the death of her husband, the late Huey P. Long.

Mrs. Long was born in Greensburg, Ind., on April 8, 1892. She moved with her parents to Shreveport, La., in 1901. She attended the public schools of Shreveport and became a schoolteacher. While she was a schoolteacher she met the late Huey P. Long and they were married. From that union three children were born. One of those children was Mrs. Rose McConnell McFarland, the wife of a prominent doctor, who now lives in Colorado Springs, Dr. O. W. McFarland. Mrs. Long died at the Boulder Memorial Hospital in Boulder, Colo., where the home of the McFarlands is located.

Mrs. Long is survived by Mrs. McFarland, and, of course, her illustrious son, RUSSELL B. LONG, who is a Member of the Senate at this time, and also another son, Palmer Long, a prominent businessman in Shreveport, La. At the time of her death, three of her grandchildren, Senator and Mrs. RUSSELL LONG, and Dr. and Mrs. McFarland, were with her.

It is a matter of record that Huey Long, Rose Long, and RUSSELL LONG form the only father-mother-son combination in the history of the U.S. Senate.

Mrs. Long was appointed to serve in this body by former Gov. James A. Noe on January 31, 1936, and served until

January 2, 1937, at which time I succeeded her.

Mrs. Long was a fine mother, and she raised three splendid children. She did much to enhance the fortunes of her late husband, Huey P. Long. She was known to all in the State as a very beautiful and gracious lady. She served in the State Capitol, Baton Rouge, as wife of the Governor, Huey P. Long, for 4 years and was of great assistance to him in his many successful campaigns for office and in his work. For the past 35 years, Mrs. Long maintained the family home in Shreveport as a perennial meeting place for her family.

During her service in the Senate, she was the originator of the original legislation to establish the Chalmette Battlefield below New Orleans as a national monument. While the project did not become a reality until several years later, the legislation for it was ultimately enacted on the basis of testimony which she gathered. The monument was given international recognition in 1965, during the sesquicentennial of New Orleans.

Mr. President, at some future date I hope to have more to say about this great lady, who was my friend for so many years.

#### ORDER OF BUSINESS

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

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

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, will the Senator yield to me without losing his right to the floor?

Mr. YOUNG of Ohio. I yield.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

#### ORDER FOR ADJOURNMENT TO MONDAY, JUNE 1, 1970

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

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

(Subsequently, this order was modified to provide for an adjournment to 11:30 a.m. on Monday.)

#### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday there be a period for the transaction of routine morning business, with a time limitation of 3 minutes on statements made therein.

The ACTING PRESIDENT pro tempore. Without 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. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts:

On May 26, 1970:  
S. 2999. An act to authorize, in the District of Columbia, the gift of all or part of a human body after death for specified purposes; and

S. 3778. An act to change the name of the Kaysinger Bluff Dam and Reservoir, Osage River Basin, Mo., to the Harry S. Truman Dam and Reservoir, Mo.

On May 27, 1970:  
S. 856. An act to provide for Federal Government recognition of and participation in international expositions proposed to be held in the United States, and for other purposes.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore (Mr. HUGHES) laid before the Senate a message from the President of the United States submitting the nomination of Maurice J. Williams, of West Virginia, to be Deputy Administrator, Agency for International Development, which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 17755) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 17755) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, INC.

The ACTING PRESIDENT pro tempore (Mr. HUGHES) laid before the Senate the following letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION (S. Doc. 91-84)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1970 in the amount of \$157,816,600 for the U.S. Civil Service Commission, to provide for mandatory payments to the civil service retirement and disability fund to finance the unfunded liability created in fiscal year 1970 by two new statutes, which, with an accompanying paper was referred to

the Committee on Appropriations, and ordered to be printed.

REPORT REQUIRED BY THE WATER RESOURCES RESEARCH ACT OF 1964

A letter from the Under Secretary of the Interior, reporting, pursuant to law, on projects selected for funding through grants, contracts, and matching or other arrangements with educational institutions, private foundations or other institutions, with private firms, as authorized by section 200(a) of the Water Resources Research Act of 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Foreign Relations:

"RESOLUTION OF THE ALASKA STATE LEGISLATURE

"Joint resolution urging a strong U.S. protest to prevent the imminent invasion of North Pacific salmon fisheries by South Korea

"Be it resolved by the Legislature of the State of Alaska:

"Whereas reliable evidence through observation, foreign fleet preparation, and foreign sales commitments indicates that U.S. North Pacific salmon resources are in grave danger from major South Korean salmon fishing operations in the Bering Sea; and

"Whereas verbal statements from the Korean government that salmon will not be the intended catch serve as little assurance that our salmon resources will be protected, since similar guarantees in 1969 were summarily broken, resulting in the catch of some 500-700 tons of Bristol Bay red salmon; and

"Whereas the Korean government has not indicated that they are planning to take steps to enforce licensing provisions on their fishermen or to invoke significant penalties; and

"Whereas an invasion of these red salmon grounds could seriously endanger the success of the international North Pacific fisheries treaty signed by Japan, Canada and the U.S., thereby opening up U.S. salmon resources within 12 miles of our coast to Japan, Korea, Russia and any other foreign country desiring to participate in their harvest; and

"Whereas it is believed that the ability of Korea to mount an expedition of the magnitude being planned is made directly or indirectly possible through U.S. foreign aid to Korea;

"Be it resolved that the Sixth Alaska State Legislature respectfully requests that the strongest protests possible be made by the government of the United States, including reconsideration of aid and trade policies, to prevent the imminent Korean fishing invasion of U.S. salmon, and be it

"Further resolved that an attempt be made to obtain an irrevocable commitment from Korea that it will abstain from fishing U.S. salmon in the future.

"Copies of the Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John W. McCormack, Speaker of the House; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable William P. Rogers, Secretary, Department of State; the Honorable Walter J. Hickel, Secretary, Department of the Interior; the Honor-

able Warren G. Magnuson, Chairman, Senate Commerce Committee; the Honorable Harley O. Staggers, Chairman, House Interstate and Foreign Commerce Committee; the Honorable John R. Gilbert, President, Association of Pacific Fisheries; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"The following officers of the Legislature certify that the attached enrolled resolution, Senate CS for House Joint Resolution No. 111 am S, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

"Passed by the House, May 6, 1970.

"JALMAR M. KERTTULA,  
"Speaker of the House.

"Attest:

"CONSTANCE H. PADDOCK,  
"Chief Clerk of the House.

"Passed by the Senate, May 4, 1970.

"BRAD PHILLIPS,  
"President of the Senate.

"Attest:

"BETTY HANIFAN,  
"Secretary of the Senate.  
"KEITH H. MILLER,  
"Governor of Alaska."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"RESOLUTION OF THE ALASKA STATE LEGISLATURE

"Joint resolution relating to the establishment of a National Institute of Environmental Science in Alaska

"Be it resolved by the Legislature of the State of Alaska:

"Whereas it is the imperative goal of the new science of the environment to determine how man can utilize, without damaging, the earth's natural resources; and

"Whereas the task before this new science is of an urgency which no longer advocates but compels the establishment of a National Institute of Environmental Science to provide the coordination of the effort and dissemination of information essential to the restoration and maintenance of a wholesome and productive environment; and

"Whereas Alaska offers this institute a laboratory unavailable elsewhere in the world; a laboratory vast in size and rich in the resources of nature; a laboratory of broad climatic, geographic, geologic, botanic and zoological expanse; a laboratory embracing the full range of environmental conditions to which man must adapt as he addresses himself to the development of the virtually untapped wealth of the North;

"Be it resolved that the Legislature of the State of Alaska requests the President and Congress of the United States to establish in Alaska a National Institute of Environmental Science to initiate a continuing program of research to insure that man uses his natural resources in a manner consistent with a quality environment; and be it

"Further resolved that the Governor is requested to appoint a panel of concerned Alaskans to compile information that will enable the President and the Congress to assess the need for, and the benefits to be derived from, a National Institute of Environmental Science in Alaska.

"Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable Walter J. Hickel, Secretary, Department of the Interior; the Honorable Clifford M. Hardin, Secretary, Department of

Agriculture; the Honorable Maurice H. Stans, Secretary, Department of Commerce; the Honorable Robert H. Finch, Secretary, Department of Health, Education and Welfare; to all members of the Senate and House Committees on Interior and Insular Affairs of the Congress; and to the Honorable Ted Stevens and the Honorable Mike Gravel, United States Senators, and to the Honorable Howard W. Pollock, United States Representative, members of the Alaska delegation in Congress.

"The following officers of the Legislature certify that the attached enrolled resolution, Senate CS for House Joint Resolution No. 106, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

"Passed by the House, May 8, 1970.

"JALMAR M. KERITULA,  
"Speaker of the House.

"Attest:

"CONSTANCE H. PADDOCK,  
"Chief Clerk of the House.

"Passed by the Senate, May 5, 1970.

"BRAD PHILLIPS,  
"President of the Senate.

"Attest:

"BETTY HANIFAN,  
"Secretary of the Senate.

"Attest:

"KEITH H. MILLER,  
"Governor of Alaska."

**REPORT OF THE SELECT COMMITTEE ON STANDARDS AND CONDUCT ON THE INVESTIGATION OF THE INTRODUCTION OF PRIVATE IMMIGRATION BILLS IN THE SENATE FOR CHINESE CREWMEN, 90TH AND 91ST CONGRESSES—REPORT OF SELECT COMMITTEE (S. REPT. NO. 91-911)**

Mr. STENNIS, from the Select Committee on Standards and Conduct, under the authority of Senate Resolution 338, 88th Congress, second session, submitted a report on the Investigation of the Introduction of Private Immigration Bills in the Senate for Chinese Crewmen, 90th and 91st Congresses, which was ordered to be printed.

(The remarks of Mr. STENNIS when he submitted the report appear earlier in the RECORD under the appropriate heading.)

**BILLS INTRODUCED**

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

By Mr. EAGLETON:

S. 3893. A bill for the relief of Dr. Walter Ling (Wisalaya Luknakul);

S. 3894. A bill for the relief of Cho-Man Chan; and

S. 3895. A bill for the relief of Rizalina Animas; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 3896. A bill for the relief of the Glover Packing Co.; to the Committee on the Judiciary.

By Mr. INOUE:

S. 3897. A bill for the relief of Shui Lun Young (Wah Yuk Lau); to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 3898. A bill to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and income behavior which threatens national economic stability; to the Committee on Banking and Currency.

(The remarks of Mr. PROXMIRE when he introduced the bill appear later in the RECORD under the appropriate heading.)

**ADDITIONAL COSPONSORS OF BILLS**

S. 746

Mr. METCALF. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Minnesota (Mr. MCCARTHY) be added as a cosponsor of S. 746, which is my bill to amend title XVIII of the Social Security Act so as to include chiropractors' services among the benefits provided by the insurance program established by part B of such title.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

S. 3878

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at the next printing, the name of the Senator from Idaho (Mr. JORDAN) be added as a cosponsor of S. 3878, relating to manpower requirements, resources, development, utilization, and evaluation, and for other purposes.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

**SENATE CONCURRENT RESOLUTION 71—SUBMISSION OF A CONCURRENT RESOLUTION TO PROVIDE FOR JOINT MEETING OF CONGRESS TO HEAR STUDENTS ON THE WAR AND PEACE**

Mr. MUSKIE, Mr. President, on behalf of myself and Senators HART, MOSS, INOUE, GRAVEL, and CRANSTON, I am submitting a concurrent resolution calling for a joint session of Congress, for the purpose of hearing five students on the related subjects of the war in Indochina and the growing turmoil on our college and university campuses today. I ask unanimous consent that the text of this concurrent resolution be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER (Mr. GRAVEL). The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

Mr. MUSKIE. Mr. President, the essence of democracy rests in the principle of a free exchange of ideas between the people of a nation and those who represent them.

It is becoming increasingly apparent that many Americans have lost faith in the openness of this exchange. Especially among our young people, there is a growing feeling that they cannot be heard.

In recent weeks most of us have met with students. They have been responsible, intelligent, and concerned. They have conveyed a sincere conviction that our democratic system can and must be made to work.

I believe that the time for us to uphold that conviction, the time to listen and to act, is now. We must be willing not

only to hear what our young people are saying, but to act in a substantive way.

Two weeks ago, Democrats in Maine participated in a significant step toward a new dialog with the young people of our State. For the first time in our State, students had a voice in shaping political policy. Young and old say that unity and harmony could result from giving students a meaningful voice. Students learned that they can indeed be heard, and age discovered that by listening, it too, can learn.

I believe that this cooperative effort need not, and must not, reflect only a fleeting moment of unity. I feel that it must carry beyond the State of Maine and beyond the Democratic Party.

A positive step has been taken, as both students and Congressmen have become more aware of the problems each faces. I am certain that innovative ideas will come from the meetings and discussions of recent weeks. The resolution I am introducing today, brought to me by a group of concerned students trying to find constructive ways to air their views, can carry us one step further in our efforts to cement this feeling of cooperation.

This resolution would provide for a joint session of Congress to hear five students, representing not only their own institutions but the larger gathering of colleges and universities in their regions as well. I am hopeful that such action can provide the meaningful forum needed to focus attention on the crisis on our campuses today.

For I believe that the vast majority of our young people are simply asking that we have the decency to listen to them, and the understanding to respond in an intelligent manner. We cannot let this manifestation of their campaign go unattended.

The concurrent resolution (S. Con. Res. 71), which reads as follows, was referred to the Committee on Foreign Relations:

S. CON. RES. 71

Whereas there is widespread national concern over continuing American involvement in the war in Southeast Asia; in specific the recent events in Cambodia; and

Whereas the most intense concern has been expressed by the young men and women of America, particularly those in our colleges and universities; and

Whereas many of these university students have sent delegations to Washington to express their grave concern in a peaceful and constructive fashion to members of Congress and the Administration; and

Whereas there is widespread skepticism among all young people of this nation as to whether their representatives will accord their expression of concern an effective hearing: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it may be in order at any time before June 15, 1970, for the speaker to declare a recess subject to the call of the chair for the purpose of receiving in joint meeting five students, one each from a parochial university and universities from the West coast, Midwest, East coast and South. These students, who shall represent not only their own schools but also the larger groupings of universities in their area, shall present their views about the Indochina War and the Cause of Peace.

AMENDMENT OF THE FOREIGN  
MILITARY SALES ACT—AMEND-  
MENT

AMENDMENT NO. 663

Mr. STEVENS submitted an amendment, intended to be proposed by him, to the modified amendment No. 653 to the bill (H.R. 15628) to amend the Foreign Military Sales Act, which was ordered to lie on the table and to be printed.

(The remarks of Mr. STEVENS when he submitted the amendment appear later in the RECORD under the appropriate heading.)

AMENDMENT NO. 664

Mr. BYRD of West Virginia submitted amendments, intended to be proposed by him, to House bill 15628, supra, which were ordered to lie on the table and to be printed.

(The remarks of Mr. BYRD of West Virginia when he submitted the amendments appear later in the RECORD under the appropriate heading.)

DEPARTMENT OF TRANSPORTA-  
TION AND RELATED AGENCIES  
APPROPRIATION BILL, 1971—  
AMENDMENT

AMENDMENT NO. 665

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (H.R. 17755) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes, which was referred to the Committee on Appropriations, by unanimous consent, and ordered to be printed.

(The remarks of Mr. PROXMIRE when he submitted the amendment appear later in the RECORD under the appropriate heading.)

THE MANHOOD GAME

Mr. YOUNG of Ohio. Mr. President, in the Saturday Review of May 30, 1970, there appeared an impressive editorial written by the editor, Norman Cousins.

I regard this as an extremely important statement on the Cambodian decision, or adventure, of President Nixon.

I ask unanimous consent that this editorial be published in the RECORD as a part of my remarks.

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

THE MANHOOD GAME

"It is not our power but our will and character that are being tested," President Nixon declared in explaining his decision to commit American fighting forces to Cambodia.

A White House aide, talking to a reporter, underlined this thesis when he said that the President had to show the world that "America hasn't lost its manhood."

What, then, is manhood?

Whatever manhood is, there are some things manhood certainly is not.

Manhood is not armed soldiers firing into a crowd of students, whatever the provocation.

Manhood is not a powerful nation raining bombs down on the villagers of a small nation, without any risk of counterattack or retaliation.

Manhood is not ordering soldiers to use flame-throwers in tunnels, often incinerating noncombatant civilians who are too terrified to heed the order to come out.

Manhood is not the manufacture and stockpiling of weapons beyond any reasonable definition of national defense—weapons that already far exceed any possible requirement for the use of destructive force.

Manhood is not dealing with error by concealing it or compounding it, or by making false pride more important than intelligence and compassion in America's relationship with the rest of the world.

One curious feature of the manhood game as played by large nations is that it is filled with deadly contradictions. The same nation that feels it can make an impression on others only by the show of force is curiously unimpressed by the same strategy when it is employed by others. This is true not just of U.S.-Soviet relations, but also of the increasingly ominous Israeli-Arab confrontation. Retaliation, not reconciliation, is the first impulse. A nation that believes others understand only the language of force has difficulty itself in speaking the language of peace.

The underlying theory of the manhood game is that a nation demonstrates its will and character in direct ratio to its readiness to use force in what it conceives to be its national interest. Thus, the Soviet Union finds it necessary at this time to carry out massive naval maneuvers in the Atlantic Ocean. Submarines, anti-submarine vessels, and auxiliary ships are involved in the exercises. They have been docking in Cuba to refuel and resupply. The obvious aim is to serve notice on Washington that Moscow does not lack the will and character to extend its overseas military commitments.

International observers, assessing the reasons for the Soviet military presence so close to U.S. shores, contend it is a reaction to President Nixon's decision to move into Cambodia. The Cambodian decision, however, has been described by some U.S. officials as a reaction to the increasing military commitment of the Soviet Union in the Middle East. It is obvious that each side is convinced its will and character are being tested by the other, and that the only way to pass the test is to display a readiness to use force in ever larger amounts and in increasingly risky situations.

The trouble with the manhood game is that it is played at the expense of man. The inevitable result of a competitive display of national manhood is to create the stage and the occasion for an ultimate assault on human life.

There is a wider, positive definition of manhood that takes in more than just raw force and the will to use it. Manhood has something to do with maturity, the comprehension born of experience, and the capacity for making moral judgments.

It may be said that this kind of national maturity is not possible in a world that lacks the specific institution and the machinery to render force unnecessary. The answer to this objection is that a nation such as the United States has the obligation to press forward with ideas for developing alternatives to force, brutality, and ill-temper. Nothing would be more dramatic and hopeful than for the United States to declare to the world that the central and overriding purpose of its foreign policy is to enable the United Nations to put the human interest above the national interest.

SOME THANKS

Mr. YOUNG of Ohio. Mr. President, since 1957 the United States has been the main supplier of military and economic assistance to Jordan. Since 1952 more

than \$600 million of American taxpayers' money has been given to King Hussein's little kingdom. Very definitely, Mr. President, I am opposed to giving away our taxpayers' money in this manner and in particular to Jordan. In 1966 the United States agreed to sell Jordan a large number of F-104 Star-fighter jets. A few were delivered before the June 1967 Arab-Israel war erupted, but fortunately, for the Jordanians, these war planes were flown to safety in Turkey a few hours before the Israelis destroyed the Jordan Air Force.

Since then between 50 and 100 M-47 and M-48 Patton tanks and additional Starfighter jet warplanes have been delivered by our military-industrial complex to the Kingdom of Jordan. Jordanian pilots are now being trained for free at Williams Air Force Base, Ariz.

Last month mobs burned and ransacked our Embassy and USIA library in the capital of Jordan, Amman, and assaulted some Americans. Jordanian police stood by apparently enjoying the spectacle.

Mr. President, I denounce any continuance of the ill-advised policy of giveaways to King Hussein and his little kingdom. We Americans should not tolerate giving military or economic aid to King Hussein and his kingdom whose people and officials have manifested dislike and hostility toward us.

The PRESIDING OFFICER (Mr. HOLLAND). Is there further morning business?

Mr. HATFIELD. 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.

Is there further morning business?

Mr. BYRD of West Virginia. Yes, Mr. President, there is further morning business.

REPORT OF INVESTIGATION OF  
CHINESE CREWMEN BILLS

Mr. STENNIS. Mr. President, I ask unanimous consent that my time in the morning hour be extended to 7 minutes, for the purpose of briefly discussing a report.

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

Mr. STENNIS. This concerns a report on the investigation by the Standards and Conduct Committee on the Chinese crewmen bills.

Mr. President, on September 26, 1969, the Senate was informed of allegations that had been published by some newspapers of improprieties surrounding the introduction of private immigration bills in the Senate during the 90th and 91st Congresses for the relief of Chinese crewmen. As chairman of the Select Committee on Standards and Conduct, I responded at that time that the com-

mittee had been looking at these allegations and would continue its investigation.

Mr. President, at this point I read briefly from the report that I am filing, to show what was done about this matter within a matter of days. Our report contains this paragraph:

Little more need be said about the physical introduction of bills in the Senate either, as the Committee's earlier recommendation that prudent practice requires the signature and the presence of a sponsoring Senator for the introduction of a bill has been implemented by the Senate. The Committee considers that Rule VII of the Standing Rules of the Senate remains adequate as authority for the better practice.

When we reported back and called attention to the introduction of bills without the participation of a Senator, the leadership responded immediately by invoking the practice that for future bills to be introduced, they had to have the actual signature and the presence of a sponsoring Senator. That was our committee's recommendation. It was the recommendation of the leadership of the Senate, and it was adopted, and that has been the practice. I mention that now only by way of review.

The committee completed its investigation recently, and I now take this time to file on behalf of the committee our report of that investigation. Without intending to substitute my words for those of the report, which speaks for itself, I believe that I can safely summarize the highlights by saying that we found no evidence of any misconduct by any Senator or any Senate employee, nor did we believe from the information we obtained that there was any reason for further proceedings.

The investigation encompassed a great many bills introduced by a relatively large number of Senators. This involved checking into, to some extent, more than 600 bills. Should any Senator feel the need for a statement specifically relating to him from the committee, the chairman has been authorized by the committee to provide such a statement.

That was a matter that was expressly passed on by the committee, and it was decided that, with so many of these bills involving so many authorships, it would not be practicable to try to go into a discussion of all these matters, but that at the same time, if any Senator wanted a statement from the committee concerning himself, the chairman was authorized to provide such a statement.

The report was approved by five of the members of our committee, the Senator from Kentucky (Mr. COOPER) not having completed his consideration of the record and the report at this time. He has authorized me to state that he has not found any reason to disagree with the record and the report of the investigation so far but simply has not had sufficient time because of the pressure of Senate debate on another matter.

Of course, it is very obvious what that other matter is; it is the Cooper-Church amendment which has occupied the time and devoted attention of the Senator from Kentucky. He is going over this matter very carefully, as he always does;

and, as I say, I am authorized to make that statement for him.

So, Mr. President, we now file with the Senate this report, which I believe is the usual procedure. The report is signed by the chairman and also by the Senator from Minnesota (Mr. McCARTHY); the Senator from Georgia (Mr. TALMADGE); the vice chairman, the Senator from Utah (Mr. BENNETT); and the Senator from Idaho (Mr. JORDAN).

I file the report with the Senate and ask that it be printed, the number to be taken care of by those at the desk.

Mr. President, that completes the report.

#### FREEDOM FOR WAR PRISONERS MUST HAVE TOP PRIORITY

Mr. HATFIELD. Mr. President, several efforts are being made in the Senate to link the fate of American prisoners of war to amendments being offered to the Foreign Military Sales Act. I commend these efforts to the very careful consideration of all Senators.

We should not accept any proposal limiting American action in Southeast Asia that does not at the same time include guarantees for those Americans who are being held by the North Vietnamese. To do otherwise would be, in my estimation, a signal that the American people, speaking through the Senate, are willing to abandon these men to the savage hostility of the North Vietnamese Communist regime.

And I do not believe the American people are willing to say to the world that they are no longer interested in the fate of these men, whether they be five or 500 or 1,500. It is not the practice of Americans to shrug their shoulders and turn their backs on fellow citizens.

No settlement of the problems of Southeast Asia can be acceptable unless that settlement includes freedom for these men. No negotiations by the Communists can be considered as being in good faith unless those negotiations include the fate of these prisoners.

It is the responsibility of the U.S. Government to press for a satisfactory solution to the problem. To date the administration has undertaken this effort with diligence and has moved firmly and directly toward a resolution of this unfortunate situation.

We know that the issue has been raised repeatedly at the Paris negotiations. We also know that the North Vietnamese diplomats there have repeatedly refused even to discuss the issue, acting almost as though it did not exist.

We know that American diplomats elsewhere in the world, wherever they have had contact with the Communists, have raised the issue and tried to enlist the good offices of other Communist powers to alleviate the situation. We know that these efforts have failed.

The failure is not due to lack of trying on the part of the United States and its diplomatic representatives. Far from it. The failure is due solely to the fact the North Vietnamese and the Vietcong have steadfastly taken this adamant position.

The administration is making a very

strong and very persistent effort to bring about fruitful negotiations with the Communists.

It is therefore of great urgency that the U.S. Senate not in any way give the appearance that we are abandoning these Americans to the continued mistreatment and degradation they have suffered at the hands of their captors.

I urge most strongly that the Senate carefully examine this problem and that every Senator place this matter uppermost in his thoughts when considering action on the present amendments to the bill.

We must bring to the Communists the full realization of the importance of this matter and emphasize to them how deeply the American people are committed to the safe return of this small, brave band of Americans.

It is the responsibility of the executive branch to continue by whatever means possible to win their release. It is our responsibility as Members of the Senate to support this effort and to back it to the fullest possible extent.

These responsibilities are not to the 1,500 men and their families alone. We owe this to the entire Nation and we must recognize that this responsibility has been placed upon us by history.

#### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 895 and the succeeding measures in sequence, with the exception of Calendar No. 899.

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

#### PURCHASE OF ADDITIONAL SYSTEMS AND EQUIPMENT FOR PASSENGER MOTOR VEHICLES OVER AND ABOVE THE STATUTORY PRICE LIMITATIONS

The bill (S. 2763) to allow the purchase of additional systems and equipment over and above the statutory price limitation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2763

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (c) of section 5 of the Act of July 16, 1914, as amended (31 U.S.C. 638a), is hereby amended to read as follows:*

"(1) to purchase any passenger motor vehicle (exclusive of buses and ambulances), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such amount as may be specified in an appropriation or other Act, which shall be in addition to the amount required for transportation. A passenger motor vehicle shall be deemed completely equipped for operation if it includes the systems and equipment which the Administrator of Gen-

eral Services finds are customarily incorporated into a standard passenger motor vehicle completely equipped for ordinary operation. Notwithstanding any other provisions of law, additional systems or equipment may be purchased whenever the Administrator finds it appropriate. The price of such additional systems or equipment shall not be considered in determining whether the cost of a passenger motor vehicle is within any maximum price otherwise established by law."

The title was amended, so as to read: "A bill to allow the purchase of additional systems and equipment for passenger motor vehicles over and above the statutory price limitation."

**ADDITIONAL APPROPRIATIONS FOR PROSECUTION OF PROJECTS IN CERTAIN COMPREHENSIVE RIVER BASIN PLANS FOR FLOOD CONTROL, NAVIGATION, AND SO FORTH**

The Senate proceeded to consider the bill (H.R. 15166) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes which had been reported from the Committee on Public Works with amendments on page 2, in the material after line 2, strike out:

Central and Southern Florida . . . June 30, 1948, \$20,000,000.

In line 4, after the word "exceed", strike out "\$830,000,000" and insert "\$810,000,000"; after line 4, insert a new section, as follows:

Sec. 2. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$25,000,000 for the prosecution of the central and southern Florida comprehensive plan for flood control and other purposes approved in the Flood Control Act of 1948, and subsequent Acts of Congress: *Provided*, That not to exceed \$5,000,000 of this authorization shall be available solely for the accelerated construction of borrow canal L-70, canal C-308, canal C-119W, and pumping station S. 326, together with such other works in the plan of improvement as the Director of the National Park Service and the Chief of Engineers agree are necessary to meet the water requirements of the Everglades National Park: *Provided further*, That as soon as practicable and in any event upon completion of the works specified in the preceding proviso, delivery of water from the central and southern Florida project to the Everglades National Park shall be not less than 315,000 acre-feet annually, prorated according to the monthly schedule set forth in the National Park Service letter of October 20, 1967, to the Office of the Chief of Engineers, or 16.5 per centum of total deliveries from the project for all purposes including the park, whichever is less.

On page 3, at the beginning of line 7, change the section number from "2" to "3"; at the beginning of line 12, change the section number from "3" to "4"; at the beginning of line 22, change the section number from "4" to "5"; on page 5, line 18; after the word "subsection", strike out "not taken from the license by such Commission for pumping of water, for pumping, collecting, and treating sewage, and for purposes associated with the Delaware Water Gap National Recreation Area on an equi-

table basis among such other preference customers" and insert "on an equitable basis among such preference customers"; on page 7, after line 2, strike out:

Sec. 5. This Act may be cited as the "River Basin Monetary Authorization Act of 1969".

After line 4, insert a new section, as follows:

SEC. 6. That the Act entitled "An Act to provide for municipal use of storage water in Benbrook Dam, Texas", approved July 24, 1956 (70 Stat. 632), is amended by inserting immediately after "Fort Worth" the following: ", and with the Benbrook Water and Sewer Authority."

After line 9, insert a new section, as follows:

Sec. 7. That the project for Libby Dam, Kootenai River, Montana, is hereby modified to provide that funds available for such project, in an amount not to exceed \$750,000, may be used in participation with the State of Montana in the construction, operation, and maintenance of fish hatchery facilities, and the performance of related services, by the State for mitigation of fish losses occasioned by the project, in a manner deemed appropriate by the Secretary of the Army, acting through the Chief of Engineers.

After line 18, insert a new section, as follows:

Sec. 8. That subsection (c) of the first section of the Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa," approved March 18, 1938 (52 Stat. 110), as amended, is amended by striking out "1970" and inserting in lieu thereof "1972".

On page 8, after line 2, insert a new section, as follows:

Sec. 9. That section 15 of the Act entitled "An Act creating the Muscatine Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois", approved July 26, 1956 (70 Stat. 669; Public Law 811. Eighty-fourth Congress), as amended, is amended (1) by striking out "three years" and inserting in lieu thereof "six years", and (2) by striking out "five years" and inserting in lieu thereof "eight years".

After line 13, insert a new section, as follows:

Sec. 10. (a) That the project for Denison Dam (Lake Texoma), Red River, Texas and Oklahoma, authorized by the Flood Control Act of 1938 (52 Stat. 1215), as amended, is hereby modified to provide that the city of Sherman, Texas, is authorized to construct a barrier dam across the Big Mineral Arm of Lake Texoma so as to create a subimpoundment of not to exceed ninety-five thousand acre-feet, for the purpose of providing a municipal and industrial water supply in an amount not to exceed fifty-two thousand acre-feet annually. The city of Sherman shall reimburse the United States the costs, as determined by the Secretary of the Army, acting through the Chief of Engineers, allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, in accordance with the provisions of the Water Supply Act of 1958, as amended (43 U.S.C. 390 (b)-(f)), including

the loss in power revenues attributable to the subimpoundment.

(b) The location and plans for the barrier dam shall be submitted to the Chief of Engineers and the Secretary of the Army for approval prior to construction in accordance with section 9 of the Act of March 3, 1899 (33 U.S.C. 401).

(c) Prior to construction of the barrier dam, the city of Sherman shall agree in writing to (1) provide satisfactory means for the transferral of small pleasure craft to and from the subimpoundment and Lake Texoma; (2) obtain any necessary State water rights required for use of the stored waters; (3) hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment; (4) operate and maintain the barrier dam and subimpoundment in accordance with regulations issued by the Secretary of the Army; and (5) pay the costs of any alterations or relocations of Federal facilities necessitated by the subimpoundment.

And, at the top of page 10, insert a new section, as follows:

Sec. 11. This Act may be cited as the "River Basin Monetary Authorization and Miscellaneous Civil Works Amendments Act of 1970".

The amendments were agreed to. The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

**COMMITTEE ON INTERIOR AND INSULAR AFFAIRS**

The resolution (S. Res. 408) authorizing additional expenditures by the Committee on Interior and Insular Affairs was considered and agreed to, as follows:

*Resolved*, That the Committee on Interior and Insular Affairs is hereby authorized to expend, from the contingent fund of the Senate, \$20,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 309, Ninety-first Congress, agreed to February 16, 1970.

**LIBRARY OF CONGRESS**

The bill (H.R. 11628) to transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress was considered, ordered to a third reading, read the third time, and passed.

**MARY McLEOD BETHUNE MEMORIAL**

The joint resolution (H.J. Res. 1069) extending for 4 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune was considered, ordered to a third reading, read the third time, and passed.

**FEDERAL AND STATE STUDENT AID PROGRAMS**

The concurrent resolution (S. Con. Res. 61) authorizing the printing of the compilation entitled "Federal and State Student Aid Programs" as a Senate document was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That the compilation entitled "Federal and State Student Aid Programs", prepared by the Library of Congress for the Senate Committee on Labor and Public Welfare be printed as a Senate document; and that there be printed sixty-two thousand two hundred additional copies of such document, of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives, ten thousand three hundred copies shall be for the use of the Senate, four thousand copies shall be for the use of the Senate Committee on Labor and Public Welfare, and four thousand copies shall be for the use of the House Committee on Education and Labor.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and the House of Representatives for a period of sixty days, after which the unused balances shall revert to the respective Senate and House document rooms.

#### NATIONAL FOREST RESERVATION COMMISSION ANNUAL REPORT

The resolution (S. Res. 402) to print the annual report of National Forest Reservation Commission as a Senate document was considered and agreed to, as follows:

S. RES. 402

*Resolved,* That the annual report of National Forest Reservation Commission for the fiscal year ended June 30, 1969, be printed with an illustration as a Senate document.

#### SENATE HEARINGS ON SPACE PROGRAM BENEFITS

The concurrent resolution (S. Con. Res. 66) authorizing the printing of additional copies of Senate hearings on space program benefits was considered and agreed to, as follows:

S. CON. RES. 66

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Aeronautical and Space Sciences Committee six thousand additional copies of its hearings held during the Ninety-first Congress, second session, on space program benefits.

#### TRIBUTES TO CHIEF JUSTICE EARL WARREN

The concurrent resolution (H. Con. Res. 537) providing for the printing as a House document the tributes to the Members of Congress to the service of Chief Justice Earl Warren was considered and agreed to.

#### REPORT OF SPECIAL STUDY MISSION TO SOUTHERN AFRICA

The concurrent resolution (H. Con. Res. 520) authorizing the printing of an additional one thousand copies of House Report 91-610, 91st Congress, first session, entitled "Report of Special Study Mission to Southern Africa" for the use of the Committee on Foreign Affairs of the House of Representatives was considered and agreed to.

#### COMPILATION OF WORKS OF ART AND OTHER OBJECTS IN THE U.S. CAPITOL

The concurrent resolution (H. Con. Res. 578) authorizing the reprinting of

a "Compilation of Works of Art and Other Objects in the United States Capitol," as a House document, and for other purposes was considered and agreed to.

#### A HISTORY OF THE COMMITTEE ON AGRICULTURE

The concurrent resolution (H. Con. Res. 584) relative to printing as a House document a history of the Committee on Agriculture was considered and agreed to.

#### COMMITTEE ON VETERANS' AFFAIRS

The concurrent resolution (H. Con. Res. 585) authorizing certain printing for the Committee on Veterans' Affairs was considered and agreed to.

#### BIOGRAPHICAL DIRECTORY OF THE AMERICAN CONGRESS—1774-1970

The concurrent resolution (S. Con. Res. 70) authorizing the printing of a revised edition of the Biographical Directory of the American Congress—1774-1970—was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there shall be compiled and printed, with illustrations, as a Senate document, in such style and form as may be directed by the Joint Committee on Printing, a revised edition of the Biographical Directory of the American Congress up to and including the Ninety-first Congress (1774-1970); and that six thousand four hundred and thirty-five additional copies shall be printed, of which one thousand five hundred and forty-five copies shall be for the use of the Senate, four thousand three hundred and ninety copies for the use of the House of Representatives, and five hundred copies for the use of the Joint Committee on Printing.

#### HELEN K. CHRONSTROM

The resolution (S. Res. 414) to pay a gratuity to Helen K. Chronstrom was considered and agreed to, as follows:

S. RES. 414

*Resolved,* That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Helen K. Chronstrom, widow of Clifford C. Chronstrom, an employee of the Senate at the time of his death, a sum equal to seven and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDING OFFICER. The Chair is advised that Calendar Nos. 911 and 912 cannot be considered because the amendments are not at the desk. This concludes the consideration of measures on the calendar.

#### THE ESCALATION OF RHETORIC

Mr. TOWER. Mr. President, last Friday, the Vice President delivered a speech in Houston, Tex., relating to the escalation of rhetoric. It was a very interesting speech, in which he indicated that he is willing to "cool it" any time certain members of the mass media are willing to do the same. He quoted many statements

made by the members of the press that themselves were somewhat brash.

I invite the attention of Members of the Senate to this speech, and I ask unanimous consent that it be printed at this point in the RECORD.

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

ADDRESS BY THE VICE PRESIDENT AT TEXAS  
REPUBLICAN FUND RAISER

Lately, you have been exposed to a great deal of public comment about Vice Presidential rhetoric and how I should "cool it." The President is getting this advice daily from many quarters . . . some of them inside the government. But mostly it has come from persons who have been in the target area of some of my speeches. Nowhere is the complaint louder than in the columns and editorials of the liberal news media of this country, those really illiberal, self-appointed guardians of our destiny who would like to run the country without ever submitting to the elective process as we in public office must do.

The President has refused to curb my statements on behalf of this administration's policies, or to tell me what words to use or what tone to take in my speeches. And on my part, I have refused to "cool it"—to use the vernacular—until those self-righteous lower their voices a few decibels. This, I am sure, they are unwilling to do, and there is too much at stake in the nation for us to leave the entire field of public commentary to them.

I can assure you that some of these pundits make my rhetoric seem tame. Here are a few recent, random samples I have collected to share with you tonight. These are the people who never tire of telling a President how he should run the nation's affairs. I hope you will overlook the slightly hysterical tone of some of their comments. They are overwrought because their advice is not heeded by the President with any degree of regularity.

The *Washington Post*, which constantly urges us to lower our voices, said after the President's detailed address to the nation on his decision to clean out the enemy sanctuaries in Cambodia:

"There is something so erratic and irrational, not to say incomprehensible, about all this that you have to assume there is more to it than he is telling us."

The *Post* may as well have come right out and said that it thought the President had lost his sanity. Words like "erratic, irrational, incomprehensible" are not ordinarily used to describe a carefully studied military decision by the nation's Commander-in-Chief.

And when the President referred to some college-based criminals as bums—these were people who had burned up a professor's life work—the *Post* was beside itself. It fulminated as follows:

"A gratuitous clop . . . a page from Vice President Agnew's copybook . . . campus unrest is simply being fanned and exploited by the administration . . . Hate the dissidents, excoriate the 'bums,' see if you can match Mr. Agnew in hurling names at them."

That was the hysterical view from the *Post's* Ivory Tower where that master of sick invective, Herblock also works. He reached a new low with a cartoon showing a National Guardsman in the aftermath of the Kent State tragedy with a box of live ammunition—each bullet bearing a phrase from my speeches. Except one. That bullet was labeled "college bums" in honor of the President.

And they ask us to cool the rhetoric and lower our voices.

Meanwhile, at the other end of the Washington-New York axis, the *New York Times* was thoughtfully contemplating events.

A "military hallucination," it called the President's decision and it sternly warned one and all: "If the President does not promptly pull back from this dangerous adventure, Congress will have to assert its constitutional powers of restraint."

The *Times* columnists were less restrained. Anthony Lewis, writing from London, said: "The President of the United States, in a maudlin personalization and simplification of complex political issues, makes war a test of his own and the nation's manhood . . . By this action President Nixon has calculatedly chosen to widen the division among the American people, to inflame instead of heal."

And Tom Wicker, the soft-spoken boy wonder of the opinion molders, said with disdain:

"Whatever his motives and his policy, Mr. Nixon relied heavily, in his appearances before the nation, on deception, demagoguery and chauvinism."

James Reston, the *Times*' premier columnist, writing from Washington on May 10, after the weekend of student demonstrations, saw fit to equate me with Jerry Rubin as an extremist. Mr. Reston did not bother to amplify on this comparison.

But so that the *Times* and its editors and columnists can be kept in proper perspective, I would like to quote to you a few comments that the incendiary Mr. Rubin made on the Kent State campus one month prior to the confrontation that brought the student deaths there. The *Akron Beacon Journal* reported that he told an audience of 1,500:

"Until you people are prepared to kill your parents you aren't ready for the revolution . . ."

"The American school system will be ended in two years. We are going to bring it down. Quit being students. Become criminals. We have to disrupt every institution and break every law . . ."

"Do you people want a diploma or to take this school over and use it for your own purposes? . . . It's quiet here now but things are going to start again."

To suggest that I am guilty of this type of incendiarism is in keeping with the irresponsibility that the *Times* manages to achieve on its editorial page. And it is appropriate that the slur be cast by Mr. Reston, who delights in calling other people demagogues.

Earlier, the *Times* had deplored what it called "the Administration's open exploitation of fear and discord" and had said "there is a disturbing appeal to the nation's lowest instincts in the present Administration's descent to gutter fighting."

And they ask us to cool the rhetoric and lower our voices!

While the President's move on behalf of our troops in Vietnam caused shivers at the *Washington Post* and *New York Times*, it brought apoplexy in some of the other misnamed bastions of liberalism in this country.

The *New Republic*, in a rare front-page editorial, said this week:

"Richard Nixon is going down in history, all right, but not soon enough . . ."

It used such terms as "transparently phony . . . fraud . . . mean contempt . . . driven . . . disorderly . . . secretive . . . dangerous" to describe the President's actions.

"How is this country to get through the next 2½ years without flying apart?" the magazine asked.

I. F. Stone's *Bi-Weekly*, another strident voice of illiberalism commented:

"The race is on between protest and disaster . . . The only hope is that the students can create such a Plague for Peace, swarming like locusts into the halls of Congress, that they stop all other business and make an end to the war the No. 1 concern it ought to be. The slogan of the striking students ought to be: Suspend Classes and Educate the Country."

During the frenzy following the Cambodian action, which news media invective helped fan instead of cool, it was not even safe to visit the South.

Some of you may recall that I substituted for the President in dedicating the massive new Stone Mountain Memorial to Generals Lee and Jackson and Jefferson Davis near Atlanta on May 9th.

The *Atlanta Constitution*, which doesn't care much for me anyway, decided I was unfit for the honor. They put it in stronger terms, saying it was "a shame and a disgrace" that I was making that address.

The editorial continued: "Honorable men ride that rocky ledge . . . Spiro Agnew has none of those redeeming qualities. He has the grace of a drill sergeant and the understanding of a 19th century prison camp warden."

Not even the *Arkansas Gazette*, which views me with varying degrees of horror from its position on the extreme left, has matched the rhetoric of that tribute. Or at least, I haven't seen it if it has. I only see those clippings from the *Gazette* that are forwarded to me by Senator Fulbright . . . And sometimes Martha Mitchell.

*Life's* expert on the Presidency—or I should say it's leading expert, Hugh Sidey—pictured the President as acting from "a kind of splendid and angry isolation in the Oval Office, a deliberate defiance of a large and growing number of Americans and their institutions."

Mr. Sidey was even less charitable about the Vice President.

"For weeks now," he said, "Agnew, more than Abbie Hoffman or William Kunstler, has dominated the headlines with a torrent of abuse that served mainly to call attention to all that is bad in our society—or what he takes to be bad . . . laying about with that big careless brush of his against the Administration's lengthening list of enemies."

Now I leave it to your judgment. Who is the real critic of America today? Who rails against our system and our institutions—suggesting we are a racist, imperialistic society? Is it *Life* magazine or the Vice President?

But for pure unbridled invective, you will have to look far to beat that of the excitable columnist, television commentator and former Ambassador to Finland, Carl T. Rowan. Mr. Rowan might once have used diplomatic language, but he long ago lost the art and his rhetoric is anything but cool.

In one recent column about me, he employed these phrases: "rose above his own laziness and ineptitude," "a dumb joke—a sort of aberration of history," "he has come to personify all the class conflict, the racial hostility, the cultural and generation gaps that have transformed this society into a tinderbox," "calculated maliciousness," "prefers to pander to the prejudices of the most ignorant and selfish elements in society."

And Mr. Rowan could not resist joining Herblock and others in suggesting that I had something to do with the deaths of the Kent State students.

Quote: "Incredibly, even as four Kent students lay in the morgue and others lay critically wounded in hospitals, the Vice President's trigger-happy tongue was still firing buckshot."

But the most vicious attempt to transfer the blame for the Kent State student deaths that I have read was in the illiberal *New York Post*, by columnist Pete Hamill. Listen to his irrational raving:

"When you call campus dissenters 'bums', as Nixon did the other day, you should not be surprised when they are shot through the head and the chest by National Guardsmen. Nixon is as responsible for the Kent State slaughter as he and the rest of his bloodless gang of corporation men were for the anti-integration violence in Lamar, and for the

pillage and murder that is taking place in the name of democracy in Cambodia . . . At Kent State, two boys and two girls were shot to death by men unleashed by a President's slovenly rhetoric. If that's the brave new America, to hell with it."

Or if you care for a distaff view from that same organ, here's Harriet Van Horne:

"The President's . . . TV presentation of this decision was, moreover, maudlin, crafty and stained by fulsome sentiments."

Ladies and gentlemen, you have heard a lot of wild, hot rhetoric tonight—none of it mine. This goes on daily in the editorial pages of some very large, very reputable newspapers in this country—not all of them in the East by a long shot. And it pours out of the television set and the radio in a daily torrent, assailing our ears so incessantly we no longer register shock at the irresponsibility and thoughtlessness behind the statements.

"But you are the Vice President," they say to me. "You should choose your language more carefully."

Nonsense. I have sworn I will uphold the Constitution against all enemies, foreign and domestic. Those who would tear our country apart or try to bring down its government are enemies, whether here or abroad, whether destroying libraries and classrooms on a college campus, or firing at American troops from a rice paddy in Southeast Asia.

I have an obligation to all of the people of the United States to call things as I see them, and I have an obligation to the President to support his actions in the best manner that I can. I choose my own words, and I set the tone of my speeches. As he said at his recent press conference, I am responsible for what I say. And I intend to be heard above the dim even if it means raising my voice.

Nothing would be more pleasing to some of the editors and columnists I have quoted tonight than to have me simply shut up and disappear.

Nothing would be more pleasing to those on the campus whose motives I have challenged. They are, for the most part, *not* the great body of students who are trying honestly to get an education. They are rather a small hard core of hell-raisers who want to overturn the system for the sake of chaos alone. They burn, pillage and destroy because they rebel against their lack of creativity. Although they are few in number, they have had a shattering impact. Unfortunately, they are encouraged by an equally small number of faculty members who apparently cannot compete legitimately within the system or do not choose to do so.

It is my honest opinion that this *hard* core of faculty and students should be identified and dismissed from the otherwise healthy body of the college community lest they, like a cancer, destroy it.

Peaceful dissent, yes. Violence, no!  
Reasonable debate, yes! Street rioting, no!

Orderly change, yes! Throw out the system, no!

Some others who would be just as pleased if I lapsed into a more traditional Vice Presidential silence are in the Congress—the isolationists in the Senate, who seek at every turn to thwart the President's efforts to conclude this country's involvement in Vietnam, in a manner which will prevent that part of the world from falling to Communist aggression. These Senators are well intentioned, and most of them have been on the Washington scene far longer than I, but I'm afraid this has narrowed their viewpoint. They should get out in the country. It would improve their vision and their sense of reality. Most Americans, I believe, fully realize that this country can never again withdraw to its shorelines and survive. That is the lesson of history that some have failed to

learn or have too soon forgotten. The President desperately needs a Republican Congress to replace these neo-isolationist views and remove the willful obstruction of his programs.

Finally a word about a third group that has received some attention in my speeches—the electronic news media. I have tried tonight to be *specific* in my criticism. I realize I have left out many who are in the business of second-guessing the President, and who should have been included. I hope we can get around to them later. But I also recognize there are many others in the news profession—a group upon whom the country has to depend for an *honest* report of what is going on in this world—and that they are attempting to live up to this responsibility, most of them successfully. I exclude them totally from the criticism I make here. And I compliment them for doing their jobs well under strong counter pressures, often within their own offices and among less responsible colleagues.

It does bother me, however, that the press—as a group—regards the First Amendment as its own private preserve. Every time I criticize what I consider to be excesses or faults in the news business, I am accused of repression, and the leaders of the various media professional groups wave the First Amendment as they denounce me. That happens to be *my* amendment too. It guarantees *my* free speech as much as it does their freedom of the press. So I hope that will be remembered the next time a "muzzle Agnew" campaign is launched. There is room for all of us—and for our divergent views—under the First Amendment.

#### VICE PRESIDENT AGNEW ADDRESSES INTERNATIONAL CANCER CONGRESS

Mr. TOWER. Mr. President, I would like to bring to the attention of the Senate an address delivered by Vice President AGNEW on May 24 at the International Cancer Congress recently held in Houston. I request that these remarks be printed in the RECORD.

The remarks of the Vice President emphasize the need for international cooperation in the crusade to find a cure for cancer. The International Union Against Cancer, representing some 70 nations, is an example of such cooperation. It is imperative that all the nations of the world make known the findings of their research in this and other areas which affect all the people of the world.

In the United States, we must continue to increase our efforts to find a cure for cancer, heart disease, and other chronic diseases which afflict the people of the United States and the world. As the Vice President indicates, this is an area in which the Government has an important part to contribute, but in which the private sector must also participate to the greatest degree possible. President Nixon has said that the role of the Federal Government should be supportive, never dominating. The Nixon administration is acting in this direction to encourage private efforts to improve the system for health care delivery, which has an important effect upon our ability to apply practically what we have learned in the research laboratories. The 1971 budget for biomedical research will be higher than it has ever been before despite the fact that in this period of our economy unlimited sums of money are simply not available.

I want to commend the Vice President for his remarks on this subject. He makes a valuable contribution toward a broader understanding of the problem of finding a cure for cancer, and solving some of the other problems which affect all the nations of the world.

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

#### ADDRESS BY THE VICE PRESIDENT, INTERNATIONAL CANCER CONGRESS

Mr. Chairman, Distinguished Members, and Guests:

On behalf of the President, I bid our eminent visitors welcome to the United States of America and extend sincere wishes for a productive and successful congress. We recognize and deeply value the honor you do us by holding this meeting in our country.

You gather here from all parts of the world, joined in a common cause to free man of one of the grim threats to his existence. You represent diverse social and political ways of life and yet you have succeeded in working together, in reasoning together, in exchanging information freely, and in recognizing and enunciating common goals. Your success is vital to all of us, not only because of the improvement in the human condition that the eradication of cancer would achieve, but also because of the example you set.

If we can succeed in working together for the elimination of cancer, why can we not succeed in other areas of human endeavor—in our striving for world peace, in our desire to reverse the insidious course which befalls our environment in our desire to free men to develop to their ultimate capacities with dignity?

Today, we are told that the promising results of research indicate that viruses play an important role in the development of cancer. However, we also are discovering that other factors act as stimuli to activate the conditions induced by viruses. Moreover, it is quite likely that these stimuli are to be found in our environment. Thus, the causal factors of cancer may reside to a significant degree in the surroundings in which we live. The problem of identifying the damaging elements in our environment and of mitigating their effects is one of the critical challenges of our era. We are threatened with the destruction of much that we have created, if we remain ignorant of, or oblivious to, environmental hazards, which appear to be growing with extraordinary rapidity. As in all human endeavors, we need balance.

In this case, we need to reconcile the indirect dangers of a rapidly developing technology with the requirements of modern society. We need to perfect the mechanisms by which national and international policies are formulated. To achieve that difficult end, this country is now strongly committed to advancing the quality of life at home and to cooperating with other countries to solve environmental problems of an international nature. Each of our nations is confronted by enormous problems, and our mutual efforts to solve them cooperatively are in their infancy. The difficulty cannot be over-estimated, since we are only beginning to learn how to deal with these challenges at the national level. But we recognize the need and the moral obligation of all countries to share their experience and knowledge so that people everywhere can benefit.

As one country learns to cope more successfully with a particular problem, and another country achieves the same progress in relation to a different problem, these capacities must be made known for the benefit of all. In essence, this is a problem of the transfer of technology from one society to another. It involves the transfer of technology from countries with highly developed

skills in certain areas to countries with less developed skills. These exchanges have begun, but must be accelerated by a sense of urgency, a sense of commitment, and greater imagination in creating new mechanisms and new institutions to deal with our new problems. One important example of such a new common effort to deal with environmental degradation is the President's initiative within NATO. This initiative, like his renunciation of biological warfare as an offensive weapon, is a clear example of his sincere desire to cope with the practicalities of inherent environmental dangers.

At the occasion of the twentieth anniversary of NATO last April he said: "The industrial nations share no challenge more urgent than that of bringing 20th century man and his environment to terms with one another—of making the world fit for man, and helping man learn how to remain in harmony with his rapidly changing world."

At that time he proposed the establishment of the Committee on the Challenges of Modern Society, COMS, to focus experience in technological transfer and high-level political consultation, which has characterized NATO over the last decade, on the common and widespread problems of pollution and social blight.

The preservation of our environment and the maintenance of the quality of life has become one of the vital issues of this generation. The health benefits of clean air and clean water and of a society free of the danger inchoate in a rapidly developing technology are goals which all free nations share in common. These problems, like cancer, respect no boundary and require the highest attention on the part of the leaders of all governments.

The CCMS has embarked upon an innovative approach to assist international technological transfer in the environmental field. It has utilized the concept of "pilot projects," headed by countries which are most advanced in specific fields. These "pilot projects" place the responsibility upon such countries to devise methods by which their advances can be transferred and made useful in other countries. Right now the CCMS is working on the problems of air and water pollution, road safety, regional planning, sea pollution, human motivation, and disaster relief. The goal in each of these fields is concrete action to upgrade the capability of all countries to deal with these threats to our common environment.

I believe that it is imperative that we seek more diligently for new methods to improve the transfer of knowledge and technology. The organization under whose auspices this congress is being held, the International Union Against Cancer, represents some seventy nations of the world, and is a successful example of such efforts. The International Agency for Cancer, which includes countries from east and west, and which has initiated world-wide studies of the factors in our environment which relate to human cancer, is another example. Such efforts deserve continuing and expanded support from every direction.

There is also a need to share advances in the organization and management of health services. Quite obviously, the world's population is served best when the results of basic research can be applied most quickly to patient care or programs of preventive medicine.

I am told that in my country, under conditions as they exist today, we cure approximately one out of every three cancer patients. I am told too that if our current approaches to the delivery of medical care were improved, it might be possible to increase the cure rate to one out of every two patients with cancer. To achieve this, individuals must have greater access to physicians, physicians must be better trained to recognize cancer in its early stages, and highly sophisticated care centers

must be available to patients once the disease is recognized. There is much that we need to do to achieve this goal; but even if we did achieve it, it would still be only a partial solution.

Observers of existing techniques in medical care find that it is expensive, poorly distributed, and in need of resourceful innovation and systematic improvement. There is no doubt in my mind that a country with the organizational and developmental capacity to send a man to the moon can also apply managerial and design technology to improve its systems for the delivery of medical care. I find, however, a tendency in my country to look mainly to the government to solve this problem. In some of the countries represented here today, the central government has assumed complete responsibility for the provision of medical care, and I am sure that as we Americans turn to improvement of our own system we will benefit by an examination of their experience. However, I feel that a totally governmental response is not in our national character. The improvement of medical care is a problem in which the private and public sectors must join together, with the Federal government acting primarily as a catalyst, to accelerate significant change. The President and his Secretary of Health, Education and Welfare are meeting this challenge. They have proposed new legislation to modify Federal support for health care in such a way as to encourage private efforts to improve systems for the delivery of care. We have created a National Center for Research and Development in the Delivery of Health Care to explore the path before us. There are those who believe that the simple solution of allocating additional funds will alleviate many of the difficulties. I doubt this. We are spending \$12.3 billion a year in Medicare and Medicaid programs alone. Ironically, some economists now claim that this investment is aggravating the medical care problem by increasing the disparity between supply and demand. Money alone is not an answer and unfortunately, in this period of our nation's economy, unlimited sums of money are not available for all the social causes crying out for support. I believe, however, that we could make significantly better use of the Federal funds now allocated for the delivery of medical care. For solutions to this problem, I am hopeful that the medical profession, our institutions of learning, and government will follow the example set by the organization meeting here today. We must and can join in common cause to see to it that our knowledge and skills reach all patients unimpeded by deficiencies in medical care delivery systems.

As I have noted, even if we improved our system for the delivery of medical care, in the field of cancer it would only bring us halfway toward our goal. It will be primarily from biomedical research that we can glean the information needed to take us the full distance. President Nixon has indicated his full understanding of the value of basic research to our national life. He believes that research is "an investment in the future." He has pointed out that today's basic research leads to tomorrow's treatment and prevention of disease, and that such treatment or prevention not only relieves human misery but also saves billions of dollars which can then be reinvested in improvements in the delivery system. Despite the economic stringency of our time, we will nevertheless make every effort to continue the important work which men like you are doing. Our proposed Federal investment in health research in 1971 will be higher than it ever has been. We recognize that even more money could be utilized for increased support, not just for the study of cancer, but for the broad spectrum of research as well, since no one can really predict the particular field of study that will give rise to tomorrow's treatment of a specific disease.

As soon as our economy permits it, we hope to provide even greater support.

I have been talking about tangible contributions made to the nation and to the world by research. I would like to add an intangible one. I call it "the contagiousness of excellence." As a former student of chemistry, I believe I can claim some insight into the standards and philosophy of scientific research. It allows for no false values, no hypocrisy, no cant. An observation is valid or not valid; supported by evidence, or unsupported. A theory either stands the test of further research or falls. The hallmark of research is a quality of thought, a quality of effort which, if spread to other areas of our daily lives, would have a most salutary effect. In times of political and economic difficulty, long-term values are often displaced by short-term ones. We cannot afford to lose the excitement of excellence which permeates the best examples of biomedical research.

I find another virtue in the pursuit of science, namely, as a channel into which the youth of a nation can pour its impressive drive to create a better world. Although I in no way challenge their right and indeed their obligation to make their voices heard responsibly in the corridors of political power, I would draw their attention to the challenges of the laboratories of science as well. I urge more young men and women to join in the difficult but challenging course of action, exemplified by the activities of every individual at this meeting. The solution to the problem of cancer will take diligent research, long-term investment of time and energy, an optimistic faith that the problem can be solved, and a dedication to the improvement of human life. Is this not what our youth are demanding, and is this not a proper battle for them to join? Like most adults and young people, I am a fervent supporter of your goals, your values, and your methods. It is my wish that working together we can all contribute to the alleviation of man's suffering.

I propose that the nations of this world, plagued by many ills—some of our own making, some born of nature—that these nations, which occupy only a very small portion of the universe, declare the next ten years to be the Decade Against Disease. Let us join in any manner open to us—by increasing the exchanging of information, by joining in cooperative research projects, by avoiding unnecessary duplication of unusual and expensive facilities, by examining the health hazards in our environment, by committing funds when we can, and most important, by rising above narrow self-interest—let us join together in a determined venture to make life and health one birthright of all children born from this day on regardless of nationality, race or religious beliefs.

Thank you for allowing me one opportunity to share the spirit of this congress with you.

#### AMERICANISM ESSAY CONTEST

Mr. TOWER, Mr. President, again this year the Rotary Club in my hometown of Wichita Falls, Tex., conducted its annual Americanism Essay Contest among the graduating seniors at the four Wichita Falls high schools.

It gives me great pleasure to ask unanimous consent that the four winning essays be printed in the RECORD.

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

##### WHAT AMERICA MEANS TO ME

(By Glenn Beck, Hirschi High School)

The headlines read "Americans Charged for My Lal Massacre", "U.S. Troops Called to Halt Riots", "Students March on White

House", "Cost of Living Rises Again". In this country, there is much dissent and disorderly conduct. People are revolting against age-old traditions and old-age politicians. If an individual is not a right-winged conservative, he is a "left-winged, radical, communistic, long-haired hippie." If he is not a left-winged liberal, he is a "right-winged, hypocritical, narrow-minded John Birchler." And if the person is neither right nor left-winged, he is undoubtedly a member of the "silent majority" of Birchers, or Wallacites, or Marxists. Everyone whole-heartedly backs the Presidential nominee . . . until he is elected.

Some say that this is bad for America and its appearance in the eyes of the world. In this aspect these people are correct; this kind of publication is bad for America's image. But one must consider another page of the newspaper and another item on the 6:00 o'clock newscast. A different side of America must be studied, the side of tradition and democracy—the true America. In these obscure and often unnoticed articles, one reads of a Vietnamese war orphan being adopted by a family or sponsored through a group effort. Also found are reports of charities, medical research foundations, philanthropists, kid baseball, public parks, schools, and libraries, relief for the poor, aid to foreign countries, and the Peace Corps.

Yes, it is true that many go hungry as billions of dollars are spent on arms and moon flights. And yes, it is true that there is much graft and dishonesty in our government. But even with her many faults and shortcomings, the United States is the only country who admits their wrongs and attempts to correct them. These two faces of America, the unorthodox but unviolated few and the peace loving, charitable many, illustrate the fundamental ideology that created the United States. This idea was set forth in the Bill of Rights in 1787, that all men are equal, yet individuals, and America has a place for everyone's idea of right and wrong. It is this principle that makes America the hope for world democracy and the inspiration for free men everywhere.

##### WHAT AMERICA MEANS TO ME (By Mary Lou Dawson, Notre Dame High School)

"We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men. . ."

The above quotation taken from the Declaration of Independence establishes the reason that the United States of America was formed and the purpose for which it continues to exist. This principle, guaranteeing basic human rights, is constantly being challenged in today's world. For it to continue to exist, it must be defended. This is what America means.

The United States is not Utopia. Its citizens are not freely and equally granted all rights and privileges which they could desire. The United States does fight wars and harbour racial injustices, but there exist people both inside the organized government and outside it who are working to correct this. The United States contains poverty and hunger alongside pollution and waste. Yet diverse organizations and individuals are trying to eliminate such curses. The United States has crime in the streets and injustices in the courts. Still there are streets, and there are courts and there are citizens laboring to establish safety and justice for everyone.

America is not a finished product. Its people must not sit back and say that the work is done, now it can be enjoyed. Instead it is a growing land where each citizen either

contributes to or detracts from the general well-being each time he exercises or ignores a freedom now possessed.

The United States is the sum of freedoms and responsibilities which balance and insure each other. It is the success of every attempt made to meet such responsibilities and the failure of every refusal to try. This is America.

#### WHAT AMERICA MEANS TO ME

(By Nancy Nelson, S. H. Rider High School)

Because of the sense of individualism, pride, and security which America has to offer, it has become very meaningful and of great importance to me. One of the reasons America has come to mean so much to me is the sense of individualism which is felt by each and every American. This individualism stems mainly from the fact that there are no laws in America which say a person must have certain ideas or goals, but instead each person may work to achieve his own particular goals and may have the right to voice his own opinion. Americans are given the freedom to act and think on their own in order to benefit themselves or someone else. These personal liberties may be carried on just as long as they do not interfere with the freedom of others. The individualism felt by each person is a very important part of America and the American heritage. Therefore it is strongly protected and shielded from those who might abuse it in any way.

In addition to individualism, a strong sense of pride has made America so meaningful to me. When I consider the strength and determination of our forefathers who first settled America, the ability and strong will of the men who framed the Constitution and the Declaration of Independence, and the courage and devotion of the men who fought to make America what it is, I realize how proud I am to be an American. No one who has ever recited the Pledge of Allegiance or sung the National Anthem can say they have not experienced a sense of patriotism and a strong feeling of pride in their country. Pride in a country is a thing of great value and is especially important in a nation which advocates freedom and democracy such as America. The pride which each American feels in his country is a thing to be cherished and something which will last for ages to come.

Although individualism and pride are of tremendous importance, the sense of security that comes with being an American is probably the most meaningful to me. Unlike communist nations, America offers to all of its citizens the right to live within their own means. The system of capitalism is used and allows for every American to live and work as he pleases. This provides a feeling of security for most people in that the distribution of wealth is not carried out solely by the government. Also Americans are secure in the fact that they are not governed by a dictator who has absolute power as in the Soviet Union. In our democracy people are free to give their personal views on the government and have a part in selecting the person they feel is best qualified to handle the affairs of the nation. Americans are not subject to propaganda concerning other nations and are constantly informed as to national and international problems. These are a few of the reasons for the sense of security felt by myself and millions of other people throughout America. The sense of individualism, pride, and security which America has offered has made me strongly aware of its great meaning and importance.

#### WHAT AMERICA MEANS TO ME

(By Lee Grace, Wichita Falls High School)

Opportunity, that is what America means to me. A chance to be whatever or whom-ever one wants to be, no matter what one's

race or color or creed. In America, whether born in a millionaire's mansion or pauper's slum, one can, through hard work, achieve success.

Our forefathers, when they sailed for the new world, were searching for this dream, a land of opportunity. Not afraid of hard work, men like Andrew Carnegie, George Washington Carver, Henry Ford, Edward Rickenbacker, and in our time H. Ross Perot became successes through the vast opportunities offered by America.

Courage, that is what America means to me. The courage of Americans past and present to stand up for what they believed whether they are in the majority or in the minority. The courage to speak out on wrong doings and injustices; the courage to allow others to speak even though they may disagree with the accepted view.

The courage to go for broke when the chips are down, to give it one more try, to overcome adversity, to come back from defeat, to go where no one else has dared, to seek what no man has ever sought; this kind of courage, this adventurous quality has made America, from the time of Washington to our present day astronaut, the new acknowledged world leader.

Home, that is what America means to me. My home, the land that I have grown to love over the past eighteen years. The land that has given me so much, yet I have returned so little. A land that I want to protect and at the same time strengthen so that it can always remain free. A land that leaves the heritage of great leaders who struggled and sacrificed that one day people could live in peace and harmony in this free land.

America, my home, has grown strong and free because of the courage that Americans have shown over the past two hundred years, and has become the land of opportunity where no man will be denied the chance to succeed in life.

#### HINDRANCE OF SCIENTIFIC PROGRESS

Mr. TOWER. Mr. President, in a recent address to the U.S. Chamber of Commerce, Presidential aide Daniel Moynihan commented upon the radicalization of American youth in the following terms:

They represent a fundamental threat not only to business but to science. They regard science as an instrument of repression.

A very sobering column by Joseph Alsop, published on May 27 in the Washington Post, seems designed almost to be a footnote to Mr. Moynihan's comments so well does it document this quote.

I shall ask that it be printed in the RECORD, and I do so with a very deep sense of foreboding that what this distinguished columnist reports is indeed happening among some young people. I have no way of knowing what percentage of young people may be influenced by the premise of the new left that science is evil and that scientists are somehow responsible for the state of the world. Such is the individual nature of thought that it is not easily polled.

There was some talk in the mid-1940's, just after development and use of the atomic bomb, that the scientists who so brilliantly unlocked the heart of the atom were the scourge of the intellectual world and responsible for the destruction which it was capable of. Most thinking people could see that the blame was misplaced and did not worry inordinately about this.

Now it appears that this premise may have taken root and we have heard not the last of it. Mr. Alsop's column warns of the practical effects which are now developing.

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

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

#### MIT'S LOSS OF FUNDS SHOWS NEW LEFT'S SHORTSIGHTEDNESS

(By Joseph Alsop)

With a lot of help from friends and followers, Professor Noam Chomsky now appears to have cost the Massachusetts Institute of Technology around \$5 million a year. It seems a high price to pay for a linguistic theorist, however brilliant.

The story is worth relating briefly, as a sort of object lesson in the egomaniacal silliness of the New Left in American politics. Just about a year ago, in brief, Professor Chomsky and his New Left allies among the students and faculty began a violent assault upon all defense-linked research at MIT.

The chief target was the Draper Laboratory, previously called the Instrumentation Laboratory, which provided the guidance brains to put Americans on the moon. The MIT administration, headed by President Howard Johnson, responded to the New Left assault with standard pusillanimity.

A stacked jury, known as the Pounds Panel, was hastily established, to sit in judgment on the great laboratory. Since the New Left students did not consider the jury-stacking had gone far enough, Professor Chomsky was subsequently added to the panel. The result, of course, was a star chamber proceeding.

It would be tedious to relate the details. It is enough to say that the recommendations of the star chamber proceeding, accepted by MIT, made it obviously impossible for the Instrumentation Laboratory to continue to do its job. This was, in fact, Professor Chomsky's avowed aim; he and his allies wished MIT to retain control of the laboratory, so that it could be permanently prevented from doing its job.

The Chomsky aim, however, was impractical from the outset. Professor Charles Stark Draper's leadership of his laboratory was too strong. There were also too many people, on the MIT Corporation especially, who thought it a mite unwise to destroy the laboratory that gave the moon-visitors the guidance brains for their rockets. So MIT has now been driven to relinquish control of the Draper Laboratory, by "divestment."

Divestment, in turn, will cause MIT to lose at least \$5 million a year; for this was the laboratory's former contribution, in the form of "overhead payments," to the university's general support. President Johnson, when he announced the divestment to a suddenly silenced faculty meeting, himself admitted the money loss would be very heavy, without naming the total.

The thought of the money loss, one suspects, was what left the MIT faculty meeting at an apparent loss for words. At any rate, President Johnson's announcement was not greeted by the howls of New Left protest that have recently been the commonest noises at such assemblages.

The foregoing cautionary tale is well worth pondering, because it makes two points of great importance. It reveals, first of all, the wishfulness, the lack of realism, the inability to see one move ahead, that characterize all the New Left's political ideas and deeds.

Even Professor Chomsky, after all, can hardly have wished his own university to suffer such a crippling financial setback. Yet by any test, he deserves more credit than anyone else for bringing the setback about.

What has now happened was the wholly predictable, indeed inevitable reaction to the actions of Chomsky and those who marched with him.

Nor is that the only point to ponder, either. It is not widely understood, as yet, how much the New Left goings-on in the universities are beginning to imperil the future of American higher education.

Berkeley, for instance, has been sinking deeper and deeper in the mire of New Leftism. Gov. Ronald Reagan has been rough with student protesters, but he has utterly failed to halt the processes now miscalled "politicization" and "radicalization." And any fool can foretell what the California legislature will eventually do, once Berkeley's "politicization" and "radicalization" begin to be understood by the voters.

Wherever the New Left has been active in the great private universities, too, fund-raising has either dropped off painfully, or has virtually ground to a halt. Yet in these times of rising costs, most private universities only survive by fund-raising. Stir in the rising attack on the private universities' tax-exempt status and you have a really nasty brew to worry about.

All this could have, and should have been foreseen. But "see no reality, speak no truth, and hear no facts" has always been the New Left motto.

#### POTENTIAL POWER SHORTAGE

Mr. TOWER. Mr. President, I would like to call the attention of the Senate to a recent article in the Congressional Quarterly describing the power crisis that we will face this summer and for the foreseeable future. This crisis will take the form not only of possible power shortages, but also of increasing thermal and air pollution and increasing ecological damage.

I would also like to bring to the attention of the Senate several resolutions which I recently introduced which would initiate Federal Government action on the preliminary analysis of new sources and methods of providing power to meet our constantly increasing power needs. There are three presently insufficiently explored concepts which are covered in my resolutions:

First. Tidal energy (S.J. Res. 185). This measure would provide authority for the Department of the Interior to investigate the possibility of the use of tidal movement and wave pressure to drive generators or fluid motors. The tidal movement concept has been practiced in various ways for several hundred years, but we are just now acquiring the technological competence to make really substantial use of this source of power which is nonconsumptive and pollution-free. These characteristics make this source of power extremely desirable for our use as soon as possible, hopefully within the decade of the 1980's. The research and pilot operations should be started now.

Second. Solar energy (S.J. Res. 184). This measure would provide similar authority for the Department of the Interior to investigate the possibility of using direct solar rays on a large enough scale to power steam-operated generators. While there are many problems to be solved in this method, the field is definitely worth investigating for its future potential.

Third. Offshore nuclear plants (S.J. Res. 195). This measure would also authorize the Department of Interior to investigate the possibility of moving the nuclear powerplants of the future offshore rather than placing them on coastlines and in estuaries as is now the practice. The major problem caused by nuclear plants is the result of its thermal discharge which heats enclosed or semi-enclosed bodies of water, thereby altering the ecology of the life in the water and inducing eutrophication. By placing these plants offshore in moving streams of water, the thermal content problem is eliminated because the quantity of heat involved is not at all comparable to the amount of solar heat being applied to the same waters. Moreover, the radiation into the atmosphere relieves any problems of "overheating" the oceans. The potential for this concept to relieve much of our thermal pollution problem should be investigated as soon as possible.

I ask unanimous consent that the article entitled "Electric Power," published in the May 1, 1970, Congressional Quarterly be printed at this point in the RECORD.

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

#### ELECTRIC POWER DEMANDS CLASH WITH ENVIRONMENT NEEDS

President Nixon, Members of Congress and Federal officials—all wanting to be on the right side of the environmental political issue—are finding themselves right in the middle of the national power dilemma of the 1970s.

Can Americans have all the electricity they want and still maintain a decent environment?

The power shortage facing the nation, much like the shortage of clean land, air and water, has suddenly in the 1970s become a crisis rather than simply a nagging problem.

In April, both the chairman of the Federal Power Commission, John N. Nassikas, and the President's science adviser, Dr. Lee A. DuBridge, warned the public that the power situation throughout the United States was critical and forecast power blackouts in various parts of the country this summer.

Nassikas predicted the summer months would bring the worst electric power shortage ever and said he could see no solution to the problem of inadequate power for perhaps a decade.

Both men claimed that the sudden concern over the environment has prevented the building of new power plants to keep pace with the rising demands for more power.

The environmentalists were the first to agree.

Electric power plants, they said, are among the worst polluters in the country. Generating and transmitting more electricity means more air and water pollution.

Virtually every type of generating plant has come under attack—fossil-fuel (coal and oil) plants because they pollute the atmosphere and cause thermal pollution (heating of water); nuclear plants because of thermal pollution and radiation hazards; and hydroelectric projects because they mar the landscape of otherwise scenic rivers.

The conservationists, increasingly concerned with the effects of pollution from the generating plants, were rising up and saying so in a host of political and legal battles across the nation. These fights virtually had brought the construction of new plants to a standstill.

The antipower plant movement was growing despite industry's contention that by 1990 some 340 new generating plants would have to be built if the projected power demand is to be met.

One result of the collision between the power industry and the conservationists has been the forced rationing of power. DuBridge, the White House science adviser, on April 20 said contingency planning was underway for critical areas where "the power companies will reduce voltage and therefore reduce power consumption." He said the companies may "turn down or turn off the power in certain areas, and large power users, including Government operations, will be asked to reduce operations. . . ."

Meanwhile, Congress and the White House have become involved. Numerous proposals dealing with both the reliability of electric service and the industry's impact upon the environment have been introduced in Congress and hearings are underway. In the Executive Branch, an energy policy study group at the White House is completing a report on plant siting at the President's request, and the Nixon Administration may draft its own legislation to deal with the problems.

The Atomic Energy Commission, anxious to head off conservationist claims that it is not concerned enough about environmental hazards, announced in March tighter controls over nuclear generating plant discharges into the air and water. And, industry itself has set up environment committees to show its concern.

References.—Weekly Report p. 973, 852, 636, 557, 328, 94, 13; 1969 Almanac p. 519, 537; Congress and the Nation Vol. II p. 495, 502, 509, 512.

#### THE POWER CRISIS

To meet the growing population's demands for electricity in the United States, electric power companies will have to produce twice as much power by 1980 as they did in 1969. The cost for new generating facilities is put at \$80 billion—the amount the United States spends annually on national defense.

While the industry considers how it will meet the future demands, blackouts and periods of restricted power use exist in virtually every part of the country. Service by electric utilities, in general, has deteriorated because expansion of generating capacity has lagged far behind an unprecedented surge of customer demand.

In 1965, the Northeast experienced a major power failure throwing large industrial cities into blackness. Another major power failure came in June 1967 in the Pennsylvania-New Jersey-Maryland-Delaware area.

The national surge in demand for electric power has been caused not only by rapid population growth but also by the successful efforts of utilities and appliance manufacturers to promote new uses of electricity. Since 1964, annual sales of window air conditioners have increased from 2.75 million to almost 5 million—nearly double. And, the average annual household electric bill has almost tripled.

Utilities are producing 75 percent more electricity now than they did in 1960, but power reserves have dwindled from 30 percent of capacity in 1960 to 16 percent in 1970. The FPC considers a 20-percent reserve level adequate.

There are in 1970 some 300,000 miles of transmission lines in the United States, occupying about 4 million acres of land. An estimated 200,000 miles of new lines will be needed by 1990, requiring about 3.1 million more acres—or 4,844 square miles—more than twice the area of Delaware.

Meeting the power requirements of the future will be difficult even under ideal circumstances. According to the regional advisory committees formed by private electric companies, peak demands of electric utility

systems will rise to 1,051 million kilowatts by 1990, equivalent to a peak demand more than five times that experienced in 1965.

Annual electric energy requirements in 1990 will exceed 5.8 trillion kilowatt hours, in comparison with the 1.06 trillion used in 1965, a 284-percent increase. Thus, during the next 20 years, the electric utilities will have to install nearly 1 million megawatts of additional generating capacity. At that time, in 1990, the FPC has projected that about 40 percent of all power installed will be nuclear power, about 43 percent will be from steam electric plants fired with fossil fuels, 7 percent will come from conventional hydroelectric installations and about 6 percent from pumped storage hydroelectric projects.

Since the blackout of 1965, there have been 37 major power failures and numerous local power disruptions, in additions to "brown-outs" in which customers are asked to restrict their use of electricity. In 1969, a power failure halted trading on the New York Stock Exchange for 30 minutes.

When Nassikas in March warned of the power shortage the country would face this summer, he made available preliminary figures which showed the reserve capacity of Pennsylvania-New Jersey-Maryland electric utility companies to meet peak power needs. The capacity had declined from a margin of 10.6 percent in 1969 to 9.3 percent in 1970.

The FPC chairman gave three reasons for the Northeast power crisis:

The increase in demand has outstripped the original forecast upon which utilities planned their systems.

An increase in the size of generating units and equipment has resulted in additional lead time to build them—lead time that also was not forecast.

The rise of environmental considerations as a substantial issue has developed into a national issue affecting the installation of power plants over the last three years.

Recent figures disclosed that 39 of the 181 major power systems in the country have reserves of less than 10 percent. New York's Consolidated Edison Company—now 10 years behind schedule on one major plant project—has warned that it may be forced to black out residential areas of New York City for short periods this summer to avoid widespread disruption of service during peak periods when air conditioners are in heavy use.

Compounding the problem is the shortage of natural gas. One-sixth of the natural gas consumed in the United States is used to generate electric power. Demand for natural gas is increasing by about 6 percent annually and actual reserves can last less than 10 years at present rates of consumption. In essence, the country is using more natural gas than it is able to find and add to the gas reserve inventory.

Electric utility companies with coal-fired plants also are in trouble. On March 26, Alex Radin, general manager of the American Public Power Association, in a letter to President Nixon, said that many electric utilities were unable to obtain adequate supplies of coal to fuel their generating stations. Radin warned the shortage could cause a power crisis worse than the Northeast blackout of 1965.

DuBridge, on April 19, said the Administration was "trying very hard to make sure the coal supplies continue to flow to the plants." A railroad strike could stop the flow of coal and cause serious failures, he said.

As a public utility, the electric power industry has a fundamental responsibility to provide a continuing supply of adequate, economical and reliable electric power to consumers.

But the growing national regard for environmental values has clashed increasingly with plans for utility expansion.

#### POWER: A PRIME POLLUTER

The new concern over the environment, smoke, water pollution and general unsight-

liness typically associated with power plants has made them unwelcome neighbors.

Fossil-fueled generating plants are said to contribute 50 percent of the sulfur oxides and about 25 percent of the particulates polluting the air.

Electric power generation already requires about 80 percent of all cooling water used by all industry. And by 1980, the power industry will require about one-sixth of the total available fresh water runoff in the nation for cooling purposes. The nation's 3,000 plants use about 100 billion gallons of water daily to cool their condensers. Nuclear plants require about twice as much cooling water as do traditional steam electric stations, using as much as 32,000 cubic feet of water per second.

The water is sent back into the rivers, lakes and oceans much warmer than when it was taken out—sometimes 25 degrees above its natural temperature. This "thermal pollution" changes the environment for plants and fish.

Scientists have attested that altering the temperature of waterways even a few degrees has literally "incalculable" effects on the water. Warming the water encourages algae growth in forms ranging from mild green fuzz to the huge seaweed-like plants that are befouling Lake Erie. It also disrupts fish life.

"The projected increases in water use for steam-electric power indicate that thermal pollution is one of the most serious long-range water resource management problems," the Federal Water Resources Council reported in 1969.

The power dams, used for hydroelectric projects, once believed to be the cleanest way to produce electricity, are now believed to damage the water that spills over them by raising its nitrogen contents to levels incompatible with aquatic life.

The threat of radiation contamination should anything go wrong in nuclear plants has caused widespread opposition to their construction.

Some conservationists fear that the nuclear plants may emit unacceptable levels of radiation. Although waste material from the reactor is removed and buried, small amounts of radioactive substances escape through the reactor's smokestack and through seepage into its coolant. The AEC has set restrictions on emissions, but some scientists question whether they are tight enough.

The nuclear plants also discharge hot waste water into the rivers and lakes.

A warning that the huge new power plants needed to meet the power crisis threaten serious contamination of the nation's air and water was issued in January 1969 in a report to President Johnson by the Office of Science and Technology. The report said the giant new plants could become a danger to health and safety as well as the beauty of the environment.

But the report pointed out that with devices to reduce air and water pollution and with coordinated planning, the new plants could be fitted into the landscape so as to have minimal impact on the surrounding environment while providing the low-cost, reliable and safe power needed.

#### THE OPPOSITION

The conservationists have indicated they intend to prevent construction of power plants which they think will damage the environment regardless of the power shortage.

Michael McCloskey, conservation director of the Sierra Club, whose membership jumped from 70,000 to 86,000 in 1969, has said:

"Our strategy is going to be to sue and sue and sue."

And that is exactly what they are doing. More and more utilities are finding that it is all but impossible to find a new power plant site that does not stir alarm among local residents and conservationists.

Legal battles between the conservationists and the power companies are becoming well

known—Calvert Cliffs (Maryland), Cayuga Lake (New York), Storm King (New York), Monticello (Minnesota), Turkey Point (Florida), Antietam (Maryland), Lake Champlain (Vermont), Bodega Bay (California), to name a few.

"The days are gone," warned A. H. Aymond, head of the Edison Electric Institute, "when a utilityman could sit confident that power is an undebatable blessing, accepted without argument or discussion by the people." Some industry officials describe the conservationist opposition as the biggest of all their hurdles.

Of 65 nuclear plants scheduled for completion by 1976, 23 are behind schedule, according to the FPC. Of 125 conventional power plants, 23 are behind schedule. In New England alone, 60 percent of the new power plants and transmission lines are behind schedule.

For example:

A proposed hydroelectric project for New York City at Storm King Mountain on the Hudson River has been tied up at the FPC and in the courts for more than six years.

The Minnesota Pollution Control Agency has denied a permit for a nuclear plant approved by the U.S. Atomic Energy Commission, contending AEC rules on radiation are not stringent enough. The Northern States Power Company, which has completed the plant, has challenged the state in court.

American Electric Power needed seven years to get permission for its New River pumped-storage project in Virginia.

At Cayuga Lake, the New York State Gas & Electric Company has had to shelve plans for a nuclear plant, facing stiff opposition over thermal pollution. The company is now studying how its cooling water—picking up about 25 degrees of heat—will affect marine life in the lake.

In Maryland, a legislative proposal calls on Congress to ask the AEC to impose a three-year moratorium on nuclear power plant construction in the state.

The FPC in April granted the state of West Virginia the right to become an official intervenor opposing the proposed Blue Ridge hydroelectric power project in its present form. The FPC will study its effect on downstream recreation in the state.

The Justice Department filed suit March 13 in Federal court in Miami against the Florida Power and Light Company, seeking to halt thermal pollution from the company's discharges into Biscayne Bay. The company has two fossil-fuel plants at Turkey Point south of Miami, and two nuclear plants under construction.

The Mountain Sheep dam site on the Snake River between Washington and Oregon, where the Pacific Northwest Power Company and the Washington Public Power Supply System representing 17 Washington state public utility districts plan to build a \$246-million dam to meet the Pacific Northwest's power demand, has been in the courts and before the FPC for nearly 15 years.

On April 20, a formal petition was filed with the AEC asking the agency to force Consolidated Edison Company of New York to protect the fish resources of the Hudson River from further destruction by its Indian Point nuclear generating plant at Buchanan.

The Nixon Administration's suit to force the Florida power company to construct safeguards against thermal pollution could become a landmark decision in man's battle to preserve the environment. The suit marks the first time the Government has sought court action to halt possible pollution before any damage has occurred.

The outcome of the suit will affect virtually all of the 15 existing nuclear generating plants now in operation in the United States. Approximately 45 more are under construction.

Atomic Energy Commissioner James T.

Ramey in March told the House Public Works Committee that in about 20 years, approximately 250 "very large" atomic plants will produce 25 to 30 percent of the nation's power. He conceded that the return of water used in the process could cause problems to the ecology.

Not only are law suits plaguing the power industry in its efforts to expand to meet the growing demand, but state and Federal regulations also are becoming more stringent.

But for the most part, it has been left to the states to determine how electric utilities should be regulated. And with few exceptions, the states have permitted electric power companies to decide for themselves where, when and how to build power facilities.

The electric power lobbies have opposed any measure which would increase Federal authority over power plants and transmission lines.

Some Government officials have indicated sympathy with the industry's position. The chairman of the AEC, Glenn T. Seaborg, has charged that some conservationists have been engaging in "unsubstantiated fear-mongering" and "hysteria" in opposing nuclear power plants.

Another official with sympathies for industry's problems has been FPC chairman Nassikas. Appointed by President Nixon last year, Nassikas has said he supports voluntary action by industry rather than Federal legislation for major planning. He also favors establishment of uniform Federal and state standards for construction of generating plants. This way utility companies would not be faced with continued delays in building new plants as a result of opposition by groups concerned over environmental effects. And Nassikas believes decisions on radiation limits must remain the right of the AEC.

DuBridge, speaking as White House science adviser, on April 19 warned against "impossible regulations" that would keep nuclear plants from being built. "Every evidence is that the nuclear plants are less polluting than fossil-fuel plants," he said.

But, the electric utilities are not exactly rushing full speed ahead into building the nuclear power plants. The FPC has indicated 90 coal-burning power plants will be built in the next 20 years and about 15 nuclear plants—a 6 to 1 ratio.

The industry blames the conservationists. Con Ed President Charles F. Luce has said that if the opposition continues, "eventually it will have an effect when you try to switch on the light."

#### CONGRESS INTERVENES

The intensity of the clash between conservationists and power interests has resulted in numerous proposals in Congress to deal with both reliability of electric service and the industry's impact upon the environment. But no such measure has yet emerged from a Congressional committee.

Among those major bills before Congress are the Electric Power Reliability Act (HR 7016), the Electric Power Coordination Act (HR 12585), and the Intergovernmental Coordination of Power Development and Environmental Protection Act (S 2752). Proposed national land use policy legislation also has implications for power-plant siting.

Hearings on various bills were held in February and April and are scheduled again in May.

It also has been reported that a Nixon Administration interagency study group on power-plant sites and related problems has reached agreement on what Congressional action is needed.

In an April 3 article, *The Wall Street Journal* reported that the Administration will ask Congress for:

A new Federal law requiring each state to rule on all electric utility construction projects to assure that goals of environ-

mental protection and adequate power supply are met.

Federal assumption of an environmental reliability enforcement role in those states that do not carry out their responsibilities.

A greatly expanded effort by Government and industry to develop "power plants, underground transmission lines and control equipment that will more strictly limit the discharge of contaminants to the air and water and provide greater flexibility in selecting sites."

The power industry supports leaving decisions over plant siting, air, water, thermal pollution standards, and scenic easements in the hands of state agencies. This, industry feels, would remove the power to block projects from the hands of conservationists. Under present procedures, court cases or agency hearings may drag on for months or years while power needs go unfulfilled.

In addition to the legislation before Congress and that being drafted by the Administration, the President requested an extra \$24.5 million for fiscal 1971 to enable the Department of Health, Education and Welfare's National Air Pollution Control Administration to increase its research efforts aimed at reducing pollution from stationary sources such as power plants. One project will attempt to find ways to remove sulphur from coal and oil, a major source of air pollution from electric power plants.

The Atomic Energy Commission announced in March that it would tighten controls over nuclear generating plant discharges into the air and water.

#### OUTLOOK

In January, a 1,108-page report issued by the Congressional Joint Atomic Energy Committee gave politicians this choice:

Either ask the people to forgo luxuries like air conditioners or build electric power plants over the protests of conservationists.

The report's findings were less than heartening to Government and conservationists alike. And Committee Chairman Chet Holifield (D Calif.) described a dilemma within a dilemma by stating that while the public is upset about pollution from electric power stations, it will take more electric power to solve existing pollution problems. He was referring to wider use of nuclear reactors as a cleaner way to obtain power, thus phasing out fossil-fuel plants.

Agreeing with the grim alternatives, Dr. Glen T. Seaborg, chairman of the AEC, said "today's outcries about the environment will be nothing compared to the cries of angry citizens who find that power failures have plunged them into prolonged blackouts."

Other than learning to live with less electricity, the report outlines these suggestions and objections to them:

Population control—Basic to protecting the environment but unlikely to relieve the power dilemma.

Nuclear power plants—Less offensive to the natural environment than coal-burning plants but present problems of radioactivity and thermal pollution.

Water power—Limited to certain areas of the nation and intrudes heavily on natural environment.

Magneto-hydrodynamics—A new technique 50-percent more efficient than coal-burning plants but still in the research stage and unlikely to meet the power needs for the 1970s.

Solar power—Collecting sunlight and converting it into electricity is not practical in DuBridge's opinion.

A Conservation Foundation report on electric power and the environment stressed comprehensive planning as the only road to a possible solution.

"The concept is one of planning—in the open and far in advance—based on demand for power, fuel supply, economic and engineering factors, as well as full consideration of all environmental and ecological factors—

air and water pollution, solid waste disposal, recreation and scenic values, water supply, land use, protection of historic sites. All power systems would be involved and coordinated," the report said.

Even with adequate planning, stricter pollution control, innovations in power production with the industry and tighter Federal controls, there is still the question: Can Americans have all the electricity they want and still maintain a decent environment?

One FPC commissioner, Carl E. Bagge, is doubtful.

"We may have to face up to rationing as a matter of national policy," he said.

#### THE CAMBODIAN SITUATION

Mr. TOWER. Mr. President, the word has gone out, if President Nixon's much vilified Cambodian policy achieves a military success in reality, it is not to be so recognized by his critics in the Senate, in the press, and in the streets. To accept his bold action as a successful fait accompli—if it is that at such time as American troops are withdrawn from Cambodia—would spell disaster for his critics. No one likes to have to admit he has been wrong. It takes a courage which some have, but it is obvious from early pronouncements of President Nixon's defense policy critics that that courage will not be evident.

In face of reports of United States and ARVN victories in Cambodia, the seizure of huge caches of North Vietnamese arms, food stuffs, and ammunition, there is notable and thundering silence on the part of those who only 2 weeks ago were predicting every calamity from ignominious defeat to the end of Western civilization because of our presence in Cambodia. With no less scant attention on their part come reports of remarkably low casualty figures for American troops and overwhelmingly high killed-in-action figures for the enemy. Perhaps these indications of military success have not reached them, since all too often, as the cartoonist Al Capp has stated, these stories are "buried among the 'jumbo shrimp' and 'ground chuck' ads" in some of the more influential newspapers.

As one example of the now evident tendency to get ready to rewrite history even before it happens, I refer my colleagues to a syndicated column which appeared on the editorial page of the *Washington Post* on Tuesday, May 26, in which the authors flatly stated that any military victory in Cambodia will be a victory "because the Pentagon will say so." I suppose this would be less reliable than defeats because sections of the press interpret them as such.

Mr. President, shocking as it may be to some, we do live in an objective reality in which events do take place independent of their interpretation. Each of us has the choice to acknowledge the facts or to obfuscate. Now there may be some who in the long run do not think that a military victory in Cambodia is important. That is certainly fine if they choose to place such values on events. But they have at least the courage to admit that military victories did take place.

The signs are all too strong, even at this early stage. The strident criticisms

of the President's very limited policy of invading Vietcong and North Vietnamese sanctuaries on the Cambodian border have somewhat diminished and are vying with a more thoughtful attitude. A time of waiting to see the success or failure of U.S. action in Indochina.

It would be regrettable if those who are now patiently waiting for the outcome of the Cambodian action before forming an opinion, or those critics of the administration's Cambodian and Vietnam policies honest enough to revise their conclusions when events and facts call upon them to do so, were to be denied the evidence they seek if that evidence is favorable to American troops, Cambodian safety and South Vietnamese political liberty.

Mr. President, I pray that all of us may possess the integrity, the mental strength, and the commitment to reality sufficient to allow us to admit the success or failure of our military operations in Indochina when the facts are finally in.

#### ADDITIONAL STATEMENTS OF SENATORS

#### IT'S OUR COUNTRY, TOO—A PROFESSOR SPEAKS TO THE "OVER 30'S"

Mr. SAXBE. Mr. President, recently a friend sent me an excellent article entitled "A Professor Speaks to the 'Over 30's,' It's Our Country, Too," written by Dr. K. Ross Toole. I am not acquainted with the author, but his article is worthy of the attention of all Senators. I ask unanimous consent that it be printed in the RECORD.

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

A PROFESSOR SPEAKS TO THE OVER-30'S: IT'S OUR COUNTRY TOO—IT'S TIME TO RECLAIM IT

(NOTE.—Prof. Toole, who has been laid up with a heart problem, wrote the accompanying essay as a letter to his brother John, a Missoula, Montana, businessman. John sent copies to friends with children. One of the copies got into the hands of the editor of the Billings Gazette, who printed it.)

(That was a month ago. Since then, Prof. Toole has given permission so that it has been reprinted by papers in Denver, Chicago, San Francisco and a lot of other places. Letters have poured in to Prof. Toole—and says his wife, "he's having a lot of fun reading them in his sick room. He's begun to analyze them, too.")

(By Dr. K. Ross Toole)

I am 49 years old. It took me many years and considerable anguish to get where I am—which isn't much of anyplace except exurbia. I was nurtured in depression; I lost four years to war; I am invested with sweat; I have had one coronary; I am a "liberal," square and I am a professor. I am sick of the "younger generation," hippies, yuppies, militants and nonsense.

I am a professor of history at the University of Montana, and I am supposed to have "liaison" with the young. Worse still, I am father of seven children. They range in age from 7 to 23—and I am fed up with nonsense.

I am tired of being blamed, maimed and contrite; I am tired of tolerance and the reaching out (which is always my function) for understanding. I am sick of the total irrationality of the campus "rebel," whose

bearded visage, dirty hair, body odor and "tactics" are childish but brutal, naive but dangerous, and the essence of arrogant tyranny—the tyranny of spoiled brats.

I am terribly disturbed that I may be incubating more of the same. Our household is permissive, our approach to discipline is an apology and a retreat from standards—usually accompanied by a gift in cash or kind.

It's time to call a halt: time to live in an adult world where we belong and time to put these people in their places. We owe the "younger generation" what all "older generations" have owed younger generations—love, protection to a point, and respect when they deserve it.

We do not owe them our souls, our privacy, our whole lives, and above all, we do not owe them immunity from our mistakes, or their own.

Every generation makes mistakes, always has and always will. We have made our share. But my generation has made America the most affluent country on earth; it has tackled head-on a racial problem which no nation on earth in the history of mankind had dared to do. It has publicly declared war on poverty and it has gone to the moon; it has desegregated schools and abolished polio; it has presided over the beginning of what is probably the greatest social and economic revolution in man's history.

It has begun these things, not finished them. It has declared itself and committed itself, and taxed itself, and damn near run itself into the ground in the cause of social justice and reform.

Its mistakes are fewer than my father's generation—or his father's or his. Its greatest mistake is not Vietnam; it is the abdication of its first responsibility, its pusillanimous capitulation to its youth, and its sick preoccupation with the problems, the mind, the psyche, the *raison d'être* of the young.

Since when have children ruled this country? By virtue of what right by what accomplishment should thousands of teenagers, wet behind the ears and utterly without the benefit of having lived long enough to have either judgment or wisdom, become the sages of our time?

The psychologists, the educators and preachers say the young are rebelling against our archaic mores and morals, our materialistic approaches to life, our failures in diplomacy, our terrible ineptitude in racial matters, our narrowness as parents, our blindness to the root ills of society. Balderdash!

Society hangs together by the stitching of many threads. No 18-year-old is simply the product of his 18 years: he is the product of 3000 years of the development of mankind—and throughout those years, injustice has existed and been fought; rules have grown outmoded and been changed; doom has hung over men and been avoided; unjust wars have occurred; pain has been the cost of progress—and man has persevered.

#### THE HEART OF THE PIE

As a professor and the father of seven, I have watched this new generation and concluded that most of them are fine. A minority are not—and the trouble is that that minority threatens to tyrannize the majority and take over.

I dislike that minority; I am aghast that the majority "takes" it and allows itself to be used. And I address myself to both the minority and the majority. I speak partly as a historian, partly as a father and partly as one fed up, middleaged and angry member of the so-called "establishment"—which, by the way, is nothing but a euphemism for "society."

Common courtesy and a regard for the opinions of others is not merely a decoration on the pie crust of society, it is the heart of the pie. Too many "youngsters" are egocentric boors. They will not listen, they will

only shout down. They will not discuss but, like four year olds, they throw rocks and shout.

Arrogance is abnoxious; it is also destructive. Society has drastically ostracized arrogance without the backing of demonstrable accomplishment. Why, then, do we tolerate arrogant slobos who occupy our homes, our administration buildings, our streets and parks, urinating on our beliefs and defiling our premises?

It is not the police we need, (our generation and theirs) it is an expression of our disgust and disdain. Yet we do more than permit it, we dignify it with introspective flagellation. Somehow it is our fault. Balderdash again!

Sensitivity is not the property of the young, nor was it invented in 1950. The young of any generation have felt the same impulse to grow, to reach out, to touch stars, to live freely and to let the minds loose along unexplored corridors. Young men and young women have always stood on the same hill and felt the same vague sense of restraint that separated them from the ultimate experience—the sudden and complete expansion of the mind, the final fulfillment. It is one of the oldest, sweetest and most bitter experiences of mankind.

Today's young people did not invent it; they do not own it. And what they seek to attain, all mankind has sought to attain throughout the ages. Shall we, therefore, approve the presumed attainment of it through heroin, speed, LSD and other drugs?

And shall we, permissively, let them poison themselves simply because, as in most other respects, we feel vaguely guilty because we brought them into the world? Again, it is not police raids and tougher laws that we need; it is merely strength. The strength to explain, in our potty, middleaged way, that what they seek, we sought; that it is somewhere but not here and sure as hell not in drugs; that, in the meanwhile, they will cease and desist the poison game. And this we must explain early and hard—and then police it ourselves.

Society, "The Establishment," is not a foreign thing we seek to impose on the young. We know it is far from perfect. We did not make it; we have only sought to change it. The fact that we have only been minimally successful is the story of all generations—as it will be the story of the generation coming up. Yet we have worked a number of wonders. We have changed it.

We are deeply concerned about our failures; we have not solved the racial problem but we have faced it; we are terribly worried about the degradation of our environment, about injustices, inequities, the military-industrial complex and bureaucracy. But we have attacked these things. We have, all our lives, taken arms against our sea of troubles—and fought effectively.

#### WIN-OR-BURN MENTALITY

But we also have fought with a rational knowledge of the strength of our adversary; and, above all, knowing that the war is one of attrition in which the "unconditional surrender" of the forces of evil is not about to occur. We win, if we win at all, slowly and painfully. That is the kind of war society has always fought, because man is what he is.

Knowing this, why do we listen subserviently to the violent tacticians of the new generation? Either they have total victory by Wednesday next or burn down our carefully built barricades in adolescent pique; either they win now or flee off to a commune and quit; either they solve all problems this week or join a wrecking crew of paranoids.

Youth has always been characterized by impatient idealism. If it were not, there would be no change. But impatient idealism does not extend to guns, fire bombs, riots, vicious arrogance, and instant gratification. That is not idealism; it is childish tyranny.

The worst of it is that we (professors and faculties in particular) in a paroxysm of self-abnegation and apology, go along, abdicate, apologize as if we had personally created the ills of the world—and thus lend ourselves to chaos. We are the led, not the leaders. And we are fools.

As a professor I meet the activists and revolutionaries every day. They are inexcusably ignorant. If you want to make a revolution, do you not study the ways to do it? Of course not! Che Guevarra becomes their hero. He failed; he died in the jungles of Bolivia with an army of six. His every move was a miscalculation and a mistake. Mao Tse Tung and Ho Chi Minh led revolutions based on a peasantry and an overwhelmingly ancient rural economy. They are the pattern-makers for the SDS and the student militants.

I have yet to talk to an "activist" who has read Crane Brinton's, "The Anatomy of Revolution," or who is familiar with the works of Jefferson, Washington, Paine, Adams or even Marx or Engels. And I have yet to talk to a student militant who has read about racism elsewhere and/or who understands, even primitively, the long and wondrous struggle of the NAACP and the genius of Martin Luther King—whose name they invariably take in vain.

An old and scarred member of the wars of organized labor in the U.S. in the 1930s recently remarked to me, "these 'radicals' couldn't organize well enough to produce a sensible platform let alone revolt their way out of a paper bag." But they can, because we let them destroy our universities, make our parks untenable, make a shambles of our streets, and insult our flag.

I assert that we are in trouble with this younger generation not because we have failed our country, not because of affluence or stupidity, not because we are antideluvian, not because we are middle-class materialists—but simply because we have failed to keep that generation in its place and we have failed to put them back there when they got out of it. We have the power; we do not have the will. We have the right, we have not exercised it.

To the extent that we now rely on the police, mace, the National Guard, tear gas, steel fences and a wringing of hands, we will fail.

What we need is a reappraisal of our own middle-class selves, our worth and our hard-won progress. We need to use disdain, not mace, we need to reassess a weapon we came by the hard way, by travail and labor, firm authority as parents, teachers, businessmen, workers and politicians.

The vast majority of our children from 1 to 20 are fine kids. We need to back this majority with authority and with the firm conviction that we owe it to them and to ourselves. Enough of apology, enough of analysis, enough of our abdication of responsibility, enough of the denial of our own maturity and good sense.

The best place to start is at home. But, the most practical and most effective place right now, is our campuses. This does not mean a flood of angry edicts, a sudden clamp down, a "new" policy. It simply means that faculties should stop playing chicken, that demonstrators should be met not with police but with expulsions. The power to expell (strangely unused) has been the legitimate recourse of universities since 1209.

#### WE MUST HAVE RULES

More importantly it means that at freshman orientation, whatever form it takes, the administration should set forth the ground rules—not belligerently but forthrightly.

A university is the microcosm of society itself. It cannot function without rules for conduct. It cannot as society cannot, legislate morals. It is dealing with young men and women, 18 to 22.

But it can, and must, promulgate rules. It cannot function without order—and, therefore, who disrupts order must leave. It cannot permit students to determine when, what and where they shall be taught; it cannot permit the occupation of its premises, in violation both of the law and its regulations, by "militants."

There is room within the university complex for basic student participation but there is no room for slob, disruption and violence. The first obligation of the administration is to lay down the rules early, clearly and positively, and to attach to this statement the penalty for violation. It is profoundly simple—and the failure to state it—in advance—is the salient failure of university administrators in this age.

Expulsion is a dreaded verdict. The administration merely needs to make it clear, quite dispassionately, that expulsion is the inevitable consequences of violation of the rules. Among the rules, even though it seems gratuitous, should be these:

1. Violence, armed or otherwise, the forceful occupation of buildings, the intimidation by covert or overt act of any student or faculty member or administrative personnel, the occupation of any university property, field, park, building, lot or other place, shall be cause for expulsion.

#### MAJOR BLAME: FACULTIES

2. The disruption of any class, directly or indirectly, by voice of presence or the destruction of any university property, shall be cause for expulsion.

This is neither new nor revolutionary. It is merely the reassertion of an old, accepted and necessary right of the administration of any such institution. And the faculty should be informed, firmly, of this reassertion, before trouble starts. This does not constitute provocation. It is one of the oldest rights and necessities of the university community. The failure of university administrators to use it is one of the mysteries of our permissive age—and the blame must fall largely on faculties because they have consistently pressured administrators not to act.

Suppose the students refuse to recognize expulsions, suppose they march, riot, strike. The police? No. The matter, by prearrangement, publicly stated, should then pass to the courts.

If buildings are occupied, the court enjoins the participating students. It has the awful power to declare them in contempt. If violence ensues, it is violation of the court's order. Courts are not subject to fears, not part of the action.

Too simple? Not at all. Merely an old process which we seem to have forgotten. It is too direct for those who seek to employ Freudian analysis, too positive for "academic senates" who long for philosophical debate and too prosaic for those who seek orgasmic self condemnation.

This is a country full of decent, worried people like myself. It is also a country full of people fed-up with nonsense. We need (those of us over 30)—tax ridden, harried, confused, weary and beat-up—to reassert our hard won prerogatives. It is our country, too. We have fought for it, bled for it, dreamed for it, and we live it. It is time to reclaim it.

#### STATEMENT BY SENATOR MANSFIELD AT DEMOCRATIC CONGRESSIONAL CAMPAIGN DINNER

Mr. MUSKIE, Mr. President, last evening at the Washington Hilton Hotel a most successful Democratic congressional campaign dinner was held. The mood of the country and the urgency of the times were eloquently captured in the

address by the distinguished Senate majority leader (Mr. MANSFIELD).

It sets out the need for leadership in the Nation and an end to the divisiveness that is found throughout the land.

I ask unanimous consent that the statement of the distinguished majority leader be printed in the RECORD.

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

#### STATEMENT OF SENATOR MIKE MANSFIELD

We meet in an hour of deep national distress.

It is a time, not of war-diminished but, again, of war-expanded.

We meet at a time when the nation's economy is gripped in the dead hand of war, when Americans are caught in the cross-currents of inflation and recession. Jobs disappear. Profits shrink. Pensions can be stretched no further. Not prices, but production falls. Public problems—pollution, crime, transportation, education, drug addiction, health and a hundred others—cry out for attention. The cry is lost in the costly cacophony of war.

It is a time when dissension divides the land, when young are separated from old, when black is riven from white, when soldier is shunted from civilian. Yet there are those whose response to this national shame is still the rhetoric of denunciation and inflammatory division.

Let me say to those who compartmentalize the nation as they generalize their private hostility: Democrats will not join in dividing America. The Democratic Party will not turn away from any segment of Americans because they are too young or too old, because they wear a uniform or do not, because they are of one color or another, because they are of the north, south, east or west, of city or suburb. The door is open in this party. The door is open to students and teachers, to labor and to farmers, to service-men, to the professions and to business. It is open to all who would stop the spread of this war. It is open to all who see that this war abroad must end so that the nation may get with its urgent business at home.

The door is open in this party to Republicans and to independents, to those who have been with us in the past and to those who have not. We invite them, wherever they are, in office or out, whether of a silent majority or a silent minority, the articulate and the inarticulate, to join us. We ask them to join us with their energy, their support and their votes. In this year of national crisis, there is no partisanship. There is only national obligation.

We must work together to strengthen the legislative branch of the government. The great issues of war and peace have slipped too far out of the hands of the representatives who are closest to the people of the nation. The responsibilities of the Congress must be reasserted.

It is the Congress this year and the next and the next which is called on to provide the critical balance-wheel in the federal system. It is the Congress which must act to restore good sense to foreign policy and stability to the economy. It is the Congress which must heed the many voices of the nation, reconcile them, and then move to reorder the priorities of public commitment.

With this Republican Administration, the balance-wheel is a Democratic Congress. That there is little of the joy of a political gathering, tonight, does not stem from our political fortunes. It is due to the nation's misfortunes. It matters little what happens to us as Democrats. It matters greatly what happens to those Americans in Indochina whose lives are on the line. It matters greatly what happens on the streets of America, on the campuses, on the farms, and in the factories of America.

The purpose of Democrats in this critical year cannot be merely to retain control of the Congress. Our purpose must be to strengthen that control and consecrate this party to a new dimension of national leadership.

#### ANALYSIS OF CAMPUS CRISES

Mrs. SMITH of Maine. Mr. President, a truly perceptive analysis of the campus crises and constructive proposal for the handling of campus activists has been made by one of the greatest women in the history of our country—Clare Boothe Luce, distinguished statesman, journalist, diplomat, and politician.

That analysis was published in the May 16, 1970 issue of the Honolulu Star-Bulletin. I feel certain that Senators will find her observations extremely interesting and give them much food for thought. I ask unanimous consent that her article be printed in the RECORD.

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

#### HANDLING CAMPUS ACTIVISTS

(NOTE.—The Star-Bulletin welcomes all points of view in its Letters column. For occasional expressions of greater length, it offers "A Particular Point of View" where, as with Letters, the views are those of the writers and do not necessarily reflect the policies of the Star-Bulletin.)

(Clare Boothe Luce, widow of the founder of Time magazine, and now a resident of Honolulu, is an author, former U.S. ambassador to Italy and former member of Congress.)

(By Clare Boothe Luce)

The toll of the disorders that have swept hundreds of campuses in the past fortnight has now been taken. Countless classroom hours lost. Millions of dollars worth of property destroyed. Innumerable young men and women entered on police blotters, awaiting fines, or sentences for criminal acts, ranging from felony to arson, assault and battery to suspected murder. And more than a dozen young people seriously wounded or slain.

In the merciful lull that has followed these dreadful happenings, there may be time to ask what effect they have had on the country; who is to be blamed for them; and who held responsible for seeing that they are not repeated.

One unhappy effect—or so it seems to me—is their effect, both immediate and long-term, on American foreign policy. This, however, is a question which (with the Editor's permission), will be discussed in another letter. For Hawaii is the very State that will inescapably bear the heaviest brunt of any wrong decisions made in our Asian policy—just as it did when miscalculations in Washington in 1940-41 led to Pearl Harbor.

But now, I venture to suggest, that these widespread disorders have had one good effect. They have made America realize that if academic order is not soon restored, the whole educational process is bound to disintegrate. The universities will either have to close down, or yield over to their politically-oriented faculty members and the "activists," with the consequence that they will turn into breeding grounds for young revolutionaries.

History shows that the latter has happened often before, in Latin America and in Europe. Student riots in the University of Havana were the first omens of the Communist revolution in Cuba. In the name of academic freedom and freedom of speech, activists paved the way for Fidel Castro. In the '30s, the campus jungles in Germany, and the

Giovanuzzi, in Italy, performed similar services for Hitler and Mussolini.

History also tells us that these student movements always begin in a low key, but gather momentum rapidly, as their leaders become campus heroes.

#### SOFT APPROACH

In America, campus demonstrations, of a magnitude to make newspaper headlines, began only three or four years ago. In the beginning, student demands were largely in the field of "campus reform," that is, reform of campus regulations, student-faculty relations, and other academic questions directly bearing on campus life. At that time, most liberal educators felt that many of these reforms were overdue and that the demands were justified. They were not unaware that New Left activists were using the campus reform movement to seize campus leadership. But they felt that once the reforms were enacted, the campus would "calm down" and that the New Left activists would then have little left to agitate.

Consequently, they took what President Harlan Cleveland called the "soft approach" during his own recent confrontations with student activists, who had illegally seized ROTC buildings. (The classic name for the "soft approach" among Cleveland's erstwhile diplomatic colleagues, is appeasement.)

And, predictably, appeasement just didn't work. Presidents Kirk of Columbia, Kerr of Berkeley, Perkins of Cornell, to name only three distinguished—and experienced—educators among the many who have patiently tried the "soft approach," found it the way, not to campus peace, but to their own involuntary retirement. For the very concessions they made proved to be the meat on which those campus mini-Caesars, the activists, fed. "Reasonable demands" soon became "non-negotiable demands," made on the pain of violent demonstration, for the destruction of ROTC on campus, the extirpation of government university grants for any research that might benefit the military, etc. But when these demands, too, were met, the student movement then entered the "community reform" stage.

Activists demanded that the university authorities—trustees, presidents and faculty—make the university itself the proximate tool for the social reform of neighboring institutions—the banks, the courts, etc. When these demands were refused (they were impossible, of course, to fulfill), demonstrations increased in size and in violence.

Somewhere along the line, unable to control the violence, and unwilling to take responsibility for the failure to do so, Kirk, Kerr, and Perkins resigned, as did many other presidents faced with similar disorders. Their successors fared no better.

In the end, student demands, constantly escalating and broadening out, encompassed the demand for the total and instant reform of society itself. The "student movement," organized and led by the campus activists, and in many cases, guided by like-minded faculty members, had become a full-blown revolutionary movement. (The Fuehrer of this movement on the U.H. campus is, of course, Dr. Oliver Lee, whose tenure, granted in the name of "academic freedom," brought about the resignation of Dr. Thomas Hamilton. Reading the reports of President Cleveland's five hours of grilling by Dr. Lee in the witness box, leads one to suspect that Dr. Lee is ordained to be the political "banana peel" on which President Cleveland also may slip into involuntary retirement.)

#### DEBATE DESIRABLE

Here the writer wishes to make it clear that in a free society all questions or "causes"—academic or political—which interest students are properly debatable questions. Civil rights, ecology, fair trials for the Chicago Seven, the academic merits of ROTC

training, Vietnam, disarmament, housing (to name only a few that were "hot" on campus before Cambodia) should be debated by students. It is not only reasonable, it is desirable that they should be. It is also desirable that students should listen to speakers and lecturers and faculty members who present different sides of these questions.

But reasoned debate is not the method by which the new left activists choose to resolve questions. On campus after campus over the past years, their tactics have revealed that their way is violence—verbal and physical. When President Kerr, after his resignation, returned to the campus to lecture, a pie was thrown in his face. Educators who have sought to control violent demonstrations have had human offal left in their office. Today there is a long, long list of distinguished lecturers whose campus appearances have been cut short by hissing and booing, throwing of bottles, stamping of feet, and in some cases, physical violence. All of which has made a mockery of Academic Freedom and the First Amendment in our universities.

The conscious tactics of the activists are to make every "confrontation" a spectacle in violence. Their favored confrontations are with the symbols of the Authorities of law and order of the State—the Police or National Guard . . . more chance to violence. In passing, it is now plain that they consider confrontations with on-campus authorities as "kid-stuff". During their recent confrontation with President Cleveland about their seizure of the ROTC buildings, a reporter asked one of the activists why they were so inattentive, and bored by listening to him. He replied wearily, "A confrontation with the president—man, that's no big deal!"

Are all the enrolled New Left student activists card-carrying Communists? Probably very few. Some are simply witless kids, not quite up to making the football team, who would rather have a piece of the action—whatever the action is—than study. (The school bully is an ancient prototype.) Some are the slightly paranoid, exhibitionist, spoiled-brat sons of overly-permissive parents. (This is the view of psychiatrist Dr. Bruno Bettelheim.) Others, as they themselves freely admit, are not quite bright, home-grown nihilists, or anarchists, who believe, more or less sincerely, that nothing new can be built until all our old values and traditions are rooted up, and all our institutions destroyed and razed.

#### ORGANIZED AGITATORS

Here one should mention a situation that deserves far more attention than it is getting—many of the activists who appear during campus demonstrations are not enrolled students. They are organized agitators, who have been sent into crowds of students to egg them on to violence, and these may well be Communists. During demonstrations they operate like Mao's guerillas, "swimming like fish," among the aroused students.

But whether or not any, or all, of the on-campus or off-campus New Left activists are Communists, what is now clear is that they are doing communism's work. Who will dispute that the campus demonstrations of the past few weeks have been a disaster for the U.S. image abroad, and a tremendous victory for Moscow, Peking and Hanoi?

Public opinion will, of course, assign some of the blame to the aforementioned permissiveness of parents. Some will fall on the heads of the editors and commentators, who have helped to make heroes of the New Activists, first, by attributing to them an "idealism" and love of peace that their own actions belie; second, by giving them excessive news coverage, and neglecting those students, the majority, who disapprove of them.

(For example, the Honolulu papers gave the U.H. students who seized the ROTC

buildings the full-blown front page treatment. But Miss Vicki Webster, the gallant miss who defied and repulsed them, when they tried to take over the Women's Auxiliary ROTC building, did not rate a picture anywhere in the paper! Similarly, no names and no pictures were printed on the members of the Student Council members who subsequently voted to keep ROTC on campus.)

ASSIGNING BLAME

The press itself may be counted on, in assessing blame, to blame such vague concepts as "the generation gap," the "spirit of the times," or "the mood of the country." Partisan editors will, of course, seek to blame the violence of the recent demonstrations on President Nixon's Cambodian decision, ignoring the fact that the phenomenon of campus violence was evident long before he entered the White House.

But the reasonable rule in assigning blame is that blame falls where responsibility lies. This rule was observed by President Kennedy, when he took full responsibility for the Bay of Pigs and, again, by President Nixon, when he took full responsibility for the Cambodian decision. It was also humorously noted by President Truman, who kept a sign on his White House desk that read, "The buck stops here."

The person who must assume full responsibility for what happens on a campus is the man who has been given the authority over the campus—the university's president. University presidents who repeatedly try to shirk or evade their prime responsibility for maintaining order, and preserving the climate of academic freedom, should be promptly cashiered by the boards of regents, or the trustees. (That is their responsibility.)

Perhaps some such rule as three violent demonstrations, and the president is out, would be useful. Presidents who sincerely feel that the task assigned to them, by virtue of their office, is too onerous, complex, or dangerous, can always take the honorable course, followed by Thomas Hamilton, Kirk, Kerr and others—and resign.

The individual student or faculty member, of course, is to be blamed, and punished, for his own individual acts, wherever these acts are illegal, or violent. And the individual faculty member must also be held accountable for his own illegal acts. (Reason is overthrown by the spectacle of Dr. Oliver Lee, an open enthusiast for Mao Tse-tung's Communist dictatorship, taking liberal President Cleveland to task in court for a suspected lack of devotion to the First Amendment!)

THE CONSEQUENCES

Henceforth, college authorities must make it plain that any faculty member who counsels a student to perform an illegal act, or who participates in that act, will be fired. They must also make it plain to the student body that any student who engages in any illegal act, or act of violence, or who presents a "non-negotiable demand" will henceforth be presented with a non-negotiable expulsion. And, if expulsion shall then be followed by violent student demonstrations, that he will immediately close down the university, until reason reasserts itself.

Presidents who follow this course will (one hopes) have the wholehearted support of the community and of the overwhelming majority of parents. For it is impossible to believe that parents will be willing much longer to pay out three to four thousand hard-earned dollars a year to have the idealism and youthful impatience of their sons and daughters exploited by anarchists, nihilists, and Communists, especially when this exploitation can lead their children into the police courts—and may lead them to their death.

HEALTH BUDGET CRISIS REGIONAL MEDICAL PROGRAM

Mr. KENNEDY. Mr. President, the regional medical programs of the Department of Health, Education, and Welfare are in trouble. Congress created these programs in 1965 in an effort to promote the application of new knowledge gained from biomedical research in the important areas of heart disease, cancer, stroke, and related diseases. It is unfortunate that this program, now beginning to move strongly, seems to suffer from a lack of vigorous support by the current administration.

I believe it is fair to state that there has been a greater involvement of people on a voluntary basis in the regional medical programs than in any other health program of recent vintage. The program thus far has enjoyed usually strong support from the health-related professions, the voluntary associations, the leadership of health facilities, and health-oriented members of the public.

For a program of this magnitude, with its unique objectives, relatively little adverse reaction has been generated. As everyone knows, one of the most difficult problems that have faced national health programs has been the lack of involvement of private medical doctors. The doctors have often been unwilling to join Federal medical programs because of their concern that such programs would tend to destroy the private practice of medicine. But the regional medical programs has involved these doctors to a degree matched by few other Federal programs. Now that we have reached the point at which the volunteers' contributions are maturing into programs, the funds required to operate these programs are not available.

Last year I placed in the RECORD letters from 40 coordinators of regional medical programs reporting upon the impact that the current funding level would have upon their programs, especially upon the morale of the volunteers who worked so hard to get these programs underway. When I read these letters, I found in them great discouragement about last year's budget, but some hope for the programs if more funds were to become available in the next fiscal year. The budget for fiscal year 1971 is now being considered. But, the administration now proposes to do too little. The appropriation for RMP grants for fiscal year 1970 was \$75 million. This coming year, fiscal year 1971, an appropriation of \$81 million is proposed—an increase overall of about \$6 million or about 8 percent. The cost-of-living increase will take at least 6 percent of that increase which means that we will do only about 1 or 2 percent better than last year.

The regional programs which are working now are badly underfunded. Many of them have been approved but have not been given operational funds. The administrators of the program will face a difficult decision this year. Shall they increase the number of regional programs which are partially funded, thus encouraging some volunteers in

these programs that at least part of their needs will be met? Or, on the other hand, shall they give the amounts required for fuller operations to only some of the programs, allowing the others to languish and perhaps fade out of existence, even though satisfactory planning has gone on for several years? Mr. President, I do not believe it is wise or necessary to force such a decision to be made. It is my hope that sufficient funds can be appropriated this year to fund these important programs at the level they deserve.

TREATMENT OF PRISONERS OF WAR

Mr. DOLE. Mr. President, the Washington Post of May 15 published a commentary, entitled "Bunker for a POW?" written by Nicholas von Hoffman. In his commentary, Mr. von Hoffman questions the bases of concern for our servicemen who are prisoners of war in North Vietnam prisons and in Vietcong jungle camps. In his fervent efforts to denounce the war, Mr. von Hoffman misses the point regarding the prisoner of war situation. Whether the war is right or wrong is not the point here. If there is any issue in our Nation today that transcends all differences, it is that of the treatment accorded captured U.S. servicemen. This country has always strictly adhered to the provisions of the Geneva Convention in regard to treatment of prisoners of war, and Americans of all political and philosophical convictions have expressed their outrage over the inhumane actions of the Vietcong and North Vietnamese. Although North Vietnam became a signatory to the Geneva Convention in 1957, they have persisted in refusing to abide by the principles laid down at Geneva.

Mrs. Barbara P. Ondrasik, a member of the League of Families of American Prisoners in Southeast Asia, submitted a letter to the editor of the Washington Post in reply to Von Hoffman. This letter appeared in the May 19 issue of the Post. Mrs. Ondrasik's candid reply is expressive of the actual facts regarding the prisoner of war situation, and warrants the attention of my colleagues. I ask unanimous consent that Mrs. Ondrasik's letter and the Post's introductory statement to her letter be printed in the RECORD.

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

[From the Washington Post, May 19, 1970]

POW WIVES REPLY TO VON HOFFMAN

Nicholas von Hoffman with his vitriolic venom splattered the prisoner-of-war issue all over the pages of this newspaper last week. The League of Families of American Prisoners in Southeast Asia was stunned. They had long been seeking Washington Post publicity, hoping to arouse public opinion to the plight of their men. But not this way.

"How cruel!" one wife cried. "How could he use this issue to get across his personal point of view on the war? It's not fair."

Mr. von Hoffman's treatment of this issue was not fair. What's worse, it was not even accurate.

The league does not consider the prisoner-

of-war issue political. It is a humanitarian issue that transcends whatever an individual feels personally about the war. The league is a loose-knit organization of all kinds of different people from different parts of the country with but one agonizing common bond—a relative missing in action or held prisoner in Southeast Asia. The League members themselves do not agree on the war. But there can be no disagreement on the POW issue.

Contrary to Mr. von Hoffman's insinuation that our government says North Vietnam has "kidnapped thousands of our servicemen" and holds them as "hostages" we have made no such accusations. We do not even ask for the release of these men, although we continue to pray it will be possible soon. All the League asks is: 1) a complete list of those held prisoner; 2) adequate food and medical care for prisoners; 3) release of the sick and wounded; 4) impartial inspection of prison camps; and 5) free exchange of mail between the prisoners and their families.

Nobody has ever said that "there are thousands upon thousands of our men incarcerated in North Vietnamese camps." The facts are public knowledge. There are 1,500 men missing in action in Southeast Asia—about 800 in the North, 500 in the South, and about 200 in Laos. The 800 downed in North Vietnam are all fliers, none of them draftees as von Hoffman implied.

About 400 of the 1,500 are known to be prisoners, but these names were not provided by the Committee of Liaison With Families of Servicemen Detained in North Vietnam, as von Hoffman states. This simply is not true.

The Committee of Liaison was formed at the request of the government in Hanoi, and its members are among the most militant of the peace groups. Although 75 percent more mail has been sent from prison camps in the past year than in all the previous five years, only 16 new names have come out since last Thanksgiving. The Liaison Committee has said that every prisoner may write. But fewer than 200 have been heard from. The North Vietnamese say some men do not wish to write their families. It is impossible to believe that any American man imprisoned for years would deny his family the opportunity of knowing he is alive.

Mr. von Hoffman's comments about mail were misleading. POW next-of-kin have always been permitted to write letters. A six-line letter restricted to remarks about health and family members is permitted each month, although wives and parents have no way of knowing if they are received. Many have written letters for years but have never received a reply.

Packages for prisoners, however, were not accepted until Christmas of 1968. The following July, families were permitted to send a second package. It wasn't until February 1970 that families were told they could send a package every other month.

There have been American men imprisoned in Southeast Asia since March of 1964. Can you imagine the despair of a young mother who for six years has not been able to get a simple answer to her heartbreaking question: "Am I a wife or a widow?"

Perhaps Mr. von Hoffman should meet some of these families. It would give him much needed insight into a problem that cries out for editorial comment, demanding humane treatment for all prisoners-of-war, in accordance with the Geneva convention.

Let Mr. von Hoffman talk with these young wives who are living in a hellish limbo where they cannot buy or sell property; cannot borrow money for a son's college education. Let him talk to the children—the four-year-old boy who has never seen his father; or the seven-year-old girl who can't remember hers.

He should talk to one of the prisoners—one of nine released from North Vietnam in

six years. Let him hear about the solitary confinement—of sitting on a bare board bunk with nothing to read, nothing to do, for hours, days, months on end. Let him hear about losing 50 pounds on the twice-a-day diet of pig fat and pumpkin soup; of never being allowed to communicate with another human being, much less his family or the outside world.

And he really should talk to H. Ross Perot, the Texas billionaire he accused of publicity seeking. Here is a man who did meet the families, was appalled by their problem, and tried to do something about it. Because he has money, he has accomplished more than the rest of us, but his motives are mistrusted. Mr. Perot has given the prisoners' families reason to hope. Von Hoffman's acid-dipped pen tried to tear that slim hope down.

The League of Families is not asking for any special privileges. All they ask is that the minimum standards of human decency be extended to those who are imprisoned, at the mercy of their captors. All they ask for themselves is the barest solace of knowing whether their husband, father, son, brothers, is alive or dead.

Why do the North Vietnamese refuse even this small concession to human decency? Even the peace groups are embarrassed by North Vietnam's continuing refusal to release the names of the prisoners they hold. No one knows why they persist in inflicting this unnecessary anguish on innocent families.

Why should wives have to travel around the world seeking the answer to that question that haunts them day and night: "Am I a wife or a widow?" Wives have appeared before the North Vietnamese delegation to the Paris peace talks, who looked them right in the eye and promised they would hear. They have not heard.

Why should wives have to deal through a Liaison Committee established by the enemy? Most of them are so desperate they would accept information from any source, but why should they be reduced to this? In no other armed conflict in history have the wives and families of military men been exploited in this cruel manner.

For years these families suffered silently. The world knew nothing of their plight. By their silence, they hoped to protect their men from harsh treatment, torture, perhaps even death at the hands of their captors. But after five years, they wearied of the lack of progress on the prisoner-of-war question. They worried about the state of their loved ones—mentally and physically. They began to speak out.

Families and friends of the 1,500 men missing in action in Southeast Asia have written thousands of letters—to newspapers, congressmen and senators, to the presidents of the United States and North Vietnam, to the United Nations and the Red Cross, to foreign governments, to everybody they could think of who might add a voice to theirs in their search for information and their demands for humane treatment for prisoners.

They have spent a year of dedicated—and courageous—effort to make this issue known to the public and to urge support for their simple humanitarian aims. Articles like von Hoffman's completely undermine their efforts. It is articles like von Hoffman's that the North Vietnamese take delight in reading to their prisoners.

Only world opinion will persuade Hanoi to change its policy on prisoners. It is known that the North Vietnamese cannot believe that the American public really care about "just 1,500 men." The words von Hoffman used are the words Hanoi uses—"just 1,500 men." To the League of Families these are not "just 1,500 men." The plight of these men is a personal daily hell that each family member endures as best he or she can.

The only thing the families would like to ask Mr. von Hoffman is: "What would you

be writing if it were your son, your brother, who was among the missing? What would you do after years of not knowing if he were alive or dead? Just what would you do?"

BARBARA P. ONDRASIK,

F.Y.I.

We have given over a good deal of space on this page today to a letter on behalf of the relatives of the estimated 1,500 American prisoners-of-war now being held by the North Vietnamese. Not the least of our reasons for doing so is that we agree with much of what the letter-writer has to say about a column by Mr. Nicholas von Hoffman which appeared in *The Washington Post* last week. Specifically, we share the view of the League of Families of American Prisoners in Southeast Asia that the POW issue is not "political." We could hardly agree more with the view of the league that this is "a humanitarian issue that transcends whatever an individual feels personally about the war." We support in their totality the wholly reasonable, not to say modest, objectives of the League which begin with nothing more than a list of those being held.

That being the case, you may well ask why *The Washington Post* printed the column in the first place. In fact, some of you have asked in the past few days, and we would like to offer an answer, *For Your Information*, because this is one of those questions that have to do directly with what our business is all about. The answer begins with a general principle that newspapers print a lot of things with which they don't always agree—columns, cartoons, commentary, critique, even comic strips. For that matter, we also report things we don't like to read or don't agree with; there are many unpleasant things going on in the world that people need to know about and many discordant voices which nonetheless have to be heard. And so we try to keep our own opinions in these columns, report the news as it is, and label analyses and commentary as just that.

Mr. von Hoffman's "commentary," we suspect, is an authentic reflection of something which is of large consequence in our lives, a force that matters in today's society and today's politics. If this doesn't exactly suit everybody's taste or ideology or philosophy, that's understandable. But the fact remains that we need to comprehend the new, young, far-out, with-it world; we may not like the language it uses; or understand the way it dresses or its predilection for drugs; or feel its despair or admire its destructiveness. We may not think the same way, which is fair enough. It is not, however, a very good argument for shutting yourself off from what has to be, like it or not, a critical fact of contemporary life—or for shutting off Mr. von Hoffman, either, even though we know he is going to be operating out on the edge of outrage, and even though we know that every so often he is going to go over the edge. Or that some people will think he did. In the case of last week's column about the POW's we confess that we think he did. And that is why we turned over a good deal of space today to a representative of the relatives of the POW's.

#### ANOTHER BREAK FOR THE CONSUMER

Mr. MOSS, Mr. President, for the past 18 months the Federal Trade Commission and the Food and Drug Administration have been formulating proposed rules regulating "cents off promotion" of food products, drugs, cosmetics, and other consumer products. These rules, which were just announced, will give the consumer considerable protection and help him get the most for his money.

The FTC has also just announced a

ruling which will keep book, gift, and record clubs from requiring members to buy products they do not want, but which they receive because they simply neglect to notify the club office that they do not want the merchandise within a given period of time.

I hail these examples of a growing concern by this administration for the welfare of the consumer—to make life easier for him. I hope many more examples will be forthcoming.

The Washington Star of May 26 contains an editorial commenting on the proposed FTC ruling on the club offerings. I ask unanimous consent that it be printed in the RECORD.

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

#### UNWANTED MERCHANDISE

On a bookshelf anywhere there is a liable to be a huge, unread volume containing the biography of an obscure literary figure. The owner gets apoplectic every time it catches his eye, and would throw it away except that he paid \$6 or \$7 for it. He found himself buying it only because he forgot to mail a notice to a book club saying he did not want that month's offering.

There's hope for this consumer, if he ever joins a book club again. The Federal Trade Commission is considering a ban on the "negative option," the brilliant method used by some book, record and gift clubs to capitalize on the frailty of the human mind and spirit. Under the proposed FTC rule, the seller could not ship the merchandise unless the customer sent in a card asking for it.

Adoption of the proposed FTC rule would be a small but valuable gain for the consumer movement. It would put the burden of salesmanship where it belongs, rather than on the tendency of so many of us to procrastinate, to misplace paper work or to go on vacation while the mail piles up.

#### TIME TO STOP APOLOGIZING TO YOUTH

Mrs. SMITH of Maine. Mr. President, Dr. K. Ross Toole, professor of history at the University of Montana, has written an article that is much needed for balance in the dialog concerning the current youth revolution. His article was published in the May 9-10, 1970, issue of the St. Louis, Mo., Globe-Democrat.

It is a hard-hitting message that is very worthy of consideration and study, whether one agrees with it or not. It challenges some soul searching and self-appraisal on the part of everyone of us. I invite Senators to read it.

I ask unanimous consent that it be printed in the RECORD.

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

#### IT'S TIME TO STOP APOLOGIZING TO YOUTH (By Dr. K. Ross Toole)

I am 49 years old. It took me many years and considerable anguish to get where I am—which isn't much of any place except exurbia. I was nurtured in depression; I lost four years to war; I am invested with sweat; I have had one coronary; I am a "liberal," square, and I am a professor. I am sick of the "younger generation," hippies, Yuppies, militants and nonsense.

I am a professor of history at the University of Montana, and I am supposed to have "liaison" with the young. Worse still, I am father of seven children. They range in age

from 7 to 23—and I am fed up with nonsense. I am tired of being blamed, maimed and contrite; I am tired of tolerance and the reaching out (which is always my function) for understanding. I am sick of the total irrationality of the campus "Rebel," whose bearded visage, dirty hair, body odor and "tactics" are childish but brutal, naive but dangerous, and the essence of arrogant tyranny—the tyranny of spoiled brats.

I am terribly disturbed that I may be incubating more of the same. Our household is permissive, our approach to discipline is an apology and a retreat from standards—usually accompanied by a gift in cash or kind.

It's time to call a halt; time to live in an adult world where we belong and time to put these people in their places. We owe the "younger generation" what all "older generations" have owed younger generations—love, protection to a point and respect when they deserve it. We do not owe them our souls, our privacy, our whole lives, and above all, we do not owe them immunity from our mistakes, or their own.

Every generation makes mistakes, always has and always will. We have made our share. But my generation has made America the most affluent country on earth; it has tackled, head-on, a racial problem which no nation on earth in the history of mankind had dared to do. It has publicly declared war on poverty and it has gone to the moon; it has desegregated schools and abolished polio; it has presided over the beginning of what is probably the greatest social and economic revolution in man's history.

It has begun these things, not finished them. It has declared itself, and committed itself, and taxed itself and damn near run itself into the ground in the cause of social justice and reform.

Its mistakes are fewer than my father's generation—or his father's, or his. Its greatest mistake is not Vietnam; it is the abdication of its first responsibility, its pusillanimous capitulation to its youth and its sick preoccupation with the problems, the mind, the psyche, the *raison d'être* of the young.

Since when have children ruled this country? By virtue of what right, by what accomplishments should thousands of teen-agers, wet behind the ears and utterly without the benefit of having lived long enough to have either judgment or wisdom, become the sages of our time?

The psychologists, the educators and preachers say the young are rebelling against our archaic mores and morals, our materialistic approaches to life, our failures in diplomacy, our terrible ineptitude in racial matters, our narrowness as parents, our blindness to the root ills of society. Balderdash!

Society hangs together by the stitching of many threads. No 18-year-old is simply the product of his 18 years: he is the product of 3,000 years of the development of mankind—and throughout those years, injustice has existed and been fought; rules have grown outmoded and been changed; doom has hung over men and been avoided; unjust wars have occurred; pain has been the cost of progress—and man has persevered.

As a professor and the father of seven, I have watched this new generation and concluded that most of them are fine. A minority are not—and the trouble is that minority threatens to tyrannize the majority and take over. I dislike the minority; I am aghast that the majority "takes" it and allows itself to be used. And I address myself to both the minority and the majority. I speak partly as a historian, partly as a father and partly as one fed up, middle-aged and angry member of the so-called "Establishment"—which, by the way, is nothing but a euphemism for "society."

Common courtesy and a regard for the opinions of others is not merely a decoration

on the pie crust of society, it is the heart of the pie. Too many "youngsters" are ego-centric boors. They will not listen, they will only shout down. They will not discuss but, like 4-year-olds, they throw rocks and shout.

Arrogance is obnoxious; it is also destructive. Society has classically ostracized arrogance without the backing of demonstrable accomplishment. Why, then, do we tolerate arrogant slob who occupy our homes, our administration buildings, our streets and parks, urinating on our beliefs and defiling our premises?

It is not the police we need (our generation and theirs); it is an expression of our disgust and disdain. Yet we do more than permit, we dignify it with introspective flagellation. Somehow it is our fault. Balderdash again!

Sensitivity is not the property of the young, nor was it invented in 1950. The young of any generation have felt the same impulse to grow, to reach out, to touch stars, to live freely and to let the minds loose along unexplored corridors. Young men and young women have always stood on the same hill and felt the same vague sense of restraint that separated them from the ultimate experience—the sudden and complete expansion of the mind, the final fulfillment. It is one of the oldest, sweetest and most bitter experiences of mankind.

Society, "The Establishment," is not a foreign thing we seek to impose on the young. We know it is far from perfect. We did not make it; we have only sought to change it. The fact that we have only been minimally successful is the story of all generations coming up. Yet we have worked a number of wonders. We have changed it.

We are deeply concerned about our failures; we have not solved the racial problem but we have faced it; we are terribly worried about the degradation of our environment, about injustices, inequities, the military-industrial complex and bureaucracy. But we have attacked these things. We have, all our lives, taken arms against our sea of troubles—and fought effectively. But we also have fought with a rational knowledge of the strength of our adversary; and, above all, knowing that the war is one of attrition in which the "unconditional surrender" of the forces of evil is not about to occur.

We win, if we win at all, slowly and painfully. That is the kind of war society has always fought—because man is what he is.

Knowing this, why do we listen subserviently to the violent tacticians of the new generation? Either they have total victory by Wednesday next or burn down our carefully built barricades in adolescent pique; either they win now or flee off to a commune and quit; either they solve all problems this week or join a wrecking crew of paranoids.

Youth has always been characterized by impatient idealism. If it were not, there would be no change. But impatient idealism does not extend to guns, fire bombs, riots, vicious arrogance and instant gratification. That is not idealism; it is childish tyranny.

The worst of it is that we (professors and faculties in particular) in a paroxysm of self-abnegation and apology go along, abdicate, apologize as if we had personally created the ills of the world—and thus lend ourselves to chaos.

I assert that we are in trouble with this younger generation not because we have failed our country, not because of affluence or stupidity, not because we are middle-class materialists—but simply because we have failed to keep that generation in its place and we have failed to put them back there when they got out of it. We have the power; we do not have the will. We have the right; we have not exercised it.

To the extent that we now rely on the police, mace, the National Guard, tear gas, steel fences and a wringing of hands, we will fail.

What we need is a reappraisal of our own

middleclass selves, our worth and our hard-won progress. We need to use disdain, not mace; we need to reassess a weapon we came by the hard way, by travail and labor, firm authority as parents, teachers, businessmen, workers and politicians.

The vast majority of our children from 1 to 20 are fine kids. We need to back this majority with authority and with the firm conviction that we owe it to them and to ourselves. Enough of apology, enough of analysis, enough of our abdication of responsibility, enough of the denial of our own maturity and good sense.

The best place to start is at home. But the most practical and effective place, right now, is our campuses. This does not mean a flood of angry edicts, a sudden clamp-down, a "new" policy. It simply means that faculties should stop playing chicken, that demonstrators should be met not with police but with expulsions. The power to expel (strangely unused) has been the legitimate recourse of universities since 1209.

More importantly it means that at freshman orientation, whatever form it takes, the administration should set forth the ground rules—not belligerently but forthrightly.

There is room within the university complex for basic student participation but there is no room for slob, disruption and violence. The first obligation of the administration is to lay down the rules early, clearly and positively, and to attach to this statement the penalty for violation. It is profoundly simple—and to the failure to state it—in advance—is the salient failure of university administrators in this age.

Expulsion is a dreaded verdict. The administration merely needs to make it clear, quite dispassionately, that expulsion is the inevitable consequence of violation of the rules.

Among the rules, even though it seems gratuitous, should be these:

Violence, armed or otherwise, the forceful occupation of buildings, the intimidation by covert or overt act of any student or faculty member or administrative personnel, the occupation of any university property, field, park, building, lot or other place, shall be cause for expulsion.

The disruption of any class, directly or indirectly, by voice or presence or the destruction of any university property, shall be cause for expulsion.

This is neither new nor revolutionary. It is merely the reassertion of an old, accepted and necessary right of the administration of any such institution. And the faculty should be informed, firmly, of this reassertion, before trouble starts.

Suppose the students refuse to recognize expulsions, suppose they march, riot, strike. The police? No. The matter, by prearrangement publicly stated, should then pass to the courts.

If buildings are occupied, the court enjoins the participating students. It has the lawful power to declare them in contempt. If violence ensues, it is in violation of the court's order. Courts are not subject to fears, not part of the action. And what militant will shout obscenities in court with contempt hanging over his head?

This is a country full of decent, worried people like myself. It is also a country full of people fed up with nonsense. We need (those of us over 30)—tax-ridden, harried, confused, weary and beat-up—to reassess our hard-won prerogatives. It is our country, too. We have fought for it, bled for it, dreamed for it, and we love it. It is time to reclaim it.

#### NIXONOMICS: A STRATEGY OF BROKEN PROMISES

Mr. METCALF. Mr. President, Mr. Larry O'Brien, chairman of the Dem-

ocratic National Committee, addressed the Woman's National Democratic Club on May 21 on the subject, "Nixonomics: A Strategy of Broken Promises and Broken Pocketbooks."

Mr. O'Brien's speech was placed in the CONGRESSIONAL RECORD at pages 16633-16634 by Representative WRIGHT PATMAN.

Mr. President, much was made politically of the credibility gap in the Johnson administration, but the Nixon administration has erased that comparative hairline from memory by digging a trust chasm. Saturation rhetoric has been applied to civil rights, education, health and housing needs, student dissent, the Cambodian adventure, and the state of the economy.

I ask unanimous consent that a summary of the O'Brien speech be printed in the RECORD.

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

#### NIXONOMICS: A STRATEGY OF BROKEN PROMISES AND BROKEN POCKETBOOKS INFLATIONARY RECESSION

Republican economic policies—Monetary: Highest interest rates in 100 years!

Worst housing crisis since World War III Housing starts dropped about 42 percent in 1969. Even Paul McCracken, Chairman of the Council of Economic Advisers, admits the housing industry is in a recession.

Federally-financed mortgage interest rates up 26 percent since Nixon took office.

Half of American families priced out of the housing market.

\$20,000 home on 30-year mortgage means the buyer pays \$35,000 in interest payments alone—for total cost of \$55,000. This money goes not to the builder, not to the worker, but to the banker.

Bank loans to the average borrower (e.g., student college loan) running at 12 percent.

Bank profits in 1969 up 13 percent to 56 percent over 1968.

#### REPUBLICAN SOLUTIONS

Release frozen federal construction funds which benefit big construction firms and highway contractors but do not help residential housing industry.

Count mobile homes in housing starts, since this is the only housing which half of American families can afford.

Cut eligibility for federal college loans down to families earning under \$10,000, forcing rest into open loan market to finance children's education.

#### FISCAL POLICIES

Nixon made a campaign issue out of balanced or surplus budgets and Republican fiscal responsibility. Yet the 1969 Democratic budget had a surplus of \$3.2 billion and the Democratic Congress cut over \$5 billion from the Nixon 1970 budget. For 1971, the Republicans came up with only a \$1.3 billion surplus—a surplus which has disappeared before the year even begins!

#### COST OF LIVING—OLD MATH, NEW MATH, REPUBLICAN MATH

Despite Administration claims one year ago that they would bring inflation down to 3 percent by the end of the year, it actually accelerated in 1969! The rate was only 4.8 percent in 1968 under a Democratic Administration, but it rose to 6.1 percent in 1969—and up to 7.2 percent in December and 6.3 percent for the first quarter of 1970.

Food which cost \$12.12 in December 1968, cost \$13.33 in March 1970. In one Republican year, egg prices went up 1½ cents, hamburger up 6½ cents and pork chops up 13½ cents.

Medical costs rose over 6 percent. In Wash-

ington, D.C., a semi-private hospital room which cost \$52 per day in March 1969, now costs \$65—almost a 25 percent increase.

OUR STAND (AND MOST LEADING FINANCIAL WRITERS ARE WITH US) SOCK IT TO 'EM!

All "excessive demand" inflation has been wrung from the economy, yet inflation continues at the worst pace in 20 years. The inflation is now "structural" in nature and only bankers and big concentrated industries are making bloated profits. Republicans are asking the average middle American (salaried workers, small businessmen, retired persons) to pay for fighting inflation through excessive interest charges, rising cost of living, cutting the budget in programs which benefit all people (Nixon veto of education and health funds).

#### ADMINISTRATION REFUSES TO USE OTHER AVAILABLE TOOLS TO HALT INFLATION

Credit and interest control bill passed by Congress in December, which allows the President to use selective controls to curb inflation and ease cruelly high interest rates to alleviate tight housing situation and crunch on small businessmen and small borrowers. Nixon said he did not want these powers and he has not used them.

Jawboning (Using office and power of Presidency to represent the public interest). One week after taking office, Nixon said he would not interfere with pricing and wage decisions of business and labor. Arthur Okun, former Chairman of the Council of Economic Advisers, in his study, "The Controlled Experiment of 1969," has conclusively documented the effect of no jawboning on concentrated industries. According to his evidence, somewhere between one-half and one percent of extra inflation in the industrial wholesale price index resulted from this shift in policy. Since this index rose 4 percent in 1969, compared with 2.5 percent in 1968, that extra price increase represents between one-third and two-thirds of the acceleration. Increases in the wholesale price index are passed on to the consumer in every item he buys.

Selected steel products rose over 6 percent in price in 1969 compared with 1.5 percent in 1966-68. U.S. Steel continued raising prices in 1970 and showed profits up 38.8 percent in last quarter of 1969 over 1968.

Copper products prices were raised five times in 1969 for a 24-percent increase in prices, compared to 5.3 percent in 1966-68. Kennecott profits rose 71 percent in 1969 over 1968.

#### UNEMPLOYMENT—ENLIST NOW IN REPUBLICAN ARMY TO FIGHT INFLATION

During the 1968 campaign, Paul McCracken said that to get the pace of price increases below an annual rate of 3 percent would involve raising unemployment by a full percentage point—or 785,450 people. (*Newsweek* interview) He lost on prices but won on unemployment.

From 3.3 percent in January, 1969, the unemployment rate is up to 4.8 percent in April, 1970 (highest rate since April, 1965). More than one million American workers lost their jobs in the last year. The increase in first three months of 1970 (up from 3.5 percent in December) is the fastest quarterly acceleration since the last quarter of 1960, during Eisenhower-Nixon recession. And this increase occurred among adult, full-time workers—family wage-earners. Unemployment for construction workers now stands at 8.1 percent and for manufacturing workers at 4.8 percent—up from 2.9 percent in January 1969.

Administration predicted average unemployment rate for 1970 of 4.3 percent. Now even Republican economists are warning total may rise to 5 or 6 percent—which means at least another million workers will lose jobs.

"Hidden unemployment" is reflected in a work-week below 40 hours for first time since

1962 and overtime dropping for a decrease of \$1.39 in average weekly paycheck from January to February.

Real income is 0.6 percent below the March 1969 level and 2.8 percent below the record high in September, 1968. Under eight Democratic years, real income rose 32 percent.

#### CONSTITUTIONAL ASPECTS OF U.S. MILITARY INVOLVEMENT IN CAMBODIA

Mr. BAYH. Mr. President, a few days ago I sent to Senators a memorandum discussing the constitutional aspects of our military involvement in Cambodia which had been prepared by the Columbia Society for International Law. The memorandum discussed in some detail the constitutional aspects of the circumstances surrounding our involvement in Cambodia, and a member of my staff felt it contained information which would be of value to other Members of the Senate.

In line with our custom, a two-line cover letter was prepared for inclusion with the memorandum. The material was sent to Members of the Senate in an envelope bearing my frank.

It recently has come to my attention that at least one Senator received the memorandum without the cover letter. The omission was unintentional and inadvertent. But since the omission has occurred, I should point out that this material was inserted in my office by members of my staff. It solicited no funds and was not mailed at the request, insistence, or on behalf of any outside organization. The material was sent to Members of the Senate because a member of my staff found it helpful in preparing material for my consideration. He thought it would be equally helpful to Senators in their consideration of the difficult problems facing us in Southeast Asia.

#### COMMENCEMENT ADDRESS BY DR. ARIEL DURANT

Mrs. SMITH of Maine. Mr. President, it was my privilege on May 16, 1970, to hear one of the finest addresses I have ever experienced. The address was made by Dr. Ariel Durant, one of our foremost historians, at the commencement exercises of Ripon College, Ripon, Wis.

Dr. Durant, the wife of her equally famous husband, Will Durant, was one of five women receiving honorary degrees from Ripon College. The others were Mrs. Maria Goeppert Mayer, the only American woman to win the Nobel Prize for physics; Mrs. Mary Ingraham Bunting, president of Radcliff College; Mrs. Elizabeth Yates McGreal, prize-winning author and leader in civil rights; and myself.

Because of the timeliness and profundity of Dr. Durant's address, I 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:

#### CHALLENGE AND RESPONSE

Mr. President, Members of the Faculty, Distinguished Guests, Friends, Fellow Students:

I wish to speak to you briefly in defense of civilization; to summarize the challenges that now endanger it in America; and to tell you simply what I would do about them if I had the power.

I define civilization as social order promoting cultural creation. It begins with force generating order; it progresses with knowledge and education generating reason; it matures in sensitivity generating beauty in action, speech, and form. It becomes a delicate structure of traditions, customs, morals, manners, and laws; of commercial facilities and industrial skills; of sciences, letters, creeds, philosophies, and arts. It is not transmitted with flesh and blood, with genes or chromosomes; it has to be acquired anew by each generation through capacity to teach and willingness to learn.

Civilization is a co-operative product, and many peoples have contributed to the heritage that constitutes it. So the Hindus gave us our Arabic numerals, the Phoenicians gave us our alphabet, the Jews gave us the Ten Commandments, the Greeks gave us philosophy, the Romans gave us law, the early Christians gave us a moral ideal, the English gave us respect for individual freedom, the French gave us the refining participation of women in the privileges and amenities of life. We are the inheritors of a costly, complex, and fragile legacy.

It takes centuries to create a civilization, and only a generation or a year to destroy it. It took France a thousand years to grow from Clovis to Montaigne; it took England eight hundred years from Alfred to Shakespeare. But it took the Mongols only a decade to destroy the high civilization of medieval Baghdad; it may take the hydrogen bomb only a day to turn our major cities into rubble and dust; it may take only a generation for Western civilization to disintegrate under the storm of challenges that envelops it today.

You know those challenges; they are in every newspaper and magazine, in every mouth, almost in every thought. I shall hastily summarize them, and then I shall face the inevitable and reasonable question: what would I do about them if I had power?

First of the challenges to civilization is the deterioration of our environment through the rapid use of minerals and fuels of the soil; through the transformation of our inner cities into soul-destroying, crime-breeding ghettos of the poor; through the pollution of our waters by industrial and human wastes, of our air by our industries and our cars, of our food and drink by insecticides, detergents, or chemical additives; and the disfigurement of our surroundings by unregulated building or the discarded products of our labor or our recreation. We have been fouling our own nest.

Second: the deterioration of our population through the reckless multiplication of its quantity and the repeated dilution of its quality. We breed faster than we plant, and we breed from the bottom of the intellectual scale while prudent parentage relatively sterilizes the top.

Third: The Industrial Revolution has ended the role of the family as the unit of economic production, and has thereby removed the economic basis of parental authority and family discipline.

Fourth: The Scientific Revolution has weakened supernatural belief, and has rapidly reduced the influence of religion as a source of moral instruction and social order.

Fifth: Our universities are in turmoil. The angry student resents courses that do not prepare him for successful functioning in a changing society, or that ignore the role of ethnic minorities in our political and cultural history. He suffers from the absorption of teachers in private research, and the domination of that research by the needs of the army and the navy. He began by admiring science for its methods and its miracles; he ends by distrusting science as mech-

anizing life and industry, and as subjecting itself to a military-industrial complex that dominates the citizen, the teacher, the economy, and the government.

Sixth: The growth of wealth and cities and population, the lessening of moral restraints, the increased facilities offered to economic dishonesty and sexual promiscuity, have coarsened our manners, our morals, our language, our literature, and our arts, and threaten the very soul of civilization.

Seventh: The denial of education and a decent family life to our black people in the South has created, by their migration to the North, a race problem more intense and dangerous than at any time in our century.

Eighth: Crime has increased along with cities, science, and industry. Industry gives new tools to the criminal; the automobile makes his escape easier; court decisions make his conviction harder; and indiscriminate imprisonment makes murderers out of petty thieves.

Ninth: Our economic system, so excellent in productivity and in spreading the comforts of life, has the defect of repeatedly concentrating wealth to a point that encourages discontent and class war.

Tenth: Our youth tend to lose faith in the integrity and efficiency of our institutions, to drop out from the processes and amenities of civilization, and to lend themselves to student violence and revolutionary dreams. They reject the past as irrelevant in a hectically changing world, and repudiate the wisdom of age as geared to a vanished scene. Finally they take to narcotics to escape the responsibilities of adult life; and we, who must entrust the future to them, stand sipping our alcohol in a paralysis of wonder and fear as to what our undisciplined and unmoored children will do with our heritage.

So much for the challenges; now what shall we do about them? In proposing remedial measures we must keep within the limits of human nature, and within the capacity of a democratic government. Mindful of these limits, I offer suggestions not for a Utopia but for a better America.

One: The Department of the Interior in our Federal Government, and every state and county, should include a Bureau of Environmental Care, empowered to check pollution at its source.

Two: Parentage should be made a privilege of fitness and not a right of irresponsibility or carelessness. A right should be defined as a private freedom consistent with public good. Birth control information should be given to every family. Abortion should be legalized. We may rely upon the natural desire for offspring to keep our population up to a figure necessary for national security.

Three: The unity of the family, and the authority of the parents, should be strengthened by enforcing their responsibility for the actions of their dependent children.

Four: The Church might regain its moral force if it put less emphasis upon creed and more upon conduct. The Ten Commandments, applied resolutely to our living problems, would be an excellent platform for any synagogue; and the ethics of Christ could be the daily gospel of every Christian church, requiring not literal, but sincerely progressive, fulfillment.

Five: Education should be provided to fit every student for employment in a technological economy; but education in the humanities should be equally stressed for the understanding of values, graces, and ends. Proposals for high school, college, or university reform should be submitted to a board of which the elected president of each student class should be a voting member. Any student who interferes with the operation of a school should be dismissed. To counter the deterioration of our television programs I would recommend the establishment of a United States Broadcasting Company financed by the Government but directed by

our universities, the National Academy of Science, and the National Academy of Arts and Letters.

Six: Education in morality—which I should define as the conscientious cooperation of the individual with the community—should be a major course in every year of schooling. The intelligent youth will not take his morals from his inferiors, nor will he take his vocabulary from the privy, the street corner, or the saloon. Some check must be put to our moral permissiveness; some censorship must be resumed over publication, broadcasting, and the theater. I know that this is a dangerous course, but there should be a limit to the dissemination of degradation.

Seven: Racial integration should require for all groups equality of educational, economic, and political opportunity.

Eight: I believe that the extension of education, and the reduction of poverty, will reduce, though it will not end, crime. Temporary insanity should no longer be accepted as an excuse for crime. Prisons should be replaced by state farms designed to teach some rehabilitating trade.

Nine: I believe that our economic system, with its progressive mixture of capitalism and socialism, of free enterprise and the welfare state, is better than either the unregulated capitalism of my youth or an authoritarian communist regime.

Ten: Obviously I prefer reform to revolution. If there is anything clear in history it is that violent revolution multiplies chaos, disseminates destitution, and passes through the excesses of freedom to a dictatorship by an oppressive minority. Revolution is a monster that devours both its parents and its children. Less alluring, but less costly, are those processes of reform, by persistent education and gradual public acceptance, which have achieved so many beneficent changes in our century.

As I think over this discourse, I fear that I have stressed too heavily the problems that face us and our children. I am not without hope and I do not forget the marvels that man, poor stumbling man, has achieved in science, religion, literature, art, even in statesmanship and sanctity. Our government is subject to most of the frailties of that human nature which all of us—radical as well as conservative, young as well as old, poor as well as rich—share alike; but it is still flexible enough to hear and implement proposals that have stood the tests of criticism and trial.

We shall meet our challenges if we can bring to bear upon them the united force of mature counsels and young ideas. The young must learn to listen as well as to speak; they must make room, in their concept of America, for that steady middle class, and those men and women of middle age, that carry most of the burdens of life and government. And we elders must recognize that the wild initiatives of the young have spurred remedial action in administrative

chambers and legislative halls. Perhaps our national vitality depends upon a continuing tension between youth and age, whereby innovation meets tradition, and the ardor of experiment fuses with the coolness of experience.

Let our sons and daughters be heard when they open their hearts.

Though suffering repeated violence and chaos, civilization will survive the unstable flux of our time.

#### EXPANDED FOOD AND NUTRITION PROGRAM IN ARKANSAS

Mr. FULBRIGHT. Mr. President, 28 Arkansas counties are currently being served by the expanded food and nutrition education program of the Agriculture Extension Service. This is a new program of the extension service, with the cooperation of the University of Arkansas Division of Agriculture, the U.S. Department of Agriculture, and the participating counties.

The program began in 1969, and by the end of April 1970, there were 9,931 families with 50,923 members enrolled. The families are in the low-income classification, which means income of \$3,000 or less. Some 2,617 of the families have been receiving food stamps.

This program is designed to enable these families to make their dollars and food stamps go further at the market. At the same time they are given information and instruction about the preparation of food and the attainment of a nutritious and balanced diet.

I think this is an outstanding and much-needed effort to improve the health and welfare of our people. I should like our Government to be in a position to allocate much more of its resources to constructive programs such as this.

Mr. President, I commend those who are involved in this fine program, and I ask unanimous consent to have printed in the RECORD a letter from Mr. C. A. Vines, director of cooperative extension work in Arkansas, and an article from the Warren, Ark., Eagle Democrat telling about the program in Bradley County.

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

LITTLE ROCK, ARK.,  
May 20, 1970.

Hon. J. W. FULBRIGHT,  
U.S. Senate,  
Washington, D.C.

DEAR SIR: The attached news clippings are an example of what is being done in two

counties in Arkansas on the Expanded Food and Nutrition Education Program. We are building the educational program of assistance to low-income people carefully as we have staff and resources available. We began the program in seven counties in January, 1969, and expanded it to 16 counties in October, 1969. Beginning early this year we added 12 additional counties to the program. Progress is being made in all 28 counties.

At the end of April, 1970, there were 9,931 families with 50,923 members enrolled in the program. Of the 9,931 families, 2,617 were receiving food stamps. We have employed approximately 250 program aides in the 28 counties to assist our home economics staff to provide educational information on nutrition. In addition to the families enrolled, program aides and home economists have visited with and aided 1,592 other families with nutritional information.

Families enrolled are in the low-income classification as outlined in the Expanded Food and Nutrition Education Guidelines limiting income to \$3,000 annually. Program aides work in selected areas of each county where there is a concentration of people in the eligible classification.

In selecting the counties to begin the program, we gave consideration to the percentage of low-income people. I am also attaching a report which shows a breakdown of participants by counties. Some of the newer counties in the program have not had time to fully establish the program. As you will note, there are counties in each of the Congressional Districts.

Program aides have been employed from the area in which they live and are acquainted, and in many cases from among those who are eligible for assistance. They are given 15 days initial training by our home economists before going in the field and have regular weekly training conferences to keep them up to date on information and procedures for working with people in their areas. It has been our observation that most of the aides develop a fine rapport with their families and are effective in teaching the preparation of foods and in providing information on how to make their dollars and food stamps go further at the market. A part of the problem has been getting the families to buy the proper types of food to provide a balance in the basic four food groups needed for good nutrition.

It is our intention to continue to expand the program to other counties as resources and staff are available. It is a program that is being widely accepted and one which we believe can be extremely important in improving the health of our people in Arkansas.

We appreciate the support you have given this program and assure you that the Agricultural Extension Service will exert the effort necessary to bring this educational information to the people of our state and encourage them to improve their dietary habits.

Very truly yours,

C. A. VINES.

#### EXPANDED NUTRITION PROGRAM REPORT—APRIL 30, 1970

Counties	Families in program at end of month	Families visited but records not taken	Persons in families	Families getting food stamps	Counties	Families in program at end of month	Families visited but records not taken	Persons in families	Families getting food stamps
Crittenden.....	923	0	5,078	370	White.....	165	35	798	42
Jefferson.....	990	16	5,644	359	Ashley.....	251	13	1,382	93
Lonoke.....	367	0	2,081	63	Chicot.....	307	69	1,589	145
Miller.....	421	0	1,878	40	Clark.....	97	50	454	20
Monroe.....	448	8	2,583	242	Conway.....	197	14	961	51
Sebastian.....	654	204	3,034	39	Cross.....	166	22	1,150	54
Union.....	537	0	2,648	84	Faulkner.....	132	423	567	21
Bradley.....	330	6	1,422	72	Fauststead.....	259	36	1,278	26
Columbia.....	345	0	1,235	34	Jackson.....	203	184	1,112	46
Craighead.....	297	0	1,619	41	Poinsett.....	177	5	1,047	81
Crawford.....	239	118	1,036	25	Pulaski.....	603	81	3,084	116
Greene.....	286	85	1,468	57	St. Francis.....	393	22	2,156	193
Independence.....	228	0	1,033	39	Yell.....	186	164	973	23
Lincoln.....	345	8	2,108	170					
Quachita.....	375	29	1,405	71	Total.....	9,931	1,592	50,923	2,617

[From the Warren (Ark.) Eagle Democrat,  
Mar. 11, 1970]

**NEW PROGRAM HELPS COUNTY FAMILIES  
LEARN ABOUT FOOD PREPARATION**

"Agricultural Extension Service Foods and Nutrition Program Aide"—these are the words on the red and white badge worn by the seven energetic, well-groomed homemakers in the picture. You probably have seen one of them in your community with her notebook of information or a basket of demonstration equipment as she visits homemakers in their homes.

These seven nutrition program aides or nutrition program assistants as they are also called are employed by the University of Arkansas Agricultural Extension Service and work under the supervision of the Extension Home Economist.

The nutrition program assistants here in Bradley County are now working with homemakers and will be called on others to offer assistance. These program assistants are a part of a state and nationwide team who are assisting in providing food and nutrition information to certain homemakers. There are approximately 230 nutrition program aides now working in 28 counties in Arkansas. Similar programs are being conducted by Cooperative Extension Services in 700 of the 300 counties in the United States.

When the special homemaker wearing the red and white button knocks on your door won't you invite her to come in and visit with you? She will offer you an opportunity to learn how your food dollar can buy better health for you and your family.

The purpose of this program is for the program assistants to assist homemakers by providing information for them on what food should be eaten, how to prepare foods in a variety of ways, how to make food dollars go farther and the care and storage of foods.

This program began in Bradley County in late September. At that time these program assistants were given intensive training by Mrs. Jean Frisby, Extension Home Economist, with the assistance of Mr. Glen Throgmorton, County Extension Agent. The training continues with weekly sessions where they receive additional information in various areas.

Each week we will tell you about one of the Bradley County nutrition program assistants. Today let us tell you about Marguree Beard. Marguree is the wife of Thad Beard and they live on Woodlawn Street in Warren.

Mrs. Beard has many hobbies, which include making her own clothing, cooking and working with arts and crafts. She is active in B & PW and is the incoming district director for this district.

She was chosen to be a nutrition aide by the County Extension Agent and County Extension Home Economist to work part time with homemakers and then work in the Extension office part time where she is responsible for the secretarial work for the Expanded Nutrition Program.

The nutrition assistants often introduce new recipes to "her" family. Most of the recipes are basic but different.

**ALF M. LANDON**

Mr. DOLE. Mr. President, writing about prominent Americans is a difficult task when it comes to capturing their behind-the-limelight life. Since a majority of readers enjoy knowing about the human side of well-known Americans, many writers have mastered the art of producing colorful, human interest stories. One such article, about Alf M. Landon, a prominent Kansan and a great figure in American politics, ap-

peared in the Wichita Eagle-Beacon on May 24, 1970.

Mr. President, I commend this article, "Landon of Topeka," written by Jules Loh, to Senators, and ask unanimous consent that it be printed in the RECORD.

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

**LANDON OF TOPEKA: A LAWYER WHO NEVER HAD A CASE, AN OILMAN WHO NEVER MADE A MILLION AND A PRESIDENTIAL CANDIDATE WHO CARRIED ONLY MAINE AND VERMONT**  
(By Jules Loh)

(NOTE.—In the annals of American politics the name Alfred M. Landon is perhaps the one most associated with the word landslide—at the bottom of. But Alf Landon was not buried in 1936. He is alive and well in Topeka, at 82 a man of overlooked wisdom and wit whose words and example are no mean legacy to a younger America that too rarely heeds an invaluable resource—its elders.)

TOPEKA.—The old man rises each day with the sun, pulls on his boots, jogs the 50 yards down the curved driveway to fetch the morning papers, then jogs back.

After breakfast he heaves himself into a hulking fleece-lined coat and hikes down the rough path behind the house to the barn to greet Red, his handsome Morgan horse.

"Hello, old boy. How do you feel?" Plainly Red feels and looks as fit and alert, as hearty and as eager to be up and doing as his master, Alf Landon—Alfred M. Landon of Kansas. He's 82 now.

The old man gives the Morgan and the eight Shetlands some grain to warm their bellies and speaks to each in turn. "Hello, April. Hello, Judy, old girl." The Shetlands are pets. His 10 grandchildren rarely ride them anymore; perhaps his great-grandchildren will.

Full and content, the ponies wander out of the old stone and clapboard barn to the rolling pasture to graze under apple trees. If the weather is tolerable, Landon saddles the Morgan for a leisurely six-mile ride up the Kansas River.

The morning ride is Alf Landon's private time, his time to ponder and reflect.

One whose adult life has encompassed all there has been of the 20th century, whose own father once picked up a souvenir Indian bow from a battlefield, who has experienced the highest public trust his fellow Kansans could bestow and the deepest public rejection his fellow Americans have ever expressed, who has the perspective of eight decades, four generations, from which to view the world's stresses and conflicts, surely is one who, in the morning quiet of a river bank, has much to reflect on, much to ponder.

Alf Landon describes himself, wryly, as "a lawyer who never had a case, an oilman who never made a million and a presidential candidate who carried only Maine and Vermont."

Settled in a padded green velvet rocker before a crackling fire in his walnut-paneled library, the former governor contemplated all three careers.

"If you're wondering whether I would change anything if I had my life to live over again," he said, "the answer is no."

"Oh, there were some mistakes I would avoid. Personal things. But the course of my life? No, I wouldn't alter it a bit."

**WHAT ABOUT THE UNITED STATES?**

How about the course the nation has taken. Would he alter that?

"Well," he said, "if I had been elected president there would have been more anti-trust suits filed, I can tell you that. But

who can say whether things would have been better if one could go back and change this isolated fact of history or that? History is made up of interrelated parts and has to be viewed whole. Commenting on it is far less hazardous than making it.

"I can tell you this, though. We have developed in this country today a sounder political life than ever before.

"Our people have a loftier civic consciousness. More people are more concerned today than at any time in my experience—conflicts of interest in government, about the problems of the laborer, about the fact that an American can go hungry in his own rich country. I don't think there ever has been greater reason to hope and less cause for despair."

With the serenity of his accumulated years—years that span, among their more tragic moments, attempts on the lives of five presidents; two horribly successful—Alf Landon can even view the last decade's spasms of violence with some equanimity.

Among assorted artifacts and political memorabilia in his basement is the three-sided lectern he used on the four speaking tours of his 1936 presidential campaign against Franklin D. Roosevelt. It takes four men to lift the lectern. It is bulletproof.

"They thought somebody might take a shot at me," said Landon. "Those were volatile times."

He leaned back in the rocker stretching his legs, dug his heels in the Oriental rug and stared in contemplation at the beamed ceiling.

"People are distraught over today's violence, as well they should be," he said. "This country has always been cursed with violence. Do you remember the Ludlow massacre?"

"The National Guard . . . I don't know whether the governor called them or they called themselves . . ." Remembering, the old man choked and a tear wet his seamed cheek. ". . . They shot down babies . . . women . . . drove them back into their burning tents . . ."

For a long moment he wiped his glasses with his handkerchief and finally said, "Don't be overly dismayed by the recent violence. Name something terrible that's happened and I'll tell you something as bad. The country always seems to survive.

**PEOPLE MOVE OUTRAGED**

"The important thing is that today more people seem to be outraged by the violence around them. That shows improvement, wouldn't you say?"

The incident Landon referred to happened in Ludlow, Colo., when a tent city inhabited by striking coal miners was drenched in oil, set ablaze and the fleeing families mowed down by company gunmen and National Guardsmen. Twenty were killed, including a pregnant woman and 13 children.

"At least," Landon said, "whatever the failings of today's so-called Establishment, cruelty and violence are not among its instruments of policy."

Alf Landon likewise can look upon the current crop of boisterous young campus radicals with the calm gaze of an old sachem who, as he put it, has "walked in their moccasins."

"I'm an old Bull Moose, you know," he said. "We were the wild bunch in my day. Just what is a radical? They called us radicals back then. Some people called me a radical for being in favor of reducing the 12-hour day to 10 hours.

"Not many of us old Progressives are left," he said. "But the ones who are still around have lived to see the country accept all the 'radical' programs we advocated. They're part of our way of life now."

An old Bull Moose? Really? To one who

indeed was not aware of it, the revelation had the shock of ice water.

Alf Landon has been best remembered, of course, as the man who went down to cataclysmic defeat at the hands of a supremely popular FDR in pursuit of his second term. Result: 523 electoral votes to eight, the most lopsided in history.

#### OUTLIVED ENEMIES, FRIENDS

Landon's move ironic misfortune, however, is that he has outlived not his enemies, as the elderly are wont to jest, but his large circle of friends. Former comrades such as William Allen White, Robert M. LaFollette, William E. Borah, Hiram Johnson. Old pals and admirers who knew him all the years before the one fateful year, 1936, when greatness, as it were, was thrust upon Alfred Mossman Landon. They all died and left him abandoned in the next generation's attic as the national symbol of the all-time loser.

A pity. His fate appears even more stark when placed in contrast with the rollicking years of triumph and popularity that set him on this ill-starred course toward a sweeping first-ballot nomination at the 1936 Republican convention even though, as he points out, few rank-and-file Republicans outside of Kansas knew much about his background.

What they knew was that he won the Kansas governorship in 1932 despite a Roosevelt-inspired Democratic landslide, one of four Republican governors elected that year, and that when he ran for a second term two years later he was the only Republican governor elected in the nation.

The governorship was Landon's first and only elective office. As a dedicated amateur, he rose from precinct worker to state GOP chairman even though he bolted his party in 1912 to campaign for Theodore Roosevelt's Bull Moose effort and again in 1924 to support William Allen White's anti-Ku Klux Klan campaign for the Kansas governorship.

"My record for party regularity," says Landon, "is not impressive."

Ticking off the stands he has taken on various political issues over the years, Landon prompted a visitor to interject: "Governor, you sound like an unreconstructed New Dealer."

"So I've been told," he replied.

With his background and the wisdom of his years, whom does the old Bull Moose regard as the great men of this century?

"Teddy Roosevelt and Harry Truman," he said without hesitation.

"Woodrow Wilson might have been if he had been willing to make some concessions. So might have John F. Kennedy if he had lived; he had what it takes. Great men? I think you would have to include John L. Lewis and Samuel Gompers."

It was pointed out that his list seems to tend toward Democrats. He shrugged. "I expect it does."

If Alf Landon was the worst-beaten presidential candidate of the century—third worse, if gauged by percentage of popular vote—he is also perhaps the least embittered.

He seems to regard his great defeat rather like a train wreck or the collapse of a bridge: An impersonal act of God that occurred while he just happened to be there. And he can discuss it in good humor.

He likes to illustrate his morning-after-election feeling with a yarn about a Kansan whose ranch was wiped out by a tornado—house, barn, fences, everything. Inspecting the wreckage the rancher burst out laughing.

"How can you laugh at a time like this?" asked his weeping wife.

"It's just the completeness of it," the man replied.

Some years ago Landon had occasion to introduce his wife to the late Norman Thomas, the determined crusader who ran for pres-

ident three times on the Socialist ticket. "The one I licked in '36."

Was the '36 fiasco one of the things he would avoid if he had to do over again?

"I wouldn't duck the fight, if that's what you mean," he said. "But I'd run the campaign differently. It wouldn't affect the outcome, but I'd feel better about it personally."

"What I regret is that I didn't divorce myself as I should have from the old Republican policies I didn't believe in. For instance, I was more of an internationalist than Roosevelt but somehow I managed to get branded as the isolationist. I was stuck with the same sort of handicap Hubert Humphrey had, only worse."

Landon need not have bowed out of public life after that election.

#### REJECTED CABINET

His running mate, Frank Knox, became Roosevelt's Navy secretary and Landon tells in fascinating detail how he, too, was approached by a go-between for a post in the same Cabinet and turned it down before it was actually proffered.

Again in '38, he says, a Senate seat was his practically for the asking but "I decided that I preferred the comparatively simple but more intelligent life of Topeka, Kan."

"Politics," he explained, "has always been an avocation with me, never a vocation. I never worried about my political future. You can have a good time in politics if you have that attitude."

Besides, by 1938 the Landons had bought a quarter-section of land north of town and selected a tree and tranquil 40-acre portion of it for a stately, 14-room, white-columned house. Landon paid for the house and had money left over by subdividing the remaining 120 acres.

There he and his wife settled down to raise their three children. Landon returned to work as an independent oilman, the career he chose rather than law after he was admitted to the Kansas bar in 1908. He still personally supervises his oil business—as well as four radio stations which he bought in 1958—and politics remains an abiding avocation. At his downtown office, where he shows up for work daily, he keeps two secretaries busy with voluminous correspondence.

The office grind, the morning horse back-ride, the jog to the mailbox—these are not manifestations by Alf Landon of some ostrich-like attempt to cheat old age. He seems to regard his 82 years not as a calamity but a privilege.

"A friend wrote me not long ago after a speech I made and said, 'Aren't you having a wonderful time saying what you want to say and getting it printed?' I must say that I am," Landon smiled.

What Alf Landon appears truly to savor are the multitudes of memories his years have given him. They provide hours of sweet, rambling, often sagacious fireside reminiscences.

Other than in a physical sense, he was asked, does a person ever begin to feel old?

"I was discussing that very point with a fellow I met the other day . . . let's see, his name escapes me—aha," Landon said, "there you are, I seem to have trouble remembering names nowadays. I don't know whether I'm becoming senile or my mind simply has reached its capacity."

He continued: "I remember Mrs. Landon's uncle. Mrs. Landon came from a West Virginia family with a long background of Confederate soldiers. Her mother used to tell about an old uncle. I guess he was in his late 80s. Once she asked him whether he worried about growing old. The old man roared. 'Not half as much as I worry about that black Republican administration in Washington!'"

"When I was a boy they used to say that

people voted 'the way they shot.' My people all shot from the North.

#### CROSSED PARTY LINES

"I had a great uncle back in Conneautville, Pa. He was a sergeant in the First Pennsylvania Cavalry. Uncle Charley. He used to ring the bell for the Methodist services."

"Well, there was a Democrat in Conneautville, a friend of Uncle Charley's, who had been elected state treasurer before the war. When Uncle Charley came home, the Democrat was running for governor."

"This was much later, actually, along about 1902. I was visiting there—we lived over in Elba, Ohio. No, it must have been around 1903 or '04. Well, I said to Uncle Charley, 'I expect you're going to vote for that Democrat.'"

"Uncle Charley thwacked his cane on the floor and said, 'What?! Vote for the party that shot at the Union! Never!'"

"We've come a long way since then," Landon said.

"Governor," he was asked, "have you ever voted for a Democrat?"

He grinned. "I have not always supported the candidate of the Republican party," he said.

At day's end, Alf Landon appeared comfortably tired. He rose from the rocker to stir the fire and soft light cheered the room and lit the walls of books and the potted plants and shimmered on the bay window.

#### LANDON TRANQUIL

Ghostlike, at the darkened end at the room farthest from the hearth, rested the old man's desk with its clutter of papers, yellow pencils with erasers well worn, heavy ashtray, two pipes, one elaborately carved, the other a brown-stained corncob, several tiers of books, some with protruding page markers—Lord Tweedsmuir's "Pilgrim Way" leaning against Hamlin Garland's "Boy Life on the Prairie," Schlesinger's "The Politics of Upheaval" sharing a corner with Peterson's "The Bird Watcher's Anthology."

"I have a good life," Alf Landon said. His brown eyes glistened in the fireglow like topaz.

"I have, I would suppose, more friends than many other people, more, probably, than I deserve. I have my health. I am blessed with a beautiful family."

"When you come right down to it, what else really matters?"

#### VIOLENCE DEBUNKED

Mr. EAGLETON, Mr. President, recently, at Stanford University, Prof. Sydney Hook, of New York University, delivered an address in which he took issue with those radical elements in this country who seek to prove that violence is a legitimate tool which can be applied within a democratic society in a useful way.

Mr. Hook takes their arguments one by one and answers them with intellectually sound and firmly convincing arguments of his own. I wish every student in America would read Mr. Hook's address. It was recently reprinted in the May 17, 1970, Washington Post. I ask unanimous consent that Mr. Hook's address, as published in that newspaper, be printed in the RECORD at this time.

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

#### THE PERVERSE IDEOLOGY OF VIOLENCE

(By Sidney Hook)

I cannot recall any period in American history in which there has been so much extenuation and glorification of the use of vio-

lence—not as episodic forays of symbolic character to call attention to shocking evils, but as a legitimate strategy in social, political and even educational reform.

Until recently, those who defended the role of violence in social change did so in the main from a revolutionary perspective that forthrightly repudiated democracy as a political system either as a sham, covering up class rule, or as an inadequate institutional expression of self-government.

What is comparatively novel in our time is the defense of violence by those who are not prepared openly to abandon the standpoint of democracy but who, out of design or confusion, contend that a "healthy" or "just" or "progressive" democratic society will tolerate violence, recognize its productive, even creative role and eschew any strategy for the control of violence by resort to the force of the civil authorities or to police power.

A report of one of the task force of the National Commission on the Causes and Prevention of Violence ("The Politics of Protest") concludes by repudiating the conventional wisdom of the so-called "two-pronged approach" to violence. (The first prong seeks to control or restrain violence the second to meet genuine grievances by appropriate reform.)

On this view, once the demands made by those who are violent are distinguished from the causes of the violence, the major effort must go into meeting the demands, into reforming society, not into curbing violence.

It goes almost without saying that this sympathetic approach to manifestations of violence is limited only to particular groups and to special causes. It is not generalized to hold for all public violence, especially violence against good causes.

We are therefore not dealing with general principles of social action; we are dealing with a proposed strategy in a struggle for power—a strategy that appears to me both arbitrary and short-sighted.

There are certain common sense objections that are flagrantly overlooked in this rejection of the "two-pronged approach." First of all, to urge that we treat only the causes of violence, and not divide our energies by efforts to curb violence, overlooks the obvious fact that we do not always know what the causes of violence are when the facts of violence are quite manifest.

Second, even if we believe we know what the causes are, treating them properly, remedying the evils, changing the behavior patterns necessary to change the situation may require time.

For example, if the existence of slums is regarded as the chief cause of urban violence (something not really established), rebuilding the city ghetto or dispersing it cannot take place overnight. If violence meanwhile is not curbed, more buildings may be burned than can be construed in the same time period. To this very day the scarred desolate streets of our riot-torn cities are a gaunt and painful reminder of the ineffectuality of violence. And why is it assumed that violence will result in the mutual accommodation of interests rather than in further provocation and escalation of violence and counter violence?

Thirdly, let us suppose we escape this danger and violence does not call into existence its own nemesis. Is there nothing illegitimate and blameworthy about the action even if it turns out successfully?

One of the most frequent confusions in the apologetic literature of violence is the identification of force and violence. Since all government and law must rest ultimately—although not exclusively—upon force, the universality of the actual or potential exercise of force prepares the ground for a slide to the view that violence, too, is universal and therefore an inescapable facet of all social life.

But violence is not simple physical force,

but the illegal or immoral use of physical force. Force is neutral in meaning though it is necessary to sustain or enforce legal rights wherever they are threatened. When James Meredith was denied the right to study at the University of Mississippi, when Negro children were prevented from attending school at Little Rock, it was force that protected and redeemed their right against the violence and the threat of violence of the Southern mob.

Where a party resorts to violence in order to breach the rules of the political game, to disrupt or destroy the game, it cannot justifiably equate its violence with the force used to sustain the rules so long as it professes allegiance to the political system defined by those rules.

Some resign themselves to the suicide of democracy by inactivity in the face of violence. But a democracy has the moral right to protect itself. Its legitimate use of force to preserve the rules of a democratic society, to enforce the rights without which democracy cannot function, may be wise or unwise, judicious or injudicious. But such use cannot sensibly be classified as violence.

#### SIMPLISTIC RATIONALE

The importance of considering the question of violence in a political context is apparent when we examine some typical syndromes of apologetic justification for violence.

1. The first was exhibited by Rap Brown in his now classic observation that "violence is as American as cherry pie." This piece of wisdom is the gist of the findings of several task forces of the National Commission on the Causes and Prevention of Violence, the most notable of which has been Prof. Jerome Skolnick's "Politics of Protest," to which I have already referred. They gravely inform us that violence is customary in American life, as if that made it more acceptable, as if it proved anything more than that the democratic process in America has often broken down in the past, as if the fact that something is authentically American necessarily made it as praiseworthy as cherry pie. Certainly, lynching is as American as cherry pie!

2. A second popular apologetic justification for violence may be called the Boston Tea Party syndrome. Since our patriotic American forebears dumped valuable property into the harbor and engaged in other acts of violence, why is it wrong, we are asked, for present-day rebels to follow suit?

The total disregard of the fact that the American colonists had no means of remedying their grievances by peaceful constitutional change is symptomatic of the grossly unhistorical approach to problems of social change.

To be sure, democratic institutions work slowly and, like all institutions, imperfectly. That is the price of democracy which the democrat cheerfully pays because he knows on the basis of history and psychology that the price of any other political alternative is much higher. The integrity of the process by which a minority may peacefully become or win a majority is all-important to him. If the democratic process functions in such a way as to violate the basic moral values of any group of citizens, they have a right to attempt to overthrow it by revolution, but they cannot justifiably do so in the name of democracy. And it is open to others to counter these efforts on the basis of their own revolutionary or counterrevolutionary mandate from heaven.

3. The third syndrome challenges the contention that a principled democrat cannot reform an existing democracy by violence without abandoning democratic first principles. This position asserts that existing means of dissent are inadequate, that the wells of public knowledge are poisoned, that

the majority has been misled by its education, corrupted by affluence or enslaved by its passions.

Allowing for certain changes in time and idiom, this indictment against democracy is as old as the Platonic critique. (But Plato did not pretend to be a democrat.) That the institutional life and mechanisms of American democracy are inadequate is undeniable. But just as undeniable is the fact that in many respects they are more adequate today than they have ever been in the past; that dissent has a voice, a platform, a resonance greater than ever before.

#### REWRITING THE RULES

And what is the test of the inadequacy of existing democratic mechanisms to remedy grievances? That the minority has failed to persuade the majority? This is like saying that a democrat will be convinced that elections are truly democratic only when *he* wins them. Having failed to persuade the majority by democratic and constitutional means, the minority claims the right in the name of a hypothetical, future majority to impose its opinions and rule by violence on the present majority. And by a series of semantic outrages it calls this a democratic method of reforming democracy!

It is easy enough to expose this when it is—as it has often been in the past—a stratagem in the propaganda offensive of totalitarian groups. But the difficulty is greater when these contentions are put forward by individuals who sincerely believe themselves committed to democracy. What they are really saying in their sincere confusion is that in any democratic society that falls short of perfection—that is, in any democratic society in which they fall short of winning a majority—they have a democratic right to resort to violence—which is absurd. Unfortunately, as Cicero once observed, there is no absurdity to which some human beings will not resort to defend another absurdity.

4. The fourth syndrome in the contemporary apologetic literature of violence is the justification of the tactics of violent disruption and confrontation on the ground that the state itself employs force, and sometimes makes an unwise use of it either in war or in preserving democratic peace. Only an anarchist who does not recognize any state authority can consistently make this kind of retort—and even anarchists would not be likely to be much impressed by it if it were to be mouthed by raiding parties of the Ku Klux Klan and similar groups. In any society, democratic or not, where the state does not have a monopoly of physical force to which all other sanctions are ultimately subordinate, we face incipient civil war.

Nor is the situation any different when the state embarks upon actions that offend the moral sensibilities of some of its citizens. In a debate with Noam Chomsky at Oberlin College last year, I was asked by Prof. Chomsky: "How can you reasonably protest against the comparatively limited use of violence by the SDS at Columbia University and elsewhere [of which he did not approve] in view of the massive use of violence by the United States in Vietnam?" It is a retort frequently heard when student and black militant violence is condemned.

For one thing this type of question overlooks the obvious fact that one can be opposed *both* to student violence on campus and to the American involvement in Vietnam just as one could bitterly resist *both* the Stalinist goon squads and Hitler's terrorists. And even if this were not the case, the comparison is specious and question-begging to boot.

#### THE OTHER VIEW

The objection to violence in a democratic society stems from various sources—not all of them narrowly political.

The first reflects the civilized and humane

belief that the amount of physical coercion of men over other men can be reduced although it cannot ever be eliminated. Even those who are wedded to violence as a strategy of social change profess to believe that their actions will produce a world that ultimately will be less violent. This is extremely unlikely although not inconceivable either theoretically or practically.

Another source of opposition to violence is the desire of men for continuity and predictability in their social life within the limits of what is humanly sufferable. It is the *certainty* of the law, the knowledge of what can be relied on as we go about arranging our affairs and tying them into the future, rather than our expectation that the delicate balance of justice will be precisely achieved in human relations, that is its chief desideratum.

Violence, especially chronic violence, upsets the normal expectations of orderly procedure. Unless a new pattern of stability is quickly reached, an atmosphere of impending chaos and catastrophe is generated that prepares the ground for the growth and tolerance of despotism. Despotism is not easily or freely chosen. It is accepted more readily when men become fearful of anarchy.

It is in the light of these considerations that we must examine what seems to be the most pervasive as well as the most persuasive argument for violence. This maintains that the threat of violence, and its actuality which is necessary to make the threat credible, are the most effective means of achieving reforms; that without the violent extremists, the moderate reformer has no chance to implement his program; that the prospects of reform are always enhanced by the fear generated through the threat of violence and its sporadic outbreaks.

Without doubt, there is some truth to this view. But it is a half-truth and a dangerous half-truth at that. From the abstract proposition that the threat or exercise of violence may facilitate enlightened social change or policy, it is the sheerest dogmatism to assume that in any particular situation violence or its threat will in fact serve a beneficial purpose. It may just as likely set up a cycle of escalating violence and counter-violence that will be more costly and undesirable than the reforms subsequently instituted. It all depends upon the case.

#### PEACEFUL PROGRESS

It would be a fantastic misreading of European and American history to assert that the fear or actual outbreak of violence has been the sole, or even the most important, cause of reform. Vast amounts of social welfare legislation cannot be explained in terms of fear of violence. The motives and causes for their adoption are mixed, but among them an expanded social consciousness and sense of responsibility rank high.

No one in our times rioted for Social Security or the National Health Service or Medicare or the acceptance by the federal government of the revolutionary principle of a national minimum of welfare payments. Tremendous advances have been made on both sides of the Atlantic in the defense and extension of civil rights and liberties, in judicial and penal practice, liberalization of laws relating to marriage, divorce, birth control and abortion.

All of these measures, and many more, have been adopted in the absence of any credible threats of violence. Not a single one of the great landmark decisions of the U.S. Supreme Court (including its 1954 school desegregation decision and mandatory state political reapportionment a decade later) was made under the threat of the gun, the mob or the torch. It was not to violence or the threat of it that we owe their enactment, but to the growth of enlightenment, the enlarge-

ment of imagination and the development of the democratic idea.

Still, there is no need to deny that fear of violence does often have an influence upon the willingness to reform conditions. And up to a point it is altogether reasonable that it should have an influence. But this is not true to the same extent of overt, repeated threats of violence. And least persuasive of all is the brute outbreak of violence that imperils security of life, of one's home and property. For the consequence of such violence is the generation of hysteria and panic among its victims and all elements of the population who identify with them.

Mass hysteria and panic are blind. They mistake fantasy for reality and breed unreasoning, not intelligent, fear and hate. If enough people among the majority are swept up in these emotions, a reaction sets in, all the more intense for being delayed, that makes reforms more difficult to achieve, not less. It not only can stop the movement toward reform—it sometimes reverses it.

Whoever, then, calculates on the educational value of violence for the community is taking a foolish and criminally irresponsible risk. He risks the hardening of opposition to further reforms and a counterviolence that, as it escalates, moves the conflict toward civil war, the cruelest form of all wars.

In short, violence more often drowns out the voice of moderation, narrows options, destroys the center and polarizes the community into extremes.

The American Civil War is a case in point. It did not solve the Negro question. We are still suffering from its legacy of hate and fear which left the Negro politically disfranchised (despite his emancipation), economically in peonage and socially and educationally victimized by a Jim Crow system.

And since the Civil War, the greatest gains in the condition of the Negroes in the United States were won not in consequence of violence or the threat of violence but by the use of democratic administrative and legal processes fortified in recent times by the non-violent civil rights movement headed by Dr. Martin Luther King.

The ghetto riots that periodically swept cities during the first three decades of this century brought no substantial reforms despite great loss of life. Anyone who compares the state of the U.S.A. before World War I and today will testify to the remarkable progress made—granted, of course, that this progress has still far to go to achieve the substantial equality to which all groups are entitled in a democratic community.

#### THE CAMPUS CRISIS

What holds for the relationship between violence and reform with respect to the Negro holds true even more obviously for the relationship between student violence and university reform. Some apologists for student violence maintain that it led to necessary and healthy curricular and administrative reforms in the university. The wisdom of such reforms remains problematic where they were adopted not on the basis of sound educational inquiry but—as was frankly proclaimed in many institutions—as a means of keeping the campus quiet and bringing peace. This is an extraordinary criterion by which to determine the validity of a curriculum.

That some good results from violence does not justify the violence unless it can be proved that the good so achieved was necessary, could not have been achieved more effectively and at a lesser cost in other ways, and did not result in evil that outweighed the good.

The truth of the matter is that most educational reforms in most institutions have come about without a show of force, where arguments have been the only weapons, where dissenters and protesters have evinced

not only zeal but persistence in a good cause. Where violence has been used, a grievous wound has been inflicted on the fabric of the university community life. It may take a generation to heal it.

#### REASON DROWNED OUT

Some faculty apologists for the student rebels have sought to play down the enormity of the offenses against intellectual and academic freedom by dismissing them as inconsequential. "Just a few buildings burned," they say. This is as if one were to extenuate the corruption of justice by the numbers of magistrates not bribed, or lynchings by their infrequency.

The sober fact is that violence has reached such proportions on the campuses today that the whole atmosphere of American—and many European and Japanese—universities has been transformed. The appeal to reason is no longer sufficient to resolve problems or even to keep the peace. In order to make itself heard in some of our most prestigious institutions, the appeal to reason must appeal to the police.

Violence in the academy is an outgrowth of violence in the streets and cities of the country. That is where the gravest current danger lies. Were violence confined to the universities alone, its evils could not long continue if only because the state and society on whose support the universities ultimately depend would restrict and perhaps cancel their precarious autonomy.

In the democratic community at large, the resort to violence attacks that community at its foundations. And this regardless of the merit of the cause or the sincerity and self-righteousness of the *engages* and the *enrages*. For every such outbreak of violence makes other outbreaks more likely by serving as a model or precedent to some, or as a provocation to others—in either case escalating the violence.

In this connection, Alexander Hamilton was truly prophetic. In the *Federalist Papers* he warned us of this:

"... every breach of the fundamental law, though dictated by necessity, impairs that sacred reverence which ought to be maintained in the breast of rulers [the people, in a republic] toward the constitution of the country, and forms a precedent for other breaches where the same plea of necessity does not exist at all, or is less urgent and palpable."

Hamilton unerringly cited, on the basis of evidence from the past, the great danger of situations of this kind—the likelihood that citizens "to be more safe . . . at length become more willing to run the risk of becoming less free."

In the end, then, the great paradox and the great truth is that in a democratic society freedom, which is often invoked to justify violence, is itself imperiled by the exercise of violence. The ideologists of violence in a democracy are the sappers and miners of the forces of despotism, the gravediggers—willing or unwilling—of the precious heritage of freedom.

#### MANPOWER DEVELOPMENT AND TRAINING

Mr. JORDAN of Idaho. Mr. President, for several years I was a member of the Committee on Labor and Public Welfare, and during that time we had before us a number of important pieces of legislation concerned with manpower development and training. Each of these bills, which finally became law, recognized that the educational community, public, and private, has a significant role to play in helping to solve the problems of the unemployed, underemployed, and others

who have not been served well by the established school systems.

We are all aware that there are some shortcomings in our educational systems which make necessary remedial manpower programs to compensate for such deficiencies. We also recognize that it is highly unlikely that we can bring about the types of changes in the educational systems which will reduce or at least minimize the need for remedial manpower programs if we do not in a very positive and direct way involve the educational system in remedial programs from which they can learn new directions.

While I am no longer a member of the Committee on Labor and Public Welfare, I have followed with great interest several pieces of pending legislation before that committee designed to concentrate manpower and training programs almost exclusively in the Department of Labor without, at the same time, insuring that there will be significant and positive involvement of the educational community.

I am pleased to recognize that the distinguished Senator from Vermont (Mr. PROUTY) has introduced a bill (S. 3878), the Manpower Development and Training Act of 1970, which would correct the deficiencies in pending legislation by requiring a very positive and direct relationship between manpower programs and the educational establishment. In this regard, I note with interest the significant role of the Office of Education in helping the State education agencies to play a unique and positive role in manpower programs. In my own State, I am seeing some very real transformations taking place in the State educational system because of its involvement with programs under the existing Manpower Development and Training Act of 1962.

#### DANGERS IN THE MIDDLE EAST

Mr. GORE. Mr. President, from the beginning of man's recorded history, the Middle East has been one of the strategically important areas of the world. This is true today.

Today, unhappily, the Middle East is in turmoil. An entire generation has known no tranquillity. In the little more than 20 years of its existence, Israel has experienced three wars. The latest, the 6-day war of 1967 "ended," in a manner of speaking, nearly 3 years ago. Yet hostilities continue and sporadic incidents have increased in frequency to the point that they occur daily.

Unless some way can be found to terminate the present state of belligerency there is grave danger that hostile incidents may again escalate into sustained combat operations with the added danger of further escalation involving major world powers.

Peace is difficult to achieve and preserve anywhere. Nowhere is it more difficult or more elusive than in the Middle East. The differences between Israel and her neighbors are rooted in mutual fear and distrust that has existed for generations. The Arab States refuse even to acknowledge Israel as a sovereign

state, or even that such a state has a right to exist. Unless this single obstacle can be overcome it will be exceedingly difficult to arrange the kind of negotiations which will be required for any lasting settlement.

The preservation of the State of Israel as an independent sovereign nation, surrounded by hostile neighbors is, in a sense, the central core of the hostilities that have plagued the region since World War II. Whether out of distrust, fear, or both, or whether from a combination of these and the pressures of domestic politics, Arab leaders are pledged, publicly at least, to the destruction of Israel and its elimination from the family of nations. It must be with a sense of profound frustration that the leaders of these nations reflect upon the results of their armed conflict with Israel.

Because of its strategic importance, it is easy to characterize this area as being in the middle of an East-West tug-of-war. The interests of major powers are clearly involved. But the day has long since passed, if indeed it ever really existed, when major powers could dictate and impose upon the sovereign nations of the Middle East a solution, assuming they could agree upon one. On the other hand, it is important and necessary that any settlement be satisfactory to the major East-West powers. Otherwise any stability that might be achieved would be short lived.

The United States has a tremendous stake in the attainment and preservation of peace in this vital area. This is important to us for strategic, political, and economic reasons. Moreover, we have a substantial stake in the continued existence of the State of Israel as a free refuge for many millions who feel strongly the need for the preservation of their religious and cultural values; it is a beacon of hope for oppressed mankind. While, as I have said, we are not in a position to dictate a settlement, we must do what we can to keep the scales balanced until the parties directly involved can find and agree upon a solution.

In a major speech on December 9, Secretary Rogers described U.S. policy in the Middle East as balanced. He summarized our policy in these words:

We have friendly ties with both Arab and Israelis. To call for Israeli withdrawal as envisaged in the UN resolution without achieving agreement on peace would be partisan toward the Arabs. To call on the Arabs to accept peace without Israeli withdrawal would be partisan toward Israel. Therefore our policy is to encourage the Arabs to accept a permanent peace based on a binding agreement and to urge the Israelis to withdraw from occupied territory when their territorial integrity is assured as envisaged by the Security Council resolution.

The Secretary's statement is indeed balanced. Whether we have a balanced policy depends upon one's interpretation of the actions that are taken and upon the administration's interpretation of the situation at the time actions are taken.

The major decision taken since Secretary Rogers' policy statement was the administration's rejection, or "deferral" of a request by Israel for the purchase of

additional phantom and skyhawk aircraft. This action was announced by Secretary Rogers on March 23.

As a basis for the decision, Secretary Rogers stated:

In our judgment, Israel's air capacity is sufficient to meet its needs for the time being. Consequently, the President has decided to hold in abeyance for now a decision with respect to Israel's request for additional aircraft. In doing so, he has instructed that close watch be kept on the military balance in the area. The United States will be in a position to provide additional as well as replacement aircraft promptly if the situation requires it.

The Secretary added:

We have no intention of jeopardizing the security of Israel.

The decision on the airplanes was not, as was thought by some, a new departure in policy. It now appears but an extension of the policy announced on December 9.

If in fact Israeli air capacity is sufficient to meet its security needs for the time being, then the decision might be supportable. We have not been advised upon what evidence the administration based this conclusion. A report recently published in the press indicated that Israel now has approximately 320-340 operational combat aircraft. The same report attributed to the United Arab Republic approximately 400. This seeming edge in numbers on the side of the Egyptians, however, may be more than matched by the superiority in training, performance, and valour of Israeli pilots.

The administration must take appropriate action as needed to insure that Israel has the means to defend herself. I have no evidence that such would not be done, I should in fairness say, but I also say that Congress is entitled to know the facts and to share in the decision-making process.

Restraint on the part of both the United States and the Soviet Union is, I believe, of the greatest importance. An unrestrained arms race spurred by the United States on the side of Israel and the Soviets on the side of the Arabs would further complicate a situation already exceedingly complex. Whether the United States' decision of March 23 concerning the provision of aircraft to Israel was related to some understanding or assurance from the Russians concerning similar Soviet restraint, I do not know. I would hope that there has been some discussion and some understanding of the need to avoid further arms escalation during the Four Power talks which have been in progress.

On the basis of current reports it would appear that there is cause for grave concern. Recently Israeli sources reported that Russian pilots are now flying Egyptian combat planes in combat situations, apparently not related to test flight and training operations. If these reports are accurate—and the State Department has announced that it had evidence obtained independent from Israeli sources verifying the Israeli reports—then certainly the restraint exercised by the United States in declining immediate delivery of additional

planes to Israel has not been matched by the Soviets. Again, we have a right to know.

An escalation of Russian activity in support of the Arabs would be very serious indeed, even ominous. In the first place, well-trained Russian pilots replacing less well-trained and less proficient Egyptian pilots would obviously have an effect upon the military balance of aerial operational capacity. More significant however, are the implications of active participation by Russian citizens in combat operation against Israeli forces. Such would create an entirely different situation; quite different from that which results from aid in the supply of military equipment.

Thus far there have been no confirmed reports of combat confrontations involving Soviet military personnel. However, if Soviet pilots are actually flying combat planes in combat situations, such an engagement could come soon unless there should be an effective cease-fire in the area.

In addition to reports of Soviet pilots, there are other reports of Soviet activities which reflect a more direct role by the Soviet Union in the Arab-Israeli conflict. There are reports that Soviet personnel are manning SAM-3 sites west of the Nile and that Soviet technicians are building other SAM-3 sites along the Suez Canal, presumably also to be manned by Soviet crews. Other reports indicate that the number of Soviet advisers in Egypt has quadrupled in recent weeks, to an estimated 10,000.

Mr. President, the direct involvement of Soviet military personnel in the Arab-Israeli conflict would pose the most serious potential consequences. These developments are even more ominous when viewed in the light of an open Soviet effort to establish a power base in the Mediterranean.

The U.S. 6th Fleet has long been, and remains, the most powerful military force in the Mediterranean. Until a period beginning some months ago, there was no challenge whatever by the Soviets. But as of now, the Mediterranean can surely no longer be considered an American lake—or even a NATO lake.

A Soviet force consisting of up to 70 modern ships and submarines now regularly plies the waters of the Mediterranean. Not all of these ships are always present in the Mediterranean—the average strength is in the neighborhood of 40 ships and submarines with 400 aircraft and about 21,000 men—but the entire fleet passes freely to and from the Black Sea and is available on short notice.

While, as I have stated, I do not in any way imply that the strength of this force is anywhere near equal to that of our own and NATO forces, it is of a size that cannot lightly be dismissed, and it is being augmented. It is significant that the buildup in the Soviet presence in the Mediterranean comes at a time when, because of political developments, we have fewer bases for both our Navy and Air Forces. We have had to give up our strategic bomber bases in Morocco, and we are closing out our giant air base, Wheelus, in Libya. Some attribute to dip-

lomatic pressure from the Soviets, the termination of United States rights to maintain missile bases and reconnaissance plane installations in Turkey. Spain has upped the ante for the maintenance of U.S. bases in that country.

Clearly the Soviet Union is seeking to make its weight felt in the Mediterranean and in the Middle East. I do not assert that the Soviets have made this move because of the Vietnam war, but I do observe that when one major power finds itself bogged down on the other side of the world, another power may feel emboldened to move into another area which is of vital strategic importance in the context of the East-West struggle.

The administration's decision on how to respond to this development involves many complicated questions. First there is the problem of reading Moscow's intentions. If Russian pilots should actually participate in hostilities will their role be confined to the protection of centers of civilian population in Egypt, or is it intended as a means of providing cover for and a military buildup for another war against Israel?

Second, there is the question of what would be a proper response by the United States, and how the Soviets would interpret whatever response was made. We have witnessed the action-reaction phenomenon as applied to the strategic nuclear arms race throughout the cold war period. We now see the tragic formula operating to escalate the war in Indochina. Once the balance has been altered by one side, the other feels compelled to take action to achieve superiority. In the Middle East such an escalation of an arms race affects not only Israel and her Arab adversaries but would serve to increase the danger of direct confrontation between the United States and the Soviets in this area where tensions are already at the breaking point. Indeed, such a confrontation may hang more threateningly there than over Southeast Asia.

It has been the policy of the United States throughout the postwar period to seek to insure the security of Israel and this policy was specifically restated by Secretary Rogers on December 9 and in his decision of March 23 concerning the combat aircraft. If, in fact, the "balance" is in danger of shifting against Israel then some kind of action or response is indicated. The nature of that response will have the most serious implications for all concerned. Once again, I insist, this is a decision in which the elected representatives of the people should share. This is not and must not be a one man Government.

Given the conditions of fear and distrust which gave rise to the basic controversy between Israel and the Arab nations, and adding the complicating factors of major power involvement, it seems almost superfluous to say that there is yet another factor which further impedes a meaningful settlement. Even so, a discussion of the Middle East problem is incomplete without reference to the "third force" represented by the Palestinian guerrilla movement.

The Palestinian guerrillas are orga-

nized for combat operations. They repeatedly conduct commando type raids in Israel territory which provoke reprisals by Israel forces. This leads to increased tensions between the Israeli Government and the Arab governments and adds to the tinder-box nature of the situation.

The significant fact is that the guerrillas appear to operate independently of the governments of the nations from which they launch their attacks. Indeed it appears that they are beyond control of these governments or any government.

The leadership of the guerrilla movement is obscure. The name most prominently mentioned is that of Yasser Arafat. Yet in an interview published in this country on March 29, Arafat insisted that he was not the leader of the movement; that in fact there is no single leader and that he is merely a spokesman for the collective leadership of a movement which is unalterably pledged to the destruction of Israel. Arafat vowed that the guerrillas would continue hostile action against Israel no matter what action was taken by the Arab governments and even if these governments should negotiate a binding contractual peace agreement with Israel. When asked whether his group was in fact not seeking peace, he put the matter succinctly:

Right. We don't want peace, we want victory. Peace for us means Israel's destruction and nothing else. What you call peace is peace for Israel and for the imperialists. For us it is shame and injustice. We shall fight on to victory. Even for decades, for generations if necessary.

The Palestinian guerrilla movement arose out of the Palestinian refugee problem. For more than 20 years a resolution of this problem has defied the best efforts of the United Nations as well as the individual efforts of many nations, including the United States.

I have made two trips to the Middle East and a major purpose of both was to look into this problem and particularly into administration of the program for relief of the refugees as administered by the United Works and Relief Administration under the auspices of the United Nations. The first of these trips was made in the fall of 1959. I learned then and reported to the Senate that the deplorable conditions under which refugees lived constituted a festering cancer in the Middle East. I reported to President Eisenhower that the administration of the refugee program in Jordan was "immoral, dishonest, and unfair." I found that no effort was made to validate ration cards which entitled the holder to rations; that cards were still in existence in the name of persons long since dead; that they were used as collateral for loans and were the subject for bargain and sale; and that because of the fraudulent use of cards many children of refugees could not be added to the rolls. I urged that our Government, which was paying 70 percent of the cost of the program, use the leverage of its financial support to require that administration of the program be cleaned up.

I returned to the Middle East in the summer of 1967, within a few days after the Six Day War. I found that the ref-

ugee problem was worse instead of better. There had been no improvement in the administration of the relief program and the number of refugees had again been substantially increased as a result of the recent conflict. There was the added element that some of the refugee camps were within the area newly occupied by Israel.

Upon my return I again reported to the Senate the conditions which I found. In a speech on the floor of the Senate on July 12, 1967, I said:

These tragic people are hungry, miserable, embittered and impoverished, burdened with unwanted and uncared for children, numb and generally impassive, yet vulnerable to fanatical hate stimulated by those who hope for a triumphal return to a Palestine cleansed of Jews. Desperation has bred disillusion; misery has spawned hatred; and years of idleness and want have withered pride in labor. These are the ingredients of a vast human tragedy which, if understood, would shock the conscience of mankind. This, Mr. President, is a veritable seedbed for political violence, hate, and another war.

Sadly, the seeds sown over the past two decades have borne the predicted fruit. The guerrilla movement has now grown into a clandestine army of sufficient proportion to further unsettle a situation already fraught with peril.

I wish I were in a position to outline a detailed formula that would restore genuine peace to the Middle East. Unfortunately, I know of no one who has such a formula. It seems to me, however, that some observations are relevant.

In my view, the equation between the United States and the Soviet Union is of the greatest importance. As I have said, the major powers cannot dictate and enforce a settlement even if they could agree upon one. Yet because of the strategic political and economic implications any settlement must be one with which both could live. Both have a responsibility to use their influence and their good offices to bring about conditions that would lead to negotiations between the parties directly concerned.

Pending such a settlement, both the United States and the Soviets have a responsibility to act with restraint—to keep the lid on so to speak—to restrain a further escalation of hostilities.

The overall objective of U.S. policy must be to seek a peace under which a sovereign state of Israel can exist with its neighbors.

Israel will live.

#### FUNERAL AT JACKSON

Mr. EAGLETON. Mr. President, last Friday, a beautifully clear, warm day, an immaculately clean Southern Airlines charter flight took off from Washington.

On board were 85 passengers including Senators, Representatives, athletes, businessmen, reporters, college students, and housewives. I was on board.

Our destination was Jackson, Miss., and the funeral services for 17-year-old James Earl Green, a high school senior and one of two young men who had been shot to death at Jackson State College a week before.

On landing at the immaculately clean airport in Jackson, we boarded immaculately clean air-conditioned buses, and drove down immaculately clean highways into the city.

Finally we reached the black ghetto—a depressing place.

We stopped at the place where James Earl Green was killed. Across the street was a girls' dormitory at Jackson State College, a fairly new high-rise building.

The entrance area was riddled with bullet holes.

The windows on the first few floors of the dormitory are permanently sealed. No sniper could have shot from them. The windows on the top floor open at an angle. Any sniper at this level would have had an almost impossible position to fire a gun.

We broke up into small groups and talked with students and with Jackson city policemen, some black, some white. The students vigorously denied the presence of a sniper and vigorously denounced the bombardment of the dormitory with automatic weapons by local police and State highway patrolmen.

The policemen, naturally restrained, naturally guarded, said there may have been a sniper. Asked if that justified the volley of police shots that took two lives, they merely stared painfully.

We walked down the street to the M. W. Stringer Masonic Temple, adjacent to Lula Bell's Fashion Center.

It was hot. The temple was filled with hundreds of black Jackson citizens.

The service began. The choir sang "Nearer My God to Thee." The scriptures, "Blessed be the poor in spirit—and blessed be the meek, for they shall inherit the earth," were read.

A classmate and his high school principal described James Earl Green as a typical, average American boy who did fairly well in school, who loved track, and who was on his way home from his nighttime job when he met death.

James' elderly minister read a lengthy prepared sermon which told of the happiness of entering the Kingdom of Heaven and the acceptance of suffering on earth.

Some of the young people left quietly to show their disdain for the glorification of suffering on earth as a fitting prelude to Heaven.

The service over, the visitors once again boarded the air-conditioned buses. The black people of the area stood and watched. A few expressed their appreciation for "thinking of us." Most just stared, revealing no emotion.

Back to the airport, where the Washington reporters feverishly rushed for the specially installed telephones to phone in their stories.

The flight back was subdued.

"We must work to see that this never happens again," was the most oft-repeated comment.

Yes, we must, and we will. But most of us realize that it very easily can happen again.

Most of us realize that the hatreds of centuries will not quickly evaporate.

Most of us realize that we cannot legislate away the repository of prejudice which infests the souls of far too many Americans.

No, laws will not erase prejudice. Only we can, each of us individually, in our own hearts and minds.

And we had better, because as we allow tragedies such as Jackson State to pile upon other tragedies, as we allow hate and fear and bigotry to infest us, as we deny to some what we demand for ourselves, we damage and diminish the greatness of both the idea and the fact of America, the society which began by asserting equal freedoms for everyone—and we diminish ourselves as human beings.

#### CONSTITUTIONAL SYMPOSIUM ON INDOCHINA WAR

Mr. KENNEDY. Mr. President, last Wednesday, the Senator from Kansas (Mr. PEARSON) and I cosponsored a symposium of lawyers on the constitutional issues raised by the U.S. actions in Indochina. Senators FULBRIGHT, SAXBE, CRANSTON, and CHURCH were also present and took part in this discussion which included prominent New York attorneys and professors of law from leading law schools. The symposium proved to be both interesting and informative and dealt in detail with some issues that have not been adequately covered in our floor debates thus far. Because I believe it would be useful to all Senators to have the transcript of that symposium, I ask unanimous consent that it be printed in the RECORD.

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

##### SYMPOSIUM OF LAWYERS ON INDOCHINA, MAY 20, 1970

The symposium convened, pursuant to notice, at 9:45 o'clock a.m., in Room 5110 New Senate Office Building, Senator Edward M. Kennedy presiding.

Present: Senators Kennedy, Pearson, Fulbright, Saxbe, Cranston, and Church.

Senator KENNEDY. I want to welcome all of you to what I hope will be a very informal, but very useful and constructive discussion of a problem that faces all of us in Congress right now.

We are not meeting under the auspices of any particular committee or to consider any particular amendment; rather, Senator Pearson and I felt that since today was, in effect, Lawyer's Day in the U.S. Senate, it would be appropriate to begin the day by asking some eminent attorneys and legal scholars to present to us their views on the constitutional issues raised by the present situation in Indochina. We have invited other members of the Senate to be represented by staff, and we are taking a transcript so that the discussions here can be made available to others who are interested.

We meet today in the midst of a national crisis. At a time when we thought that our military activities were being constricted, we find that they are being extended to a new territory. At a time when we had hoped for a reduction of the fatalities and injuries in Southeast Asia, we find that they have jumped. At a time when, more than ever, we need calmness and cooperation and communication within our own shores, we find panic and confrontation and violence, and the incredible phenomenon of a rising body count right here at home.

Our system is challenged, and with it our hopes and our dreams, as a nation and as individual human beings. Some of us believe that the system can work, that it can respond not only in good times, but also in bad times, when response is a historical im-

perative. And thus we are encouraged and strengthened by the outpouring of constructive determination, from young people all over the country, to pursue political avenues of relief, to make members of Congress change their minds—and to change the membership of Congress. We are heartened not because they are merely occupying themselves peacefully, but because with the imagination and brains, and manpower these future leaders can muster, they can get things done.

There is also cause for hope when hundreds of busy professional men like the lawyers who will be in Washington today, take a day off from work because they believe that nothing is more important than peace, and that their skills of advocacy in the halls of government can help bring that peace.

In recent days, the question of our policy in Indochina has focused on a straightforward constitutional issue:

Would a Congressional exercise of authority regarding the Indochina war be an infringement on Presidential powers or an improper restraint on Presidential prerogatives?

Let us be clear what we are not being asked to decide. We are not making, and need not make, a judgment as to whether the President has exceeded his Constitutional powers, or whether he has the technical authority to do what he has done in the absence of Congressional action. We are not looking backward to embarrass or punish or seek vengeance against him. We are looking forward, to see what the appropriate form and substance and breadth of Congressional policy-making power is. We want to fulfill our responsibilities under the Constitution, while allowing and expecting him to fulfill his. We see the division and separation of Constitutional powers not as a battlefield for confrontation between branches, but as a mandate for the branches to work together with mutual respect and maximum harmony. And so today we are seeking to understand what the scope of our power is, how our role relates to the President's role, and how we can best translate into action whatever policy decisions we make.

I think we will find the guidance we need in the Constitution itself and the comments of its authors, in the history of the exercise of the war-making powers, and in the specific facts and conditions of the present crisis.

To assist us on this path we have six very eminent attorneys with us here today:

Mr. Francis Plimpton is a New York City Attorney and President of the Association of the Bar of the City of New York.

Mr. George Lindsay is a New York City Attorney, and Co-Chairman of the Lawyers Committee on Civil Rights, an organization which President Kennedy helped initiate in 1961.

Mr. Adrian DeWind is a New York Attorney, prominent in the field of tax law.

Mr. Robert McKay is Dean of the New York University Law School.

Mr. Alexander Bickel is Professor of Constitutional Law at Yale Law School.

Mr. Abram Chayes, a Professor at Harvard Law School, was formerly the Legal Advisor at the U.S. State Department.

Senator PEARSON. I would add just one short word, that is, the widening war in Indochina brings into sharp focus the constitutional issue between the powers of the President as Commander-in-Chief and the power of the Congress to make war and other constitutional provisions relating to Congress.

The events of a changing and dangerous world, particularly in the 20th Century, have been forcing a better definition and a better understanding of the constitutional procedures.

I think it is also important to note that in the debate taking place in the Senate today no one wants to diminish the legal and proper powers of the President, but only to restore the responsibility of the Congress.

Also I think it is important that we seek a new understanding, not only for the known problems of today in Cambodia and Vietnam, but also for the unknown future trials that this nation faces in the days ahead.

I am particularly pleased at this eminent panel of lawyers fulfilling the rightful role of the lawyer to participate in public meetings and politics, who have come today to give us the benefit and make a very good record that will be of use to the Congress.

Senator KENNEDY. Perhaps we could begin, Mr. Plimpton, by giving a brief introductory statement, especially as to the role of the lawyer in these difficult times, and then have the other panelists begin on the issues in the approximate order I mentioned them.

We hope that it will be freewheeling and that you will supplement each other's views, and that the questioning will raise what points we feel will be useful.

I know some of my colleagues will be in and out and I hope the ones that do come in, as well as ourselves, will feel free to interrupt the panel and ask questions as we move along.

Mr. Plimpton.

Mr. PLIMPTON. Thank you, Mr. Chairman. I, perhaps first ought to say, although I am the President of the Association of the Bar of the City of New York, I am not appearing in that capacity. I am really an individual lawyer expressing his own views.

I might also say that I appreciate your putting me in the middle of the table here, but this is a rather disorganized group of panelists; we haven't had a chance to talk to each other about our respective roles.

Perhaps I might simply start out by commenting on the invasion of the District of Columbia by New York lawyers that is taking place today. It was triggered, of course, by the invasion of Cambodia. And an acute concern was caused all over New York City among lawyers at that event, particularly among the younger lawyers. And so far as I know, for the first time in the history of New York City or the New York Bar, there was an organized attempt to get all New York lawyers thinking about this problem, and to get them to do something about it, and that did lead to a statement signed by several of us who are on this panel, calling for a convocation yesterday at the Bar Association building to consider steps to be taken by the New York lawyers and to consider coming down here to make our concern felt on Congress and on the Executive Branch. And that is why we are here.

I think our concern might be summarized this way. If I may quote something that I said yesterday afternoon, I don't know whether Talleyrand or Briand or Clemenceau said: "War is too important to be left to the generals."

I do know that all of us who are here now, that war is too important to be left to the President of the United States. And our concern, triggered by his unilateral decision to go into Cambodia without even consultation with the leaders of Congress is, I think, the principal reason why we are here.

I realize that this proceeding this morning is not to be directed backwards at the legality or, indeed, the propriety of what he did, but it is to be directed, rather, as to what should be done from here on.

I do not want, Senator, to impinge on the latter discussion and I think that possibly the most useful thing that I can do is simply to raise the series of questions which you have indicated you thought should be dealt with.

I don't know whether it is in my province to suggest who is to answer these questions, but perhaps the panel will let me, at least make suggestions along those lines.

Your first question is the constitutional provision and what the authors of the Constitution had to say about it. And I think

possibly Professor Bickel might address himself to that since he, with Yale Law School students has written a very good analysis of that very good problem.

Mr. BICKEL. I might begin by saying I think I have learned more from my students in the last couple of weeks than I have in some 15 years of teaching, and in a way, that is a small silver lining in our cloud.

The constitutional provision, I have in a way, the simple question to answer, is relatively familiar.

The Congress is empowered, not only to make, declare war, but to raise an Army, to appropriate monies for, although no appropriation is to run longer than two years. It is a provision that signals the wariness of the framers in the face of a prospect of a standing army and of the powers of its commanders.

The President, on the other hand, has, of course, the Executive power. He is Commander-in-Chief and he is under an obligation faithfully to execute the laws.

I think perhaps one of the less-frequently mentioned powers of Congress, very significant in my mind, present with many other circumstances, is a necessary and proper clause which often falls upon bad days and gets quoted only in its first two lines, namely: that Congress has the power to make laws necessary and proper for carrying into execution the foregoing powers, meaning its own.

The clause goes on and reposes in Congress also the necessary and proper power to make laws to carry into execution all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

That clause, in my mind, is very significant as putting residual power, the residual power of the Government of the United States in Congress, ultimately in Congress, and conforms to the general drift of the framers' thought that the Legislative was the chief representative of the people and states who constituted the Union.

Now, on the framers' views about the distribution of war-making power, that is the clearest part of our problem. Later practice and interpretation by way of practice may raise some questions. There is little question about what was in the framers' minds. They didn't say that Congress—I misspoke earlier—I said that Congress has power to make war. They did not say that. They say Congress has power to declare war, thus reserving some function to the Commander in Chief. But, on the other hand, they did very deliberately choose to put the war-declaring power in Congress, not in the President (as they might have, in view of Executive power in the mother country), not in the Senate, not in anyone else, but in the Congress. And their intention to do so is as clear as anything in the history of the framing of the constitution.

The meaning of that provision is, I think, also relatively clear. It meant that the President ought to have as Commander of the forces, power to react to attacks, perhaps as later practices indicated, to act even affirmatively in emergencies, but the ultimate power to commit the resources, materiel and morale of the nation to war was retained in Congress. And I think that is very clear.

Mr. PLIMPTON. I take it next, Senator, we should consider some of the historical precedents.

Mr. Bickel has an awfully good collection of those in his article, but I think we might ask Dean McKay.

Mr. MCKAY. Now that we have a Congressional audience, I would like to be so bold for the moment, with all due respect, to criticize Congress.

Many of us in the past have criticized the President for his unilateral action and for failing to consult with Congress and other members of the Executive and general public in taking his action. But today I think it is appropriate to criticize Congress for letting

him get away with it, because this is a very important erosion of Congressional power along the line Professor Bickel has suggested.

I think the precedents are already clear. As early as the first and second and third administration of the Presidency, President Adams and President Jefferson felt it necessary, even when confronted with something less than real war, which is unquestionably what we have now, to go to Congress for authority either to act or not to act, and they abided by the decision of Congress in those respects.

The same thing was essentially true all through the 19th Century, that the Presidents and the Congress acted together to take whatever action was necessary and appropriate in these instances, indeed, in connection with the Mexican War, which was action taken by the President, there was very nearly a censure of the President for the action that was taken at that time.

So, all during the 19th Century Congress did not relinquish the power it has, which under the constitution it has to reserve the war-making power to itself.

In the 20th Century that is essentially true until the last two decades, but Congress has gotten a little careless during that period. In the Korean War there was unilateral action by the President, and unquestionably that was a war, as the Vietnam War, but that situation was quite different because there was a broad consensus within the nation and within Congress that what the President had done, although perhaps unilateral, perhaps not even justified, on his own initiative, at least, was supported by most people in the country at that time. That does not seem to be true now and I suggest that Congress has the duty to be more vigilant in the protection of its duties.

It seems to me especially important to recognize that the Constitution—

Senator KENNEDY. Let me ask you: do you mean to suggest if the country was in support of the President's actions in terms of the early part of our involvement in Southeast Asia, that the Congress still wouldn't have had a responsibility to exercise at least its powers?

Mr. McKAY. No, sir; I do not. I think from the beginning Congress has the authority and responsibility to take a very secure and firm stand ratifying or authorizing or appropriating all of the things that Congress has power to do to make clear its own judgment on that.

The real thing, it seems to me, is that the power to declare war, the power to make war, all these things are the most important, the most delicate, the most vital decisions that can be made in this country and it seems to me, therefore, entirely consistent with the constitutional interpretation that the Congress and President share the power, and unless both are in full concert, we should not go ahead with it, and that has been the failure in recent years, there has been action by one or the other, but not a consistent interpretation by both. And that is what I am for, for consideration to be given in the immediate future to correct that imbalance.

Senator PEARSON. Do you believe that the Congressional action in passing the Gulf of Tonkin resolution and appropriation measures that we passed is a proper manifestation by the Congress in relation to the war and peace issue?

Mr. McKAY. Certainly not enough to justify further incursion. There was nothing in the Tonkin resolution or in the appropriations to date to justify the invasion of Cambodia, and whatever authorization might be implied by any stretch of the imagination from those resolutions or those actions in the past certainly could be withdrawn at any time or qualified at any time from the appropriation power or through the refusal to support the continued commitment of troops to those areas. Those things Congress considers

very carefully and in judgment could withdraw any implicit authority.

Senator PEARSON. You do not consider them as a ratification of past action?

Mr. McKAY. No; I do not. As I understand, the President does not either. He does not base his action taken three weeks ago on the Tonkin Resolution, but on his own authority as Commander in Chief, which I think is insufficient.

Mr. LINDSAY. I would like to add one comment to what Dean McKay said on the sharing of the powers within the Constitution, which certainly I agree with.

The Constitution is not express on a number of issues. Because it is a broad and general document and I think it is very clear that the powers of both foreign policy and war are shared, as other powers are shared in the constitution, and Dean McKay said one of the problems is that the President and Congress have not, together, shared that power.

I think we could go one step further and say that as between the two, and as clear as the constitution makes anything, the Congress has the overriding power in trying to balance the implicit and expressed powers that are set forth and that were outlined by Professor Bickel.

I think one sees that the balance in declaring war and in the fiscal measures that are necessary, lie so heavily with Congress that I would think any constitutional interpretation, perhaps even particularly a strict interpretation of the Constitution, would come to the conclusion that Congress has the overriding power subject, of course, to Presidential veto, which is a part of the Congressional process.

Mr. CHAYES. Could I also make one comment, Senator Pearson, in relation to your question about the earlier actions of Congress?

It seems to me that the Constitution establishes a duty of Congress periodically to reconsider whatever authority it may have given to the Executive. The notion cannot be that once granted then the Executive has the right to go on forever; and in that connection I would like to reemphasize the clause of the Constitution which Mr. Bickel has already pointed to, which states that no appropriation for military purposes shall be for a period of longer than two years.

Now, that is the only constitutional provision limiting the term of appropriations, and Alexander Hamilton, in the Federalist Papers, said specifically that under that provision the Legislature of the United States will be obliged, once at least, in every two years to deliberate upon the propriety of keeping a military force on foot to come to a new resolution on the point and to declare their sense of the matter.

That was the ultimate safeguard or example of the ultimate safeguard that the founders put in Congress, so even if they had set a war in motion by declaration or acquiesced in Presidential action, they were still under the obligation at least once every two years, and under the practice of the Congress now, once every year, when they consider appropriations matters, to reconsider and review the conduct of the President as Commander in Chief and to state their sense of the matter.

Senator PEARSON. Let me ask you one further question: Congress has the power, as Professor Bickel set forth in his brief, not only to declare war, but to authorize less limited acts.

Do you consider the appropriations or the resolution passed by the Congress to authorize limited acts short of a full declaration of war?

Mr. CHAYES. Well, I think the important point is the one made by Mr. Lindsay and Dean McKay. The Constitution establishes a situation in which both branches must be in agreement in order for the war to begin

and continue. And that agreement must be a continuing agreement.

I suppose Congress can express its acquiescence in a variety of ways, although, as Dean McKay pointed out, President Nixon did not rely on any of those actions of Congress in moving in Cambodia. He simply asserted his power as Commander-in-Chief.

The point is that Congress also is obligated to consider, along with the appropriations legislation each year, whether it continues to concur in the action of the President.

Senator KENNEDY. Is the only limitation on the Congress's opportunity to review the previous action that it may have taken, or that a President may have taken, the two-year authorization or appropriation, or do you see that there is a continuing obligation and responsibility on the Congress to review whatever authority, either explicit or understood by the President, for military activities or war?

Mr. CHAYES. No; I think there is a continuing responsibility. I simply mean—

Senator KENNEDY. Where do we find that in the constitution?

Mr. CHAYES. I think Professor Bickel pointed to the necessary and proper clause and the general lawmaking power of Congress, that is, the power to make laws is vested in the Congress.

Mr. BICKEL. It seems to me that the farthest claim that can be made or that really explicitly has been made for the exercise of Presidential power is only that the President acts in these circumstances in a twilight zone, as Justice Jackson called it, of concurrent power that he shares with Congress. That is the farthest reach, I think, the Presidential power can possibly take.

Now, that being the case, all you have on the part of Congress, all its contribution has been is a form of silence. That is not unknown in other situations where Congress acquiesces silently. It takes a highly-idealized and unrealistic view of the legislative process to attribute silent acquiescence on the part of Congress, which, as I say, happens daily in many circumstances, the same force as is attributed to a deliberate law-making act by Congress.

That, I think, with a possible exception of the very vague Tonkin Gulf Resolution has not taken place and the Congressional power to act has not only remained unlimited, but has, in fact, not been exercised. Even if it had been exercised, Congress can always come back to it.

Treaties are by the Constitution, the supreme law of the land, yet the Supreme Court has held Congress can repeal a treaty, repeal it without expressly doing so, by simply passing an inconsistent piece of legislation later than that treaty. That ends the supremacy and effect of a treaty under our law. So there is absolutely no possible notion of estoppel on the part of Congress or any notion that Congress has committed itself in any way that now forecloses different action on its part.

Mr. DE WIND. It seems to me that if as lawyers we have any function to perform here it is, as Dean McKay has said, to urge upon the Congress that it affirmatively exercise its constitutional responsibility to define, direct and set the policy of this war.

We have now been in war, by any definition, for five years and yet the Congress has not yet within that period truly defined the objectives and policy of that war, which is its affirmative obligation under the Constitution.

The crisis has now developed really because the President has staked out a statement of Presidential powers which seems to leave no room for Congressional action in this respect unless the Congress affirmatively states policy. And in that area this is the exclusive jurisdiction of the Congress and not of the President, and it seems to me vitally

important that the Congress do not let that power further erode by failing to act affirmatively.

Consequently, it must define this war.

Mr. PLIMPTON. I think also that we must always remember that granted there is a twilight zone between the authority and powers of the President as Commander-in-Chief of the Army and Navy, and the powers of Congress to appropriate and to apply general direction, that obviously there are certain situations where the power of the President as Commander-in-Chief must be paramount.

Where it is a matter of urgent national defense, where it is a matter of a crisis in the carrying out of a military operation, surely the power of the President should be paramount. But where, as here, the Cambodian sanctuaries have been in existence, I suppose, for five years, when the military have presumably been urging for five years that they be wiped out by an invasion, there was no emergency.

It seems, I think, quite clear in this particular case the exercise of power as a Commander-in-Chief went beyond the contemplation of the Constitution and of orderly government.

It is difficult, I think, to generalize too much about this twilight zone; certainly in the case that we have before us there was no emergency. And it seems to me in that case, in such a case, the power of the Commander-in-Chief does not extend that far without Congressional consultation, approval and so on.

Mr. MCKAY. I wonder if it wouldn't be useful to compare this situation with another different one. The problem here is separation of powers, as it is in many instances, but this is the most vital issue in which the nation can be involved, and yet we find that in other twilight zones, as it will be properly referred to this morning, where there is some doubt as to the related division of authority between the President and Congress, that the Supreme Court of the United States has been very wary to say that the President cannot act unless there is some kind of direct constitutional authority or some authorization from the Congress.

He is the Executive; he is charged with the carrying out and enforcement of laws and not with the making of laws.

Thus, in the steel seizure case of a dozen years or so ago, it was quite clearly said by the Supreme Court that the President did not have authority to act in the absence of Congressional authority. Similarly, in some of the national security cases in the late 1950s, in *Green v. McElroy*, again the Court said where there was any doubt about the interpretation, in the absence of explicit Congressional authority the President lacked the authority for certain kinds of Executive orders. Surely it follows in this area, where the balance seems to rest quite clearly with Congress, if there is any doubt as to division of authority, that the President cannot act or at least can be recalled from action by Congress, and that Congress has the affirmative duty to maintain that proper balance.

Mr. CHAYES. It might be worth saying that again in accordance with Senator Kennedy's statement at the beginning, we are talking now not so much about the propriety of the President's past actions as the propriety of the Congress acting now. And it seems to me in this one sense the Constitutional issue has been settled by this Congress and by this President because in the 1970 Appropriations Act the Congress limited the funds appropriated so as to not permit their use to introduce ground combat troops into Laos or Thailand.

Laos in a strategic sense, is fairly similar to Cambodia in their sanctuaries and supply areas there. The President accepted that limitation. He did not express at that point

the view that Congress was interfering with his Presidential powers or his power as Commander in Chief.

That act is now law. Whether it is being fully complied with or not, I suppose is a question, but it is the law.

It seems to me that this represents a statement by this Congress and this President about what their respective powers are.

Mr. DE WIND. Is it really true you can say there is a question that that law is being observed? Hasn't it been disclosed American armed forces are engaged on a regular basis in Laos?

Mr. CHAYES. I leave to others the decision as to whether the law has been violated. You know the Administration's position is that these are not ground combat troops within the meaning of the Act. That kind of scholastic reasoning may convince some. It seems to me to raise a very real question about whether the will of Congress is being observed and whether Congress needs to take some further action to make sure that that will is being observed.

Mr. DE WIND. The Congressional rhetoric in this seems to have something called "superretaliation," which we have been asked not to request a definition of.

Senator KENNEDY. Would you be kind enough to comment on the question of whether the Gulf of Tonkin Resolution grants sufficient power to the President in terms of Congressional action, both in terms of Vietnam and perhaps as well, Cambodia?

And if it does, what would be the ramifications in terms of the Presidential power if the Senate would repeal the Tonkin Resolution? Does he have to pay any attention to that?

Mr. BICKEL. My judgment would be that the notorious vagueness of language and cloudiness of circumstances that surrounded that resolution, surrounded its passage, makes it virtually meaningless. And my scholastic powers are as good as anybody's in my profession, I guess. I suppose I am giving myself airs.

Well, it is a pejorative kind of airs I give myself.

I frankly just haven't the faintest idea what it means. I suppose if I am right in that then the repealer is likely to mean no more, although surely language that doesn't mean much ought to be repealed out of the statute books.

I, frankly, more fundamentally, don't think that is the issue.

Let us assume for the moment the Tonkin Gulf Resolution does mean something. Constitutionally, what it means is that the authority to decide where we fight wars resides, residually anyway, in Congress, not in the President. I would repeal it and I would express the will of Congress a lot more clearly than it remotely has.

I might mention, while I have the microphone, before it moves away again, that another and even more striking incident of the exercise of Congressional power in deployment of troops in wartime is, of course, the Selective Service Act of 1940, which included a provision that a person inducted into the land forces of the United States under this Act, shall not be employed beyond the limits of the Western Hemisphere, except in the territories and the possessions of the United States.

It wasn't until Congress declared war that that provision tying the President's hands in a way that no piece of paper that I have seen that is now proposed for passage by the Congress would tie them, it wasn't until a declaration of war that that most categorical provision was repealed.

There is an instance in recent history of the exercise of Congressional power.

Senator PEARSON. May I ask the panel this question: It seems apparent there is clear authority for the President to take unilateral

action to protect the laws and property of Americans under the so-called neutrality theory. Do you find that authority or the precedent for that authority granting to the President any power to act as he did in Cambodia, which I understand is based primarily on the protection of American lives?

Mr. BICKEL. Well, without or only slightly violating Senator Kennedy's injunction, we look to the future and not to the past.

Senator PEARSON. Put it in the future.

May a President under the neutrality theory of unilateral action, act in a situation such as Vietnam to protect American lives?

Mr. BICKEL. I would be hard put, Senator Pearson, to think of the Cambodian incident itself as going beyond what has been established by practice as Presidential powers. I think what goes on, what goes beyond, what is a clear invasion in my mind of an exclusive power of Congress is the whole train of events starting in 1965. But, if I were to accept that, if I were to accept in some fashion Congressional acquiescence in what happened since 1965, the Tonkin Gulf Resolution was some sort of acquiescence, and I therefore accepted the President is waging a lawful war, then it wouldn't seem to me that the move into Cambodia is such as though it is a move across an international boundary, and reasonable men can differ on that score.

It wouldn't seem to me the move itself as such is an extension in light of prior practice of the powers under the Commander in Chief.

That, of course, is not to say, even under the neutrality theory, given the movements to Vera Cruz in past times, that is not to say that even if the President's exercise of power is within his constitutional prerogative, it still is within the twilight zone, and it is not to say that Congress cannot, when it has the leisure, since the explanation for any Presidential power in such circumstances is the emergency need, that Congress cannot when it has the leisure, go back and say "We don't want that done and we want out of there, which is really the issue before us now."

Mr. LINDSAY. Coming back for a moment to the Tonkin Gulf Resolution that you asked about, I think there might be some merit in having Congress repeal it, largely because it has in the past been used in testimony before Congressional Committees and elsewhere as a background for unlimited Executive action in pursuing the war.

I do think that that was an erroneous reading of the Tonkin Gulf Resolution.

As every lawyer knows, in reading an Act, both the lawyers and the courts look into the fundamental purpose and the background in which the law, or in this case, Congressional Resolution, was passed, and to take a resolution that was passed to support a retaliation of a motor torpedo boat raid at a time when we had almost no troops in Vietnam and to say, no matter what the language says, no matter how broad it is, to say that that is a fundamental support for the whole Vietnamese and now Cambodian defenses is, to my judgment, a misrepresentation of what Congress had in mind, even without going into the details of Congressional debate in which it was expressly said that they did not intend to authorize a ground war.

Mr. PLIMPTON. I think that Mr. Lindsay is reading the first part of the Tonkin Gulf resolution rather than the rest of it. Because, after all it did say the United States regards as vital to its national interest and so on, the maintenance of the international peace and security of Southeast Asia. It goes on to say "The United States is, therefore, prepared, as the President determines, to take all necessary steps, including use of armed force, to assist any member of protocol state of the Southeast Asia collective defense

treaty requiring assistance in defense of its freedom.

Of course, technically, if one accepts the perhaps slightly dubious conclusion that South Vietnam is a state, that it did require assistance, the Tonkin Gulf Resolution would seem to me pretty specifically to authorize that. It certainly does not authorize, however, the incursion into Cambodia because at the time we went into Cambodia, the Cambodian Government had not requested assistance.

To be sure, somewhat belatedly the present Cambodian Government indicated pleasure that we were there, but as a matter of technicalities, it never did request American assistance within the terms of this resolution.

Mr. McKAY. On the Tonkin Resolution, my views are very simple, perhaps simplistic.

If, indeed, the resolution does authorize war in Vietnam or Cambodia, or anywhere else, it should be repealed.

If it is unclear, as Professor Bickel has said, and as I agree with him, although I freely confess my scholastic powers are not as great as his—if it is unclear, it should be repealed for that reason.

On either ground, it seems to me it is sensible to withdraw on the "incursion" into Cambodia, as Mr. Plimpton so gracefully puts it. It seems to me the difficulty with that, there is the power to protect in the President the lives of American troops. The difficulty here was that he didn't consult with those who might have some present or after-the-fact judgment of great consequence. He did not consult with Congress. It is not at all clear that he had any advance invitation from Cambodia.

It is not at all clear that many of his important Executive advisers were aware of it or would have agreed if they had been aware of it. So that Congress, it now seems to me, should exercise its own independent judgment as to whether there was, in fact, or continues, in fact, a need to protect American lives there, and Congress should debate that question and resolve that question, I think, quite promptly.

Mr. De WIND. With regard to the Tonkin Gulf Resolution, I share Alex Bickel's views. I don't understand what it means and therefore don't debate about it, and what it authorizes. It seems to me to be somewhat fruitless and I would, therefore, agree it should be repealed.

Going back to Senator Pearson's inquiry of Alex Bickel about Cambodia and the Neutrality Doctrine, this seems to me to pose a real serious constitutional and procedural problem which has arisen in the last 20 years. If the time of declared wars is over, then the mechanism for the joint exercise of Congressional and Legislative and Executive authority has changed considerably, and perhaps it is important that some kind of mechanism be developed to deal with a different kind of world situation, where under nuclear power and given the very extensive and sense of the balance of power across the world, there may be need for response that has to be prompt.

I must say I fail to see how the sanctuary in Cambodia could justify any such application of the doctrine. They have been there for years. They have not extensively changed as far as anyone can tell, or has it even been asserted.

Let's assume that there was a sudden attack or a neutrality exception to be applied here. Does there not have to be some sort of accepted mechanism which would become tradition, that when those steps are taken at the earliest possible moment, whether by Joint Resolution or otherwise, that the Congress be consulted and give its approval? And the mere acquiescence by silence of the Congress does not seem to be a satisfactory mechanism, but indeed, if we are going to have war situations that are not declared, it seems to me that the Congress and Executive should combine on the setting up of some

way of enforcing the traditional accommodation of powers, because our whole constitution it seems to me will work, if there is a provision of accommodations.

These issues can't be fought out in the courts. It has to be by tradition and accommodation.

Senator KENNEDY. If the Tonkin Resolution means as little as most of you gentlemen believe that it means, what of one of the other authorities that has been expressed by top administration officials in previous administrations, as well as this, that the President is entitled to take the action that he has under the protocol of the SEATO Treaty which was approved by the Senate? I am wondering if you could talk to that point as to what you believe is the President's authority under that protocol.

Mr. CHAYES. Senator, I had some occasion to look at the SEATO Treaty with care when I was in the Executive Branch. I think one ought to separate Cambodia from Vietnam and deal with them as separate questions.

The protocol states to the SEATO Treaty are not members of the treaty organization. They are three states in Indochina, Laos, Cambodia and Vietnam, and the numbers or the treaty states that upon their request, the members of the Treaty Organization may come to their assistance under the procedures established by the treaty.

So that the first question about Cambodia is: was there any request?

Now, some years ago, actually Prince Sihanouk, when he was head of the Cambodian Government, rejected the status of a protocol state, renounced that. Whether or not that has any carrying power, I think it is very clear that there was no advanced request from Cambodia in this situation. I don't think anybody has asserted that the new Cambodian Government or the old Cambodian Government made a formal request for assistance in accordance with the SEATO Treaty procedures.

Secondly, even if there had been such a request, the SEATO Treaty procedures require consultation among the members about the appropriate steps to be taken in response to a request or an attack on a protocol state.

Again, it seems to me there isn't any, even any contention that the United States went through those consultation procedures, and it seems to me that there is very little doubt that if it had consulted with the other members of the SEATO Treaty: the British, the French, the Pakistani, the overwhelming view there must have been some support; but overwhelming view is there should be no incursion into Cambodia.

In the third place, any action to be taken under the SEATO Treaty is to be taken in accordance with the constitutional processes of the member states, and the treaty so specifies.

So, again, we are right back to our original question: what are the constitutional processes?

The Senate, in ratifying the SEATO Treaty deliberately kept that string on it so that there would have to be a resort to constitutional processes in the event action under the treaty were taken.

Finally, the treaty is designed to protect SEATO, or the protocol states as such, and the one thing that the President has said is that that isn't what he is doing, that he is not protecting Cambodia; he is not in there in defense of that area, but he is in there as an ancillary kind of thing to the Vietnam operation.

So, it seems to me, certainly in the case of Cambodia the reliance on the SEATO Treaty is wholly baseless and on a variety of grounds the SEATO Treaty provides absolutely no cover for the Cambodian activity.

Senator PEARSON. Related to that, the argument has been made that respect of a

neutral country depends upon that country maintaining its neutrality, and that Cambodia in the past years has failed to maintain that neutrality in permitting North Vietnamese and Viet Cong troops to occupy and to supply routes and to occupy the sanctuaries.

Is that a proper interpretation of international law?

Mr. CHAYES. Well, I think it might have been a proper interpretation of international law before World War I. What the rule now is is much more difficult to say. But in terms of our situation here, it is a question of what the President's powers to act as Commander in Chief are.

It seems to me those powers arise only in the event of a sudden, immediate threat, as several of the gentlemen have said, and there simply is no evidence at all, I don't think the President has cited any evidence that there was a significant threat at the time, a significant sudden threat, a change in the situation that required immediate action at the time you went into Cambodia.

So, it seems to me the national or international problems and domestic problems, meld into one another and the question of whether there can be action in the absence of such a treaty is not so clear.

Mr. BICKEL. Not only, I think, in terms does that treaty remit us to our domestic constitutional arrangements, but there would be an extremely serious question of whether if the attempt had been made by treaty to override our domestic constitutional arrangements of division of power between the Congress and the President, whether that could have been done.

There is no law that I know of that says that a treaty can override fundamental constitutional arrangements. There may be some changes that can be made by treaty or executive agreement in relationship between the Federal Government and states, but I don't know of any law that says a treaty can override basic constitutional arrangements.

The Congress did not enact the Bricker Amendment precisely because it thought that was the fact.

Senator KENNEDY. We talked somewhat earlier about how you gentlemen view the war-making powers and the Executive and the Congress in the 19th to 20th Centuries and the gradual deterioration, in your view, of the role of the Congress in fulfilling its mandate under the Constitution. Then Mr. De Wind just a few moments ago projected this into the future and talked a bit about a sort of new kind of relationship that might have to be developed if we are going to be responsive to other crises around the world.

Could you, perhaps develop, talk a bit about this historical deterioration, as you view it, in terms of the war-making powers and how you see it in terms of the future, and what kind of suggestions you might have in terms of the Senate restating and reestablishing its responsibility in this area.

Mr. PLIMPTON. I don't know that I am the best one to respond to that, Senator, but I will at least make a few observations.

I think obviously in the 20th Century, with the very rapid development in the technology of warfare, with the atomic bomb leaning over us, and the need for the Presidency to have the power to act when international crises develop, such as Lebanon in 1958 and Cuba, one does have, historically, a greater emphasis on the power of the Presidency. And I see no signs of any move backward from the international situation, which necessarily does mean that the President has got to be in a position to act very quickly if a crisis develops.

To just elaborate on what Mr. De Wind said, it seems to me that Congress must realize that, and I think it does realize it, because over the last years there has never been Congressional objection. In most cases there has been a Congressional approval in

the sense of approval by Congressional leaders of what was done by President Johnson in the Dominican crisis, and at least what was done by President Kennedy in the Cuban crisis. Things like that simply have to be done by the President.

But, it seems also clear, too, as Mr. De Wind has said, that Congress must have some sort of a continuing method of consultation with the President so that as these crises develop, Congress can be kept informed and give its own views, even if there isn't time for legislative action.

I am sure that some of my brethren here can elaborate on that.

Mr. DE WIND. Let me say this: the other day I was reading the steel seizure case again and was very struck by the fact that Justice Jackson, in his opinion in that case, foresaw so much of what was going on in this country and really gave the prescription, I think, for dealing with it. And if I could just quote for a moment.

I made a note of this quotation. He said: "I have no illusion that any decision by this court can keep power in the hands of Congress. Power to legislate belongs in the hands of Congress, but only Congress itself, can prevent power from slipping through its fingers." And then he gave the prescription: "With all of its defects, men have discovered no technique for long preserving free government except that the Executive be under the law and that the law be made by parliamentary deliberations."

It seems to me that prescribes the course that there must be a technique and mechanism for parliamentary deliberations on any matter so important as war, let alone many other things that affect us.

Mr. BRCKEL. It seems to me clear that this is not a matter that can be codified with any hope of governing by present legislation future events. It is, indeed, not a legislative but a constitutional matter, and I think if one is to restate it in general terms, if Congress is to assert itself under the pressure of these events to a restoration of its position in general terms, the line is to be drawn between Presidential, reactive Presidential power, between Presidential power to go speedily into executive action to meet any assault or threat. And if one has the Cuban crisis of 1962 in mind, one has to add that threat against the United States or its forces.

I think reasonable men would find a difference between that which is the true line of practice and certainly the true line of constitutional intent until the practice began to be corrupted in one or two instances in the 19th Century and fairly steadily since the first World War.

I think that is the true line and men can find, I think, a distinction between reaction of this sort and the deliberate commitment of the resources of the country to war, which is what happened, in my judgment, in 1965.

I think Korea is a sort of a dubious middle case and I would probably let it slip over to the side of Presidential power.

Now, I think that without any illusions, if one is writing an Internal Revenue Code, it can be stated in broad constitutional language, in the exercise of the function of Congress to reassert its own constitutional position. More than that, I would doubt it can be done.

Senator CRANSTON. I would like to ask a question that relates to the current situations we are seeking to deal with now in what amounts to a war undeclared and where the Congress is seeking to exercise its constitutional powers to bring the war to a close.

What are the legal distinctions of, the constitutional distinctions between the issue of the involvement of Congress in the power to declare war, where that is possible, where we have time to consider whether or not we wish to, and where we want to exercise our

constitutional authority, particularly the power of the purse, to end a war that we are involved in where the President is now exercising his authority as Commander in Chief and says he has to do certain things to continue to defend the lives of American troops engaged in this kind of war?

Mr. BRCKEL. May I say I don't think the Congressional power is by any means restricted to declaring wars; that is, a formal declaration of war is not the only thing Congress has at its disposal.

I don't think the Congressional power is restricted to the appropriation power. I think the general residual war and foreign policy relation power of the United States, except in a small area of the function of the Commander in Chief to act speedily, rests in Congress. I don't have any doubt about it.

I think the most, as I said earlier, the furthest claim that can be made for Presidential power is that it also exists in the twilight zone, as Justice Jackson called it, where the Congress and President share powers. So, I am as clear as I can be. I don't have any doubt under the sun that Congress, no matter what the legality and validity of Presidential action now, has present power to make the foreign policy of the United States, as it sees fit to do, and to appropriate or not appropriate money in pursuance of that policy, as it sees fit to do.

I don't have any question, in other words, to be quite specific, on the constitutional foundation for either the Cooper-Church or the McGovern-Hatfield amendment.

Mr. CHAYES. I am in accord, almost, with everything that has been said, but I do think one can overemphasize the statement that Congressional powers have been eroded.

The fact is that even since World War II, on almost every occasion where there was a serious possibility of involvement of U.S. troops in major combat, there was not only informal consultation with Congress, but formal consultation.

Now, I think the one case in which that is not so, was the Korean commitment by President Truman, and there he did assert Executive prerogative, pure and simple, although he consulted with the leadership. He did not, either before or after, seek a resolution, but when the Formosa Straits problem blew up later in the fifties, President Eisenhower sought an authorizing resolution from Congress.

In the Middle East in 1957, Congress gave an authorizing resolution in advance to the President, and the Lebanese landing was carried out under the authority of that resolution.

Mention has been made here of the missile crisis. In that case, at least a month before the action of President Kennedy, the Congress passed a resolution authorizing response by force if Cuba should be turned into an offensive missile base, and that resolution is cited by the President in his quarantine proclamation. And even, although we have talked about its inadequacies, and difficulty, President Johnson wanted some form of Congressional sanction, which he got or thought he got in the Tonkin Gulf Resolution.

So that to me it is not that Congress should not regard the situation as one in which the President has refused to recognize Congressional power.

Quite the reverse, except for one or two occasions, the President has consistently recognized that it is necessary to associate the Congress with him in this kind of enterprise and to return to what Mr. De Wind said before that is the genius of the system, that both agencies which bear some responsibility and power must be in concurrence in order to carry on an activity of this kind, a war so deep and costly.

Senator KENNEDY. How much consultation really was there during these events that you mentioned here, Mr. Chayes? Was it mostly

pro forma? How extensive was it really? How does it affect the criteria which I think has been the theme, at least, of the expression that you gentlemen have pointed this morning, and that is: there ought to be serious consultation with the Congress and, if there is going to be Presidential action, it should be made with the support of Congressional action.

In the instances you have mentioned here, was there really anything more than a hasty resolution passed, or was it the really extensive kind of consultation which you gentlemen feel is essential in the development of future American involvement?

Mr. CHAYES. The missile crisis, which I know best, Congressional action was taken well in advance of the actual knowledge that offensive missiles were there.

My guess is that that time that Congress would have been prepared to go further than the President might. The resolution was passed after extended debate in both houses a month before the action, and then when the action itself came to be taken, I know Chairman Fulbright was consulted, as well as other Congressional leaders.

I think in both the Formosa Resolution and the Middle East Resolution in the fifties, although I am less familiar with the details, were both passed as a result of considerable debate.

Now, it seems to me fair to say that the Tonkin Gulf Resolution, there the President exploited a situation of emergency to secure some form of Congressional approval, and we have already mentioned that that might limit the scope of the approval.

Senator FULBRIGHT. What is the situation if the President misrepresents the facts upon which he bases his request?

In law, what is the situation with any contract if it is procured by fraud; is it valid?

Mr. CHAYES. Well, I think we have said, Mr. Chairman, that none of us really rely very heavily on the Tonkin Gulf Resolution and we all think that the time has come for its repeal.

Senator FULBRIGHT. Why would you cite it as an example of consultation?

Mr. CHAYES. Well, all I was saying is that even at a minimum, even in a case like that, President Johnson recognized some minimum requirements or desirability of association.

Senator FULBRIGHT. Pro forma, purely. In the case of the Dominican Republic, we were called out at 5:00 o'clock and we were told there again, a number of things that were not true at all. He had already made up his decision and he went to the public television and announced it within the hour, practically.

Now, in the case of the final action on Cuba, although he had the previous authorization. I was also invited there. We were invited about 5:00 o'clock; we were informed; we were asked our views. But the decision had well been made. The speech had been prepared. He immediately left that meeting and went out on television and announced it. He wasn't asking for consultation or advice. He asked us to come to receive his decision.

Do you call that consultation?

Mr. CHAYES. Well, Mr. Chairman, let me simply say what position I am trying to make. I am really not saying that in all of those cases the consultation with the Congress was adequate or necessarily supported the action.

What I am saying is that even the President has, as in most cases, he has recognized the need for Congressional concurrence, and that seems to me to go to the point that we have been talking about before, that if the President, even in these emergency situations, has recognized it, it is clearly the right and duty and obligation of Congress to assert its view, in a situation like the present.

Senator CRANSTON. Given all of the back-

ground, what will be the legal effect of the repeal of the Bay of Tonkin Resolution, which we can expect will occur?

Mr. McKAY. Wouldn't that leave the situation as it was before. Whether Senator Fulbright is right or not, that it was enacted on the basis of misinformation, it now would be withdrawn and the situation would be restored more nearly to a proper balance.

May I return to your earlier question about the power to declare war?

It seems to me if Congress has the power to declare war, and no one disputes this, then surely it must, to use an ungrammatical word, have power to "undeclare" war.

It may be that it is necessary to withdraw troops and commitments a little more slowly than the initial determination to go in a war situation. But, there can't be the slightest doubt, it seems to me, that Congress, through its appropriations power, through its power to govern the land and naval air forces, through its general authority in connection with foreign affairs, has the authority to make that decision in its own good time.

Now, if in the past the consultation process is not as good as it should have been—and I certainly agree with Senator Fulbright, that it has not—Isn't the fault really that the Congress hasn't demanded that there be consultation, and hasn't it said after this fact, this was insufficient and it hasn't called the President's hand on these issues.

And it now seems to me the opportunity to make that point more dramatically than any point in the past whatever, in other cases there was surely less consultation with Congress, with the Executive Branch, with the public, in this instance, than in the other, but in this instance, making this very dramatic occasion to show that Congress does continue to assert its rightful authority.

Senator CHURCH. Mr. Chairman, getting back to Professor Chayes' point, he was stressing that he felt that the powers of the Congress had not been eroded, that the President, with one or two exceptions, had recognized the power of Congress.

I think I would have to take issue with that. I would say the President, with the exception of one or two wars, has recognized the power of Congress.

Moreover, I think that in the study that I have given to the committee, and I have tried to give very careful study to it, one can demonstrate that Congressional power has eroded away over the past 100 years. Not only the war power, but the treaty power; not only the treaty power, but the power of the purse. And that all of this has resulted in a very large concentration of power in the hands of the Chief Executive.

I think it was Gibbons who wrote in *The Decline and Fall of the Roman Empire*, that the principles of a free constitution are irrevocably lost when the legislative power is dominated by the Executive. And I think that one cannot lightly pass over the impressive evidence that Congressional power has eroded away.

Now, that, of course, has been very much the fault of Congress. It hasn't been the action simply of the President alone. It has happened because of acquiescence of Congress through the years. But it really has come to the point where the power, it seems to me, has become so largely concentrated in Presidential hands and the habit of accepting this has become so persuasive that the institutions of the Republic as envisioned by the Constitution are in very serious jeopardy.

Mr. Rustin of the New York Times, you know, is a very thoughtful writer, and I can't take issue with him when he said in his column the other day, "On the great acts of foreign policy, especially those involving the risk of or even the acts of war, he, 'referring to the President,' is more powerful in this age than in any other,

freer to follow his own bent than any other single political leader in the world, and the larger and more fatal the issue the greater is his authority to follow his own will."

Now, what we are striving to do in the amendment that is presently before the Senate, Senator Cooper and I and many others on both sides of the aisle are sponsoring, is not to question the legitimate authority that the President has, as Commander in Chief in an ongoing war situation, where he does have responsibilities for the protection of American troops in the field.

What we are striving to do, rather, is to assert or reassert Congressional authority to share with him in a legislative way the responsibility for fixing the outer limits of American penetration in Cambodia; and we seek to do that by asserting the control that the Constitution vests in Congress over the pursestrings.

Our purpose is not to undercut the President. We have established the outer perimeters exactly where he set them. But beyond that, we provide that money, appropriations shall not be spent, so that if later he thinks we should occupy all of Cambodia or assume obligation for the defense of the Cambodian Government, or expand the war still further into the jungles of Southeast Asia, then he will be obliged to come back and present his case to the Congress and ask Congress to lift the limitations.

What I would like to ask is: given that kind of amendment as I have explained it, do you gentlemen feel that this falls clearly within the powers of the Congress under the Constitution?

Mr. McKAY. I would certainly agree it is within the Congressional powers. But I want to take difference with one thing you said earlier. I do not believe the Congressional power has been eroded. I do not believe that is possible under the Constitution. The words of the Constitution are just as bold and meaningful and clear as they were a century ago. What there has been, it seems to me, is not an erosion of power, but an erosion of Congressional will.

Senator CHURCH. I agree with that. I agree with that. And I think that is what I was saying. Of course, the power is there and what we are seeking to do with the amendment is reassert it. The power derives directly from the Constitution, and I think you are quite right in the distinction you make, the power and will to use it.

Mr. McKAY. I fully concur in the assertion of authority that you suggest.

Mr. DE WIND. Before you came in, I made a statement which I think I would like to repeat.

It seems to me this is not only within the power of Congress, but it is part of its solemn constitutional obligation to define the war, which it has not yet done.

It seems to me the total initiative in the situation rests with the Congress. Presidents and all executives will exercise power and the resistance to that power under the Constitution has to come from the Congress, and the power of the President, to which you referred, has tremendously, greatly exercised a leverage on public opinion, which is tremendous, and if the Congress does not respond it is shirking its obligation, not its power.

Senator CHURCH. I think the thing I find hard to understand, that those who so often proclaim themselves to be conservatives and traditionalists assume the most radical possible view on the question of Presidential powers. They seem to think that the President of the United States is meant to be an autocrat in all matters that really count, matters of war and peace, that involve life and death of the Republic, and, of course, that wasn't what the Constitution envisaged. It envisaged they share responsibility and yet the self-avowed conservatives and preservers of the Republic are the ones that are most adamant now in proclaiming that

there should be no limitation or restraint placed upon the powers of the President to do as he pleases.

Mr. PLIMPTON. Those who favor strict construction of the Constitution do not favor strict construction of the powers of the President. There is an inconsistency there that is pretty glaring.

Mr. CHAYES. I want to get myself on record, in reply to your question, Senator Church. I fully endorse the Constitutional power of Congress and, as Mr. De Wind said, the obligation of Congress to decide this matter and to enforce its will.

The only thing that I was trying to say was that even the present-most Presidents have not asserted otherwise, they have not claimed a prerogative so wide they should have taken whatever advantage they could of Congressional acquiescence, but as a Constitutional matter they have not claimed that wide a prerogative, so that it isn't in that sense, a confrontation until very recently.

Senator CHURCH. We are basically in agreement.

Senator SAXBE. As I look at it, we are in a historical constitutional crisis. What we are trying to do is reverse a trend that has been going on for many years. We are now trying to reassert something that has not been taken away from Congress. It has been given away. And it was pointed out yesterday by speakers on the floor that Congress has been engrossed in housekeeping duties; in other words, Washington representatives of their constituency, and that, combined with efforts to get reelected, have taken up most of their time.

Now, the things that the President has moved into, beginning back before World War II, have gradually grown into a bureaucracy, and to fight what we see in this historical crisis, is first to convince Congress that there is a possibility of reasserting this, and then convincing them that they want to, because we find among those of us who are interested in this, especially the newcomers, there is little desire to move into these controversial areas.

Now, that means there is a void to be filled and it has been filled, not just by the President and his appointees, but rather by the growing bureaucracy in the Defense Department and State Department and in the other departments. A self-generating power that now goes to policy measures.

We think that unless we take this stand at this time, and I am delighted that you are here, because this is, from that standpoint, a judicial matter. Unless we take this stand to reassert our interest and our control, that it is going to be eroded even further.

Now, it is easy to say that Congress reasserts its power, but I think that it is significant that the ones that you talk to here are all in agreement with you and the ones who are not here are the ones with whom we have difficulty in convincing and we haven't done a very good job, obviously, on the floor, because most of the Members of the Senate and the House are still interested in doing their social work and in getting reelected and are not generally concerned in giving up these duties, which are very demanding, and moving back into an area of policy-making.

Mr. BICKEL. To make an argument, or put on the table a proposition which isn't strictly legal, but which goes to the reasons I think why the original constitutional arrangement was what it was, and not what in some of these instances it has become to be, and that is this: you can, I think, in a democratic society, tolerate a measure of Executive—decisive action, which is, of course, the genius of the single executive.

When there is consensus, when there is recidivity to him, you can have an FDR close the banks, but the residual power of government has to be in Congress because it is the only institution in which the proceedings of

government goes on openly and visible. It is the only institution in which the process of government is open to access.

A President, or for that matter, a court, are unsuitable instruments for government, for much the same reason.

A President makes his decisions behind closed doors. There are the raw aspects of his office, remoteness of the office. You cannot do that, it seems to me, with decisions for which you have to generate consent in a democratic society.

The President is no fit instrument for doing that, certainly for doing it continuously. Congress is the instrument for that. Congress is where things are open, visible and where there is widespread access, where there can be some form of participatory democracy. These, I think, were the reasons why in setting up our government Congress was made the residual depository of Federal power, not the President, and these are the reasons; these are the additional reasons now why Congress must reassert itself because the country is, as everybody knows, in something of a crisis of allegiance and of confidence in its government with the Executive.

Mr. LINDSAY. I wanted to make one comment further on perhaps why this is such a good time and an important time for Congress to take an affirmative step as almost a demonstration of reassertion of its interest and control over the war making power. And part of that is because, as we all know, in our times, unlike the early days, it is a time when the President has to have and does have, unquestionably has the power for instant response to total war, and I am sure that there is nobody here who would dispute that that power exists.

But, within the fringes of, it is absolutely essential that the greatest restraint in every way be on the President in the exercise of that power.

For example, one can envision attacking NATO and the level of response that the President might feel he could go into. You can even go back to the *Pueblo* action in which there were many who urged and probably the President would have been supported in a power if he had reacted to the *Pueblo* incident by immediate bombing of North Korea. Thank God he didn't!

But in this kind of a context where we know the President has the power of total response, it is important that Congress enter into the process, both in advance and at the present time in asserting itself just to the absolute extent that it can within those limits.

Senator FULBRIGHT. It seems to me you are using the words "power" the same as "authority." Do you see any difference between the power to bomb Moscow tomorrow and the authority to do it?

It is true so long as the army will obey him he can order them to do all sorts of unconstitutional things. You say "the power," you mean he has the authority to do these things.

Did he have a constitutional authorization within the Constitution, meaning of the Constitution, to react immediately and bomb North Korea?

Mr. LINDSAY. I don't think he would have in that case but I think it is very debatable as to whether he would not have it.

Here we have been discussing not whether the President had the power to go into Cambodia.

Senator FULBRIGHT. Are you meaning a Constitutional authority? Do you use the word "power" as equivalent of constitutional authority to do it?

Mr. LINDSAY. I was using it in that statement as meaning authority.

Senator FULBRIGHT. You see no distinction?

Mr. LINDSAY. In the case of a full nuclear attack on this country, I think the Presi-

dent has the authority, as well as the power to respond and clearly in the case of a nuclear attack on something like NATO.

All our troops in NATO, at what level of response he has power and authority, the point was: where this situation exists, and I think both power and authority are tremendous, it is important that Congress move as far into those limits as it can.

Senator FULBRIGHT. Could I come back to Mr. BICKEL? All of you say the Congress should do that and Congress should do this. I thought that the purpose of these discussions was to determine that the particular action in Cambodia was or was not within his authority. He obviously has the power to do it. Was he correct in doing it? And does the Congress have Constitutional authority to limit it? And we could reiterate all we like that the Congress should do this and that.

These are fine political decisions. The significance to us is if the best authority believes that we do have the authority. This is an argument, a case for an argument to obtain action in the Congress.

It strikes me that a lot of this is very interesting, as scholars, but it is also very interesting and you prompt the question: why has the Congress not been willing and able to reassert its authority, its Constitutional authority? Why does it hesitate to do it?

It seems to me that these are new developments, particularly one that wasn't contemplated in the Constitution, and the other has grown up since World War II.

Two major facts are that under the impact of that war and succeeding wars and a continuing crisis, the military establishment has come to control the Congress. It is so enormous and disposes of such a great part of the wealth of the country, which also includes its command of the personnel, and the influence generally, its institutional advertising, public relations activity are far beyond the comprehension of most citizens, together with the invention of television. And the President is the only man who has immediate access to the minds of 90 percent of the people.

I think there are 60 million television sets, which covers almost all of the homes in the country. And there is no Congressman, no Senator, no writer who has the capacity and institution to talk to the people.

It is all very well in the days of Jefferson, out in the open where people knew what was going on, at least the people who were interested, those who were enfranchised, and there weren't so many.

Today, there were four Senators the other day who wanted to have a 30-minute program. They had to go out and raise the money; they did it this time, but how many times do you think they can do that?

Mr. BICKEL. Could I add just a couple or very short points? I don't disagree with you as you described the difficulty. I would say two things: one, it seems to me the political and constitutional issues merge in this area. That is to say I would argue that even a Congress which agrees with the President, with his actions, ought at this juncture of affairs, to reassert its constitutional authority, even if it be only to tell him they agreed with him; because I think there may be a reversal in what has been the trend of the 20th Century, namely: the people looking only to their President or chiefly to their President for action.

I think one can see, at least where I come from, one senses it among the young, a feeling of the remoteness of the Presidential institution and a certain loss of allegiance to it as the sole representative of the people and of the government.

I think as Congress reasserts itself, and here again the Constitutional and political issues merge, we are going to proceed at the graver and graver crisis of allegiance and confidence in the whole process of govern-

ment on the part of very substantial numbers of our young people.

So that I think that Congress should act; should assert its constitutional authority for political reasons.

Senator FULBRIGHT. That is all very well if the Congressman thought the young people could have much influence upon their election. But up to now they haven't demonstrated that and this is why. Unless they can show that.

Mr. BICKEL. I thought I saw a small demonstration of that in 1968, Senator Fulbright.

Senator KENNEDY. Perhaps so; more so when we get the 18-year-old vote.

Senator FULBRIGHT. Did you think the young people were determinative in the Presidential election of 1968; is that what you mean?

Mr. BICKEL. No; I thought I saw in 1968, particularly in the primary—

Senator FULBRIGHT. In one state or two?

Mr. BICKEL. Considerable impact. Senator FULBRIGHT. I don't think it resulted in any tangible results, as far as I have been informed. I don't think it did, and now today they are having, I think—I am very sympathetic, you know, don't misunderstand, to their disillusionment with that goes on, not only the war but a great many other things. A counterpart of the war is the initiative of all of the problems, particularly the education of the young; so there is no problem about that.

But I think that it is important if everybody agrees, that Congress is well within its rights to pass the proposed resolution that we have, that is all very well, and it may be useful in the debate. I think you still have a tremendous problem of getting votes to pass it. I can't conceive of it passing the House of Representatives, as I interpret recent votes in the House of Representatives particularly on military affairs.

Last year, in the most determined and exhausting battle I have ever seen in the Congress, to effect one military weapons system, we lost by a tie vote in the Senate. And don't underestimate that. We just practically gave up everything else in order to try to demonstrate that we weren't completely under the domination of the military establishment and we failed. The House, it is two or three-to-one over there, I think, in nearly every vote.

The other day they had a vote and there was an effort made by a determined group of dissidents, about 100,—that is all they could muster in the various efforts affecting a certain military construction bill. They ended up getting 45 seconds apiece to talk under the administration of the Chairman of the Armed Services Committee. He determined each of those opponents could get 45 seconds. This is really open debate of the fashion that you talked about.

It seems to me there is a political breakdown here in support of all of your theories. I agree with your theories. I think it is perfectly right and constitutional for the Congress not to pass, not only the Church-Cooper, and if they want to, if they have the votes, but I can't possibly see the votes passing in the House or over a veto, but it is important to have this discussion because of the political effect.

I think it would be restraining, a warning to any President, if the Senate passed the resolution such as this, not because it is going to be constitutionally effective or legally effective, but it is a clear warning that the country, that there is dissatisfaction, that there is a danger, and that it is a political judgment then that he must make.

Does that make any sense to you?

Mr. BICKEL. What you are saying is that what we can do is try as you have been trying for years. I hope we continue.

Senator FULBRIGHT. But I think it is very important for you, for purposes of our argument, to say that, and at least knock down

these assertions that we are getting far beyond our proper constitutional responsibility.

There is one concept that I have never heard before in any books or articles I have ever read. What is the limitation of this assertive power of protection of the troops that you can invade a neutral country? If that is true, could it not also, under that theory invade China or also invade Russia, because they all contribute to some extent to endanger the lives of our troops.

Is there a constitutional principle that you are aware of, and has it any background?

Mr. BICKEL. No, sir; I am not aware of it. I do think that with my back to the wall I could find a distinction and I would not like to be the one that enlarges the power in this fashion. I think I could find a distinction without necessarily supporting what he did. I could find a distinction between moving 20 miles to your left or right against even my supplies or weapons or enemy troops in fact are on the ground, or where you have cause to believe they have been.

Senator FULBRIGHT. Where would you draw the line?

Mr. BICKEL. As near to preventing Presidential excesses as I could.

Senator FULBRIGHT. Now we have gone 21 miles.

Senator KENNEDY. Mr. De Wind.

Mr. DE WIND. Senator, I see no ground for great political optimism, but at least some things are happening. The very fact that today you have a thousand lawyers from New York in Washington is quite unprecedented and this is an organized participation in politics which I think is without precedent.

But more than that, many leading colleges and universities are deciding if we were once able to excuse students to bring in the harvest, we can excuse them to bring in votes.

And now, one, as least one illustrious law firm in the City of New York has told its young lawyers they are willing to pay them through a period of weeks of political action in the fall. So there is something stirring; something is happening.

Senator KENNEDY. I make the comment: I remember a time in the debate on Judge Carswell, when there was considerable less support in terms of opposition to his nomination than there was even for the McGovern-Hatfield resolution.

So, I wouldn't quite share the pessimism expressed, although I thought the point that Senator Fulbright made, that if we are able to get this by the Senate it would obviously, even if it doesn't pass the House, get some action on it in spite of the fact that it would not have a very significant impact.

Senator FULBRIGHT. You misunderstood. I think it is very significant, but not for Constitutional reasons, for political reasons.

The passage by the Senate, if we did, is very significant, because it will impress any President. If the Senate passes such a resolution, it is bound to have a political reaction upon him. He wouldn't be legally and constitutionally affected until it is enacted into law. The only distinction I make, I am very much for it because of this reason, but not because of its constitutional effect.

Mr. BICKEL. The Constitution in this area is made up of practice and every event of this sort is precedent on the Constitution.

Senator FULBRIGHT. I am very much for it. I didn't mean to leave any impression. I am for this one and I expect to be for the next one. The point I am really trying to make, it is very interesting. Many, many years ago I once read the Constitution and it is very interesting. But what we are faced with now is reality, and the Constitution is a part of it, and I don't discount the importance of you saying that the Congress is certainly

within, not only its rights, but its responsibilities to move. I am all for that, too. It helps us, help those of us who want to reassert the Senate's rights.

As you know, only a year ago, about a year ago we passed what is called the Commitment's Resolution. This was a very successful effort, in a general way, to reassert the Senate's role. It was, in essence, saying "From here on we are not going to accept these casual Presidential statements as commitments of this country. They have to be made with the participation of Congress. This was a significant resolution.

The Senate alone, of course, can make such actions, and we did with a very large majority. This is the followup.

As a practical way, here today, we are exercising, it seems to me, a political pressure upon the President, in view of the overall circumstances, to change his approach, or his idea, to at least reconsider his policy in expanding the war into Cambodia and eventually into Laos. And this is extremely significant. And the fact that it is or it is not constitutional of us to do is also a very persuasive reason why it will stiffen the back of some of our colleagues.

You have to understand the problems of Senators and Congressmen about, in their own profession, as your own, the significance of the television. I don't think it can be discounted.

This is a new instrumentality which has completely distorted the normal democratic processes. In the old days, before you had it, Senators and Congressmen had almost equal access to the public mind that the President does; but you all know today, you have seen it demonstrated, he at any time can go on television nationwide and speak directly, without any interpretation of any kind of reporter or anyone else. He can tell any kind of story, be it accurate, inaccurate, or anything else, and there is no way anybody can answer that in the same form or to the same extent. That is a fact of life. I think you have to consider this.

I think you legal brains ought to figure out a way to do it. This instrumentality should not be at the sole disposal of any executive.

The institution of the Congress, if you really are interested in it being effective, ought to have also some mechanism by which it could speak to the same people and to the same extent and under the same circumstances, if it is to make any case at all.

There is no way for any Senator to really equal that. This is a distortion almost comparable in this field to the invention of the hydrogen bomb in the field of warfare. It has completely upset the normal relationships between the Executive and the Legislative, and I don't think there is anything we can do. We talk about it, I know. There is nothing we can do under present conditions.

I think the Congress ought to pass a law which would remedy this situation, and you lawyers ought to figure out the way to do it.

Mr. McKAY. It seems to me if the Church-Cooper Amendment, or the McGovern-Hatfield Amendment, were adopted by the Congress, that would be not only a political act, but it would change the Constitutional situation as well, because then there would be an assertion by Congress of its Constitutional authority. And here I would like to go back to what I said earlier about the difference between authority and power. In our earlier discussion there was difficulty in distinguishing between authority and power of the President prior to Congressional assertion of its authority and limitation of the purse that you think are proper to be exercised, and I think it is a question deliberately left difficult and unclear by the Constitution.

But once Congress acts then this President

may still have the power to act in defiance of that, but he no longer has the authority and he is just stripped of his Constitutional—

Senator FULBRIGHT. Last year we passed and he signed a restriction on the use of troops in Thailand and Laos. According to the press, advisors are going into Laos.

The response of Mr. Laird the other day was, I would say, equivocal about whether they are going, but this is already enacted into law. He didn't object to it; he didn't anticipate, I guess, at that time. But he didn't object to the so-called Cooper-Church thing on last year's appropriation bill. That is already the law.

Now, it is presumed, in view of his strong opposition to the Cooper-Church here on Cambodia. The reason we didn't go into Cambodia, no one dreamed, it was a neutral state, no one thought of putting it in. Now, it is Cambodia and he resists the Cooper-Church in Cambodia. But the distinction that I made a moment ago is that it is essentially political and its effect upon him as a political matter and your coming down here is part of that political effect.

But I can't see, in view of his opposition this passing the House, or passing both of them over a veto, but I am all for it being passed in the Senate, because of its political effect.

Senator KENNEDY. I think one of the things we are trying to show as a result of this experience this morning, in light of the White House declarations of last week, Friday of last week, is that as to any of the resolutions which are before us, the Church-Cooper, the McGovern-Hatfield, these would not be an infringement upon the Presidential authority in his handling of the conduct of war. I think that the point that has been reassuring in terms of this kind of experience is that any member of the Congress, in the Senate, or in the House of Representatives, can feel that they can support those resolutions and that they will not, in effect, be supporting a Constitutional infringement of the Presidential power, but on the contrary, will be actually fulfilling their own responsibilities as Members of Congress in this area of war-making.

Mr. McKAY. I think we're all in agreement on that.

Mr. CHAYES. I think it is important to say that is true, regardless of whether you think the President was within his authority of going in, even if you think he wasn't within his authority of going in, you still have the Constitutional power to stop him now.

Senator KENNEDY. Let me ask one final question: In terms of the Church-Cooper Amendment, if that were to pass, what kind of restrictions do you think that places upon the President in terms of any future activities and expansion back into Cambodia under his stated reasons for the protection of American lives? Do you feel that it serves as a sufficient kind of restrictions upon his activity for future Cambodian ventures, even within his so-called declaration that it is essential and necessary for the protection of American lives?

Mr. McKAY. Speaking only for myself, it is an important restriction, and here Senator Fulbright is right, it would have a political impact. But it is not in my judgment, as great a restriction as might be ultimately desirable.

Senator KENNEDY. Say it passes. If it is enacted, does that bar the President in the future from going on into Cambodia, or will he be able to say the Senate has acted but still the action in Cambodia is for the protection of American lives and, therefore, I feel no compulsion not to move?

Mr. McKAY. As I read the amendment, it is clearly designed to say he would no longer have that power.

Mr. DE WIND. I think the question goes to the heart of our Constitutional arrangement. This is a sweeping declaration of Congressional viewpoint. And if the President follows the dictates of history, he would observe it.

Our tradition has been that there is a response to this sort of thing, but if a President is determined to seek a confrontation of Constitutional power, there is no very satisfactory way of testing; the Constitution doesn't provide for it; you can't take it as a practical matter to court, I think, and one must ultimately rely on our Constitutional system having built into it that kind of accommodation and restraint that makes it work, and all you can say that history indicates that Presidents faced with this kind of thing do back down and I see no reason to conclude at this point that our present administration would be any different.

Senator SAXBE. I can't help fear we are tying a lot of legal niceties here that are proper, and as a lawyer who was actively engaged in Constitutional Law as Attorney General, I recognize that most of these things that we are discussing are the real meat of our Constitution. But I think that we have an area where the will is much more important, perhaps, than the substance of what we are talking about.

Now, the will of Congress to enter this area has to be very determined today, because Congress itself has not exercised the powers that they now have under the Constitution, and they can die, and many have died or withered, anyway, from disuse.

Now, if Congress exerts this will, then I believe that the Constitution will become alive in these various areas. This is where we must work and the people that come in, the lawyers who represent, and others say what can we do?

One of the big questions is: How determined is this effort? Will it die in two weeks? Will they go back to the routine business as usual? Will the students go back home this summer or will this interest continue?

I, personally, am not convinced, because we had a crisis in ecology three weeks ago; we had a crisis in something else before that. We live in a period of crises.

Now, I feel that the only way Congress can assert its will is to cut off the money, because this is one thing where we definitely have not given up this power. If we cut off money we can effectively assert ourselves. And I am prepared to vote for a 25 percent reduction in all defense spending, if it will curb this runaway bureaucracy, but this is where Congress has to assert itself.

You know the story of Richard the Second. I certainly don't recommend what happened after his funds were cut off. But the power of the purse strings goes back to 1350 when that happened under the English concept, and I certainly feel that it exists today just as powerful as it ever was.

Mr. DE WIND. Justice Jackson in 1951 put it very succinctly: "While Congress cannot deprive the President of the command of the Army and Navy, only Congress can provide him with an Army and Navy he may command."

Mr. BICKEL. I want to make a point about the language of the Cooper-Church Resolution. I don't think that it deprives the President of the power in an emergency situation where he has to react to attack, to go into Cambodia and protect in combat as he sees it, American troops. All it prevents him from doing is going into Cambodia and engaging in combat activity in support of Cambodian troops. It does not prevent a reactive decision on his part to defend the threat of attack or react to an attack on American forces in Vietnam, and that is one reason I don't think this job is complete until you get to the McGovern Resolution, of course, though I favor this one.

Senator KENNEDY. Gentlemen, I want to thank all of you very much. I want to extend the thanks of the offices of Senator Pearson and myself and my colleagues who have been able to come this morning, for your discussion and your comments and insight into some of these most complex and difficult questions.

I think this has been extremely constructive and positive and enormously useful. I know it has been to me and I know it will be to the other members in the Senate who will have access to the transcript, and I want to thank you and the people that you represent for your attendance here.

(Whereupon, at 11:40 a.m. the meeting was adjourned.)

#### CBS TELEVISION COMMENTARY ON NOMINATION OF JUDGE CARSWELL

Mr. DOLE. Mr. President, lest anyone get the idea I am going out of my way to pick on the Columbia Broadcasting System, let me set him straight.

Once in a while CBS does something that offers encouragement to those of us who see unbiased media as the hope of our country.

On April 10, I wrote to CBS and asked them to indicate who had appeared on CBS network television for and against Judge Carswell.

Accordingly, I received a reply that indicates that CBS had 24 Senators on behalf of Judge Carswell and 24 opposed to him.

I must say that one could not ask for fairer treatment, unless one goes so far as to ask that the commentators observe the same balance in inflection, lifted eyebrow, and choice of adjectives.

I ask unanimous consent to have printed in the RECORD the list of pro- and anti-Carswell Senators who appeared on CBS television between January 19 and April 8, according to CBS President Frank Stanton.

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

APPEARANCES OF SENATORS ON CBS TELEVISION NETWORK BETWEEN JAN. 19, AND APR. 8, 1970

Pro-Carswell		Con-Carswell	
Name	Date	Name	Date
Scott <sup>1</sup>	Jan. 19	Bayh <sup>1</sup>	Jan. 28
Eastland <sup>1</sup>	Jan. 19	Proxmire <sup>2</sup>	Jan. 28
Griffin <sup>1</sup>	Jan. 27	Goodell <sup>4</sup>	Feb. 8
Gurney <sup>3</sup>	Jan. 28	Tydings <sup>1</sup>	Feb. 16
Scott <sup>1</sup>	Jan. 28	Bayh <sup>2</sup>	Feb. 17
Ervin <sup>2</sup>	Jan. 29	Bayh <sup>2</sup>	Mar. 11
Hruska <sup>1</sup>	Feb. 2	Case <sup>3</sup>	Mar. 13
Eastland <sup>1</sup>	Feb. 16	Bayh <sup>1</sup>	Mar. 16
Griffin <sup>1</sup>	Feb. 16	Bayh <sup>1</sup>	Mar. 20
Hruska <sup>2</sup>	Mar. 11	Tydings <sup>2</sup>	Mar. 25
Hruska <sup>1</sup>	Mar. 16	Packwood <sup>2</sup>	Mar. 25
Thurmond <sup>1</sup>	Mar. 20	Fulbright <sup>1</sup>	Mar. 26
Scott <sup>2</sup>	Mar. 22	Hatfield <sup>1</sup>	Mar. 26
Scott <sup>4</sup>	Mar. 22	Spong <sup>1</sup>	Apr. 1
Hruska <sup>2</sup>	Mar. 26	Cranston <sup>1</sup>	Apr. 3
Saxbe <sup>1</sup>	Apr. 1	Hart <sup>1</sup>	Apr. 3
Griffin <sup>1</sup>	Apr. 3	Fong <sup>2</sup>	Apr. 5
Gurney <sup>3</sup>	Apr. 5	Tydings <sup>2</sup>	Apr. 5
Gurney <sup>1</sup>	Apr. 5	Dodd <sup>2</sup>	Apr. 5
Dominick <sup>4</sup>	Apr. 5	Prouty <sup>2</sup>	Apr. 5
Dominick <sup>2</sup>	Apr. 6	Tydings <sup>2</sup>	Apr. 5
Griffin <sup>2</sup>	Apr. 6	Tydings <sup>1</sup>	Apr. 6
Gurney <sup>1</sup>	Apr. 6	Brooke <sup>1</sup>	Apr. 6
Hruska <sup>1</sup>	Apr. 6	Bayh <sup>2</sup>	Apr. 7

<sup>1</sup> The Evening News with Walter Cronkite.

<sup>2</sup> The Morning News with Joseph Benti.

<sup>3</sup> The Evening News with Roger Mudd.

<sup>4</sup> The Sunday News with Harry Reasoner.

<sup>5</sup> Face the Nation.

#### CONCLUSION OF MORNING BUSINESS

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

#### AMENDMENT OF THE FOREIGN MILITARY SALES ACT

Mr. MANSFIELD. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mr. HOLLAND). The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK H.R. 15628, to amend the Foreign Military Sales Act.

The Senate resumed the consideration of the bill.

Mr. STEVENS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Alaska yield without losing his right to the floor?

Mr. STEVENS. I yield.

Mr. MANSFIELD. Mr. President, I think that the distinguished Senator from Alaska is entitled to a more attentive audience than is in the Chamber at the present time and, therefore, with his permission, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection, it is so ordered.

#### INTRODUCTION

Mr. STEVENS. Mr. President, for the past 2 weeks I have listened to a great number of statements on the recent actions in Cambodia. I feel that this concentration of attention on the actions in this one area have caused some loss of perspective on the Indochina conflict, and I would like to bring some salient facts to the attention of my fellow Senators.

By way of quantitative importance of these recent actions, I think it important to note that even at the height of the recent campaign, only 10,000—or a little over 2 percent—of our forces in Vietnam were in Cambodia, and they are already on their way out. Similarly, something less than 5 percent of South Vietnam's military forces are in Cambodia.

The real question then—and the issue I would like to see discussed more fully—is what can we do to bring the remaining American troops in South Vietnam home. The proposed amendment, which is now the pending business on the floor of this body, would deal only with the smaller question of specific tactics in the larger scale conflict. If this amendment is to be properly assessed, it must be considered in light of our overall policies in Indochina—and indeed in the whole Southeast Asian area.

#### OUR NATIONAL INTEREST

The first and most basic question that must be asked here is precisely what is

our national interest in Southeast Asia. A number of elements could form the basis for our interest in sustaining the South Vietnamese Government. They include:

First, strategic military significance of the area;

Second, critical resources important to our economy; and

Third, protection of American lives and property.

I would like to discuss each of these in turn.

First, I do not believe our interest is based on the strategic geographic importance of the area as either a direct threat to our territorial security or as a useful military base. Guam is closer to Peking than Saigon, and the city of Anchorage in my home State of Alaska is closer to Moscow than Saigon. We have major military installations in Thailand and the Philippines. We have repeatedly indicated that we have no desire to establish permanent military bases in this area. President Nixon made that clear when he said in May of last year:

The United States has suffered over a million casualties in four wars in this century. Whatever faults we may have as a nation, we have asked nothing for ourselves in return for those sacrifices. We have been generous toward those whom we have fought. We have helped our former foes as well as our friends in the task of reconstruction. We are proud of this record, and we bring the same attitude in our search for a settlement in Vietnam.

In this spirit, let me be explicit about several points:

We seek no bases in Vietnam.

We seek no military ties.

It is thus safe to conclude that South Vietnam is not of direct strategic importance to our territorial security nor as a military base for operation in Southeast Asia.

However, the area is strategically important to surrounding territories. It borders on Burma and the Indian subcontinent, on Thailand, the bridge to Malaysia and Indonesia and is only a few hundred miles from the Philippines. It is this basic strategic importance that led to the development of the "domino theory."

#### THE DOMINO THEORY

Stripped to its bare essentials, the "domino theory" states that the fall of one country will provide the base from which attacks against geographically contiguous states may take place. These states in turn will fall and thus provide the bases from which attacks can be launched against even more distant countries. These attacks can be overt aggression or a more subtle "liberation movement" supplied and given sanctuary by the adjacent, recently fallen "domino" country.

There are two conditions which must be present if the "domino theory" is to apply. First, there must be a series of contiguous states whose geography and ethnic and political structure provide no substantial opposition to engulfing conquest. Second, there must be a force with the desire and the ability to carry on this extended conquest.

Let us now apply these criteria to the Southeast Asian situation.

First, we do have a number of contiguous countries whose geography does not offer natural borders which can be easily defended. These countries include Vietnam, China, Laos, Cambodia, and northeast Thailand. Beyond these areas, we have open seas or mountain ranges which do offer substantial natural impediments to advancing armies. Beyond these areas we also have decidedly different ethnic peoples with, in some cases, traditional and long-lived governments. The "domino theory," therefore, can be validly applied only to the areas I have set forth; that is, Indochina and northeast Thailand.

The second criterion—a force both capable and desirous of carrying forth the conquest—is also apparently present in Hanoi, supported by China. However, there is no reason to believe that Hanoi has interests beyond the traditional Indochina area. The long and protracted war fought between the Vietminh under Ho Chi Minh and France was envisioned by the supporters of Ho as a war for the national independence of Indochina from French colonial rule. The French, on the other hand, saw it as an effort by an avowed Marxist—Ho Chi Minh—to extend the international Communist movement into Southeast Asia.

This country agreed at that time with the French View, as is evident from this excerpt from President Eisenhower's memoirs:

Ho Chi Minh was, of course, a hard-core Communist, while the Vietminh, the Forces under his command, were supported by the Chinese Communists in the north. Although guerrilla fighting was sporadic, the French controlled the deltas and the cities and an area along the waist of Vietnam, whereas the back country, including most of the province of Tonkin and a sizable area in central Annam, was controlled mainly by the Vietminh.

In early 1951 the Indochina affair had come emphatically to my attention when I was Allied commander of the NATO troops with headquarters in Paris. The NATO defense needed greater French participation, but this was largely denied because of France's losses and costs in the Indochina war, as mentioned earlier.

These losses and costs to the French might be lessened, I believe, if allies could be brought in to carry part of the load in defending Indochina. Such a development would depend, of course, upon a clear appreciation throughout the Free World that the war was in no sense an effort on the part of the French to sustain their former domination over the area, but was in fact a clear case of freedom defending itself from Communist aggression. To bring about such an appreciation, there would have to be a definite and public pledge on the part of the French to accord independence and the right of self-determination upon the Associated States as soon as military victory should be attained.

Eventually, the French did indicate their intention to establish the independent states of Vietnam, Laos and Cambodia.

However, world conditions have changed decidedly since 1951. Nationalism is still stronger than any internationalist ideology and allegiances based on national interest, not ideological ideals, are the strongest ties we know.

Thus, we see that the Soviet Union appears to get along better with the United States than with her ideological partner—China. Yugoslavia is a well-known example of an independent Communist state. Had it not been for the ruthless and cold-blooded suppression of the reformed Czechoslovakian Government, another version of a Communist State would have been born.

We also recognize that Hanoi is not an extension of Chinese will in Southeast Asia, but rather is a nationalistic state carefully playing off her two giant benefactors, one against the other, to achieve her own national ends.

Viewed in these nationalistic terms, we see that extension of the "domino theory" beyond the Red River and Mekong River basins will not survive the second criterion—the presence of a power with the desire and ability for extended conquest, North Vietnam's national interests are not served by expeditionary incursions into southwestern Thailand or Malaysia. Nor does North Vietnam have the navy to carry revolution to the Philippines even if she were so inclined.

From this analysis we can see that, while the "domino theory" does extend to Indochina and northeastern Thailand, it does not extend outside this area. The natural conclusion to be drawn from this determination is that we must seek an areawide settlement in Indochina and not just a settlement affecting South Vietnam. If we do not take into account actions in Laos and Cambodia, we will find that ultimately South Vietnam will be engulfed by the "domino theory". It is just as easy for the "dominos" to fall in the order of Laos—then Cambodia—then South Vietnam as it is for them to fall South Vietnam—then Cambodia—then Laos.

We must examine the entire area if we are to reach a long-lasting solution for South Vietnam.

In summary, while Indochina has no direct strategic military importance to the United States, Laos and Cambodia, as well as North Vietnam, are profoundly important to the military security of South Vietnam.

#### RESOURCES

If our desire to maintain South Vietnam as an independent state is not based on the military importance of the real estate, perhaps it is in the resources of the area.

It is true that great quantities of tin and molybdenum, both of which are strategically important metals, are found in Indochina. But we have substantial deposits of both these metals in my State of Alaska.

Indochina is considered to be the rice bowl of Asia. But we are a rice-exporting nation, so that cannot be the reason.

It has been suggested that we would like to deny the resources of this area to our enemies. But Russia has no need for either the metals or the rice. And China seems to be able to buy sufficient food-stuffs.

Nor are there large American investments in private industry in Indochina which we might want to protect. The

area was largely developed by the French, and all industrial development took place in that part of Indochina which is now North Vietnam. Any large landholdings will soon be broken up as part of a land reform program we urged the government of South Vietnam to adopt.

It can be safely concluded, I believe, that we do not have as our national interest in this area a desire to have access or dominion over the resources, either agricultural or mineral, of the area.

Since neither military geographic significance nor critical resources can be assigned to the Indochinese area, our national interest in Indochina must not be based on either, but rather on some less tangible factor.

#### U.S. ROLE IN SOUTHEAST ASIA

An analysis of the intangible benefits of involvement in Southeast Asia must necessarily include an examination of the role we feel the United States should perform in that area.

Following World War II, we assumed a custodial role in the Pacific and in Asia. There were no other nations in this area who could provide leadership, security, a sense of law and order, or the capital necessary to rebuild a war-torn area. One item that was high on our priority list was to end colonialism in the area and to establish independent viable nations in the region.

We began, as was fitting, by cleaning our own house. In 1946 we granted independence to the Philippines. We then urged the Netherlands to establish the independent state of Indonesia, which was accomplished in 1953. We also felt deep concern that the French should indicate an end to colonialism in Indochina, as is evident from this excerpt from President Eisenhower's memoirs, in which the former Chief Executive discusses the consequences of France's failure to renounce any colonial interest in Indochina:

I repeatedly urged upon successive French governments the wisdom of publishing to the Free World such an unequivocal commitment. But the French government did not make its position unmistakably clear, especially to the people most concerned, the Vietnamese. Had it done so, the effect would soon have been—we in NATO believed—to make the war the concern of all nations outside the Iron Curtain, and could have assured France of material help, as well as the support of world opinion. Furthermore, it would have immeasurably raised the fighting morale of the loyal Vietnamese. At that time the French government apparently saw no need to publicize any such sincere, simple and selfless pronouncement. As far as I could tell, this reluctance seemed to have its source in the French conviction that making an all-out statement would weaken their leadership in the war and might have serious effects in other portions of the French Empire, including Algeria; moreover, the civil officials with whom I often talked invariably agreed that while in this one special situation their difficulties could be greatly diminished by making clear their intention to offer freedom to Indochina, they felt also that an announcement of voluntary withdrawal from the area during hostilities would be a tremendous blow to French prestige and influence in the world.

In the absence of such a statement, the war was naturally looked upon in most cases as a domestic difficulty between France and

one part of her empire. This attitude precluded the possibility that other free nations could help in what the French themselves considered so much a family quarrel that it could not even be submitted to the United Nations for adjudication.

The strongest reason of all for United States refusal to respond by itself to French pleas was our tradition of anticolonialism. This tradition, violated—almost accidentally—for a time in the nineteenth and early twentieth centuries, was born in the circumstances of our own national birth in 1776. Our deep conviction about colonialism has often brought us embarrassment in dealings with our friends in Western Europe, whose histories as colonialists are largely alien to our history. But the standing of the United States as the most powerful of the anticolonial powers is an asset of incalculable value to the Free World. It means that our counsel is sometimes trusted where that of others may not be. It is essential to our position of leadership in a world wherein the majority of the nations have at some time or another felt the yoke of colonialism. Never, throughout the long and sometimes frustrating search for an effective means of defeating the Communist struggle for power in Indochina, did we lose sight of the importance of America's moral position.

It was our basic goal to foster the growth and development of independent, viable nations in Southeast Asia and to end colonialism in the area. In this role we provided military security from aggression and financial assistance for economic development.

#### AGGRESSION AGAINST LIBERATION

Korea offers the clearest example of our attitude toward overt military aggression. When the North Koreans invaded without warning the independent nation of South Korea, the United States took immediate action, both militarily and diplomatically. But it was not until we had the approval of our allies and eventually of the United Nations that we actually threw the full force of our powerful military machine into the conflict. This was overt aggression condemned by the entire free world and we dealt with it quickly and decisively.

During this period of overt aggression in Korea, a number of "was of liberation" were also being conducted, the most well known, of course, being the French-Indochina conflict. But similar, although smaller scale, conflicts were also going on in parts of the Dutch East Indies, British Malaya, and the Philippines. A look at each of these will help make clear our overall policy toward these wars.

First, as already noted, we encouraged the Dutch to establish the independent state of Indonesia, which came into being as a friendly pro-Western nation. As it took on greater and greater pro-Communist leanings under the leadership of President Sukarno, we attempted to encourage it to hold a more neutral course; but at no time did we directly interfere with the internal affairs of this relatively stable new country. Instead, we continued to offer economic assistance to help develop the vast store of natural resources and fledgling industry of Indonesia. Eventually, through an unfortunately violent and bloody catharsis, Indonesia returned to its friendly status.

Second, in Malaya the British fought a protracted war with guerrilla opposition. It was the announced intention of Britain to establish an independent state once the guerrillas were suppressed. Since this was consistent with our own national policy of ending colonialism and establishing viable, independent nations, we supported the British effort. However, at no time did we introduce American military forces into the Malaya conflict.

Third, in the Philippines guerrillas who had fought the Japanese had now turned their attentions to the new Philippine Government. This was another protracted jungle war in which we supplied both economic and military aid to the recognized government. Again, however, we did not commit our own military forces to the guerrilla war, despite the fact that American forces were on the island at the time. We recognized that in order for a government to be viable and independent it must develop the ability to police its own internal affairs. We would help, but we would not do the policing for the government.

Finally, in Indochina we did carefully consider the possibility of committing our own combat forces to help the French. We decided against this for several reasons. One I have already outlined. France refused to make a clear commitment to end her colonial rule in Indochina. To support a colonial power would be inconsistent with our basic national policy in the Southeast Asian area.

A second powerful influence was the refusal of other free world powers to join with us in aiding France. In Korea we acted with the approval of the entire free world and with substantial material and manpower aid from a number of other countries. In Indochina we would have had to act unilaterally, and we were unwilling to do this.

A third factor was the growing belief that the French did not really want help. As President Eisenhower pointed out in his memoirs:

Some of my advisers felt that the French had actually reached the point where they would rather abandon Indochina, or lose it as a result of a military defeat, than save it through international intervention.

At the height of the conflict we did supply 200 technicians, but that was the limit of our manpower aid.

We can see, I think, from these examples of actions taken in Southeast Asia that we do not hesitate to act when overt aggression takes place, but that we restrict our aid to material and technical assistance where the internal stability of a nation is involved. This is policy under which President Eisenhower operated, and this is essentially the policy that President Nixon has reaffirmed in his now famous Guam speech.

#### OUR POLICY IN VIETNAM

While this policy of restrained aid to governments involved in internal struggles has been followed consistently in all other areas of Southeast Asia, the conflict in Vietnam raised difficult questions not raised by the other conflicts I have briefly discussed.

Indochina, while under coordinated French rule, had consisted at various

times of three relatively independent, if not fully sovereign, states. The division of Vietnam into two states by the Geneva accords was based more on military and political necessity than on traditional national boundaries, although it should be noted that Vietnam was actually three countries—north, middle, and south—before the French colony of Indochina was established.

The viability of the two new Vietnams was also problematical. The north had all the industry, since that was the center of French influence, while the south was an agrarian economy based on rice production.

The proximity of North Vietnam to China gave increased credibility to the idea that this was a Communist-inspired aggression directed, supplied and perhaps even manned to some extent by Chinese Communists. The inability to demonstrate conclusively that the Vietnam conflict really was expansion on the part of China was of considerable importance to our decision not to intervene. As President Eisenhower pointed out in his memoirs:

As I viewed the prospects of military intervention in the relative calm of early 1954, it seemed clear that if three basic requirements were fulfilled, the United States could properly and effectively render real help in winning the war. The first requirement was a legal right under international law; second, was a favorable climate of Free World opinion; and third, favorable action by the Congress.

Regarding the legal right, the course was clear. Any intervention on the part of the United States would scarcely be possible save on the urgent request of the French government, which request would have to reflect, without question, the desire of the local governments.

World opinion represented a different question. We carefully examined methods and procedures calculated to win the approbation of most of the Free World. One method would have been for the three Associated States of the French Union to go to the United Nations and request help of that body. Another would be to confine United States intervention to participation in a coalition, including Britain, the ANZUS powers, and some of the Southeast Asian nations. While we recognized that the burden of the operation would fall on the United States, the token forces supplied by these other nations, as in Korea, would lend moral standing to a venture that otherwise could be made to appear as a brutal example of imperialism. *This need was particularly acute because there was no incontrovertible evidence of overt Red Chinese participation in the Indochina conflict.* (Emphasis added.)

Because of a basic conflict between our policy of not intervening militarily in internal conflicts on the one hand and simultaneously employing military force to prevent the overt expansion of Chinese Communist domination on the other hand, our activities in Vietnam took on the nature of a holding action while we attempted to determine precisely what our policy toward Indochina should be. This difficulty was further complicated by the fact that it was not yet clear whether this was an internal struggle or aggression of one nation against another.

When President Ngo Dinh Diem decided not to participate in the elections which were contemplated by the Geneva

accords, the United States supported his decision. We had not been a party to the accords, so we were not bound to see that they were carried out. Support of Diem was consistent with our policy of containing Communist China and with ending colonialism. However, the question of creating a viable, independent state in South Vietnam remained open.

In reaction to Diem's refusal to participate in the elections North Vietnam and those in the South who wanted Ho as their President began undermining the Diem government. As the level of violence increased, we became concerned that South Vietnam could not survive as an independent state. Consistent with our policy in internal conflicts, we provided material and technical assistance to the South Vietnamese. But we did not lose sight of the fact that we were, at least initially, dealing with an internal conflict.

When President Kennedy decided to send in advisers to aid the South Vietnamese in developing an effective military force, he made this point absolutely clear in a CBS interview with Walter Cronkite on September 2, 1962. In response to being asked what he thought of the recent actions taken by the Diem government to repress the Buddhist opposition to the policies of his government, President Kennedy said:

Our best judgment is that he (Diem) can't be successful on this basis. We hope that he comes to see that; but in the final analysis it is the people and the government itself who have to win or lose this struggle. All we can do is help, and we are making it very clear.

We can see then that at this point our reliance was still on the South Vietnamese to win their war and put their own house in order.

#### CHANGE IN POLICY

This policy was changed with the introduction of U.S. combat forces into Vietnam in 1965. The buildup was incredibly rapid, and it was anticipated that the addition of troops in such numbers would decisively turn the tide of battle. By the end of 1965, we had 184,300 American soldiers in Vietnam. By the end of the following year this number had reached 385,300, but the tide had turned.

The introduction of American combat soldiers represented a departure from our previous policy of not committing American military manpower to what had, up to this point, been deemed a conflict that could only be resolved by the people of South Vietnam itself. This step indicated that this Government had apparently decided to view the conflict as an overt aggression of one country against another rather than a problem of internal order. The presence of North Vietnamese regular army troops in South Vietnam contributed to this decision.

I think at that point we may have lost sight of our real objective in Southeast Asia. As I have indicated, this objective was basically to end colonialism and establish independent and viable states to replace the former colonies. Our goal then should have been to make South Vietnam viable.

Instead of focusing on this goal, we

continued to increase our military presence. By the end of 1967, our troop strength had increased another 100,000 to 485,600. By the end of 1968 we had 536,100 American soldiers in South Vietnam, and, when President Nixon took office in January of 1969, the authorized troop level in Vietnam had reached 549,500.

President Nixon realized that this policy would not end the Indochina conflict, and he set about finding a way to achieve our goals in Southeast Asia.

#### THE EMERGING POLICY

On May 14, 1969, the President explained how he would proceed toward our goals in Southeast Asia. The points he made in this address to the Nation are exceedingly important in understanding America's policy in Indochina.

First, he explained his initial steps after being elected President:

Our first step began before inauguration. This was to launch an intensive review of every aspect of the Nation's Vietnam policy. We accepted nothing on faith, we challenged every assumption and every statistic. We made a systematic, serious examination of all the alternatives open to us. We carefully considered recommendations offered both by critics and supporters of past policies.

An example of the extent to which the administration went in challenging the old assumptions is given by the following excerpt from Don Oberdorfer's March 27 Washington Post column:

One result of the initial Key Biscayne meeting about Vietnam was a day-long session of the National Security Council shortly after January 20 at which intensive discussion and study was devoted to four possible military options, and five possible international political results, in the Vietnam situation. In each case, consideration was given to the costs of the course of action, to the specific instruction, which would have to be given, and to the consequences of failure. About the same time, a series of toughly-worded questions was dispatched to the major U.S. agencies dealing with Vietnam in an effort to establish the facts on which policy could be based. In Saigon, the field headquarters of each agency—including the Embassy, the military and the CIA—was encouraged to give its own honest assessment without clearance with the other. When the answers were in, they showed that the Vietnam-related empires of the U.S. Government do not agree even on the facts, much less on the solution.

The analysis was not easy and it occupied a good deal of the President's time. But some important conclusions were reached within a short time, as President Nixon explained in his May address:

From the review, it became clear at once that the new Administration faced a set of immediate operational problems. The other side was preparing for a new offensive.

There was a wide gulf of distrust between Washington and Saigon.

In eight months of talks in Paris, there had been no negotiations directly concerned with a final statement.

It was clear to the President that some action had to be taken to move the Vietnam stalemate off dead center. An increasing military buildup was not the answer, since this was being consistently met by an increasing buildup of North Vietnamese counterforces.

The President described the action he took in response to the "operational problems" he had found:

Therefore, we moved on several fronts at once.

We frustrated the attack which was launched in late February. As a result, the North Vietnamese and the Viet Cong failed to achieve their military objectives.

We restored a close working relationship with Saigon. In the resulting atmosphere of mutual confidence, President Thieu and his Government have taken important initiatives in the search for a settlement.

We speeded up the strengthening of the South Vietnamese forces. I am glad to report tonight, that as a result, General Abrams told me on Monday that progress in the training program had been excellent, and that apart from any developments that may occur in the negotiations in Paris, that time is approaching when South Vietnamese forces will be able to take over some of the fighting fronts now being manned by Americans.

In weighing alternate courses, we have had to recognize that the situation as it exists today is far different from what it was two years ago or four years ago or ten years ago.

One difference is that we no longer have the choice of not intervening. We have crossed that bridge. There are now more than a half million American troops in Vietnam and 35,000 Americans have lost their lives.

We can have honest debate about whether we should have entered the war in Vietnam. We can have honest debate about how the war has been conducted. But the urgent question today is what to do now that we are there.

Against that background, let me discuss first what we have rejected, and second, what we are prepared to accept. We have ruled out attempting to impose a purely military solution on the battlefield.

We have also ruled out either a one-sided withdrawal from Vietnam, or the acceptance in Paris of terms that would amount to a disguised American defeat.

Let me put it plainly: What the United States wants for South Vietnam is not the important thing. What North Vietnam wants for South Vietnam is not the important thing. What is important is what the people of South Vietnam want for South Vietnam.

We are willing to agree to neutrality for South Vietnam if that is what the South Vietnamese people freely choose.

We believe there should be an opportunity for full participation in the political life of South Vietnam by all political elements that are prepared to do so without the use of force or intimidation.

We are prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves.

We have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

We have no objection to reunification, if that turns out to be what the people of North Vietnam and the people of South Vietnam want; we ask only that the decision reflect the free choice of the people concerned.

In this manner, the President set forth our policy toward South Vietnam: Self-determination for the South Vietnamese. Our goal then was to create an environment in South Vietnam which would permit the people of that area to make a free choice, not a coerced choice, as to the type of government under which they would like to live.

In order to create this environment, it was clear that eventually all foreign military forces would have to be removed from South Vietnam.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I continue my statement about our policies in Vietnam.

As I have said, the President set forth our policy toward Vietnam, which was self-determination for the South Vietnamese.

Our goal, then, was to create an environment in South Vietnam which would permit the people of that area to make a free choice—not a coercive choice—as to the type of government under which they would like to live. In order to create this environment, it was clear that eventually all foreign military forces would have to be removed from South Vietnam. To this end, the President made the following offer:

To implement these principles, I reaffirm now our willingness to withdraw our forces on a specified timetable. We ask only that North Vietnam withdraw its forces from South Vietnam, Cambodia and Laos into North Vietnam, also in accordance with a timetable.

We include Cambodia and Laos to insure that these countries would not be used as bases for a renewed war. Our offer provides for a simultaneous start on withdrawal by both sides; for agreement on a mutually acceptable timetable; and for the withdrawal to be accomplished quickly.

The North Vietnamese delegates have been saying in Paris that political issues should be discussed along with military issues, and there must be a political settlement in the South. We do not dispute this, but the military withdrawal involves outside forces, and can, therefore, be properly negotiated by North Vietnam and the United States, with the concurrence of its allies.

The political settlement is an internal matter which ought to be decided among the South Vietnamese, themselves and not imposed by outsiders. However, if our presence at these political negotiations would be helpful, and if the South Vietnamese concerned agreed, we should be willing to participate, along with the representatives of Hanoi, if that also were desired. Recent statements by President Thieu have gone far toward opening the way to a political settlement. He has publicly declared his government's willingness to discuss a political solution with the National Liberation Front, and has offered free elections. This was a dramatic step forward, a reasonable offer that could lead to a settlement. The South Vietnamese Government has offered to talk without preconditions. I believe the other side should also be willing to talk without preconditions.

The South Vietnamese government recognizes, as we do, that a settlement must permit all persons and groups that are prepared to renounce the use of force to participate freely in the political life of South Vietnam. To be effective, such a settlement would require two things: First, a process that would allow the South Vietnamese people to express their choice; and, second,

a guarantee that this process would be a fair one.

We do not insist on a particular form of guarantee. The important thing is that the guarantee should have the confidence of the South Vietnamese people, and that they should be broad enough and strong enough to protect the interests of all major South Vietnamese groups.

This, then, is the outline of the settlement that we seek to negotiate in Paris. Its basic terms are very simple: Mutual withdrawal of non-South Vietnamese forces from South Vietnam, and free choice for the people of South Vietnam. I believe that the long-term interests of peace require that we insist on no less, and that the realities of the situation require that we seek no more.

And now, to make very concrete what I have said, I propose the following specific measures, which seem to me consistent with the principles of all parties. These proposals are made on the basis of full consultation with President Thieu.

As soon as agreement can be reached, all non-South Vietnamese forces would begin withdrawals from South Vietnam. Over a period of twelve months, by agreed-upon stages, the major portions of all U.S., Allied, and other non-South Vietnamese forces would be withdrawn. At the end of this twelve month period, the remaining U.S., Allied and other non-South Vietnamese forces would move into designated base areas and would not engage in combat operations.

The remaining U.S. and Allied forces would complete their withdrawals as the remaining North Vietnamese forces were withdrawn and returned to North Vietnam.

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

This international body would begin operating in accordance with an agreed timetable and would participate in arranging supervised cease fires in Vietnam.

As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body. Arrangements would be made for the release of prisoners of war on both sides at the earliest possible time.

All parties would agree to observe the Geneva Accords of 1954 regarding South Vietnam and Cambodia, and the Laos Accords of 1962.

I believe this proposal for peace is realistic, and takes into account of the legitimate interests of all concerned. It is consistent with President Thieu's six points. It can accommodate the various programs put forth by the other side. We and the Government of South Vietnam are prepared to discuss its details with the other side.

This new policy was hailed by many persons who were critical of the policies the United States had been pursuing up to that point.

My good friend, the distinguished Senator from Kentucky stated:

The President's report to the Nation on Vietnam was welcome and necessary. It was a summation of the effort he has made during the 4 months of his administration to bring the United States closer to peace in Vietnam.

It was a clear statement of the President's purpose to secure a settlement through negotiation, rather than the use of military force which has only deepened the tragedy of Vietnam, and which could go on for many years.

In my view the decisive statement, and one which marked an advance over past positions, was his unambiguous affirmation that the administration was prepared and willing to consider in negotiation, in addition to the

concrete proposals he made, "Hanoi's four points, the NLF's 10 points, provided it can be made consistent with the few basic principles I have set forth here." For while the President's proposals are certainly reasonable, and consonant with the principle of self-determination which is a basic one for our country, we may not be dealing with a reasonable Government or people in terms of our own values and we must consider carefully their proposals.

I liked particularly that part of his speech in which he affirmed that the United States and "all parties should agree to observe the Geneva Accords of 1954 regarding Vietnam and Cambodia, and the Laos Accords of 1964." It has been my view, as I have expressed in a number of speeches in the Senate, that the accords provide the best basis for a settlement of the issue of Vietnam, and of Cambodia and Laos, and would have influence in all of Southeast Asia.

In 1965, I opposed the commencement of the bombing of North Vietnam. In the following years, I urged on numerous occasions that the United States cease the bombing as a means of testing North Vietnam's often declared statement that such a cessation would bring about negotiations. I recognized that the cessation of bombing would not necessarily mean that negotiations would be fruitful or satisfactory to the United States, but I considered that it was the only means of opening negotiations. Unfortunately, negotiations thus far have not been very productive, but a start has been made. It is my hope that the President's address has opened the way for active and innovative negotiations, that will be successful in bringing about a settlement and peace in Vietnam. I hope also that his concrete proposals will immediately bring about a reduction in the fighting and violence in South Vietnam on both sides.

If North Vietnam and the NLF want peace, the President has opened the way toward a negotiated settlement and peace. I believe the Congress and the people should support the President in his initiative to achieve peace through negotiations and peaceful means. (Congressional Record, May 16, 1969) And the distinguished Senator from Illinois: Mr. President, Wednesday night President Nixon spoke wisely as he discussed the status of the Vietnam war and made proposals to end that war. His remarks were honest. They were constructive. They indicated a flexibility of approach which gives promise of breaking the impasse at Paris. Speaking as one who has been critical of the handling of the Vietnam war over a period of 3 years, I can now say that I have confidence that President Nixon is doing his utmost to bring the war to an end and to do it responsibly.

I was especially pleased to hear the President say that "the time is approaching when South Vietnamese forces will be able to take over some of the fighting fronts now being manned by Americans." And I was pleased to hear the President say that he has ruled out attempting to impose a purely military solution. These are important points with which I agree completely.

The President's report to the Nation was certainly the most comprehensive Presidential statement on the war so far. It was a contribution toward a peaceful solution of the conflict. And it was a contribution toward public understanding of the complex issues involved.

Mr. President, I am very pleased to offer every possible degree of support that I can to the President of the United States. (Congressional Record, May 16, 1969.)

Unfortunately, Mr. President (Mr. MERCALF), this offer of reconciliation was not accepted by the North Vietnamese and no workable joint program for mutual withdrawal of troops has been worked out.

But our basic policy still requires that the Vietnamese must settle their own problems and that we cannot remain forever in South Vietnam. To this end, a parallel—and essentially unrelated—second step was begun.

#### WITHDRAWAL

An indication of this change in policy was reported to this body by the distinguished Senator from Tennessee:

Mr. President, in recent weeks, there have been many news stories about phased withdrawal of U.S. troops from Vietnam. Some of the hints or trial balloons have emanated from the Pentagon, some from the White House, some from the State Department, and, significantly, some from Saigon.

Since early last fall, there have been unconfirmed "reports" that increments of U.S. troops would be withdrawn as the South Vietnamese troops improved their capabilities. The flow of such "reports" has been stepped up since the inauguration of President Nixon.

President Thieu was quoted on February 28 in the Washington Post as saying: "One and possibly two United States divisions can leave South Vietnam during the last 6 months of 1969."

He indicated that one more division might leave in 1970.

Upon his return from an inspection trip to South Vietnam in March, Secretary of Defense Laird spoke of implementing what he called phase II of a program to train and develop the South Vietnamese army to take over a larger role in the fighting. There were two clear implications in what Secretary Laird had to say: One, that the Johnson administration had not done very well with this phase of the "program"; and, two, that the Nixon administration had adopted the program but would do better with it.

In his press conference on April 7, Secretary of State Rogers was asked about reports of troop withdrawal. In his reply, he emphasized U.S. willingness to proceed with a plan for mutual withdrawal of troops, stating that this could be done "at once" if the "other side", a famous phrase of his predecessor, agreed to it. But the Secretary did not rule out the possibility of unilateral withdrawal, saying with respect thereto, "we are considering all possibilities."

Mr. President, the return of U.S. troops from Vietnam would surely be welcomed by the American people. The return of even a small segment of the more than 500,000 servicemen we have there would likely be widely interpreted as a de-escalation of U.S. efforts, and as offering hope of "withdrawal" of all our troops in due course. (Congressional Record, May 8, 1969)

The program of withdrawal of our soldiers from Vietnam continued, and it became clear that considerable support for the President's program was developing. Congressman BOLAND, speaking on the floor of the House of Representatives indicated this growing support:

The peace negotiations in Paris have given all sides to the Vietnam dispute an opportunity to sit down and discuss the issues and the conflict at great length. Nevertheless, the apparent deadlock at the peace table and the shooting in South Vietnam continues.

Mr. Speaker, after years of war, after years of new "military solutions," we have learned that the kind of conflict the United States is engaged in at present in Southeast Asia cannot end in military victory.

What can we do to achieve peace? One proposed solution—further military escalation—is senseless. A new buildup in our military strength would only plunge us deeper into the military morass in Vietnam and might even push us to the brink of a nuclear war.

The record of the past 6 years shows—plainly and indisputably—that military escalation has not worked. The bombing of North Vietnam, for example, was trumpeted as the final step toward peace.

It was supposed to bring North Vietnam to its knees, convincing Hanoi that its war effort was futile. The bombing, instead, merely steeled North Vietnam's resolve to continue pressing for victory. A small agrarian nation with few cities and little industry, North Vietnam weathered the most intense bombing raids since World War II. Renewed bombing—or renewed military strikes of any kind—would be equally fruitless. The only way to extricate ourselves from this war—short of a sudden meeting of the minds in Paris—is to begin an orderly withdrawal of our troops from South Vietnam.

Senator Edward Kennedy, in a major foreign policy speech delivered last August, in Worcester, Massachusetts, suggested troop withdrawal. He pointed out—rightly, I think—that a significant decrease in our military activity and military personnel would make clear to Saigon that a negotiated peace is the only tenable solution. He emphasized, too, that such a withdrawal would help convince North Vietnam of our genuine desire for peace. Senator Aiken last week also made this proposal, calling for what he termed an "orderly withdrawal." His proposal, I think, is sound. I am not talking here about a sudden overnight flight from South Vietnam, leaving the country in chaos and its leaders stranded naked before their enemies. Mr. Speaker, I am talking about a steady and measured withdrawal of American forces—a withdrawal that would increase commensurately, step by step, with South Vietnam's growing ability to defend itself.

The briskly disciplined new Army that South Vietnam is developing should take over the bulk of the war effort. We must convince the Government of South Vietnam that we will not remain there forever.

The prospects for a negotiated settlement in Paris should be hopefully brighter once Saigon and Hanoi are convinced that the United States is not prepared to fight an interminable guerrilla war in Asia. (Congressional Record, May 6, 1969)

On November 3 of last year the President explained what had happened to his efforts to obtain the mutual withdrawal agreements he had described in his May 14 speech.

The President said:

In order to end a war fought on many fronts, I initiated a pursuit for peace on many fronts.

In a television speech on May 14, in a speech before the United Nations, and on a number of other occasions, I set forth our peace proposals in great detail.

We have offered the complete withdrawal of all outside forces within one year. We have proposed a cease-fire under international supervision.

We have offered free elections under international supervision with the Communists participating in the organization and conduct of the elections as an organized political force. The Saigon Government has pledged to accept the result of the election. We have not put forth our proposals on a take-it-or-leave-it basis. We have indicated that we are willing to discuss the proposals that have been put forth by the other side and that anything is negotiable except the right of the people of South Vietnam to determine their own future. At the Paris peace conference, Ambassador Lodge has demonstrated our flexibility and good faith in 40 public meetings.

Hanoi has refused even to discuss our proposals. They demand our unconditional acceptance of their terms; that we withdraw all American forces immediately and uncondi-

tionally and that we overthrow the government of South Vietnam as we leave.

It has become clear that the obstacle in negotiating an end to the war is not the President of the United States. And it is not the South Vietnamese Government.

The obstacle is the other side's absolute refusal to show the least willingness to join us in seeking a just peace. It will not do so while it is convinced that all it has to do is to wait for our next concession, and the next until it gets everything it wants. There can be now no longer any doubt that progress in negotiation depends above all on Hanoi's deciding to negotiate seriously.

But Hanoi's intractable position did not preclude us from taking independent and unilateral action to terminate our involvement in this conflict. President Nixon described that action by recounting what he had said in Guam:

At the time we launched our search for peace, I recognized that we might not succeed in bringing an end to the war through negotiation. I, therefore, put into effect another plan to bring peace—a plan which will bring the war to an end regardless of what happens on the negotiating front.

It is in line with a major shift in U.S. foreign policy which I described in my press conference at Guam on July 25. Let me briefly explain what has been described as the Nixon doctrine—a policy which not only will help end the war in Vietnam, but which is an essential element of our program to prevent future Vietnams.

We Americans are a do-it-yourself people—an impatient people. Instead of teaching someone else to do a job, we like to do it ourselves. This trait has been carried over into our foreign policy.

In Korea and again in Vietnam, the United States furnished most of the money, most of the arms, and most of the men to help the people of those countries defend their freedom against Communist aggression. Before any American troops were committed to Vietnam, a leader of another Asian country expressed this opinion to me when I was traveling in Asia as a private citizen: "When you are trying to assist another nation defend its freedom, U.S. policy should be to help them fight the war but not to fight the war for them."

In Guam, I laid down these three principles as guidelines for future American policy toward Asia:

1. The United States will keep all of our treaty commitments.
2. We shall provide a shield if a nuclear power threatens the freedom of a nation allied with us or of a nation whose survival we consider vital to our security.
3. In cases involving other types of aggression, we shall furnish military and economic assistance when requested in accordance with our treaty commitments. But we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense.

After I announced this policy, I found that the leaders of the Philippines, Thailand, Vietnam, South Korea and other nations which might be threatened by Communist aggression welcomed this new direction in American foreign policy. The defense of freedom is everybody's business—not just America's business. And it is particularly the responsibility of the people whose freedom is threatened. The policy of the previous Administration not only resulted in our assuming the primary responsibility for fighting the war but even more significantly it did not adequately stress the goal of strengthening the South Vietnamese so that they could defend themselves when we left.

Not only did this new doctrine meet with favorable response from our Asian

allies, but it was also greeted as a positive step in the right direction here at home. Three days after President Nixon's Guam press conference, the distinguished majority leader of the Senate made the following remarks:

The President is moving with caution and consideration but also with a sense of reality based on the changes which have occurred on this globe. He is not advocating isolationism, nor is he advocating the abandonment of Asia. In his candid statements, both in this country and in Guam, he has emphasized that the United States is a Pacific power with peripheral interests on the Asian mainland.

The first two steps on the journey of understanding were in the Philippines and Indonesia, two nations which are primarily Pacific powers but with greater interests on the Asian mainland than the United States. What the President has done, in short, is to signal the less likelihood of American participation in wars on the Asian mainland in the future. The President has also encouraged the Asian nations to depend more on themselves in both internal security and military defense which, to me, seems to be a sound long-range policy.

Consistent with this new policy, President Nixon announced in his November 3 address his plan to bring our boys home:

The Vietnamization Plan was launched following Secretary Laird's visit to Vietnam in March. Under the plan, I ordered a substantial increase in the training and equipment of South Vietnamese forces.

In July, on my visit to Vietnam, I changed General Abram's orders so that they were consistent with the objectives of our new policy. Under the new orders the primary mission of our troops is to enable the South Vietnamese forces to assume the full responsibility for the security of South Vietnam.

Our air operations have been reduced by over twenty percent.

We have now begun to see the results of this long overdue change in American policy in Vietnam.

After five years of Americans going into Vietnam, we are finally bringing American men home. By December 15, over 60,000 men will have been withdrawn from South Vietnam—including twenty percent of all combat troops.

The South Vietnamese have continued to gain in strength. As a result they have been able to take over combat responsibilities from our American forces.

We have adopted a plan which we have worked out in cooperation with the South Vietnamese for the complete withdrawal of all U.S. ground combat forces and their replacement by South Vietnamese forces on an orderly scheduled timetable. This withdrawal will be made from strength and not from weakness. As South Vietnamese forces become stronger, the rate of American withdrawal can become greater.

I have not and do not intend to announce the timetable for our program. There are obvious reasons for this decision. As I have indicated on several occasions, the rate of withdrawal will depend on developments on three fronts:

One is the progress which may be made at the Paris talks. An announcement of a fixed timetable for our withdrawal would completely remove any incentive for the enemy to negotiate an agreement.

They would simply wait until our forces had withdrawn and then move in.

The other two factors on which we will base our withdrawal decisions are the level of enemy activity and the progress of the

training program of the South Vietnamese forces. Progress on both these fronts has been greater than we anticipated when we started the withdrawal program in June. As a result, our timetable for withdrawal is more optimistic now than when we made our first estimate in June. This clearly demonstrates why it is not wise to be frozen in on a fixed timetable. We must retain the flexibility to base each withdrawal decision on the situation as it is at that time rather than on estimates that are no longer valid. Along with this optimistic estimate, I must—in all candor—leave one note of caution. If the level of enemy activity significantly increases we might have to adjust our timetable accordingly.

Under the President's program of withdrawal, our troop strength has dropped from a high of 549,500 authorized by the previous administration to 429,550 as of May 21 of this year. And the President has indicated that this level will decrease to no more than 285,000 by next April 15.

#### U.S. PRESTIGE

There is one aspect of our policy in Southeast Asia which I have not yet discussed. The United States has been effective in maintaining peace in this area and in the rest of the world because of two factors: prestige and credibility. China backed down from its planned invasion of Quemoy and Matsu because they knew the 7th Fleet was ready to repel their efforts. They respected both our position as a world power and our determination to use that power in the defense of those islands. Prestige and credibility—these two factors make the United States a world power.

In the Cuban missile crisis, the Soviet Union also decided that discretion was the better part of valor and withdrew their missiles from that island. Again, prestige and credibility prevented World War III.

When the Chinese invaded India in 1962, we indicated our intention to help India repel this attack and the Chinese withdrew. Again prestige and credibility were our key to success.

The conflict in Indochina has done, I believe, some damage to our credibility. We have not achieved a military victory, because we have not sought one. But in the eyes of those who think we were trying for such a victory, it appears that we were incapable of achieving it. This has resulted, I believe, in the feeling among some revolutionary elements in the world that the United States cannot be effective in aiding a government beset by guerrilla warfare.

It is therefore important that our policy toward Vietnam also consider the credibility of the United States as a power that can effect its will once it has decided that such action is in its national interest.

"Precipitous withdrawal"—that is, the immediate and pellmell retreat with enemy soldiers chasing our last troops out—is unacceptable. It would, indeed, be a humiliating defeat that would severely cripple our credibility as a world power. For this reason President Nixon has rejected "precipitous withdrawal."

But "precipitous withdrawal" is a far cry from the orderly withdrawal that President Nixon has announced. By re-

placing our combat units with newly trained and equipped South Vietnamese combat units, we can withdraw without military defeat, leaving the South Vietnamese to defend their nation after we have gone. This policy will permit us to end our direct military involvement in this area which retaining our credibility and simultaneously accomplishing our other goals.

The second factor in our ability to keep world peace—prestige—has, contrary to much that has been said by critics of this war, not seriously been injured. No one doubts our sincerity or purpose at this point. But our prestige could suffer serious damage if we "precipitously withdrew." Even a country with credible power is not to be believed if it does not have will to carry out its announced intentions in international affairs. All four of our most recent Presidents have commented on the importance of our prestige to keeping world peace.

President Eisenhower wrote in his memoirs:

One possibility was to support the French with air strikes, possibly from carriers, on Communist installations around Dien Bien Phu. There were grave doubts in my mind about the effectiveness of such air strikes on deployed troops where good cover was plentiful. Employment of air strikes alone to support French forces in the jungle would create a double jeopardy; it would comprise an act of war and would also entail the risk of having intervened and lost. Air power might be temporarily beneficial to French morale, but I had no intention of using United States forces in any limited action when the force employed would probably not be decisively effective.

And President Kennedy, in an interview with NBC newsmen Chet Huntley and David Brinkley, said:

The fact of the matter is that with the assistance of the United States and SEATO, Southeast Asia and indeed all of Asia has been maintained independent against a powerful force, the Chinese Communists. What I am concerned about is that Americans will get impatient and say, because they don't like events in Southeast Asia or they don't like the Government in Saigon, that we should withdraw. That only makes it easy for the Communists. I think we should stay. We should use our influence in as effective a way as we can, but we should not withdraw.

President Johnson, in a message to Congress, stated:

There are those who ask why this responsibility should be ours. The answer is simple. There is no one else who can do the job. Our power is essential, in the final test, if the nations of Asia are to be secure from expanding communism. Thus, when India was attacked, it looked to us for help, and we gave it gladly.

We believe that Asia should be directed by Asians. But that means each Asian people must have the right to find its own way, not that one group or nation should overrun all the others.

Make no mistake about it. The aim in Vietnam is not simply the conquest of the South, tragic as that would be. It is to show that American commitment is worthless. Once that is done, the gates are down and the road is open to expansion and endless conquest. That is why Communist China opposes discussions, even though such discussions are clearly in the interest of North Vietnam.

President Nixon addressed himself to the importance of our prestige in his November 3 address to the Nation:

A Nation cannot remain great if it betrays its allies and lets down its friends. Our defeat and humiliation in South Vietnam would without question promote recklessness in the councils of those great powers who have not yet abandoned their goals of world conquest.

This would spark violence wherever our commitments help maintain peace—in the Middle East, in Berlin, eventually even in the Western Hemisphere.

Ultimately, this would cost more lives. It would not bring peace but more war.

We must, therefore, accomplish our announced goal of withdrawing all combat troops from Vietnam in a manner which will preserve both our prestige and credibility.

This course has been suggested on many occasions by numerous critics of this war. On February 17, 1965, the distinguished Senator from South Dakota stated:

This is basically a political fight . . . That in the long run will have to be settled by the Vietnamese people rather than by outsiders. (Senator GEORGE MCGOVERN).

The Senator on June 27, 1965, endorsed a consolidation of our present position, keeping our casualties at a minimum. He said:

The strategy I have suggested—the tightening of our defense in South Vietnam and the holding of the cities and the enclaves in the coastal area—is a policy that involves primarily political patience and military restraint.

It will demonstrate to friend and foe alike that we have the staying power to keep our commitment according to the guidelines that are most practical for us, rather than playing the game according to guerrilla rules, which includes the jungle ambush, at which they are the admitted masters.

A speedy resolution of the conflict is the policy the President has attempted to follow. Unfortunately, the intractability of North Vietnam has made a negotiated settlement impossible, at least for the moment. I am hopeful that this situation might change, but, if it does not, the President has also been following a path that will end our combat role in South Vietnam without negotiated agreement.

#### VIETNAMIZATION

The purpose of my lengthy remarks and liberal quotation of the statements of others has been to provide the background necessary to understand the merits of Vietnamization. In short, they are:

First. It is essentially an action we can take with our South Vietnamese ally regardless of what other nations do. In this sense we are in control of our destiny.

Second. Our national goal of anti-colonialism and the creation of viable independent states will be served.

Third. Our prestige and credibility in international affairs will be preserved and even enhanced.

The major difficulty that has developed in this country over the policy of Vietnamization is one of opinion. An increasing segment of our society does not believe it will work. The actions in Cambodia have been viewed by some as an indication that it is not working, a view

with which I do not agree. The mere fact that the South Vietnamese army, which a few years ago could hardly defend Saigon, is now functioning effectively in the very sanctuaries of the enemy, is to me an indication of its success rather than its failure.

But if this one factor is not adequate to dispel the feeling that Vietnamization cannot work, let me describe to you the success this program has been meeting in South Vietnam.

When we speak of Vietnamization we are essentially speaking of the process by which the major military, paramilitary and civil responsibilities that Americans have assumed in South Vietnam are returned to the South Vietnamese Government.

The war has patterned the entire fabric of South Vietnamese living. As the United States withdraws from its considerable involvement in the affairs of that country, we have sought to be assured that the South Vietnamese Government could provide for the legitimate needs of the South Vietnamese people who have depended on us. As we reduce our commitment in Vietnam, it is incumbent upon us to coordinate with the South Vietnamese and our other allies. We must not pull the rug out from under this nation after defending it for so many years. Vietnamization is the program we have chosen to fulfill our commitment in Vietnam and at the same time fulfill the commitment we have to our own Nation to terminate U.S. involvement in the fighting there.

#### IMPRESSIONS FROM PERSONAL VISIT

The responsibilities which the South Vietnamese people want to resume for themselves are manifold and encompass socioeconomic and political activities as well as military activities. I see this implementation of the Vietnamization program as possible primarily because of the success of the pacification program carried out since our early participation in the war.

When I visited South Vietnam last summer I was greatly impressed by the success of the relatively unheralded pacification program. At that time, 76.4 percent of the rural population of South Vietnam lived in areas under control of the Thieu government; and only 11.8 percent of their rural population were in areas not controlled by the government. If all urban and rural areas are considered together 84.2 percent of the total population—17,219,100—were in pacified areas under complete South Vietnamese Government control while 8 percent lived in areas occupied by, but not completely pacified by, the Thieu government and only 7.8 percent of the total population did not live in pacified areas.

The observations reflect an increasingly stable government structure in South Vietnam. My visit there was after President Nixon's withdrawal of the first 25,000 troops, as I reported then, my strongest impression was that it is only a matter of time before the very capable South Vietnamese forces, trained by U.S. forces, will replace our fighting men. The Vietnamization program has given the South Vietnamese time; time to train and arm themselves to resist further aggression.

Timing is the essence of the Vietnamization program. Most of us agree with President Nixon's goal of withdrawing our forces. The element of time is the only dispute.

The village of Gia Dang, which I visited last summer with Senator BELLMON, is a graphic illustration of what the Vietnamization program can achieve. The people there told us how their former homes and villages had been destroyed by the war. They hid in caves and scrounged for food along the rivers. Not until the ARVN was able to wrest control of that area were these displaced persons able to establish new homes in the village of Gia Dang. With their security established by their own army, Gia Dang is an active fishing village, self-supported by the initiative of the residents. Gia Dang showed me the sound utility of the Vietnamization program. If we can provide the South Vietnamese forces time to train for the general protection of their country as we did in Gia Dang, our troops will return home and remain home.

#### EVALUATING VIETNAMIZATION

In the national media and here on the Senate floor we have heard much about different methods of calculations to measure successes or failures in the Vietnam war—the Vietnamization program should be subject to the same scrutiny. The perspective offered by Lt. Col. Vince Tocci writing in May's *Armed Forces Journal* is pertinent to this point:

There are statistics on nearly every conceivable activity in the war. How many indirect attacks? How many fish? How much rice? How many weapons? How many deserters? How many bars? It's a wonder someone doesn't ask, "How many—how many are kept?" The real question is, "What does it all mean?"

It is important if it fits into a proper context. In the wrong framework these statistics are practically worthless. Unfortunately, statistics have become ends in themselves rather than substantive items which help to explain or clarify the situation. The wrong framework—oversimplified and overquantified—will not clarify this problem. For its part, the U.S. Government, while keeping the American public apprised of all these numbers, has probably added to the confusion.

What is needed is a new device for measuring progress in a guerrilla war. The measuring devices currently in use do not really measure progress in a war of insurgency.

The statistics reported to date have been measuring United States effort and not United States achievement. As the United States effort increased, the public expected a corresponding advancement toward victory and peace, since there is no measurement of achievement the public cannot see the progress. As a result, the war appears to some people to be a hopeless quagmire.

Conversely, the enemy gets all the credit. In spite of the enormous military effort against them they continue to exist. Ergo: the Viet Cong and the North Vietnamese are victorious. Some people actually believe this fantasy. Some go so far as to claim that the United States forces are immoral, illegal, and have lost the war.

Colonel Tocci served in Vietnam from May 1966 to May 1967 as an air briefer and later as chief of combat news for the Seventh Air Force. That experience developed for him an intimate and independent knowledge of Vietnam opera-

tions. When he addressed himself to Vietnamization in the *Armed Forces Journal*, he too spoke of the element of time:

In this program emphasis is placed on training and equipping the Vietnamese. As they increase their capability and assume a stronger defensive posture, the United States redeploys its troops. More than 115,000 Americans have departed Vietnam in less than a year; more will follow as the Vietnamese potential becomes fact.

But first it will take time. Training, equipping, and building an experienced fighting team is not an overnight project. And second, since this is a war for people, progress must include many nonmilitary aspects. Economic, social and internal security development must advance along with the military. And third, the Communists must disrupt the Vietnamization of the war or find themselves without popular support and facing a strong all-Vietnamese armed force capable of protecting its own people's freedom. The attempts at disruption may cause temporary slowdowns in the Vietnamization process.

Vietnamization combines the best elements of United States involvement with Vietnamese aspirations. The end result, given time for implementation, is in keeping with the American commitment and position as a responsible leader in the free world.

When considering the Vietnamization program, we cannot overemphasize its broad effect—military, political, and socioeconomic. Each of these aspects so interacts with each other and this is the complexity of the subject. I asked the Department of Defense for information on each of these aspects. Let me present this report on the progress of Vietnamization to you:

#### PROGRESS IN VIETNAMIZATION—MILITARY

I would particularly like to direct interest to two areas of progress resulting from purely military operations. The first is the increased presence throughout the Vietnamese countryside of stabilizing agencies of the government of Vietnam which promote increased basic security for the people; secondly, the social and economic improvements throughout the countryside which are visible to, and directly assist, the Vietnamese people at the lowest level.

We are making visible progress in Vietnamizing the military portion of the war. The results of our efforts to turn over the fighting to the RVNAF are encouraging. Foremost among the results, of course, is the 21 percent reduction in our total troop strength to below the 434,000 directed by the President. The recently announced reduction of an additional 150,000 will, of course, be paced by the progress of Vietnamization, as well as the level of enemy activity.

As part of our overall United States troop reduction in Vietnam, the number of infantry-type maneuver battalions has been reduced by approximately 29% from one year ago. The forthcoming redeployment will, of course, include more maneuver battalions as well as support forces.

We have also turned over to the South Vietnamese, or withdrawn some of our ground forces from about 26% of the tactical areas for which we once had complete responsibility.

As a direct result of our efforts at Vietnamizing the war, we have seen a 63% decrease in United States personnel killed in action from the first quarter of 1969 to the same period in 1970. Similarly, the number of United States military wounded in action has been reduced by 54% during the same period.

We have provided more effective equipment to the Republic of Vietnam Air Force to al-

low them to prosecute the war. Their use of this equipment to assume a greater portion of the combat role is encouraging. For example, attack sorties flown by the Vietnam Air Force between first quarter 1969 and 1970 have increased more than 40% while the United States Air Force has decreased its sorties by over 47%.

To provide the Republic of Vietnam Air Force with adequate facilities not only to conduct military operations, but also to assist in the economic development of the country, the United States has turned over several key installations no longer required. The 9th Infantry Division Base at Dong Tam is now the home of the ARVN 7th Infantry Division. The United States Navy Base at My Tho is now a Vietnamese navy facility. The 3rd Marine Division Base at Dong Ha is now used by the ARVN 1st Infantry Division. The Vietnamese Air Force now operates the air base at NHA Trang with remaining United States units as tenants. Recently, the base camp of the 4th United States Infantry Division at Camp Enari, near Pleiku, was turned over to the Republic of Vietnam. Additional facilities at Danang, Vung Tau, Bien Hoa, Lai Khe, Can Tho, and Binh Thuy are also programmed for turnover in the near future.

The task of training the RVN serviceman not only in the basic skills of his branch but also in the technical skills required to operate and maintain the newer equipment, has been formidable. We have assisted the GVN in establishing more and better training facilities to accommodate the requirement for training centers and service schools. These facilities currently have a student training load of over 600,000, up 27% from 1969 and up over 50% from 1968.

In addition, a substantial number of Republic of Vietnam Air Force personnel are brought to the United States each year to receive technical training not yet available in Vietnam. This year, over 7,000 Vietnamese military personnel will be trained in a wide variety of advanced skills in the United States, compared with approximately 2,600 last year, and 1,900 in 1968. Over half of the 1970 student load in the United States consists of helicopter and fixed wing pilot trainees and mechanics.

As you know, the regular forces of the Republic of Vietnam Air Force have been allowed to devote more and more attention to purely tactical operations due to the formation of paramilitary security forces ranging from the popular forces to national police to peoples self-defense forces.

These security forces provide visible evidence of GVN presence to the villagers. The National police have expanded from a force level of approximately 17,000 in 1964 to nearly 90,000 today. The national police have two distinct roles: support of pacification measures and national development. In both roles, attention is focused on creation of a stable government with an effective civil police force throughout urban and rural areas. In its paramilitary role in pacification, trained police field forces companies are employed in the villages, hamlets, and urban areas to identify and neutralize the Viet Cong infrastructure.

As a civil police body, the national police protection and services have been expanded downward from province and district locations into the villages. Currently, more than 6,000 uniformed police are assigned to approximately 1,700 villages. During the next several months, the bulk of police increases will be at village level. To be effective in both roles, police training (with United States assistance) is provided in three basic training centers which have a combined training capacity of over 4,500 trainees for the 12-week cycle. Additional training facilities for medium and higher level police command training are in operation. To date, approximately 140,000 Vietnamese police have been trained in Vietnam while about 300

have received specialized training in the United States. An additional 1,900 have been trained in selected third countries.

Approximately 50% of all police now operate outside urban areas, with increasing numbers being assigned to district and village level. Their presence complements the paramilitary functions of the popular forces, who also operate under the direction of the village chiefs.

The popular forces have been increased in size by over 20% in the past year and are the military arm of the village chief. They are organized and trained as platoons and assigned as local area security for villages and hamlets. They live with the population they serve and are tangible examples of the government's efforts to provide security to all the population. The PF have been equipped with M-16 rifles and newer radios for better effectiveness.

I think we can see here that the bolstered South Vietnamese forces—on all levels—the extensive training programs and the modernized equipment are all substantial contributions to the Vietnamization program.

#### SOCIO-ECONOMIC

Land reform and other assistance to the predominantly agrarian interests of the South Vietnamese people have secured social and economic benefits under the Vietnamization program. Again I quote the Defense Department briefing paper:

The farmer requires land on which to grow his crop, seed to start the growth, and a means of getting his crop to market. To provide more land to the farmers, the Vietnamese Government has redistributed over 267,500 acres of land to the people during the past two years. Of this total, approximately 75% was turned over in the past 12 months.

The recently enacted 'land-to-the-tiller' law (commonly referred to as the Land Reform Law) will provide approximately 2¼ million acres of land ownership to farmers who actually cultivate the land. Under this law, the government will direct the transfer of land from approximately 50,000 absent land owners to approximately 500,000 tenant farmers with appropriate compensations. The new program will be administered at village level.

Improved strains of rice (IR-8) which increase the yield up to 150% have been introduced under the accelerated rice production program. By the end of 1970, Vietnamese rice farmers should be producing sufficient quantities of rice for Vietnamese consumption to no longer require imports of rice from the United States.

How does the farmer then get his product to market? Roads and waterways are the primary means of moving farm-to-market products. The RVN highway system includes 12,500 miles of roads comprised of national highways (2,400 miles), interprovincial highways (1,600 miles), and 8,500 miles of provincial roads. United States efforts have been directed toward upgrading about ⅓ of the 4,000 mile national and inter-provincial system, not only to facilitate military operations, but also to assist in the economic development of the nation.

Of these approximately 2,570 miles of highway, upgrading construction is underway or completed on nearly 1,800 miles or about two-thirds of the total. 25,000 meters of bridges are included in the line of communication upgrading program, of which over 40 percent have been completed. The construction effort required to pave these roads has been provided primarily by U.S. military engineer construction units (80%).

About 65% of the total road network in Vietnam is now classified as secure ('open

during daylight') with the bulk of these roads being in areas necessary for economic development.

U.S. and Vietnamese river and canal operations have provided security for over 70% of the commercial waterways in Vietnam.

A major effort during the last half of 1969 has opened railways which have been closed for many years. 55% of the 1,240 kilometers of main line and branch lines are now open to traffic. Approximately 64% of the railroad is now considered secure, as compared with approximately 21% at the beginning of 1967.

Medical care and health facilities in the villages has been a pressing need, while the number of doctors available in the country is far below the requirement, ambitious efforts are underway to provide health care programs to every citizen. A coordinated military-civilian health plan is in effect in which joint utilization of health facilities and exchange of personnel is being carried out, first at province hospitals and then at district and military sub-sector dispensaries.

In a nation of 17 million people, 20 million smallpox, cholera and plague immunizations were administered in 1969 as compared with 16 million the previous year.

To provide an education to as many Vietnamese children as possible, massive strides have been made in educational facilities. The Elementary Education System is now capable of enrolling approximately 85% of the school age population.

I wish I could say the same for my State of Alaska.

The most recent statistics show that over 2,340,000 or 80% of the school age children are enrolled in public and private schools.

Enrollment in secondary education schools increased from 472,000 in 1968 to 543,000 in 1969. Total teachers in the secondary (high school) education system increased from 11,500 to 13,400 during the same period.

Enrollment in the 21 vocational schools (which include junior technical, trade technical and polytechnic schools), has increased by over 3,000 to 11,360 from 1968 to 1969.

In the five universities and five normal schools, over 41,000 students are enrolled.

I have dwelt in some detail on the measures of progress which have been made in Vietnamization. The continuation of this progress, with the ultimate objective of a self-reliant government in South Vietnam, is dependent on a climate of security throughout the country. Threats to, or actual disruption of this security is of grave concern to the program.

#### POLITICAL

It can be said of the political aspect of the Vietnamization program that the Government of South Vietnam is more stable now than at any time in the past decade. Since 1966 seven election periods have been held in South Vietnam. As Marine Gen. Lewis Walter put it, elections are important—

Not only because they reflect the nature of the government, but also because they indicate the degree of commitment which the Vietnamese people have made to their government.

In each of the seven election periods the Vietnamese have demonstrated resounding support for the democratic process. More than 80 percent of all the eligible voters turned out in each election. I might add that this compares favorably with the United States, where only about 60 percent of eligible Americans exercise their right to vote.

#### VIETNAMIZATION AND THE NIXON DOCTRINE

Vietnamization is the embodiment of the Asian doctrine President Nixon enunciated at Guam last year. Secretary Laird

has stated that this program "supports our obligations to our allies in South Vietnam, and, at the same time, implements our expectation and insistence that in the future military defense will and must be a responsibility increasingly shouldered by the Asian nations themselves." Vietnamization is our first application of that doctrine. And as Secretary Laird has aptly pointed out:

If the test succeeds in Vietnam, other nations in Asia which wish to live in peace will be encouraged, and nations that seek conquest by war—waged directly or by proxy—will be deterred from aggression. In short . . . Vietnamization provides the American people with a practical middle course between isolationism and the role of world policeman.

Mr. President, I have asked the Department of Defense to provide me with a list of the countries to which we provide military aid or training under the Foreign Assistance Act of 1961. This is dated May 28, 1970. This information shows that we provide assistance to the following countries:

Afghanistan	Lebanon
Australia	Korea
Argentina	Liberia
Bolivia	Libya
Brazil	Malaysia
Ceylon	Mexico
Chile	Morocco
Nationalist China	Nepal
Colombia	Nicaragua
Congo	Pakistan
Dominican Republic	Panama
Ecuador	Paraguay
El Salvador	Peru
Ethiopia	Philippines
Ghana	Portugal
Greece	Saudi Arabia
Guatemala	Senegal
Honduras	Spain
India	Tunisia
Indonesia	Turkey
Iran	Uruguay
Jordan	Venezuela

Three countries are receiving assistance under the defense appropriations bill—namely, Laos, Thailand, and Vietnam.

I note that the pending amendment would prevent the executive branch from furnishing military instruction to Cambodian forces or providing military instruction in Cambodia.

#### AMENDMENT NO. 663

I send to the desk—and request that it be printed—an amendment to the Cooper-Church amendment No. 653 which would delete from subsections 2 and 3 the prohibition against providing military training to Cambodians or military training in Cambodia.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The amendment will be received and printed, and will lie on the table.

The amendment is as follows:

#### AMENDMENT NO. 663

Delete the following:

(1) Sec. 47, subsection 2. ". . . furnish military instruction to Cambodian forces or . . ."

(2) Sec. 48, subsection 3. ". . . to provide military instruction in Cambodia, or . . ."

Mr. STEVENS. I cannot see why we should cut off from Cambodia the training we are giving to so many other nations to increase their own ability to de-

fend themselves. I can understand full well why some of the other provisions of the Cooper-Church amendment were offered, but I do not understand the prohibition against military instruction to Cambodian forces or military instruction in Cambodia. It would prevent us, for example, from training their pilots. It would prevent us from training any of their people in Vietnam or in Cambodia itself. This is a provision of the Cooper-Church amendment which I just do not understand, and I would be very willing to listen to anyone who wants to explain it.

I am informed that every time we either give or sell military equipment to a foreign nation, we provide advisers who instruct them in the use of that equipment. Why is it that Laos, Thailand, and Vietnam should receive this advice and this service in providing for their own defense, while we simultaneously prevent the President from giving similar instruction—or ordering the military to give similar instruction—in Cambodia or to Cambodians? I think this is one of the serious defects of the Cooper-Church amendment.

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

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

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOLE. Mr. President, on yesterday I offered an amendment to the pending Cooper-Church amendment. The purpose of the amendment I have offered is to foreclose any possibility of denying rescue to Americans being held captive in Cambodia.

So that there will be no mistake as to the language of my amendment, I will state it again:

On page 4, line 21, insert "(a)" after "Sec. 7."

On page 5, between lines 18 and 19, insert the following new subsection:

"(b) The provisions of subsection (a) of this section shall be inoperative during any period that the President determines that citizens or nationals of the United States are held as prisoners of war in Cambodia by the North Vietnamese or the forces of the National Liberation Front."

Mr. President, this amendment has but one purpose. It has but one aim. It is addressed to but one issue.

That issue is the plight of Americans held prisoner by the enemy. Primarily these Americans are servicemen, but there have been instances of journalists being captured.

Mr. President, the amendment which I have offered will serve not only as notice to the enemy of the U.S. determination to do whatever is possible and necessary to secure the release of American captives. It will also stand as an expression of the Senate's concern to the parents, wives, and families of captured and missing American servicemen.

This is not an idle gesture. Those who await the return of their loved ones believe—and with reason—that every bit of

pressure which is put on the enemy results in better treatment for their men. And every action taken by our Government—whether at the negotiating table in Paris, at the White House, or in the Halls of Congress—everything done to show concern, interest, and awareness gives some measure of comfort and strength to the brave and courageous families who keep watch for their absent fathers, sons, and husbands.

Earlier this month, I received a letter from the wife of an Air Force major missing since November 1967. In closing she said:

Our five children and I have been sustained by the belief that our Government will not abandon my husband and his fellow servicemen.

Mr. President, what more clear-cut notice of abandonment could be given than through legislation which would forbid American troops to cross an imaginary, meaningless line in an Asian jungle—even if that crossing were to secure the freedom of captive Americans?

The Cooper-Church amendment, as it now reads, would forbid U.S. forces from entering Cambodia, even if the purpose of their mission were to rescue Americans being held prisoners of war by the enemy.

Mr. President, the Senate cannot serve such cold and abrupt notice on the men who are being held prisoner, on the men who daily risk capture, or on their families.

I urge my colleagues to consider these points and to join in approving this amendment as an expression of concern for our military personnel and their loved ones. An expression to them and to the enemy as well.

Mr. President, I would urge my colleagues seriously to consider the amendment I offered yesterday, to give the President the right to say, in effect, that the provisions of the Church-Cooper amendment shall become inoperative if the President determines that Americans are being held captive by the North Vietnamese and by the National Liberation Front in the country of Cambodia.

I think the amendment would express the concern that we feel in the Senate and Congress as a whole for those who are now prisoners of war or missing in action, not only in Cambodia but also throughout Southeast Asia.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAYH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SPARKMAN). Without objection, it is so ordered.

The Senator from Arkansas (Mr. FULBRIGHT) is now recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield, without losing his right to the floor?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, with the concurrence of the distinguished chairman of the Committee on Foreign

Relations, who now holds the floor, and with the proviso that he does not lose his right to the floor, I ask unanimous consent that the vote on the pending Dole amendment occur at the hour of 11:30 o'clock on Wednesday morning next.

Mr. FULBRIGHT. Reserving the right to object—

Mr. GRIFFIN. Reserving the right to object—

Mr. FULBRIGHT. Mr. President, does that exclude, may I ask, the right to move to table—

Mr. MANSFIELD. No. Every Senator's right is preserved.

Mr. FULBRIGHT. In other words, I would still be free to move to table prior to the rollcall vote.

Mr. MANSFIELD. The vote would occur at that time, otherwise—

Mr. FULBRIGHT. I do not make myself clear—

The PRESIDING OFFICER. The Chair would state that—

Mr. MANSFIELD. Mr. President, I withhold the motion.

Mr. FULBRIGHT. Let me restate it. If I can still move to table, I have no objection.

Mr. MANSFIELD. Will the Chair please clarify that point?

The PRESIDING OFFICER (Mr. SPARKMAN). I am advised by the Parliamentarian that a motion to table would not be in order, unless that specific provision is included in the unanimous-consent request.

Mr. FULBRIGHT. If it would allow me to move to table before that time, then I have no objection to a vote. It would come either in the form of a motion or on its merits. I think there should be a right to move to table. That is customary.

Mr. MANSFIELD. Every Senator's right on that is understood.

Mr. FULBRIGHT. I want it clear by agreeing to this that I would not be foreclosing a move to table prior to a vote.

Mr. GRIFFIN. Mr. President, may I inquire of the Senator—oh, just prior, he said—I caught that last part—it would not allow a motion to table on Monday or Tuesday—

Mr. FULBRIGHT. I am not trying to be technical, just reserving the right to make a motion to table before the vote on its merits.

The PRESIDING OFFICER. The Senator from Montana included that in his unanimous-consent request. Is there objection?

Mr. MANSFIELD. Mr. President, reserving the right to object—

Mr. GRIFFIN. Mr. President, for the moment, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FULBRIGHT. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator is correct.

#### PETITIONS RECEIVED PRO AND CON REGARDING THE SITUATION IN CAMBODIA

Mr. FULBRIGHT. Mr. President, on two previous occasions, May 13 and May 19, I have reported to the Senate on the

large numbers of petitions I have received in recent days.

These petitions are only a part of the tremendous amount of correspondence I have received. Altogether I have heard from more than 260,000 people, and the mail is still being counted.

I have received petitions from 145,486 people—counted thus far—who are opposed to the continuation and widening of the war in Indochina. I have also received petitions from 1,202 persons in support of President Nixon's policies.

Once again I have summarized the petitions, and I ask unanimous consent that this additional list be printed in the RECORD.

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

#### SUMMATION OF PETITIONS

Petitions circulated by Friends Seminary, New York, containing 3,411 signatures. They oppose the Administration's policies in Indochina and call for withdrawal of U.S. troops.

A statement from 10 faculty members of the Graduate School of Social Work of the University of Arkansas stating:

It is our belief that the violence in Indochina is related to the current climate of violence, repression and distrust which is increasingly prevailing our nation . . . We deplore the senseless murders of college students at Kent State University and at Jackson State College . . . We urge an immediate cessation of unlawful attempts to quell any participation in public protest against so costly and so inhumane a war.

A petition from 27 students at the Arkansas Graduate School of Social Work calls for a withdrawal of troops from Indochina and a re-ordering of national priorities.

A petition from 29 persons in Hope, Arkansas, favoring the "Amendment to End the War".

A petition from 50 persons in Gassville, Arkansas, and another from nine persons in Little Rock, average age 51, supporting the "Amendment to End the War."

Thirty signatures on a petition from Little Rock in support of the Cooper-Church amendment.

A petition with 24 signatures from the College of Liberal Arts at Arkansas State University in support of the "Amendment to End the War."

120 additional signatures on petitions from the University of Arkansas.

A petition from 18 members of the Arkansas Chapter of the National Association of Social Workers backing the amendments to discontinue funds for the war in Indochina.

Petitions with 20 signatures from Mountain Home, Ark., five from Monticello, Ark., 23 from Little Rock, 30 from Jonesboro, 13 from Fayetteville, 31 from Batesville, 46 from Sheridan, 20 from Searcy, 41 from Camden, seven from Bentonville, 65 from Texarkana, and 40 from Henderson State College, all in support of the "Amendment to End the War." These were hand written petitions, circulated among friends and neighbors.

A petition from 62 federal employees of the Western Regional Office of Economic Opportunity stating:

"We fervently oppose America's presence in Southeast Asia . . . The war may be the greatest threat to America's security and its future in our history . . ."

Petitions from 21 persons in Iowa City, Iowa, and 68 in Granada Hills, Calif. supporting the "End-the-War" Amendment.

A petition from 37 faculty and students of the graduate religious studies program at Mundelein College, Ill.

Petitions from 27 persons in Los Altos, Calif., 16 in Sacramento, 35 in Chicago and 12 in Pontiac, Mich., calling for American withdrawal from Indochina.

Petitions and letters from 12,324 persons throughout the New York area calling for withdrawal from Southeast Asia as "the only path to a just and honorable peace." The signatures were collected by the Women Strike for Peace, East Meadow, N.Y.

Petitions from 645 persons in Forest Hills, N.Y., supporting the Foreign Relations Committee's position against military involvement in Cambodia.

A petition from 15 workers and the management of Central Molded Products Co., Chicago calling for an end to the war and "a beginning in the fight to improve our quality of life at home."

A petition from 278 students and faculty of the College of Engineering, University of Wisconsin which concludes:

"Repression by force will only fan the flames of conflict and will tear to shreds the fabric of our society. To end violence at home we must first put an end to violence abroad. The invasion of Cambodia must stop at once. The war in Vietnam must be ended quickly. Then we must work together toward the goal of a better society for all."

A petition from 38 faculty and staff members at Sequoia High School, Redwood City, Calif., urging Congress to exercise its Constitutional powers to halt the war, and a similar petition from the Department of History and Social Science of Rye Neck, N.Y., High School.

A petition from 27 faculty members of Queens College, Charlotte, N.C. urging increased efforts for early termination of U.S. military involvement in Southeast Asia.

A petition with 116 names from the School of Architecture and Planning, Massachusetts Institute of Technology urging "withdrawal of all funds spent on military action in Southeast Asia, with the exception of money needed to bring the troops home."

A petition with 180 names from Yuba College, Marysville, Calif., opposing the President's policies in Southeast Asia and "his disregard for Constitutional and democratic processes."

A petition from 72 persons in Los Angeles supporting the Cooper-Church and McGovern-Hatfield Amendments.

A petition with 37 signatures from Oswego, N.Y., and one from Harrisburg, Pa., with 33 signatures opposing further American military action in Southeast Asia.

Petitions with 19 names from Redwood City, Calif., 23 from Evanston, Ill., seven from East Boston, Mass., 17 from Davis, Calif., 19 from Fort Worth, Texas, all favoring the "Amendment to End the War."

A petition with 186 names from Rice University, Houston, Texas, opposing the President's action "without seeking the advice and consent of the Senate."

A "petition for peace" from Princeton, N.J., with 122 signatures, urging "immediate Congressional passage of legislation to limit and end the war."

Petitions from Houston, Texas, with 106 signatures opposing the President's actions and additional petitions with 14 signatures favoring the Cooper-Church Amendment and 16 signatures supporting the "Amendment to End the War."

A petition from 23 students and faculty of the School Psychology Training Program at the University of Minnesota strongly disagreeing with President Nixon's expansion of the war.

Sixteen signatures on a petition from Franklin and Marshall College, Lancaster, Pa., "wholeheartedly opposing the Nixon Administration's actions in Indochina."

A petition from 60 citizens of Oak Park, Ill., expressing "strong opposition to our country's economic and military involvement in Southeast Asia."

A petition from 83 persons at Willamette University, Salem, Oregon, supporting an end to American military involvement in Southeast Asia.

Petitions from 51 persons in Detroit and 12 persons in Crawfordsville, Ind., opposing the President's actions in Cambodia.

A petition from the faculty and students of Albany Medical College, N.Y., with 86 signatures calling the war in Indochina "unnecessary, illegal, militarily hopeless, morally wrong and destructive to our society."

A petition from 51 correctional workers for the Adult and Juvenile Probation Departments, Santa Clara County, Calif., supporting the Foreign Relations Committee and calling for withdrawal of American troops from Southeast Asia.

A petition from 14 members of the Department of Linguistics, University of Hawaii supporting the Foreign Relations Committee and opposing the "invasion of Cambodia."

A statement signed by 28 faculty members and students professional involved in East and Southeast Asian Studies at Indiana University which concludes:

... We deeply doubt the assumptions that the United States may become a second-rate power unless we win a military victory in Vietnam, and that American "credibility" and the future of the free world are at stake . . . Real victory for America lies in a speedy military disengagement from the internal conflicts of the Southeast Asian peoples.

A petition from 60 persons in Mills, Mass., opposed to the expanded war.

A petition from 30 employees of a State of Connecticut agency and another from eight persons in Boulder, Colo., calling for withdrawal of our forces from Southeast Asia.

A petition from a group of 35 psychotherapists in the New York area which concludes:

We call upon the Congress to use its Constitutional powers to bring the war in Indochina to an immediate end. This may be the only means of retrieving into America the thousands of disaffected young people who are—ultimately—the people who will save or fall to save the country.

A petition from 237 members of the academic community of the Stevens Institute of Technology, N.J., calling for an end to the war.

A petition from 29 members of the faculty of The Lawrenceville School, Lawrenceville, N.J., deploring the action in Cambodia and a petition from 23 faculty members at Kellogg High School, St. Paul, Minn., expressing "overriding concern over President Nixon's dangerous and ill-advised course of action in Cambodia."

A petition from 325 students at Balboa High School, San Francisco, who "non-violently protest the action of President Nixon in Cambodia."

A petition from 132 New Jersey citizens opposing further appropriations for war in Cambodia, Vietnam or Laos.

A petition from 106 persons in Newfolden, Minn., opposing the President's actions in Cambodia.

A petition from 75 persons in Columbus, Ohio, deploring "the United States' military intervention in Cambodia."

Petitions from 31 computer industry employees in Cupertino, Calif., 14 persons in Kansas City, Mo., 43 persons in Fresno, Calif., and 35 persons in Houston, Texas, supporting the "Amendment to End the War."

Petitions with 80 signatures from staff members of the Northwestern University Library advocating withdrawal of U.S. troops from Southeast Asia.

A petition from 60 persons in Skokie, Ill., and one from 18 persons in San Jose, Calif., opposing the President's actions.

A petition signed by 51 United States citi-

zens in Florence, Italy, strongly opposing the President's move in Cambodia.

A petition from 246 persons at Wellesley College calling upon the Congress to reassert its Constitutional powers.

A petition from 16 persons at Meadville Theological School, Chicago, calling for withdrawal from Cambodia, a planned program with withdrawal from Vietnam, and upholding the right of dissent.

A petition from 11 faculty members of the School of Advanced International Studies, Johns Hopkins University, expressing "strong opposition to the United States incursion into Cambodia and the resumption of bombing of North Vietnam."

Petitions signed by 170 students and adults in Middlesex, N.J., calling for an end to our involvement in Cambodia and Vietnam.

A petition from 17 students and 20 teachers at Saint Elizabeth High School, Oakland, Calif., supporting efforts to change our policy in Southeast Asia and "bring a speedy end to U.S. involvement in the affairs of Vietnam and Cambodia."

A petition from 35 staff and students of the Center for Research in Human Learning, University of Minnesota, urging U.S. withdrawal from Cambodia and a petition from 165 students and faculty of the University of Minnesota Law School calling the "invasion of Cambodia" an "unconstitutional exercise of executive power" and a "shameful expansion of an already immoral and inhumane war."

A petition with 65 names from Corvallis, Ore., opposing further American involvement in Cambodia.

A petition with 142 names from medical and paramedical personnel of St. Luke's Hospital Center, New York, opposing the escalation of the war "because of its dire effects on the health and welfare of the peoples of Indochina and of the United States."

A petition from 250 students and professors of the School of Law, University of California, Berkeley, urging Congress "to reassert Constitutional power over the declaration and conducts of foreign wars."

A petition from 141 faculty, staff and graduate students in the Department of Biological Sciences, Purdue University, Lafayette, Indiana, deploring the escalation of the war and calling for a rapid, orderly withdrawal of American troops.

Petitions with 183 signatures from Albany, N.Y., 15 from Schenectady and 52 from Poughkeepsie, supporting the Foreign Relations Committee and stating that "the tragic experience in Vietnam must not be repeated in Cambodia."

Telegrams signed by 21 art critics, art historians and educators in New York and 17 medical social workers in Contra Costa County, Calif., opposing the President's actions.

A petition from 420 persons in Racine, Wis., calling on Congress "to exercise its prerogatives to oppose this undeclared war and to reduce all military activity in Southeast Asia as quickly as possible."

Statements of support from 102 persons at San Francisco College for women for the Foreign Relations Committee's efforts to "defend the Constitutional rights of the Senate."

A petition from 58 students, staff and faculty in behavioral science at the University of Colorado calling for an American withdrawal from Vietnam, Cambodia, Laos and Thailand.

A petition from 58 members of the faculty and administration of Hamilton College, Clinton, N.Y., deploring the Cambodian action and urging instead "a rapid acceleration of American withdrawal from Vietnam."

Forty-six letters from citizens of the community of Hauppauge, L.I., New York, expressing deep disapproval of the "continuation and furtherance of the war."

A petition with 490 signatures from Springfield, Mass., opposing our involvement in Cambodia.

Petitions with 553 names from Park Forest, Ill., opposing the expanded war and calling for American withdrawal.

A petition from 50 members of the Iliff School of Theology, Denver, Colo., which states:

We are convinced that President Nixon's policy can serve no rational or moral objective. The policy only perpetuates and intensifies the needless suffering of countless peoples and the destruction of lands not our own. The policy makes a mockery of values such as peace, justice and freedom . . .

Petitions from 154 persons in Northville, Mich., 84 in New York and 41 in Santa Monica, Calif., in support of amendments to cut off further funding for military action in Southeast Asia.

A petition from 160 faculty and students of the Music Department of San Fernando Valley State College, Northridge, Calif., opposing the expansion of the war.

Petitions from 23 persons in Syracuse, N.Y. and 43 in Euclid, Ohio, favoring action to prohibit further funding for military operations in Cambodia.

Petitions from 3,681 persons in San Diego "opposed to United States military intervention in Cambodia."

A "Declaration of Peace" from 195 women in the Bethlehem, Pa., area.

Petitions supporting the "Amendment to End the War" signed by 15 persons in Los Angeles, 18 in Hyannis, Mass., 21 in Norman, Okla., 117 in Columbus, Ohio, seven in Orinda, Calif., 30 in Fremont, Calif., and 141 in Santa Cruz, Calif.

A petition from 171 employees of the Manhattan State Hospital Complex, N.Y., calling for "the withdrawal of all American troops from Southeast Asia and the protection of our rights to protest and petition as guaranteed by the Constitution."

A petition from 10 Southern New Jersey lawyers stating that "law and order becomes a hollow chant" when the President ignores or violates Constitutional duties and limitations.

A petition from 34 members and friends of the Episcopal Seminary of the Caribbean supporting termination of U.S. involvement in Cambodia and a rapid withdrawal from Vietnam.

A petition with 108 signatures from Minneapolis opposing the extension of the war and favoring a "total reordering of American priorities."

Petitions containing 1,440 signatures gathered by students of the Berkeley, Calif., High School "condemning President Nixon's invasion of Cambodia", "the resumption of bombing in North Vietnam", and "the murder of four students in Kent, Ohio."

Petitions from 114 persons in Broomfield, Minn., and 200 in Chicago supporting the "Amendment to End the War."

A petition from 57 staff members of the Family Service Association of America opposing the expanded war.

A petition from 24 students and professors of the Associated Colleges of the Midwest Central American Field Program in Costa Rica opposing further U.S. involvement in Southeast Asia.

A petition signed by 72 faculty, students and staff of the Department of German, University of California, Berkeley, opposing the escalation of the war, and a petition signed by 380 members of the Department of Chemistry expressing "opposition to the Administration's current policy in Southeast Asia" and urging Congressional action to bring about withdrawal of U.S. forces.

Petitions signed by 7,100 persons in Brooklyn, N.Y., "supporting the Foreign Relations Committee's position against any escalation of the war" and favoring a withdrawal of all U.S. troops from Southeast Asia. The petitions were collected by the Brooklyn Communication Action Committee for Peace.

Petitions containing 1,222 signatures from the New York area in support of the Mc-

Govern-Hatfield Amendment and a reassertion of Constitutional power by the Congress.

A petition from 408 San Francisco Bay Area trade unionists and a copy of a letter to President Nixon which states:

The economy of our country is steadily being eroded . . . Promises to stabilize the economy and control inflation have become less meaningless. Our paychecks buy less for our families; our standard of living has been assaulted. We are suffering increased inflation and unemployment. Now Cambodia! What next? There must be an end to these military adventures . . .

Eighty-two letters from Chicago citizens, forwarded by the Roosevelt University Student Senate, advocating withdrawal from Cambodia and Vietnam and repeal of the Tonkin Gulf Resolution.

Petitions with 1,274 names gathered in the New York area and forwarded by the Women Strike for Peace in support of the Hatfield-McGovern Amendment and other actions to halt further funding of military operations in Vietnam, Laos and Cambodia.

A petition from 609 persons in Honolulu calling for the rapid withdrawal of American military forces from Indochina and urging all citizens "to the higher patriotism—Help save your country."

Petitions bearing 3,176 names from Northwestern University, Evanston, Ill. The petitions read:

Four students at Kent State University have been unjustifiably slain in reaction to what we consider an immoral and unconstitutional decision made by President Nixon. We strongly urge Congress to take action to see that our men are taken out of Cambodia immediately, and that we become disengaged from Southeast Asia without delay . . .

1,303 signatures on petitions gathered by students at New York University calling for a withdrawal of American troops from Southeast Asia.

Petitions containing 3,766 names collected by students and faculty of Hofstra University. The petitions read:

We . . . who live, work or study in Nassau County, N.Y., oppose the involvement of American forces in Cambodia and implore the President and the Congress to take whatever steps are necessary to withdraw American forces from Southeast Asia immediately.

Letters from 15 students at Mount Vernon, N.Y., High School opposing our involvement in Cambodia.

Petitions from 21 persons in the Hillside, N.J., area, 26 in Chicago and a group of seven architects in Kalamazoo, Mich., all protesting our involvement in Cambodia.

Petitions from 34 staff members of the Survey Research Center, seven members of the Yale faculty, University of California, Berkeley, and 26 members of the staff of International Social Service, American Branch, Inc., New York, urging an end to the war and return of U.S. troops.

A petition from 60 law enforcement officers employed by the Alameda County Probation Department, California, expressing deep concern over our increasing involvement in Southeast Asia and urging curtailment of further funding for military operations in that area.

A petition from 12 members of the faculty of St. Patrick's Seminary, Menlo Park, Calif., calling for "swift and orderly de-escalation of military action in Southeast Asia and for total effort at the diplomatic table. The peace and unity of our country is at stake."

A petition from 114 students at Gonzaga University, Spokane, Wash., calling for "a rapid and consistent withdrawal of our fighting men."

Petitions from 42 persons in the Santa Ana, Calif., area, 21 in Simi, Calif., 26 in Rancho Cordova, Calif., 12 in Sonoma, Calif.,

40 in Santa Cruz, Calif., nine in Akron, Ohio, and 20 in Dallas, Texas, opposing further funding for military operations in Southeast Asia.

A petition from 60 law students and professors at California Western School of Law, San Diego, Calif., calling for "firm and forthright Congressional action" to reverse U.S. policies in Southeast Asia.

A petition with 133 names from Farmington, Conn., opposing the extended war and calling upon Congress "to reverse the President's misguided decision".

A petition from Graceland College, Lamoni, Iowa, with 458 signatures supporting Amendment 609.

Petitions from 247 persons in the San Francisco area supporting the "Amendment to End the War."

2,889 additional signatures on petitions from the San Francisco area calling for "cessation of the invasion of Cambodia"; "withdrawal from Indochina"; and "that the President, in keeping with the Constitution and his oath of office, take no further military action without the advice and consent of the Congress." This brings the total of names on such petitions from the San Francisco area to 7,967.

Petitions bearing the names of 1,565 Massachusetts residents calling for the Senate Foreign Relations Committee and the Congress to "take whatever strong action is necessary to reverse this latest tragedy in United States foreign policy." The total of names on these petitions is 2,231.

934 additional signatures on petitions from the New York area "in support of the Senate Foreign Relations Committee's position against any military involvement in Cambodia."

Petitions containing 2,765 additional signatures from the New York area opposing further funding for military operations in Southeast Asia.

2,205 additional signatures on petitions gathered by the Queens College community in New York for a total of 7,532 persons protesting "President Nixon's unconstitutional escalation in Indochina" and reaffirming the right of peaceful dissent.

A petition signed by 704 persons at the Mount Sinai Medical Center, New York, urging that we "end the killing in Indochina by bring our troops home now. Human lives are too valuable to be lost in order to save the Thieu dictatorship."

A petition from Knoxville, Tenn., with 21 names in support of the Foreign Relations Committee and calling the intervention in Cambodia "a constitutionally unauthorized, presidential war in Indochina."

A petition with 815 signatures collected by students and faculty of Evanston, Ill., Township High School supporting efforts in the Senate to bring about the withdrawal of American troops from Cambodia and calling their presence in Cambodia "uncalled for and a threat to world peace."

Petitions containing 185 signatures gathered by chemistry students at the University of California, Berkeley, expressing opposition to the deployment of U.S. forces in Cambodia, urging "continued withdrawal of American forces from Southeast Asia" and opposing "any increase or extension of that war."

A petition from 293 members of Phi Beta Kappa at Stanford University expressing "strongest opposition to the immoral invasion of Cambodia." The petition continues:

We share the concern of the Senate Foreign Relations Committee about the unconstitutionality of this escalation of the war and request immediate withdrawal of all U.S. forces from Cambodia.

A petition with 75 signatures from the Boston Area Clergy and Laymen Concerned About Vietnam calling for withdrawal from Cambodia, a halt of bombing of North Viet-

nam and "that the war in Indochina be ended with all possible speed."

A petition with 610 names from the American Humanist Association. The petition reads:

The war in Vietnam has gone on too long. We demand that the Congress exercise its Constitutional power to end a war that has never been declared. We . . . support the Amendment to End the War . . . which will stop appropriations for wars in Cambodia, Laos and Vietnam.

209 additional signatures on a petition from the University of Iowa, opposing the President's policies.

Petitions collected by students, staff and faculty of the Department of Anthropology, Stanford University, from 420 California citizens supporting efforts "to restore Congressional control over military appropriations."

A petition in support of the Hatfield-McGovern amendment signed by 190 persons from various Virginia communities.

A petition from 44 staff members of the Leake and Watts Children's Home, Yonkers, N.Y., expressing "horror and indignation at the immoral extension of the war in Indochina."

A "protest register" from the American Center for Students and Artists in Paris with 200 signatures protesting President Nixon's "extension of the Indochinese War" and calling for withdrawal of American troops from Southeast Asia. A petition from five American students at Rennes, France, supports the protest.

A petition from 53 persons at the Idlehour Lodge, Murfreesboro, Ark., a home for senior citizens. The petition supports the move to restrict further funding for the war except for the safe withdrawal of American troops. The petition continues . . .

We should all be blushing with shame that our United States of America has been a partner in the Southeast Asian War . . . We are an "association of retired persons" but we don't believe in retiring from our responsible duty to our Creator and our fellow-beings. In other words, we strongly believe in standing for what we are strongly convinced is right.

#### AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

Mr. FULBRIGHT. Mr. President, having participated in a filibuster or so myself in the past on issues that were, I thought, quite legitimate, I am sympathetic to those now conducting a filibuster. Thus, I thought it would not be inappropriate for them to give me some time today so that I could make a few remarks and relieve them of some of the onerous duties of holding the floor until some time next week. I hope that they will appreciate that properly, because my remarks are germane to the matter of the Church-Cooper amendment.

#### THE HEART OF THE MATTER

Mr. President, President Nixon keeps assuring us that he wants peace, as if his decision for peace were a matter in doubt. In fact, I know of no one in the Senate who questions the President's desire for an end to the war, but many of us are very doubtful, indeed, that his present course can lead to peace, or to anything but endless, spreading war in the jungles of Indochina.

When we come right down to it, the

enemy almost certainly wants peace too, but, like the President, they want peace on their own terms. Neither side can be said to have shown a fondness for fighting for its own sake, but neither side has shown any willingness to make significant concessions for peace. Both are bent on a victory as they conceive that term, and until one side or the other achieves it, the fighting will go on.

That is the heart of the matter, and it benefits us not at all to use the enemy's stubbornness as an excuse for our own. If we want peace, someone must take the first step, and while many of us would welcome such an initiative on the part of the Vietnamese, we also should recognize that as the smaller, weaker party to the war, fighting as they are on their own part of the world where they belong, they must find it far more difficult than should we, to break the impasse. Even if it were clear on the merits that they ought to take the first step, that judgment should not serve as a policy for us. The fact is they have shown that they are settling in for the long haul of indefinite guerrilla warfare, and we are not able to control the decisions that are made in Hanoi. We can only control the decisions that are made in Washington, and that, basically, is why it is up to us to take an effective step toward peace.

It is indeed incumbent upon us, and urgently so, because this war has become a domestic disaster for the American people. Our economy is racked by unchecked inflation and, perhaps even worse, by signs of collapsing confidence in the economy on the part of the financial community. Morally and socially, we are in a condition beyond mere division among ourselves. We are in a condition indicative of social disintegration. The students are not the only people who have become alienated from the Government and its policies; as the stock market shows, the bankers and businessmen are losing confidence in the Government's policies, if not indeed in our national leadership altogether. If it was not clear before, it is crystal clear now that this war has become a moral and economic disaster for America. That is why we cannot wait the enemy out. That is why we must take the first step.

The primary obstacle to peace is the administration's unbending commitment to the Thieu-Ky military dictatorship in South Vietnam. Thieu and Ky, of course, have no real power of their own. Lacking both a reliable military force and the support of their own people, they have survived as clients of the late Johnson and the present Nixon administrations. Their enormous influence over American foreign policy derives almost exclusively from their astonishing success in persuading two American Presidents that their own personal loss of power would represent "defeat and humiliation" for the United States. This disastrous notion has given the Saigon dictators something more than a veto on American policy. It is a case, as the majority leader recently put it, of "Saigon being the tail wagging and pulling us around." Or, as the Senator from Tennessee recently commented, speaking of

our Government's subservience to Mr. Thieu:

It is as if we had traded resources, our strength for his weakness, so that the organ grinder dances to the monkey's tune.<sup>1</sup>

In pursuit of the phantom of military victory, the Nixon administration invaded Cambodia. Having stated at the time that the sole purpose of the invasion was to break up the Communist sanctuaries, the administration has now shown beyond a doubt that the effect of its policy is a much broader one. Relying as much as possible on its South Vietnamese clients, and perhaps also on Thailand, if possible, Indonesian "advisers," the administration now apparently intends to sustain an indefinite, full-scale military intervention by proxy in Cambodia.

There is abundant evidence of this intent. In his press conference of May 8, the President said that, although the deadline of June 30 for American withdrawal from Cambodia did not apply to South Vietnamese forces. He said further:

I would expect that the South Vietnamese would come out approximately at the same time that we do, because when we come out our logistical support and air support will come out with them.

Step by step the administration has hedged, backed off, and now all but repudiated the President's confident prediction of South Vietnamese withdrawal. In a statement at Andrews Air Force Base on May 24, Secretary Rogers indicated unmistakably that the administration expected South Vietnamese forces to remain in Cambodia. Any such operations, Mr. Rogers added, would fall under President Nixon's doctrine that "Asians work together to solve Asian problems." In a television interview on the same day, Mr. Herbert Klein, the President's communications director, contributed further to the backtracking from the President's prediction of May 8. Speaking of further South Vietnamese military operations in Cambodia, Mr. Klein said that he "could not really rule in or rule out the possibility of air support."

On the basis of these and other cryptic comments by administration officials, it is now apparent that the South Vietnamese forces are planning to remain in Cambodia after June 30, contrary to President Nixon's prediction and, in all probability, they will receive American air and logistic support, in direct repudiation of the President's statement of May 8. It is equally clear that the purpose of this proxy military campaign is not merely to eliminate the Communists' border sanctuaries, which the administration already claims to have had great success in accomplishing, but to sustain the feeble Lon Nol military regime in Phnompenh.

One does not have to rely on cryptic statements by administration officials to ascertain the administration's plan for sustaining the war by proxy in Cambodia. Mr. Ky, as usual, has come through with some blunt and colorful

language. In an astonishing insult to President Nixon—unless, of course, he had not heard about the President's press conference of May 8—Mr. Ky said on May 21 that the notion that South Vietnamese troops would withdraw from Cambodia with the Americans was "a silly argument of silly people." Expanding on his own notion of a grand strategy, Mr. Ky also said:

The Cambodian operation offers us an opportunity to form an anti-Communist front consisting of Cambodia, Thailand, Laos and South Vietnam.

As certain newspapers have commented, the design seems to be one of "Vietnamizing" the Cambodian war.

Mr. Ky may boast that the invasion of Cambodia will bring security to all of Southeast Asia, but the Cambodians themselves do not seem so sure. An official of the Phnompenh regime commented recently that—

We now have two invasions being conducted in Cambodia, the North Vietnamese and the South Vietnamese.

For the United States, of course, the continuing involvement of South Vietnamese forces in Cambodia only tightens the hold of the Saigon dictators on American policy. If the ARVN are no more successful in defending the Phnompenh government than they had been in defending their own, we will soon enough find ourselves summoned to the rescue. Mr. Ky boasts that the South Vietnamese forces "have the capability of mounting military operations independently in Cambodia as well as in Vietnam." If that were so, as it patently is not, there would be no further reason for American military involvement either in Vietnam or Cambodia.

From the narrow viewpoint of the Saigon dictators, getting in over their heads in Cambodia is by no means a "silly argument of silly people." It serves the double purpose of advancing traditional Vietnamese designs on Cambodia and of drawing the United States further into the swamp.

Sometimes we are reminded that Mr. Thieu is boss, and that we ought not to take Mr. Ky's colorful assertions too seriously. Perhaps Ky is no more than an Asian AGNEW but there is every reason to believe that his chief is no less determined than he to keep the Americans mired in the swamp. "You are in it with us," Mr. Thieu recently told an American reporter, with what the reporter described as "a broad grin."

Mr. Thieu even has the temerity to defend the Cambodian invasion in American domestic political terms. A reporter quotes him as saying:

If Lon Nol and Cambodia stand for the next six months, then I think Mr. Nixon will win the congressional elections this year and be re-elected in 1972, because then the operations will have proven a success.

I am reminded by that passage of the report that Mr. Thieu and his colleagues declined to enter into negotiations in 1968, hoping that the delay in negotiations would further the electoral fortunes of Mr. Nixon. It was also widely reported that one of the local hostesses in town played a part in that little incident.

Besides Thieu and Ky, the only people who appear to be delighted by the American invasion of Cambodia are the Chinese. Assuming that the Chinese wish to expel American military power from Asia, to curb Soviet influence and expand their own, they cannot fail to take pleasure in seeing the Americans blunder into a new hopeless military adventure. From the Chinese point of view, the extension of the war into Cambodia serves to drain American resources and isolate the United States internationally, while giving the Chinese an opportunity to displace Soviet influence with the Indo-Chinese Communists by demonstrating their own more militant support. In addition, the "protracted war" to which the Vietnamese Communists are now settling down can only serve, from China's standpoint, to bring a dependent and exhausted North Vietnam even further under Chinese influence. In a strikingly candid comment to an American some time ago, a North Vietnamese official said:

You think you are blocking China by fighting us, but in fact, you are destroying a barrier to Chinese expansion in Southeast Asia if you destroy us.<sup>2</sup>

Anticipating protracted warfare, China appears to have pledged full backing to the Communist forces in all three Indo-Chinese countries. The Chinese indicated long ago that they welcome American involvement in Asian wars of attrition. It is worth recalling a significant editorial which appeared in the People Daily of Peking on August 30, 1966:

"To be quite frank," the editorial stated, "if United States imperialism kept its forces in Europe and America, the Asian people would have no way of wiping them out. Now, as it is so obliging as to deliver its goods to the customer's door, the Asian people cannot but express welcome. The more forces United States imperialism throws into Asia, the more will it be bogged down there and the deeper will be the grave it digs for itself.

"... The tying down of large numbers of United States troops by the Asian people creates a favorable condition for the further growth of the anti-United States struggle of the people in other parts of the world. With all the people rising to attack it, one hitting at its head and the other at its feet, United States imperialism can be nibbled up bit by bit."

We are being "nibbled up bit by bit," not only in Indochina but, far more seriously, by the repercussions of the Indochina war within our own country. It is most urgent, therefore, that we change our course and seek a political settlement based on the two general principles which the North Vietnamese have repeatedly indicated will motivate them to engage in serious bargaining. These two principles are, first, the establishment of a transitional coalition government for what would become an independent, neutralist South Vietnam; and second, a commitment to a definite schedule for the ultimate total withdrawal of American forces.

The major single obstacle to serious negotiations on these bases is the dis-

<sup>2</sup> Quoted by Stanley Karnow in "Nixon's Expansion of the War Seems To Delight Chinese," Washington Post, May 11, 1970, p. A23.

<sup>1</sup> CONGRESSIONAL RECORD, 91st Cong., 2d Sess., April 16 1970, Senate, p. 12153.

astrous notion that there is a connection between our own national interests and the survival and power of the Saigon military dictatorship. We do not have to impose anything on Mr. Thieu and Mr. Ky or on anybody else in order to open the way to negotiations. We have only to put them on notice that they are at liberty either to join us in negotiating a compromise peace or to make some arrangement of their own. Should they prefer to continue the war, that would be their privilege, and they have an army of over a million men of which to do it. All that I would take away from the Thieu-Ky regime is their veto on American policy.

Perhaps the really difficult thing for Americans is not in recognizing what needs to be done but in recognizing the disastrous consequences of what has already been done. The nature of this dilemma was summed up eloquently by Rabbi Irving Greenberg in a statement before the Committee on Foreign Relations on the moral impact of the war:

Shall we now go to the parents of the 40,000 (American dead) and say: we have erred and your children have died in vain? Shall all this patriotism and sacrifice mean nothing? I realize the full force of this dilemma. But the only corresponding answer must be: Shall we condemn another 10,000 Americans and another 50,000 Vietnamese to death rather than not admit?

But inability to accept the tragic, the ironic, the possibility of mistake and failure is to be less than fully human. Perhaps this is our national problem.

Looking beyond this war which has so drained our substance and spirit, things need not look so bleak for America after all. Drawing a parallel between American feelings about Vietnam and British anxieties over the revolt of the American colonies two centuries ago, an English military analyst, Correlli Barnett, points out that the British leaders of that day suffered feelings of failure and frustration no less acute than those of our own leaders today. But, Mr. Barnett writes:

Once the American war was liquidated, Britain's mood changed with astonishing speed. National hope and self-confidence were reborn. Instead of the decay and disintegration to which men had looked forward, Britain's greatest wealth, greatest power and greatest influence in the world were yet to come.

With some commonsense and moral courage, the same might be arranged for America.

Mr. President, I ask unanimous consent to have printed in the RECORD an article which was printed in the New Republic of May 23, 1970, entitled "Chairman Mao's Breakthrough."

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

#### CHAIRMAN MAO'S BREAKTHROUGH

(By Robert H. Yoakum)

My Chinese acquaintance was impeccably dressed and spoke almost perfect English. I asked what kind of work he did.

"My work is traveling for the People's Republic of China," answered Mr. Hee. Then he added with a mischievous grin, "To see how things are going."

"And how are things going?"

"Very, very well. Your government's invasion of Cambodia was exactly on schedule."

"What schedule?" I asked.

"Our schedule," said Mr. Hee.

"I don't understand," I said, feeling irritated and embarrassed.

"Well," said Mr. Hee, "several years ago our great leader, Chairman Mao, made a major psychological-geopolitical breakthrough. He learned that Americans fear, above all other things, losing face. This discovery by itself would not show that Chairman Mao is a genius; it was the application he made of it.

"What we shall do," said Chairman Mao, "is to use this American fear of losing face to suck them deeper and deeper into a psychological-economic-political-military struggle that they cannot win. We shall help them to bleed themselves to death. And we shall do this without employing one Chinese soldier."

"This new policy was tested in a few small incidents," Mr. Hee continued, "the way our capitalists test products in local markets before selling them nationally. It worked perfectly. Then we launched the full program in Vietnam. From that point on you have been moving on our schedule.

"Our Chairman then further refined this plan. He called it the Self-Perpetuating Principle of Self-Destructive Face-Saving. It means that you make your enemy lose face in such a way that he thinks he is keeping it while everyone else is watching him lose it. He undermines his own prestige, and publicly humiliates himself—all the while talking loudly about how he will not be humiliated. It is the ultimate form of humiliation. And the enemy himself sustains the processes of his own unwitting suicide."

I shuddered.

"For example," Mr. Hee continued, "in the invasion of Cambodia it was necessary for President Nixon to say. . . ." Mr. Hee pulled a newspaper clipping from his pocket. . . . "I would rather be a one-term President than be a two-term President at the cost of seeing America become a second-rate power, and see this nation accept its first defeat in its proud 190-year history."

"You understand?" asked Mr. Hee. "We tell the rest of the world that you are fighting in Asia, killing tens of thousands of Asians, because you are powermad and terrified of defeat at the hands of the ordinary people. You say you are fighting in Asia to help the Asians. But who do they believe when they read that your President has said he fears American defeat, and America becoming a second-rate power? The Asians see that you are mainly afraid of losing your face, not of their losing their heads. You do not see this. So you unwittingly hasten your own doom.

"Another example of how you lose face while you are keeping it: Your President says one day that he will withdraw 150,000 troops. Then ten days later he says it is necessary to invade Cambodia in order to protect American troops. If they are in such great danger now, how could he earlier have promised to weaken them by greatly reducing their numbers? That is precisely the kind of public announcement that is anticipated in the Self-Perpetuating Principle of Self-Destructive Face-Saving.

"Look at the results wrought by the application of Chairman Mao's Principle:

"First, your military men have been discredited. The more mistakes they make, the more ridiculous they look. The more ridiculous they look, the more face they lose. The more face they lose, the more they extend themselves. And the more they extend themselves, the more mistakes they make.

"Second, ten years ago there were almost no Communists in America. Now there are Communists in every slum and on every campus.

"Third, you have spent more than \$100 billion on the Vietnam war, or the equivalent of about \$3500 for each Vietnamese—an amount on which one could retire in that country. But instead of buying peasant prosperity, which could have ruined us, you have used the money on war and killing and face-saving, leaving yourself a legacy of hatred on which we will flourish.

"Fourth, you have not made South Vietnam into a showplace of capitalist glories, but rather into a showplace of continued poverty, disease, prostitution, and massive corruption.

"Fifth, your economy is beginning to come apart under the pressure of maintaining face everywhere, just as we thought it would.

"Sixth, your society is also coming apart because there are some Americans who do not care about saving face. The black faces, especially, do not care about saving white faces."

"But," I protested, "what if the people who want to save the country prevail over those who want to save face? Wouldn't your whole plan go down the drain?"

"Yes, it would," Mr. Hee admitted, "and we were concerned when President Johnson left Washington. No one worried more about saving face than he. But we need not have worried. The three most admired men in your nation, according to the Gallup Poll—President Nixon, Billy Graham, and Vice President Agnew—are all greatly afraid of losing face. We have nothing to fear."

Mr. Hee giggled, as though remembering something funny. "You know," he said, "until Chairman Mao made the breakthrough we had much trouble understanding you Occidentals. You look alike, you sound alike, and you hold your life very cheaply. Even on the streets you attack one another, and your television each night dramatizes hundreds of horrible, violent, senseless deaths. You even let children watch. We had no idea how to deal with you.

"Now, after Chairman Mao's discovery, we still don't understand you very well, but we do know how to deal with you."

"Can you tell me what is planned for our future?" I asked.

"The future. . . ." Mr. Hee smiled scrutably; I could see that much had been planned for us. "Well, we shall wait until you are as mired in Cambodia as you are in Vietnam. Then Laos. Then Burma, India, Pakistan, Afghanistan, Iran, Iraq. . . ."

"Wait!" I almost shouted. "You're taking us right into the Middle East. That might mean war with Russia as well!"

"Ah, so?" said Mr. Hee.

Mr. FULBRIGHT. Mr. President, the application of those thoughts to the pending business, particularly the Church-Cooper amendment, only emphasizes the effect upon the relative power and influence of the United States, of China, and of Russia. The effect on that relative power, it seems to me, is so persuasive that anything this body can do to hasten the solution of the war in South Vietnam rather would be greatly in the national interest.

So I do hope the Senate will be able to proceed to a vote on the Cooper-Church amendment at the earliest opportunity.

The amendment offered by the Senator from Kansas—and, of course, he has every right to offer that or any other amendment to the bill—is quite obviously designed to destroy the effectiveness of the Church-Cooper amendment. It is designed so that, if adopted, it would be the equivalent of rejection of the Church-Cooper amendment. So I hope at the proper time it will be rejected or

tabled, as I would expect to propose, if it seems appropriate next Wednesday when this matter comes up for a vote.

## ORDER OF BUSINESS

Mr. FULBRIGHT. Mr. President, is it in order to put this material in the RECORD?

Mr. BYRD of West Virginia. Mr. President, at what time will the Pastore germaneness rule become inoperative today?

The PRESIDING OFFICER. At 1 minute to 2.

Mr. FULBRIGHT. Mr. President, if I may ask a parliamentary inquiry, some of the material I have relates directly to my discussion. I consider it to be persuasive and relevant to the merits of the Cooper-Church amendment. These certainly are not unrelated to the war and to the effect of that war upon our domestic economy. I did not wish to intervene, in view of the anxiety of so many Senators to discuss this matter, but both the letters and the insertions that I wish to offer—except for one item, as to which I will certainly defer, which I mentioned a moment ago, and which has to do with nutrition in certain counties in Arkansas—are relevant to the war in Indochina.

May I make a parliamentary inquiry? Where do we draw the line as to when a matter is or is not relevant?

The PRESIDING OFFICER. May the Chair state to the Senator from Arkansas that if the Senator believes the material is relevant, the Chair will consider that that is accurate and the Chair will entertain a unanimous-consent request.

Mr. BYRD of West Virginia. Mr. President, if the Senator will yield for just a moment, I am going to say the same thing the Chair has stated, that if, in the opinion of the Senator from Arkansas, the subject matter which he wishes to discuss is relevant and germane, certainly the Senator from West Virginia is not going to question the judgment of the Senator from Arkansas.

Mr. FULBRIGHT. Let me say to the Senator from West Virginia that I have a letter which I received this morning from a constituent that comments on events in this country which I believe are directly related to the war in Vietnam.

I think anything that throws light upon the effect of that war on the situation in our country is relevant to the Church-Cooper amendment, because the Church-Cooper amendment, if it has any purpose at all—and I think it has—is to bring this war to an end at the earliest possible date in order to prevent the disintegration of our society here in the United States. So in that respect I think it is relevant.

Mr. BYRD of West Virginia. The Senator from West Virginia would raise no objection.

Mr. FULBRIGHT. I thank the Senator.

Mr. President, I recently received a letter, which disturbs me very much, from an instructor in a high school in my State. This sentiment for the extreme repression of students is an eloquent indication of how far some of our people have gone in departing from the con-

stitutional democratic system for which this country has stood throughout its history. This letter indicates how the same sentiment that mutilated Germany, and has mutilated Greece and other countries in this century, is developing within our own society. It should be a warning that we must change our priorities and begin to deal with the problems which afflict our own people.

I ask unanimous consent that the letter be inserted in the RECORD as part of my remarks.

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

MAY 12, 1970.

HON. J. WILLIAM FULBRIGHT,  
Senate Office Building,  
Washington, D.C.

MY DEAR SENATOR FULBRIGHT: I am a high-school industrial arts printing instructor with four years of U.S. Air Force training, five years of college (B.S. and M.T. degrees), and nine years as printing instructor at Northside High School, Fort Smith.

I am becoming more and more concerned about the destroying of public property and total disregard for law and policemen. The Kent State University shooting of four students is exactly what is needed in this country. Some idiots started to riot in Mexico and the police shot to death thirty-two of them. That put an end to the riots.

When (if ever) will the lawmakers wake up and quit coddling the criminals and put some teeth in the laws? The true American people are VERY tired of paying high taxes to support the government officials who sit and pass laws such as the gun and ammunition laws which hinder the law-abiding citizens, and on the other hand, they turn the criminals loose. Also of concern are the riots where tax-paid property is destroyed and the government does nothing.

The men who fired the shots which took the lives of four Kent students should receive a medal. They were trained to protect themselves and government property, and they did just that. Let's punish the criminals (anyone who riots is a criminal) or close the tax-paid institutions and quit PLAYING school.

When I was in military service and college, the policemen were respected. WHEN will the lawmakers and the VERY criminal-coddling Supreme Court take the handcuffs off the police and put them where they belong? Why are the lawmakers and courts MORE concerned about the rights of the criminals but disregard the rights of the murdered, the raped, the robbed, the burned out, and the widows and children?

Sir, as you can see by this letter, I am thoroughly disgusted with the high taxes to support a government that condones the criminal's acts, finances him and the rioters with welfare checks, and sits back and points a finger of blame at the police or military who try to protect the peaceful people and government property.

When, when, will the government be for the law-abiding, peaceful, tax-paying citizens? The United States—is it?

Respectfully yours,

Mr. FULBRIGHT. Mr. President, I did not intend to read it all, but in view of the exchange and the possibility that it is not relevant to what is going on resulting from the war, I will read only two paragraphs.

Mr. BYRD of West Virginia. Mr. President, if the Senator will yield, the Senator from West Virginia is listening with great interest.

Mr. FULBRIGHT. I want to read two paragraphs.

Mr. BYRD of West Virginia. Mr. President, if the Senator will yield, the Senator from West Virginia would urge that the Senator read the entire letter.

Mr. FULBRIGHT. Well, it is too long. It relates to a point I have been making. This letter is from an instructor who has had 5 years in college. He wrote:

I am a high-school industrial arts printing instructor with four years of U.S. Air Force training, five years of college (B.S. and M.T. degrees), and nine years as a printing instructor at Northside High School, Fort Smith.

I am becoming more and more concerned about the destroying of public property and total disregard for law and policemen. The Kent State University shooting of four students is exactly what is needed in this country. Some idiots started to riot in Mexico and the police shot to death 32 of them. That put an end to the riots.

The men who fired the shots which took the lives of four Kent students should receive a medal. They were trained to protect themselves and government property, and they did just that. Let's punish the criminals (anyone who riots is a criminal) or close the tax-paid institutions and quit playing school.

Mr. President, to me that is a very disturbing sentiment, especially since it arises from a man with the kind of education which he indicates he has had.

Mr. President, in a little different vein, but within the same area, of the tens of thousands of communications I have received in the past few weeks, many have been impressive and moving.

I would like to call attention to several of these letters which I believe have a particular point to make. The first is from a lady in Dover, Ark., who relates how this "senseless war" has touched her family's life. She writes:

Please give our young people the chance to live, to seek their own way of life free to love and have faith in our country and our fellow man.

I am sure that if this war was necessary, if our country was in danger, the majority of our young people would go forth and do what was right to defend our country. But we are not in danger.

Mr. President, I think that Mrs. E. R. Edwards, the author of that letter, has expressed herself better than many of those of us who have spoken or written thousands of words on the subject.

I would also call the Senate's attention to two letters from Arkansas students. One, Collins Hemingway, a student at the University of Arkansas, reflects the views of many of the students from whom I have heard. Another, Jim Zine, a theology student, expresses his concern about the expanding violence in our society.

I would like to take note of two further letters which I think deserve notice. One is a letter to me from the Conference of Major Superiors of Jesuits expressing "deep concern over the moral implications of the war in Indochina." The other is a copy of an open letter to President Nixon which was sent to me by the student body leaders of Graceland College, Lamoni, Iowa. I think it makes a number of excellent points.

Mr. President, I ask unanimous con-

sent that these five letters be printed in the RECORD.

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

DOVER, ARK., May 15, 1970.

DEAR MR. FULBRIGHT: You will probably never see this letter as it will likely be opened by someone other than yourself. Still I feel it in my heart to write you.

Yesterday my daughter received a letter from her husband who is in Vietnam telling of the death of his dearest friend. He, like my son-in-law, is a motion picture photographer. His plane was shot down over Cambodia. The hurt in my daughter's eyes was unbelievable. The idea that this friend had died in something as senseless as this war is something hard to live with. To think of all the suffering and agony the young people are going through is unbelievable. No wonder there is so much unrest in our young, our leaders of tomorrow. Please urge our leaders of our country to stand up and be the leaders we can be proud of and the men you are capable of being. Any man can hide behind some one else's mistakes but it takes a real man to say "I was wrong." Please give our young people the chance to live, to seek their own way of life free to love and have faith in our country and our fellow man.

I am sure that if this war was necessary, if our country was in danger, the majority of our young people would go forth and do what was right to defend our country. But we are not in danger.

So it is my prayer that this war will end soon and our young boys can come home and go about their lives, have their children and believe that life can be beautiful.

Yours truly,

Mrs. E. R. EDWARDS.

FAYETTEVILLE, ARK.,

May 8, 1970.

Senator J. W. FULBRIGHT,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR FULBRIGHT: Since I have always been criticized by my liberal friends as being too conservative and by my conservative friends as being the opposite, I have always figured I was somewhere in the middle. Recent events, however, have begun to push me—toward the left, if I am to believe definitions of the news media.

President Nixon's actions leave me only one recourse: to fully and completely oppose him in the expansion of the war in Southeast Asia. (I had hoped this country could survive his wave of mediocrity, but I am now willing to admit I am mistaken.) Put on your list one more supporter of your actions. Though I will miss this fall's elections due to age restrictions, you may be assured that Mr. Nixon will have one more vote on the other side in 1972. And for you, in 1974, a vote to the positive.

As a moderate (until now) at the University of Arkansas, I feel it my duty to warn you that the Cambodian campaign and the Kent State Massacre have created on this campus unimaginable frustrations. I am afraid it might ultimately lead to violence as will all unalleviated frustration. You must impress on your colleagues that if and when this happens, it will not be the result of agitators, but of a raging feeling of helplessness at going through the peaceful channels again and again with no results. If there is an agitator, it is President Nixon, who insists on ignoring the people.

I might further ask you to consider legislation that would forbid any militia-type force as the National Guard from being used in situations like that at Kent State. Whenever untrained (for that is the only way to describe week-end soldiers) troops are used, you can count on at least one

killing through panic. Trained regulars perhaps would have been better prepared and prevented this tragedy.

Sincerely,

COLLINS HEMINGWAY.

LITTLE ROCK, ARK., May 7, 1970.

DEAR MR. FULBRIGHT: I am a student of Eden Theological Seminary in Webster Groves, Mo. We at Eden, acting in the principles of humane Christian concern, struck from classes. By observing a disruption of normal daily activity, it was our hope to stimulate a widespread public consideration and reaction to serious social and political issues which have surfaced in the past week. I feel to conduct routine and normal daily business in light of these recent events is to condone and encourage further an atmosphere of expanding violence that currently pervades our society. I believe that the time has now arrived when violence in any of its manifestations can no longer be tolerated as a rational form of human thought or behavior. Furthermore I have dedicated myself to continue to protest and resist against incipient violence, in all forms of levels of social and political life. I would also like to take this time to thank you and support you on your stand against all forms of political and social violence. I am behind you and wanted to let you know you are appreciated. Please continue to give us hope. A concerned Christian in a troubled world,

JIM ZINE.

CONFERENCE OF MAJOR SUPERIORS  
OF JESUITS.

Washington, D.C., May 20, 1970.

HON. J. W. FULBRIGHT,  
U.S. Senate, New Senate Office Building,  
Washington, D.C.

DEAR SENATOR FULBRIGHT: We write to you as a corporate body of Major Superiors of the Society of Jesus, as leaders of the Jesuits who work throughout the United States. Meeting in Tampa for our semiannual review of our ministries, we take this occasion to bring to your attention our concern over moral issues afflicting the conscience of every citizen of this nation.

We speak to you out of our deep appreciation of the dignity of all human life and of the brotherhood of all mankind. We can no longer be silent in the face of an issue which encourages and fosters hostile divisions between man and man, at home and abroad. The tenets of our Christian faith cry out for peace among all men.

We wish to express to you our deep concern over the moral implications of the war in Indochina. We must ask whether the results, which are sought in good conscience by those who support the war, are any longer proportionate to the evil involved. Our concern is further heightened by the clouded origin of American involvement in this war and by the questionable morality of the recent escalation of the war by the invasion of Cambodia and the resumption of the bombing of North Vietnam. In addition, we deplore any attempt to motivate the American people to accept this escalation on the basis of our never having lost a war.

Over and above the moral ambiguity of the war itself we have a further concern over the effects of the Indochina war in our own country, namely, violence in our streets, unrest on our campuses, and the problem of the military draft.

Moved by these considerations and by our profession as ministers of religion, we call for immediate action from every member of the Senate of the United States:

1) We urge that you take steps to end this war without delay.

2) We urge that the national budget be channeled into peaceful directions by cutting back military appropriations.

3) We urge you to modify Selective Service regulations (the draft) to allow selective conscientious objection, as recently espoused by the United States Catholic Conference.

4) We urge that you take these positive actions to heal the alienation of our youth from this country.

We earnestly address these requests to the Senate of the United States, as American citizens and ministers of religion, grievously distressed over the present moral stance of our beloved country.

Most sincerely yours,

JOHN V. O'CONNOR, S.J.,  
Executive Secretary.

GRACELAND COLLEGE,

Lamoni, Iowa, May 12, 1970.

President RICHARD M. NIXON,  
The White House,  
Washington, D.C.

MR. PRESIDENT: We who have the responsibilities for the leadership of Graceland College and its student body believe that we must express to you the feelings of faculty and students on this campus over the conduct of the war in Indochina. The events of the past two weeks, primarily your decision to take military action in Cambodia and the reactions on so many college campuses across America, have prompted a deep concern on this southern Iowa campus for the effects the war is having in those tragic countries in Southeast Asia and across this great nation of ours. It is our joint judgment that large numbers of thoughtful young men and women on our campus, deeply devoted to their country and its rich heritage of freedom, see in the blighting effects of this protracted military engagement a threat to the lives of its young men, a waste of resources vitally needed to meet America's own problems of poverty, racism, pollution, crime and other such forces diminishing the quality of life in our country, but most of all a threat to cherished freedoms as polarization becomes extreme among us.

On our campus there is disillusionment because so little, if any, progress has been made in bringing an end to our tragic involvement in Southeast Asia. We do not understand the failure of your administration to appoint a successor to Ambassador Lodge to represent us at the Paris peace talks, your failure to give vigorous support to the Strategic Arms Limitation Talks, your seeming indifference to the United Nations. We see no imaginative program coming out of your administration to bridge the widening gulf between the races. We are dismayed that in a time of bitterness and polarization, your Vice President travels the country setting people against each other and engaging in inflammatory and irresponsible rhetoric.

But we are confident that the faculty and students at Graceland have not given up. They want to work with you to cleanse our country of violence, to ease the burdens of poverty, to establish liberty for all our peoples, to safeguard the environment for our children, to restore American prestige among the nations.

We see these tasks, so urgent upon the national agenda, all subverted by our military involvement in Vietnam and now Cambodia. We ask you to listen to our young people and others throughout this nation. We ask you to mobilize the best insights available in the nation today to bring an early end to the military engagement in Indochina and to direct the energies of the youth of this nation to its restoration.

Yours respectfully,

WILLIAM T. HIGDON,  
President.  
DAN F. GRAYBILL,  
Student Body President.

Mr. FULBRIGHT. Again, Mr. President, I think these underline the point and the persuasiveness of the need for the Church-Cooper amendment to the pending legislation. Of course, there are some with a different view; I would not pretend it is a unanimous belief, by any means; but, in my view, from my own experience, the great majority of the people of this country would like to see this war brought to a close. I think they are persuaded, as I am, that adoption by a substantial majority of the Church-Cooper amendment would contribute to that purpose.

Mr. President, I yield the floor.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I am about to propound the same unanimous-consent agreement that was suggested earlier, and which will fit in now, as it did then, with the question raised by the distinguished Senator from Arkansas, chairman of the Committee on Foreign Relations.

I send to the desk a unanimous-consent request and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The assistant legislative clerk read as follows:

Ordered, That the Senate proceed to vote at 11:30 a.m., Wednesday, June 3, 1970, on the pending amendment (No. 662) by the Senator from Kansas (Mr. Dole) to H.R. 15628, an Act to amend the Foreign Military Sales Act. Should a motion to table be made, the vote on that would occur on 11:30.

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

#### ORDER FOR CONSIDERATION OF AMENDMENT TO BE OFFERED BY SENATOR BYRD OF WEST VIRGINIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the pending amendment is disposed of, an amendment to be offered by the distinguished Senator from West Virginia (Mr. Byrd), which will be printed in the RECORD today, be in order.

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

#### ORDER FOR ADJOURNMENT UNTIL MONDAY, JUNE 1, 1970, AT 11:30 O'CLOCK A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 11:30 a.m. Monday morning next.

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

#### ORDER FOR RECOGNITION OF SENATOR SMITH OF MAINE ON MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the prayer by the Chaplain, the

distinguished senior Senator from Maine (Mrs. SMITH) be recognized for not to exceed 30 minutes.

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

#### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday at the conclusion of the remarks by the distinguished Senator from Maine there be a morning hour for the transaction of routine morning business, with a limitation of 3 minutes on statements made therein.

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

#### AMENDMENT NO. 664

Mr. BYRD of West Virginia. Mr. President, I send to the desk an amendment, and ask that it be stated by the clerk and that it be printed.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 4, line 25, after "Cambodia" insert "(a)".

On page 5, between lines 18 and 19, insert the following: "(b) Nothing in subsection (a) shall preclude the President from taking such action as may be necessary to protect the lives of United States forces in South Vietnam or to hasten the withdrawal of United States forces from South Vietnam."

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. BYRD of West Virginia. Mr. President, the amendment which I have submitted today and which will be printed is the amendment which I intend to call up immediately following the vote on Wednesday next on the pending amendment authored by the Senator from Kansas (Mr. Dole).

#### UNANIMOUS-CONSENT AGREEMENT—ORDER FOR ADJOURNMENT FROM CLOSE OF BUSINESS ON MONDAY UNTIL 12 NOON ON TUESDAY AND FROM CLOSE OF BUSINESS ON TUESDAY UNTIL 10 A.M. ON WEDNESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent, in view of developments which have occurred, to amend the unanimous-consent agreement to provide that when the Senate completes its business on Monday next, it stand in adjournment until 12 o'clock noon on Tuesday.

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

Mr. MANSFIELD. And that at the conclusion of business on Tuesday, the Senate stand in adjournment until 10 o'clock Wednesday morning next.

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

Mr. MANSFIELD. I ask unanimous consent that at the conclusion of the prayer on Wednesday morning next, and the reading of the Journal, the time be equally divided, between 10 o'clock and 11:30 a.m., between the sponsor of the

amendment, the Senator from Kansas (Mr. DOLE) and the Senator from Montana, or any Senator he may designate.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. On the question of the division of time on Wednesday morning next, I ask unanimous consent that the request already agreed to be modified as follows: That the time be equally divided between the majority and minority leaders, or any Senators they may designate.

The PRESIDING OFFICER. The time to begin after the reading of the Journal on Wednesday?

Mr. MANSFIELD. Yes.

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

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Ordered, That the Senate proceed to vote at 11:30 a.m. Wednesday, June 3, 1970, on the pending amendment (No. 662) by the Senator from Kansas (Mr. Dole) to H.R. 15628, an act to amend the Foreign Military Sales Act, with the time after the reading of the Journal to be equally divided and controlled by the majority and minority leaders, or whomever they designate. Should a motion to table be made, the vote on that would occur at 11:30 a.m. on said date.

#### THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, if there are no further speeches by Senators on the unfinished business, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order Nos. 911 and 912, which have been cleared with the minority.

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

#### GODDARD ROCKET AND SPACE MUSEUM, ROSWELL, N. MEX.

The resolution (S. Res. 406) to print as a Senate document materials relating to Senate Concurrent Resolution 49 was considered and agreed to, as follows:

*Resolved*, That there be printed with illustrations as a Senate document, in such style as may be directed by the Joint Committee on Printing, a compilation of materials relating to S. Con. Res. 49, providing congressional recognition to the Goddard Rocket and Space Museum, Roswell, New Mexico, together with certain tributes to Dr. Robert H. Goddard, American rocket pioneer; and that there be printed for the use of the Aeronautical and Space Sciences Committee seven thousand additional copies of such document.

The title was amended so as to read: "Authorizing the printing of a compilation of materials relating to congressional recognition of the Goddard Rocket and Space Museum (S. Con. Res. 49) as a Senate document".

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-903), explaining the purposes of the measure.

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

The Committee on Rules and Administration, to which was referred the resolution (S. Res. 406) to print as a Senate document materials relating to S. Con. Res. 49 (congressional recognition of Goddard Rocket and Space Museum), having considered the same, reports favorably thereon with an amendment and recommends that the resolution as amended be agreed to.

The Committee on Rules and Administration has amended the title so as to clarify the nature of the materials to be printed.

Senate Resolution 406 as amended would provide (1) that there be printed with illustrations as a Senate document, in such style as may be directed by the Joint Committee on Printing, a compilation of materials relating to Senate Concurrent Resolution 49 (providing congressional recognition to the Goddard Rocket and Space Museum, Roswell, N. Mex.), together with certain tributes to Dr. Robert H. Goddard, American rocket pioneer; and (2) that there be printed 7,000 additional copies of such document for the use of the Committee on Aeronautical and Space Sciences.

The printing-cost estimate, supplied by the Public Printer, is as follows:

<i>Printing-cost estimate</i>	
To print as a document (1,500 copies) .....	\$2,619.13
7,000 additional copies, at \$177.84 per thousand .....	1,244.88
<b>Total estimated cost, S. Res. 406.....</b>	<b>3,864.01</b>

**SELECT COMMITTEE ON CRIME**

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 580) authorizing certain printing for the Select Committee on Crime which had been reported from the Committee on Rules and Administration with an amendment, at the beginning of line 4, to strike out "ten" and insert "twenty-five".

The amendment was agreed to. The concurrent resolution, as amended, was agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-909), explaining the purposes of the measure.

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

The Committee on Rules and Administration, to which was referred the concurrent resolution (H. Con. Res. 580) authorizing certain printing for the Select Committee on Crime, having considered the same, reports favorably thereon with an amendment and recommends that the concurrent resolution as amended be agreed to.

House Concurrent Resolution 580 as referred would authorize the printing for the use of the House Select Committee on Crime of 10,000 additional copies of House Report 91-978, entitled "Marihuana".

The Committee on Rules and Administration has amended House Concurrent Resolution 580 by increasing the number of copies to be printed from 10,000 to 25,000. This action was taken by the Committee at the request of Congressman John Dent, chairman of the Subcommittee on Printing of the

House Administration Committee, and Congressman Claude Pepper, chairman of the House Select Committee on Crime, and in order to meet unusual demands for the report from Members of the House of Representatives.

The printing-cost estimate of H. Con. Res. 580 as amended is as follows:

<i>Printing-cost estimate</i>	
Back to press, first 1,000 copies.....	\$696.84
24,000 additional copies, at \$124.94 per thousand .....	2,998.56
<b>Total estimated cost, H. Con. Res. 580 as amended.....</b>	<b>3,695.40</b>

**ORDER OF BUSINESS**

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside.

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

**RESULTS OF THE CAMBODIAN SANCTUARY OPERATION**

Mr. GRIFFIN. Mr. President, I submit for the information of the Senate the results of the Cambodian sanctuary operation as of 8 a.m., May 28, 1970, and ask unanimous consent that the summary be printed in the RECORD.

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

Total operations	Number	24-hour change
Individual weapons.....	11,976	+131
Crew-served weapons.....	2,100	+69
Bunkers/structures destroyed.....	7,101	+115
Machinegun rounds.....	3,176,512	+90,808
Rifle rounds.....	5,822,903	+103,185
Total small arms ammunition (machinegun and rifle rounds).....	8,999,415	+193,973
Grenades.....	20,973	+4,183
Mines.....	3,204	+102
Satchel charge.....	500	( <sup>1</sup> )
Miscellaneous explosives (pounds).....	72,000	( <sup>1</sup> )
Antiaircraft rounds.....	134,299	( <sup>1</sup> )
Mortar rounds.....	31,470	+1,933
Large rocket rounds.....	1,087	( <sup>1</sup> )
Smaller rocket rounds.....	17,952	+1,845
Recoilless rifle rounds.....	20,395	-105
Rice (pounds).....	9,790,000	+2,340,000
Man-months.....	215,380	+5,148
Vehicles.....	317	+7
Boats.....	40	( <sup>1</sup> )
Generators.....	36	( <sup>1</sup> )
Radios.....	180	( <sup>1</sup> )
Medical supplies (pounds).....	36,000	( <sup>1</sup> )
Enemy KIA.....	8,128	-43
POWs (includes detainees).....	1,797	+20

<sup>1</sup> Unchanged.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

**AMENDMENT TO STRIKE ALL FUNDS FOR THE SST FROM TRANSPORTATION APPROPRIATIONS**

AMENDMENT NO. 665

Mr. PROXMIRE. Mr. President, I submit an amendment to the Department of Transportation appropriations bill, H.R.

17755, which would strike all funds for SST development for the coming fiscal year. I ask that it be printed and referred to the Committee on Appropriations.

The PRESIDING OFFICER (Mr. GRAVEL). The amendment will be received and printed, and by unanimous consent will be referred to the Committee on Appropriations.

The amendment is as follows:

AMENDMENT NO. 665

On page 2, line 20, strike all language beginning with the words "Civil Supersonic Aircraft Development" through the end of line 2 on page 3.

Mr. PROXMIRE. Mr. President, yesterday the House of Representatives passed H.R. 17755, appropriating funds for DOT for fiscal 1971. The line item for development of the SST is \$290 million. The effort in the House to strike the SST from the bill was led by Representative SID YATES of Illinois, who did an outstanding job of marshaling arguments against this program. Although his effort failed narrowly yesterday, I think it is fair to say that Representative YATES confounded all the experts by coming within a scant seven switched votes of succeeding. Those of us who are concerned about what the SST may do to the environment—and to the economy—owe a tremendous debt of gratitude to SID YATES. The House vote of 176 to 163 against the effort to strike funds for this SST is extremely encouraging, and augurs well for the amendment I am submitting today.

Our chances of stopping the SST onslaught are brighter than they were last year. The newly discovered environmental impact of the SST, including airport noise, which is several times higher than is now permitted at any airport in the country, and upper atmospheric pollution, was documented by Russell Train, Chairman of the President's Environmental Quality Council, when he testified before our subcommittee the week before last. This information was not available to the Senate last year.

This time, Congress and the public are much better attuned to the problems of pollution, and the seriousness of the environmental crisis, than a year ago.

Some Senators have already shifted positions on the SST because of these environmental concerns, and I have spoken to several who have shifted their positions. Considering the magnitude of the SST's environmental impact, we have an excellent fighting chance to stop the SST appropriations.

Another major stumbling block to approval is the size of the fund request. The \$290 million requested this year is three and a half times last year's appropriation, and far and away the biggest single year appropriation ever asked for this project.

If granted, it will bring the total allocated for this environmental monster up to \$1 billion.

At a time when the need for budgetary stringency is as great as any of us can remember, it is the height of folly to continue funding a project whose ultimate costs may eventually reach \$4 billion and whose risk of failure is high.

It is perfectly clear that this whole

project is proceeding on a wing and a prayer. Until the airport and sideline noise are reduced, and until the threatened upper atmosphere pollution is under control, the SST is not likely to fly commercially.

Even then, Mr. President, the Government still would not have any business stepping in where private investors fear to tread.

Mr. President, I hope my colleagues will not fall into the rhythm of continuing funding for the SST just because we have funded it for the past 7 years. The SST was a mistake in 1963; it is an outrage today. I look forward to a vigorous debate on the SST when H.R. 17755 reaches the Senate floor later this year.

#### S. 3898—INTRODUCTION OF PRICE AND INCOME GUIDEPOST BILL

Mr. PROXMIRE. Mr. President, for several years, the Joint Economic Committee has consistently and repeatedly stressed the need for this country to adopt a price and income policy. As recently as May 19, I reiterated on the Senate floor the recommendation contained in the committee's 1970 report that the Council of Economic Advisers should begin immediately to develop price and income guideposts appropriate to our present difficult economic situation. While the need for such guideposts is particularly urgent at the present moment, a price and income policy should not be only a transitory or occasional response to crisis situations. A price and income policy is a necessary and vital component of a total economic policy designed to yield full employment without the sacrifice of reasonable price stability.

Everyone in the country is aware that we have rising unemployment today, with more than 1 million men out of work than there were a year and a half ago, as well as the worst inflation we have suffered in 20 years.

What the proposal is designed to do is to get inflation under control and to do so in a way that will not provoke further unemployment.

In its 1970 report, the Joint Economic Committee further recommended that—

The Council of Economic Advisers should be given statutory authority and responsibility for the annual recommendation of specific voluntary standards for price and income behavior. Business and labor should be consulted in the formulation of these standards, and the recommended standards should be transmitted to Congress as part of the President's Economic Report.

Today I am introducing a bill which would accomplish this objective. The bill would amend the Employment Act of 1946 so as to require the President to begin at once to develop price and income guideposts, to transmit the first such guideposts to Congress as soon as reasonably possible, and in the future to include such guideposts in the annual Economic Report of the President. The bill would require the Council of Economic Advisers to hold consultations with business and labor, to make necessary studies of productivity, prices and incomes, and then to make recommenda-

tions to the President regarding the guideposts.

The bill would further require that whenever price or income behavior threatens to violate the guideposts, the President shall make such recommendations to the parties concerned as he deems to be in the national interest.

A similar bill has already been introduced in the House of Representatives by my colleague on the Joint Economic Committee, Congressman HENRY S. REUSS and has been reported favorably by a Subcommittee of the House Committee on Government Operations.

Wage-price guidelines are no panacea for our problems. But they can help. We are all aware that the economy is presently in difficulty, that we are suffering serious excesses of both inflation and unemployment. The present exclusive reliance on monetary and fiscal policy where, except for cuts in military expenditures, there is almost no room to maneuver, offers little hope of extricating us from this thoroughly unsatisfactory situation. The statistics on productivity, wage and price changes during the first quarter of this year clearly indicate that the hopes so often expressed by the administration that "price increases will soon begin to taper off" or that we have "turned the corner" against inflation, are based more on wishful thinking than on hard analysis.

Let me cite only the single fact that, due to a combination of rapidly rising wage costs and declining productivity, unit labor costs rose at an annual rate of 8.4 percent in the first quarter. This is a significant acceleration over the already disturbing rate of increase in unit labor costs during 1969. When costs are increasing at an accelerating rate, where is the logic that points to a reduction in the rate of price increase? Must we sit back and await the further leap in unemployment, the long period of strikes and labor disputes, and the sharp decline in profits which will be required to restore price stability?

I submit that it is unconscionable to ignore a policy tool which, if vigorously adopted, could do much to reduce the costs of restoring full employment and economic stability.

The belief that the administration is making a serious mistake if it perseveres in its dogmatic determination to ignore price and income policies is not limited to partisan critics of the present administration. My distinguished Republican colleagues on the Joint Economic Committee have unanimously endorsed a resolution calling on the Council of Economic Advisers to bring the force of informed public opinion to bear on inflationary price and wage decisions.

As I pointed out in my speech on May 19, the Chairman of the Federal Reserve Board, Arthur Burns, and the Secretary of Housing and Urban Development, George Romney, have recently spoken out in favor of an income policy. None of these distinguished gentlemen would have spoken out the way they have if they did not feel that the need was urgent; that the time for new policy initiatives was long overdue.

Concern with our present economic

situation is not limited to domestic observers. We have recently had two important reminders of the concern that other nations feel for the health of the U.S. economy. Pierre-Paul Schweitzer, managing director of the International Monetary Fund, speaking to an international conference in Geneva on May 19, reminded us that:

Failure to bring U.S. inflation under control has imparted a serious inflationary impetus to the world economy at large. . . . It is becoming increasingly clear that no country intent on restoring or maintaining financial stability can afford to dispense with any instrument which can properly serve that end. In this context, I would not exclude incomes policy.

That is what I am talking about here, Mr. President.

On May 26, the Organization for Economic Cooperation and Development released its regular annual survey of the economy. Though cautiously worded, the message which this document seeks to impart is clear:

Progress towards price stability and an early return to fuller employment might be enhanced if certain selective measures could be applied in support of continued use of traditional demand management policies.

These are conservative, traditional, and classic economists, by and large, who are usually reluctant to depart from the classical kind of analysis and to suggest any new measure if those new measures cannot have a convincing case made for them.

The final paragraph of the OECD report again reminds us of the global importance of a healthy U.S. economy:

Other countries have an important interest in the ability of the United States to follow a path of smooth development in conditions of stability. Not only would the emergence of recessionary conditions in the United States have a disruptive effect on their own economies. Equally important, a continued inflationary trend of prices in the United States would undermine the possibility of price stability in the rest of the world.

When our policies have become so inadequate that official international observers as well as domestic political leaders in both parties feel compelled to speak out in criticism and to urge new approaches, it is time—and long past time—for the administration to rethink its dogmatic position. I hope that Congress can act with all due speed on the measure I am introducing today, but I respectfully remind the President that he need not wait for congressional action in this matter. The consultations with business and labor which must form the foundation of an effective price and incomes policy could begin today.

Let us not delay this matter any longer. It is urgently needed.

It will not solve our problems, as I have said, and I do not mean to offer it as a panacea, but it will help.

I send the bill to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER (Mr. GRAVEL). The bill will be received and appropriately referred.

The bill (S. 3898) to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and income behavior which threatens na-

tional economic stability; introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

**THE UNITED KINGDOM—75TH NATION TO RATIFY THE GENOCIDE CONVENTION**

Mr. PROXMIRE. Mr. President, yesterday, I addressed the Senate to discuss again the imperative nature of this Nation's ratification of the Genocide Convention, and I pointed out that many nations had already ratified the convention. I noted that as of September 1969, a total of 74 nations have acceded to the convention.

Today, Mr. President, that total now stands at 75, through the example set by one of our staunchest allies, the United Kingdom.

On January 30, 1970, the United Nations Office of Legal Affairs received the United Kingdoms instrument of accession to the convention, the Parliament having adopted implementing legislation in March 1969.

The Genocide Convention has become the most widely ratified United Nations agreement with the exception of the U.N. Charter itself, despite our own reluctance to take the initiative and pioneered in tance, and despite the fact that this Nation fight for a genocide treaty in the United Nations, under the leadership of former President Harry S Truman.

Mr. President, I ask unanimous consent to have printed in the RECORD the impressive list of nations which have thus far adopted the convention, along with the date of accession.

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

LIST OF SIGNATORIES AND CONTRACTING PARTIES

State	Signature	Ratification, accession, notification of succession
Afghanistan		Mar. 22, 1956
Albania		May 12, 1955
Algeria		Oct. 31, 1963
Argentina		June 5, 1956
Australia	Dec. 11, 1948	July 8, 1949
Austria		Mar. 19, 1958
Belgium	Dec. 12, 1949	Sept. 5, 1951
Bolivia	Dec. 11, 1948	
Brazil	do.	April 15, 1952
Bulgaria		July 21, 1950
Burma	Dec. 30, 1949	Mar. 14, 1956
Byelorussian S.S.R.	Dec. 16, 1949	Aug. 11, 1954
Cambodia		Oct. 14, 1950
Canada	Nov. 28, 1949	Sept. 3, 1952
Ceylon		Oct. 12, 1950
Chile	Dec. 11, 1948	June 3, 1953
China	July 20, 1949	July 19, 1951
Colombia	Aug. 12, 1949	Oct. 27, 1959
Congo (Democratic Republic of)		May 31, 1962
Costa Rica		Oct. 14, 1950
Cuba	Dec. 28, 1949	Mar. 4, 1953
Czechoslovakia	do.	Dec. 21, 1950
Denmark	Sept. 28, 1949	June 15, 1951
Dominican Republic	Dec. 11, 1948	
Ecuador	do.	Dec. 21, 1949
El Salvador	Apr. 27, 1949	Sept. 28, 1950
Ethiopia	Dec. 11, 1948	July 1, 1949
Federal Republic of Germany		Nov. 24, 1954
Finland		Dec. 18, 1959
France	Dec. 11, 1948	Oct. 14, 1950
Ghana		Dec. 24, 1958
Greece	Dec. 29, 1949	Dec. 8, 1954
Guatemala	June 22, 1949	Jan. 13, 1950
Haiti	Dec. 11, 1948	Oct. 14, 1950
Honduras	Apr. 22, 1949	Mar. 5, 1952
Hungary		Jan. 7, 1952
Iceland	May 14, 1949	Aug. 29, 1949
India	Nov. 29, 1949	Aug. 27, 1959

State	Signature	Ratification, accession, notification of succession
Iran	Dec. 8, 1949	Aug. 14, 1956
Iraq		Jan. 20, 1959
Israel	Aug. 17, 1949	Mar. 9, 1950
Italy		June 4, 1952
Jamaica		Sept. 23, 1968
Jordan		Apr. 3, 1950
Laos		Dec. 8, 1950
Lebanon	Dec. 30, 1949	Dec. 17, 1953
Liberia	Dec. 11, 1948	June 9, 1950
Mexico	Dec. 14, 1948	July 22, 1952
Monaco		Mar. 30, 1950
Mongolia		Jan. 5, 1967
Morocco		Jan. 24, 1958
Nepal		Jan. 17, 1969
Netherlands		June 20, 1966
New Zealand	Nov. 25, 1949	
Nicaragua		Jan. 29, 1952
Norway	Dec. 11, 1948	July 22, 1949
Pakistan	do.	Oct. 12, 1957
Panama	do.	Jan. 11, 1950
Paraguay	do.	
Peru	do.	Feb. 24, 1960
Philippines	do.	July 7, 1950
Poland		Nov. 14, 1950
Republic of Korea		Oct. 14, 1950
Republic of Vietnam		Aug. 11, 1950
Romania		Nov. 2, 1950
Saudi Arabia		July 13, 1950
Spain		Sept. 13, 1968
Sweden	Dec. 30, 1949	May 27, 1952
Syria		June 25, 1955
Tunisia		Nov. 29, 1956
Turkey		July 31, 1950
Ukrainian S.S.R.	Dec. 16, 1949	Nov. 15, 1954
Union of Soviet Socialist Republics	do.	May 3, 1954
United Arab Republic	Dec. 12, 1948	Feb. 8, 1952
United Kingdom		Jan. 30, 1970
United States of America	Dec. 11, 1948	
Upper Volta		Sept. 14, 1965
Uruguay	Dec. 11, 1948	July 11, 1967
Venezuela		July 12, 1960
Yugoslavia	Dec. 11, 1948	Aug. 29, 1950

**AMENDMENT OF THE FOREIGN MILITARY SALES ACT**

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the unfinished business again be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. H.R. 15628, to amend the Foreign Military Sales Act.

The Senate resumed the consideration of the bill.

**AMENDMENT OF INTERNATIONAL TRAVEL ACT OF 1961, AS AMENDED**

Mr. INOUE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 14685.

The PRESIDING OFFICER (Mr. GRAVEL) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 14685) to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. INOUE. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. GRAVEL) appointed Mr. MAGNUSON, Mr. INOUE, Mr. CANNON, Mr. PROUTY, and Mr. GOODELL, conferees on the part of the Senate.

**ADMINISTRATION'S DANGEROUS STRATEGIC ARMS POLICIES**

Mr. KENNEDY. Mr. President, last week in a symposium on the arms race at the Massachusetts Institute of Technology, I described the dangerous path being followed by the administration in its strategic arms policies. I also pointed out the wide gap between the Secretary of Defense's statements and the administrations' actions. The Secretary argued that Safeguard "would give us another year in which to pursue SALT without ourselves exacerbating the arms control environment." Yet the Pentagon now has confirmed that at least 18 of the first squadron of Minuteman III missiles already are in place and that the multiple warheads on this missile squadron will be operational by the end of June. The introduction of MIRV's—which some observers believe can be interpreted by the Soviet Union as a first strike buildup—obviously exacerbates the arms control environment.

At the same time, this deployment of MIRV does precisely what Secretary Laird said the administration would not do. He stated that the administration would not add to the offensive potential of the United States during the SALT talks this year in Vienna. But MIRV constitutes an enormous increase in our offensive forces.

The MIRV deployment comes at a particularly unfortunate moment when the Cambodian invasion and the Mid-East crisis have already alarmed those who believe that the Vienna meetings offer an opportunity to reverse the rising level of nuclear armaments.

World leaders publicly have called on the superpowers to recognize the overriding importance of arms limitations not only for the United States and the Soviet Union but for all nations.

United Nations Secretary General U Thant has termed the SALT talks a "real but perhaps fleeting opportunity for agreement" and Lord Chalfont, the eminent British Minister for Disarmament, has described those discussions as "arguably the most important international negotiations of this century." Their measured declarations reflect a concern that is shared by many of my Senate colleagues.

We are at a critical and transitory moment in the history of the nuclear arms race. Failure to achieve a halt in the escalation now may lead to a qualitatively more dangerous round in the technology of the arms race and may eliminate the possibility of meaningful arms limitation for decades.

As I noted in my speech at MIT, there is no support for the administration's contention that ABM and MIRV deployments are necessary at this time to assure the maintenance of our second strike deterrence. I ask unanimous consent that the MIT speech be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)  
Mr. KENNEDY. Mr. President, even the Secretary admits that our Polaris

fleet is invulnerable now and will remain so far at least 5 to 7 years. Thus, there can be no justification for embarking on costly, unnecessary and destabilizing systems such as ABM or MIRV right in the middle of the SALT talks.

Since it is apparent that the administration is determined to disregard the advice of the Senate—as it has done by undertaking its Cambodian adventure and by failing to respond to the sense of the Senate Resolution 211, there remains only one course of action: to use our constitutional power of the purse when the military procurement and construction bills come before us.

#### EXHIBIT I

#### SENATOR KENNEDY URGES HALT TO ARMS RACE

I come here today at a time of deep moral crisis. Many are dying—Americans, Vietnamese and now Cambodians—as we continue our policy of supporting an unpopular regime and an unjust cause. At home, the revulsion against this policy has produced the greatest division among our people in this century. At Kent State, American troops killed American students. On Wall Street, American construction workers beat up American students and businessmen. Even the tragic killings in Augusta, Georgia, cannot be totally divorced from this mood of tension and distrust that now grips the nation.

But in this moment of despair, a new movement is growing, sparked by the young, to awaken the nation's conscience. Young people have organized for peace. Here in Cambridge, massive delegations have been dispatched to urge Congress to stop the war. Over 15,000 telegrams have been sent to the country's highest leaders from this one city alone.

Now it is clear to all that the nation's youth is in this fight to stay. You have already committed yourselves to participate in the November elections. At Princeton and elsewhere, students are planning to devote two full weeks prior to the elections to political campaigning.

Do not underestimate the impact that has been made. The Congress and perhaps the Administration are beginning to listen. Take this opportunity to tell them that halting this dreadful war is not enough. We also must bring a halt to the nuclear arms race, or we may truly find ourselves in the war which will end all wars. As President Kennedy said nearly ten years ago: "Every man, woman and child lives under a nuclear sword of Damocles hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness. The weapons of war must be abolished before they abolish us."

Now, for the first time since the Cold War began, there is a real opportunity to reduce the threat of nuclear destruction through arms control. Arms limitations are possible because previous disparities in nuclear forces have been greatly reduced and both superpowers have more than enough weapons to deter each other. On the other hand, two emerging technical capabilities—multiple independently targeted reentry vehicles and anti-ballistic-missile defenses—are creating new dangers. Each side will, however, irrationally, regard deployment of these weapons systems by its adversary as decisively upsetting the strategic arms balance and react accordingly. The upward spiral of the arms race will continue inexorably.

The present challenge is to halt this upward spiral through arms limitations. Unfortunately, it now appears that the United States is not going to meet this challenge. It is true that both the President and the Secretary of Defense have predicted that an agreement will be reached at the Strategic

Arms Limitations Talks currently underway in Vienna. But, though I hope it will be otherwise, the Administration's Cambodian adventure may poison the atmosphere at Vienna.

Even more important, the Administration is directly undermining SALT by pressing for the immediate deployment of the Safeguard ABM system and MIRV—the very weapons which the talks are meant to bar. And in his two most recent strategic arms policy statements, Secretary Laird presented a distorted picture of the strategic balance which can only panic and mislead the American people into accepting an escalation of the arms race.

Secretary Laird warned that we are "at a crossover point in the strategic balance," that the United States is on the verge of becoming a second-rank nuclear power. This is simply untrue. Although the Russians do have a slight lead over us in vulnerable land-based missiles, we hold a commanding lead in nuclear-armed submarines and bombers. At the most, the Russians are approaching parity with the United States as a nuclear power.

The Secretary said he was "concerned about the momentum evident in the strategic programs of the Soviet Union." But the Soviet build-up may be tapering off. Intelligence reports indicate that more SS-9 missile sites were constructed in 1965 than in 1969. Indeed reports are now circulating that the Russians have not constructed any new SS-9 missile sites since last August. Secretary Laird admitted on April 20th that if the Russians remained "at the operationally deployed posture which exist today . . . we would have a tolerable situation." I hope, therefore that he will promptly confirm or deny the reports regarding the absence of any new SS-9 sites since August.

Mr. Laird also stated that, in contrast to the Russians, we have maintained a neutral position in our strategic force level since 1965. This, too, is not true. The budget for strategic forces indicates the increases during those years: \$6.8 billion in 1965; \$9.1 billion in 1969; and \$9.6 billion in 1970. In addition, we announced as early as 1967 that we would test, develop and deploy both ABM and MIRV systems. And we carried out far more nuclear tests in the five years since 1965 than in the preceding 20 years, including 16 tests in the first four months of 1970. Is this "neutral gear"?

Thus, the Secretary's general analysis of the present strategic programs and policies of the two superpowers is inaccurate. His specific analysis of the need for immediate deployment of Safeguard ABM and MIRV is equally unconvincing.

The Administration's contention that we must deploy Safeguard ABM to protect our second-strike capabilities from Soviet attack is specious on numerous grounds. First, our second-strike capability is protected even without Safeguard by our Polaris submarines. Secretary Laird conceded only this week that he is "fully confident" that our Polaris force "is invulnerable to surprise attack today and should remain so for the next five to seven years and hopefully longer." In fact, the technology which would render this deterrent ineffective is not even on the drawing board yet.

It is true, as Secretary Laird stated, that these submarines represent only 15 of our nuclear weapons. But what the Secretary somehow forgot to add is that this 15% is easily sufficient to destroy the 50 largest cities in the Soviet Union—TWICE.

Second, there are grave doubts that the Safeguard could protect any of our land-based Minuteman missiles under any circumstances. Many scientists believe that the Soviets already have inexpensive penetration aids which would sharply reduce the Safeguard's effectiveness. Nobel laureate Hans Bethe has described the many devices which the Russians could use, ranging from simple

decoys which could fool our radars to atmospheric nuclear explosions which could black out our radar. Even more important, it now appears that the Russians could almost certainly destroy the Safeguard's Missile Site Radars (MSR's) and thereby render the entire defense system completely useless. The MSR's are relatively soft targets which are difficult to protect from enemy missiles. Furthermore, they are so expensive (as much as \$200 million for one radar and the associated data processing equipment) that we cannot simply employ a number of redundant radars at each Minuteman base. In short, Safeguard's most crucial link is its weakest link.

At recent hearings, Defense Department officials conceded that the MSR's expense and vulnerability pose serious problems. They admitted the need for research into smaller and cheaper radars which would be adequate for less ambitious "hard point" defense. But they insist on pressing ahead with Safeguard before the required research has been completed.

It is significant that the Administration often referred to Safeguard Phase I as a prototype system, to be tested and proved out. President Nixon stated last year that "we will take maximum advantage of the information gathered from the initial deployment in designing the later phases of the program." But although the two Phase I sites have neither been constructed nor tested, the Administration is now requesting six additional sites for Phase II. It is asking the Congress for a billion dollars to build immediately a third site for the protection of Minuteman and to plan for immediate construction of five area defense sites. No longer is any mention made of "proving out" the Phase I sites, despite the growing doubts about the system's feasibility.

Third, assuming the Safeguard system can work, it is an unnecessarily expensive method of assuring our second-strike capability. Rathjens and York have estimated that with Safeguard it will cost \$20-25 million for each Minuteman missile protected. They point out that we can buy new super-hardened Minuteman missiles for about one-third that cost. Indeed, the whole Polaris force cost only about twice as much as Safeguard Phase I.

Fourth, the Administration describes Safeguard as a light \$11 billion system in response to the current Soviet and Chinese threats. But in fact it is an open-ended system both in terms of cost and of impact on the arms race. The whole tragic history of weaponry suggests that it is only the first step toward a heavy ABM system which will cost hundreds of billions of dollars and not add in any way to our security.

It is sheer folly to assume that the Administration's argument that Safeguard is simply a measured response will be accepted at face value by Soviet planners. We must remember that our response to the less than 100 ABM launchers which the Russians built around Moscow is to plan for 5,000 more warheads in our stockpile. Thus, the Russians' ABM program, rather than increasing their security has produced a quantum leap in the arms race and thereby reduced their security. Our ABM will surely do the same. The excessive apprehensions and bureaucratic politics that too often have determined our own defense policies also intrude on the Soviet decision-making process. They are likely to respond to Safeguard by building additional offensive missiles. Indeed Safeguard is so expensive that it will be far cheaper for the Russians to build new missiles than it will be for us to defend our missiles. Once the Soviets increase their offensive power, we may counter with more ABM sites, and so on and so on, and so on. In the end we will have achieved a new level of arms stockpiling without the slightest increase to our security.

Fifth, Secretary Laird's suggestion on May 12th that immediate deployment of Safeguard is desirable because it avoids the

necessity of adding to our offensive potential during the SALT talks is complete double-talk. We are adding to our offensive potential right in the middle of SALT by deploying MIRV.

Sixth, a final grisly point is that in the long run there can be no successful ABM defense to a Soviet missile attack. If the radar works, the missiles fire and the warheads destroy the incoming missiles high above the atmosphere—all highly questionable suppositions—the radioactivity released will kill a large portion of our population within a generation.

In his most recent statements, Secretary Laird did not spend much time on the Safeguard system as it relates to China. We can be certain, however, that when the Administration becomes desperate enough the "Chinese threat" will be trotted out once again. I would, therefore, like to address myself to the Administration's earlier arguments on this point.

First, Secretary Laird's contention in his February posture statement that the credibility of our Asian commitments will be reduced as soon as China has any capacity to inflict nuclear damage on this country is unpersuasive. The Soviet Union has had such a capacity for years, but, since we have retained our powerful second-strike capabilities, no one seriously doubts the credibility of our vital commitments in Europe, Latin America and elsewhere.

In the posture statement, the Secretary suggested that our deterrent might not be as effective against China as it is against Russia because China has a more rural population. This again is nonsense. Two-thirds of China's population is concentrated in only about one-eighth of its area. Furthermore, the Chinese have no effective fall-out shelters or defenses against our bombers. There can be no doubt that the United States, using only its bomber forces (and thereby retaining its deterrent against Russia) could completely destroy the urban and rural population of China. Even ten percent of our SAC bomber forces can deliver more than 100,000 times as much explosive power as the Hiroshima holocaust.

It has also been suggested that the Chinese Communists are so irrational that the total destruction of their society would not serve as a deterrent. This is parochialism gone wild. Many eminent students of China have made clear that the Chinese have recently been extremely careful to avoid serious confrontations with major powers. China seems to be as influenced as any nation by the fear of nuclear destruction.

Second, it is completely unrealistic to predict, as has President Nixon, that Safeguard would be "virtually infallible" against a Chinese attack. The many failures of far less complex weapons systems and the near tragedy of Apollo 13 should caution us against making any such rosy predictions. Furthermore, we must bear in mind that we will never be able to test Safeguard under real battle conditions and that we will never know how sophisticated the Chinese penetration aids are. Nothing could be more tragic than if an American Administration pursued a China policy which depended to any extent whatsoever on an infallible missile defense which was not infallible.

Finally, if we attempt to build an infallible defense we must be prepared to protect each of our cities against the entire Chinese missile force. Dr. Herbert York, Director of Defense Research and Engineering under President Eisenhower, estimates that a really serious Chinese-oriented ABM system would require many thousands of U.S. ABM interceptors. Aside from the staggering cost of such a system, we must consider what the response of the Soviet Union would be. The Russians would not simply rest secure in the belief that this system was only aimed at China. They would recognize that, as former

Secretary of Defense McNamara himself stated, "The danger in deploying [a] Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system." The Russians would unquestionably become nervous about the effectiveness of their second-strike capabilities and would begin a massive build-up of offensive missiles.

This, whether we look at the Soviet threat or at the Chinese threat, the Safeguard is a dangerous and unnecessary weapons system. And like so many weapons systems we have built in the last two decades it is sure to cost far more than the Pentagon estimates. Already, the Pentagon has admitted that a complete twelve-site system will cost 10.7 billion dollars, which is 1.7 billion dollars more than originally estimated last August. The ABM is a cost-overflow system before it even gets off the drawing board.

Unfortunately Safeguard is not the only unnecessary system to which the Administration has committed itself. It has also announced that it plans to deploy MIRV's, beginning this June.

The development of MIRV is a classic example of the lunacy of the arms race. The original purpose of MIRV was to counter a massive Soviet ABM system. But this system was never built. We are therefore overreacting to a threat which never materialized just as we did in the fifties and sixties. Instead of acting with a new realism, we are simply repeating old mistakes.

There is no danger that our security will be jeopardized if we fail to deploy MIRV now. As Rathjens and Kistlakowsky have pointed out: "There is little doubt that currently designed U.S. MIRV's could be deployed on a time scale [which is] short compared with that required for deployment of any significant Russian ABM defense. Accordingly there is no need for any MIRV deployment pending firm evidence that the USSR is beginning the construction of such defenses." We will always be able to deploy MIRV if that should prove necessary.

Faced with the fact that the Soviets have not built a massive ABM system, the Administration has come up with a new justification for MIRV. MIRV is necessary "Because the rapidly growing Soviet strategic offense forces could seriously threaten both the U.S. Minuteman and strategic bomber forces by the mid-70's." Once again, this justification totally ignores our powerful Polaris submarine force. Furthermore, if the threat to our deterrent will not occur until the mid-70's why is it necessary to deploy MIRV this June right in the middle of the SALT talks. It is nonsense plain and simple when the Secretary says that we have chosen "to defer major new weapons decisions as long as possible pending developments in the Strategic Arms Limitation Talks."

We can have a bilateral limitation on MIRV. Of course, there is the problem of assuring that the Russians honor such a limitation. The United States could not verify whether Soviet missiles had multiple weapons without a program of elaborate on-site inspection which the Russians are highly unlikely to accept. The United States could, however, verify whether the Russians were testing MIRV's. And the Russians could not build a system accurate and reliable enough for use as a first-strike weapon against the United States without extensive testing. Thus, the United States can verify whether the Russians are going ahead with a program that threatens our deterrent. If the Russians do begin substantial testing, our strategic posture will not be impaired, since we can, if necessary, deploy our MIRV's on very short notice.

A final argument made on behalf of immediate deployment of MIRV and Safeguard is that such deployment is necessary to give us a bargaining counter in our hand at Vienna. The illogic of this reasoning has

been amply exposed by many commentators. As Shulman put it, "To enter into [MIRV and Safeguard] programs in order to have something to bargain with or in order to apply pressure upon the Russians, is likely to have an effect opposite to what is intended. The logical Soviet reaction to such actions would be to question our real intentions, and to redouble their own military efforts. If SALT proceeds over a long period, as it may do, and if both sides argue the need for continuing their build-up to improve their bargaining advantage, the effect of the SALT negotiations will be to leave us worse off than if they had never begun. Negotiating about strategic weapons is not entirely like a poker game—both sides can lose."

And I'm afraid that we are going to lose at this deadly game. By insisting on immediate deployment of Safeguard and MIRV the Administration is undermining the SALT talks. Even more important the Administration is committing us to an unwise strategic arms policy regardless of the outcome of the SALT talks. The United States has an obligation to follow a reasonable arms policy whether SALT succeeds or not. The ABM is an unnecessary and unworkable system no matter what happens in Vienna. And MIRV is equally unnecessary until we see that the Soviet Union has in fact embarked on a full-scale ABM program.

The Administration's action are subjecting this country to enormous risks. First, there is the risk of spiraling arms costs which will make it extremely difficult for us to meet our pressing domestic needs. At the present time, the strategic forces budget of the United States amounts to about \$9 billion per year, excluding some rather large items for warheads, research and development and communications and intelligence activities. Nine billion dollars is more than twice what the Nixon Administration agreed to spend this year on education. It is over seven times more than the Nixon Administration intends to spend next year on crime reduction. But, if we do not limit arms control expenditures in the near future, it is estimated that outlays for strategic systems could double by the mid-70's. That means that eighteen billion dollars a year in federal tax revenues would become unavailable to meet domestic needs.

The second risk we take by unnecessary deployment of Safeguard and MIRV is more ominous. The new build-up in the arms race would increase the tensions between the United States and the Soviet Union. It would reduce even further the possibility of Soviet-American cooperation in the Middle East and Southeast Asia.

The third risk we take is equally sobering. Large-scale deployment of MIRV by the United States would so threaten the Russian's second-strike capabilities that they would probably have to revert to a launch on warning system, an automatic response to apparent nuclear attacks.

In this regard it is important to emphasize that MIRV carries different threats for the Russians than for the United States. If the Soviet Union were to deploy MIRV's, we could begin to increase our nuclear forces with confidence that in the interim period our submarine fleet would be an invulnerable counterforce able to inflict unacceptable damage to the Soviet Union. The Soviet Union, however, clearly lacks that flexibility, since their present nuclear armed submarine fleet is a far less convincing deterrent. Thus, they would be likely to return to a Launch on Warning System.

To reestablish a situation where the world is in jeopardy of a programmed response to a blip on a radarscope is the height of irresponsibility. It will have brought us to the final absurdity in which an automatic response by the machines created by man shall determine the end of man. The United States

has sought to avoid such a situation since the early 1960's. The Nixon Administration should avoid it now.

In the United States, we know what our weapons can do to another country. And we know that the same fate awaits us in a nuclear confrontation. But, as in some mad chess game, the continued expansion of nuclear strength goes on. Men, thought rational, coolly, calculate and compare millions of deaths with millions of deaths, megatons are matched against megatons in earnest debates over national security and overkills of four to nine times the populations of a country are discussed as though there is some sense to it all.

To be raised in this atmosphere, to have the ability to destroy the world, and not to treat this ability day and night as the first matter to be solved among nations, goes beyond the limits of the human mind. Can any society view the visions and thoughts of youth as radical or extreme, when the visions and thoughts of men in power include the real possibility of final destruction?

There will have to be some other way for nations in the last quarter of this century to resolve the problems of the planet without reliance on arsenals of obliteration. If the world is to continue, it must not only control nuclear weapons but eventually destroy them. The questions of when and how must be foremost in the minds of our national leaders and not afterthoughts. That is why the SALT talks—the first step toward nuclear sanity—are so urgent and why it is unthinkable that the Administration has embarked on a course that may make meaningful agreement impossible.

There is only one rational policy for the United States to pursue. We must place a freeze on the deployment of ABM and MIRV. If the Administration will not act rationally, then the Congress must. And just as I have supported the bipartisan efforts to stop the madness in Indochina by cutting off funds, so too, will I again help to lead the bipartisan fight to stop the madness of the arms race by cutting off funds. And I ask you to join me in this fight. When you organize in your community, when you speak to your Congressmen, do not just say "Stop the war." Say also, "Stop ABM, Stop MIRV, Stop the Arms Race."

#### STRUCTURAL DEFECTS IN THE C-5A

Mr. PROXMIRE. Mr. President, I have learned today that preliminary findings of the Scientific Advisory Board—SAB—of the Air Force indicate that a completely new wing design may be needed to correct the structural defects in the C-5A. According to the current issue of the Armed Forces Journal, unless a new wing design in produced and retrofitted on all existing aircraft, the Air Force may refuse to accept further deliveries.

My understanding is that the Scientific Advisory Board is not due to make its final written report on the C-5A structural deficiencies until June 15, although it has transmitted its preliminary findings to the Air Force. Certainly we must withhold judgment about the C-5A's technical performance until final report of the Board is made. I wonder, however, whether we can in good faith and good conscience, approve any additional funds for this program until doubts about its technical performance and most specifically its structural defects are completely dispelled.

It will be recalled that wing cracks in the C-5A have already been produced in ground testing, and that, at best, correction of this defect will be costly and will

set the program back. What is now becoming apparent is that the defect is much more fundamental and deeply rooted than we had been previously led to believe.

I urge my colleagues in the Senate to therefore withhold not only their judgment about the technical performance of the C-5A, but also to withhold their approval of any further funding of this program until we are assured that the plane will meet its specifications.

#### ADJOURNMENT UNTIL 11:30 A.M., MONDAY, JUNE 1, 1970

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. on Monday next.

The motion was agreed to; and (at 2 o'clock and 16 minutes p.m.), the Senate adjourned until Monday, June 1, 1970, at 11:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate May 28, 1970:

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

Maurice J. Williams, of West Virginia, to be Deputy Administrator, Agency for International Development, vice Rutherford M. Poats.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate May 28, 1970:

##### CABINET COMMITTEE ON OPPORTUNITIES FOR SPANISH-SPEAKING PEOPLE

Martin G. Castillo, of California, to be Chairman of the Cabinet Committee on Opportunities for Spanish-Speaking People.

##### U.S. AIR FORCE

Maj. Gen. James T. Stewart, xxx-xx-xxxx, FR, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

##### U.S. ARMY

The following-named officers to be placed on the retired list, in grades indicated, under the provisions of title 10, United States Code, section 3962:

##### To be general

Gen. Frank Schaffer Besson, Jr., xxx-xx-xxxx, Army of the United States (major general, U.S. Army).

##### To be lieutenant general

Lt. Gen. Oren Eugene Hurlbut, xxx-xx-xxxx, Army of the United States (major general, U.S. Army).

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

##### To be lieutenant general

Maj. Gen. Richard Thomas Knowles, xxx-xx-xxxx, Army of the United States (brigadier general, U.S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

##### To be brigadier general

Col. Frederick Charles Krause, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Johnston Maddox, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Thomas Howard Tackaberry, xxx-xx-xxxx, Army of the United States (major, U.S. Army).

Col. John Terrell Carley, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Jack Wilson Hemingway, xxx-xx-xxxx, U.S. Army.

Col. Conrad Leon Stansberry, xxx-xx-xxxx, U.S. Army.

Col. George Anthony Rebb, xxx-xx-xxxx, U.S. Army.

Col. James McKinley Gibson, xxx-xx-xxxx, U.S. Army.

Col. Wilburn Clarence Weaver, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Jeffrey Greenwood Smith, xxx-xx-xxxx, U.S. Army.

Col. John Haywood Morrison, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Albert George Hume, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Sidney Gritz, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Arthur Siegman Hyman, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Gillespie Hill, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Ernest Paul Braucher, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Raymond Pierce, Jr., xxx-xx-xxxx, U.S. Army.

Col. Harry Herbert Hiestand, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Frederick Hughes Cutrona, xxx-xx-xxxx, U.S. Army.

Col. Orlando Carl Epp, xxx-xx-xxxx, U.S. Army.

Col. Samuel Vaughan Wilson, xxx-xx-xxxx, U.S. Army.

Col. Frank Earl Blazey, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Olin Earl Smith, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Tom Mercer Nicholson, xxx-xx-xxxx, U.S. Army.

Col. Bates Cavanaugh Burnell, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Louis John Schelter, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Homer Duggins Smith, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Elmer Wear, xxx-xx-xxxx, U.S. Army.

Col. Oliver Beirne Patton, xxx-xx-xxxx, U.S. Army.

Col. Ronald James Fairfield, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Eugene Michael Lynch, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Winfield S. Scott, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Carter Weldon Clarke, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. James Alva Munson, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Thomas Edward Fitzpatrick, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Edward McConnell, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Carroll Edward Adams, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Patrick William Powers, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Daniel Vance, Jr., **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Albion Williamson Knight, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Max Etkin, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Dean Van Lydegraf, **xxx-xx-xxxx** U.S. Army.

Col. Alton Gustav Post, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Wesley Swenson, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Edward Francis Gudgel, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Raymond Oscar Miller, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Benedict Desmond, **xxx-xx-xxxx** U.S. Army.

Col. Richard Gregory Fazakerley, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Joseph Corbett McDonough, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John William Vessey, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Ember Sterling, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Crouse Burney, Jr., **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. George Bernard Fink, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Alan Hoefling, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Charles Kiefe, Jr., **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Robert Haldane, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Donn Albert Starry, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Elmer Raymond Ochs, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Hal Edward Hallgren, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Andrew John Gatsis, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Rutledge Parker Hazzard, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Lynn Wood Hoskins, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Louis Joseph Prost, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Henry Hermann Bolz, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Edward Stannard, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Stan Leon McClellan, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Louis Rachmeler, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Garnett Waggener, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Thomas Willard Bowen, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Ralph Bushong, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John Scholto Wieringa, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Samuel Grady Cockerham, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Dwelle Daniel, Jr., **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Wallace Keith Wittwer, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. John David Lewis, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Paul Eugene Smith, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Willoughby Williams, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Gibbins Gard, Jr., **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Edward Charles Meyer, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Joseph Key Bratton, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

Col. Alfred Bradford Hale, **xxx-xx-xxxx** Army of the United States (major, U.S. Army).

*To be brigadier general, Women's Army Corps*

Col. Elizabeth Paschel Holsington, **xxx-xx-xxxx** U.S. Army.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

*To be major general, Medical Corps*

Brig. Gen. Spurgeon Hart Neel, Jr., **xxx-xx-xxxx** Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Colin Francis Vorder Bruegge, **xxx-xx-xxxx** Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Carl Wilson Hughes, **xxx-xx-xxxx** Army of the United States (colonel, Medical Corps, U.S. Army).

*To be brigadier general, Medical Corps*

Col. Robert Morris Hardaway III, **xxx-xx-xxxx** Medical Corps, U.S. Army.

Col. Edward Henry Vogel, Jr., **xxx-xx-xxxx** Medical Corps, U.S. Army.

Col. Robert Bernstein, **xxx-xx-xxxx** Medical Corps, U.S. Army.

*To be brigadier general, Army Nurse Corps*

Col. Anna Mae McCabe Hays, **xxx-xx-xxxx** Army Nurse Corps, U.S. Army.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

*To be brigadier general, Medical Corps*

Maj. Gen. James Arista Wier, **xxx-xx-xxxx** Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Colin Francis Vorder Bruegge,

**XXXX** Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Thomas Joseph Whelan, Jr., **xxx-xx-xxxx** Army of the United States (colonel, Medical Corps, U.S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

*To be major general*

Brig. Gen. Daniel Arthur Raymond, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. William Alden Burke, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Davis Terry, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. William Edgar Shedd III, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. George Samuel Blanchard, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Wolcott Ryder, Jr., **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Winant Sidle, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. William Russel Kraft, Jr., **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Elmer Parker Yates, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Donnelly Paul Bolton, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. William Smith Coleman, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Butner Clay, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Raymond Patrick Murphy, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. John Gray Wheelock III, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. John Glenn Appel, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Joseph Warren Pezdirtz, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. George Sammet, Jr., **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. George Philip Holm, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. William Edward Potts, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Marshall Bragg Garth, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. John Winthrop Barnes, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. William Eugene McLeod, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Vincent Henry Ellis, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Henry Carl Schrader, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Wright Mellen, **xxx-xx-xxxx** Army of the United States (colonel, U.S. Army).

Brig. Gen. James Vance Galloway, **xxx-xx-xxxx** Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. CJ Le Van, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Robert Carter McAlister, [redacted] Army of the United States (lieutenant colonel, U.S. Army).  
 Brig. Gen. Frederic Ellis Davison, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. John Holloway Cushman, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Fred Ernest Karhohs, [redacted] Army of the United States (lieutenant colonel, U.S. Army).  
 Brig. Gen. Robert Creel Marshall, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. James Joseph Ursano, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Donald Volney Rattan, [redacted] Army of the United States (lieutenant colonel, U.S. Army).  
 Brig. Gen. John Charles Bennett, [redacted] Army of the United States (lieutenant colonel, U.S. Army).  
 Brig. Gen. George Washington Putnam, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Sidney Michael Marks, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Arthur Hamilton Sweeney, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. James Clifton Smith, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. John Woodland Morris, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Hubert Summers Cunningham, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Harold Robert Parfitt, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Clarke Tileston Baldwin, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Jack Alvin Albright, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Hugh Richard Higgins, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Thomas McKee Tarpley, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Frederick James Kroesen, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Ernest Graves, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Herbert Joseph McChrystal, Jr., [redacted] Army of the United States (lieutenant colonel, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

*To be brigadier general*

Brig. Gen. Elmer Parker Yates, [redacted] Army of the United States (colonel, U.S. Army).  
 Maj. Gen. Burnside Elijah Huffman, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Winant Sidle, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. John Glenn Appel, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. John Howard Elder, Jr., [redacted] Army of the United States (colonel, U.S. Army).

Brig. Gen. George Sammett, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. William Alden Burke, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. William Smith Coleman, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Henry Carl Schrader, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Vincent Henry Ellis, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. George Washington Putnam, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. John Winthrop Barnes, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Daniel Arthur Raymond, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. William Russel Kraft, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Raymond Patrick Murphy, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Robert Davis Terry, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Frank Butner Clay, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Charles Wolcott Ryder, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. William Edgar Shedd III, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Donnelly Paul Bolton, [redacted] Army of the United States (colonel, U.S. Army).  
 Maj. Gen. Jack Carter Fuson, [redacted] Army of the United States (colonel, U.S. Army).  
 Maj. Gen. Salve Hugo Matheson, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Marshall Bragg Garth, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. William Edward Potts, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Frederic Ellis Davison, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Theodore Antonelli, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Arthur Hamilton Sweeney, Jr., [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Jack Alvin Albright, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Hugh Richard Higgins, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. William Eugene McLeod, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Joseph Warren Pezdirtz, [redacted] Army of the United States (colonel, U.S. Army).  
 Brig. Gen. Sidney Michael Marks, [redacted] Army of the United States (colonel, U.S. Army).

The Army of the United States officers named herein for appointment as permanent professors, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333.

*To be professor of physics*

Lt. Col. Wendell A. Childs, [redacted] Ordnance,

*To be professor of social sciences*  
 Lt. Col. Lee D. Olvey, [redacted] Armor.  
 U.S. NAVY  
 Vice Adm. Edwin B. Hooper, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.  
 Vice Adm. John L. Chew, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.  
 Rear Adm. Eli T. Reich, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.  
 Capt. Carl O. Holmquist, U.S. Navy, to be Chief of Naval Research in the Department of the Navy for a term of 3 years with the rank of rear admiral.  
 The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

Maurice H. Rindskopf	Leo B. McCuddin
James D. Ramage	Sam H. Moore
William E. Kuntz	William M. Harnish
William H. House	Leslie H. Sell
James C. Longino, Jr.	Thomas R. McClellan
Vincent P. Healey	James C. Donaldson, Jr.
Allen A. Bergner	Robert R. Crutchfield
Robert R. Crutchfield	Tazewell T. Shepard, Jr.
Walter D. Gaddis	John K. Beling
Ralph E. Cook	Kenneth C. Wallace
David F. Welch	George C. Talley, Jr.
Jerome H. King, Jr.	Shannon D. Cramer, Jr.
Douglas C. Plate	Robert E. Adamson, Jr.
Martin D. Carmody	William W. Behrens, Jr.
William J. Moran	Raymond J. Schneider
James B. Osborn	David H. Jackson
John B. Davis, Jr.	William R. McClelland
Parker B. Armstrong	Burton H. Andrews
Jack M. James	
Michael U. Moore	
William R. McClelland	

CIVIL ENGINEER CORPS

Henry J. Johnson  
 John G. Dillon

DENTAL CORPS

John P. Arthur

FEDERAL HOME LOAN BANK BOARD

Preston Martin, of California, to be a member of the Federal Home Loan Bank Board for the term expiring June 30, 1974.

IN THE AIR FORCE

The nominations beginning James A. Akridge, to be captain, and ending Stanley E. Zeitz, Jr., to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 5, 1970; and  
 The nominations beginning Robert R. Lochry, for appointment as permanent professor, U.S. Air Force Academy, and ending Steven R. Wood, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 15, 1970.

IN THE ARMY

The nominations beginning Mershan G. Shady, to be colonel, and ending Joyce G. Johnson, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 1970.

IN THE NAVY

The nominations beginning Lucian M. Acuff, to be permanent ensign, and ending Maurice H. Rowell, Jr., for temporary promotion to the grade of lieutenant commander, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 1970.