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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, SECOND SESSION

SENATE—Thursday, June 4, 1970

The Senate met at 12 o'clock noon and was called to order by Hon. FRED R. HARRIS, a Senator from the State of Oklahoma.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we thank Thee for Thy word which endures forever and for the everlasting hope that nothing can ever separate us from Thy love—neither life nor death, nor things present nor things to come—for Thou art our God and our trust is in Thee. May Thy truth find lodgement in our hearts and expression in our lives. So wilt Thou guide us through the day, sharpening our intellects, controlling our emotions, directing our wills, that what we do here may be in accord with Thy will, and advance Thy kingdom among the peoples of the whole world.

Through Jesus Christ our Lord. 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 (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 4, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FRED B. HARRIS, a Senator from the State of Oklahoma, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. HARRIS 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, June 3, 1970, be dispensed with.

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 statements in relation to the transaction of routine morning business be limited to 3 minutes.

CXVI—1152—Part 14

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

ORDER FOR ADJOURNMENT TO TOMORROW

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

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

ORDER FOR ADJOURNMENT FROM FRIDAY TO MONDAY, JUNE 8, 1970

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

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

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that tomorrow, after the disposition of the reading of the Journal, the distinguished Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 20 minutes.

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.

JOHN FRANK STEVENS

Mr. MANSFIELD. Mr. President, many leaders contributed to the development of the Pacific Northwest of which my State of Montana is an important part, but few accomplished more than John Frank Stevens, a key figure in the location and construction of the Great Northern Railway to the Pacific.

In this enterprise, on December 11, 1889, in heavy snow and bitter cold, Mr. Stevens found Marias Pass through which the railroad was constructed across the Rockies with the most favorable grade in the northern part of the Nation.

The contributions of Stevens were not limited to work in the United States. While serving as chief engineer of the Isthmian Canal Commission, 1905-07, he rescued that project from chaos and potential disaster; organized the forces for construction; acquired a major part of the plant, and was mainly responsible for bringing about the great decision for the high-level lake and lock plan under which the canal was completed. For his tremendous contributions on the isthmus he has been acclaimed as the basic architect of the Panama Canal.

Other important but little known events in the notable career of John Frank Stevens were what he did in Russia, Siberia, and Manchuria, 1917-23 as president of the U.S. Advisory Commission of Railway Experts and of the Inter-Allied Technical Board with the rank of Minister Plenipotentiary.

The parts played by Mr. Stevens in the construction of railroads in the United States and in the design and launching of the Panama Canal have been adequately recorded in history. Now, the story of his achievements in Russia, Siberia, and Manchuria have been published in an article by Dr. Raymond Estep, professor of Latin American history at the Air University, Maxwell Air Force Base, Montgomery, Ala., in the March 1970 issue of the Explorers Journal.

In 1969, about 100 distinguished leaders in various parts of the United States, in and out of Government service, organized the John F. Stevens Hall of Fame for Great Americans at New York University.

Mr. President, as the article by Dr. Estep is of unusual interest, especially to people who know of the work of Mr. Stevens in the Northwest and Panama, I ask unanimous consent to have it printed in the RECORD.

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

[From Explorers Journal, March, 1970]

JOHN F. STEVENS AND THE FAR EASTERN RAILWAYS 1917-1923

(By Raymond Estep*)

ADVISORY COMMISSION OF RAILWAY EXPERTS TO RUSSIA

In its conduct of this nation's foreign policy the U.S. Department of State has been fortunate in securing the services of a grow-

*The views expressed herein are those of the author and do not necessarily reflect the views of the Department of Defense, the United States Air Force, or Air University. Editor's note: For a previous article on Stevens, see Explorers Journal XLVII, 4, 1969.

ing roster of persons endowed with a wide variety of talents. Among the most interesting and gifted of these have been scores of non-professional diplomats who have been pressed into service in times of war or crisis because of their peculiar capabilities which qualified them for a particular assignment. Some of them have rendered such noteworthy service that they have been prevailed upon to continue with the Government long after the termination of their original appointments.

One of these amateur diplomats who responded to his country's call in the World War I era was John F. Stevens, certainly one of the world's outstanding railway builders and directors, who served the U.S. Government in European Russia, Siberia, and Manchuria from 1917 to 1922.

Born in Maine in 1853, Stevens began his railway career as a surveyor in 1876. Over the next two decades he rose rapidly through various engineering positions on the Sabine Pass & Northwestern, the Denver & Rio Grande, the Chicago, Milwaukee & St. Paul, the Canadian Pacific, and the Duluth, South Shore & Atlantic, to become Chief Engineer of the Great Northern in 1895 and General Manager in 1902. Named Chief Engineer of the Chicago, Rock Island & Pacific in 1903, he was promoted to Vice President for Operations in 1904. In July 1905 he had just been employed by the Philippine Commission as its chief railway expert when President Roosevelt persuaded him to accept appointment as Chief Engineer to the Isthmian Canal Commission at a salary of \$30,000 per year. A year later the President paid him the additional honor of naming him to the Commission itself. Leaving his Canal Zone employment early in 1907, Stevens shortly became Vice President for Operations of the New York, New Haven & Hartford. From 1909 to 1911 he was President of the Spokane, Portland & Seattle and a number of other Pacific Coast railways that formed part of the railway empire of James J. Hill. In 1911 Stevens moved to New York City where he established a railway consultant practice which he continued until called to government service in 1917.

The overthrow of Czar Nicholas II in the revolution of March 1917, and the almost immediate recognition by the United States of the Russian Provisional Government, set in motion a chain of events that was to involve the United States (and Stevens) intimately in Russian affairs for half a decade, and to color Russian thinking about the United States from that day to this. No one in Washington in those hectic weeks of March and April 1917 could have foreseen how the actions taken then would eventually influence a later U.S. decision to put its troops ashore in Russian Siberia. Neither could Stevens, then enjoying a winter vacation in Bellaire, Florida, have guessed that in a few short weeks he was to be called upon for the third time in his long railroading career to act as a high representative of his government. And, even when he agreed to accept the proposed appointment, he little realized that the short two-to-three-month mission then visualized would grow into a diplomatic tour of almost six years in Europe and Asia. Neither could he have foreseen the role he would be called upon to play as a U.S. representative in the higher echelons of Far Eastern Politics.

Stevens has been nominated for the American Hall of Fame.

Dr. Estep, Professor of Latin American history at the Air University, Maxwell Air Force Base, Montgomery, Alabama, has visited most of the Latin American nations and has written on a wide variety of Latin American subjects. One of his early projects led to his acquaintance with the world-famous accomplishments of Stevens as a railway construction engineer and administrator.

The stage was set for these future developments in the last days of March when Daniel Willard, President of the Baltimore & Ohio Railway, was alerted to the calamitous situation prevailing on the Trans-Siberian Railway, by Stanley Washburn, the correspondent of the *Chicago Daily News* and the *London Times*, who had recently returned from the Russian front. Willard, who was at the time serving as President of the Advisory Commission of the Council of National Defense, immediately had Washburn brief the Council of National Defense on the critical problems confronting Russia's railway administrators. Washburn's recommendation that the U.S. Government undertake a survey of Russia's railway needs was enthusiastically endorsed by Willard, and, after three weeks, by a somewhat reluctant Russian government.

In the weeks following the receipt of the Russian approval of the U.S. proposal, Willard picked the engineers to compose the survey team, called them to Washington for briefings, and made the necessary preparations to speed them on their way. To head the group, Willard picked his long-time friend, John F. Stevens, which led someone among the "powers that were," as Stevens put it, to observe: "Yes, John Stevens is fairly intelligent, he knows a little something about railroads, guess he's honest, but he is no diplomat. It's going to take a diplomat over in that country." This declaration provoked one of Stevens's "well-meaning" friends to reply: "John Stevens, not a diplomat? Why I've known him for thirty-five years and maybe he don't [sic] talk often, but when he gets ready he can talk more and say less than any living man." And so, Stevens recalled, he was "picked for the job."

To assist Stevens, Willard selected such other outstanding railwaymen as Henry Miller, formerly Operating Vice-President of the Wabash Railway (Transportation); George Gibbs, formerly Chief Mechanical Engineer of the Pennsylvania Railway (Equipment); W. L. Darling, formerly Chief Engineer of the Northern Pacific Railway (Maintenance of Way); and John E. Greiner, formerly Chief Consulting Bridge Engineer of the Baltimore & Ohio Railway (Bridges).

Appointed to the Advisory Commission of Railway Experts to Russia (the survey team's official title) by Secretary of State Lansing on May 4, the members were accredited to the Russian Government as officers pro tem of the U.S. Department of State. In briefing the commission members on May 8, President Wilson plainly told them that they "were not a political or diplomatic commission" and that their "duties would be confined to advising and assisting the Russians in their transportation problems and to advise on such railway matters as they might suggest. . . ." Specifically, he told them that they were going to Russia to ask "what can the United States do for Russia?" but only to say "we have been sent here to put ourselves at your disposal to do anything we can to assist in the working out of your transportation."

Leaving Washington on May 9, Stevens and his fellow engineers sailed from Vancouver, stopped over briefly in Japan, and arrived in Vladivostok on May 31. For two days they toured railway installations in the area, appraising, especially, the status of construction of the huge installations being erected for assembling the locomotive and freight car components purchased in the United States. They also inspected the docks area where millions of pounds of war supplies had been accumulating for months due to the clogging of the railways of Western Siberia with westward-bound coal trains, a fact the Commission was to discover as it moved westward.

En route to Petrograd aboard the Blue Train, Russia's second best, which had been

sent east for their special use, the Stevens Commission, as time permitted, halted along the way to inspect railway facilities at most of the major terminals. Following the long-used route via the Chinese Eastern Railway line through Manchuria and then westward over the double-track Trans-Siberian Railway across Siberia to Omsk, they then took the single-track northern route via Perm and Viatka to Petrograd, where they arrived on June 12.

After three days of talks with U.S. Ambassador David R. Francis and Russian Minister of Ways of Communications N. V. Nekrasov on the varied problems of Russian railway transportation, Stevens fell ill with erysipelas and had to be hospitalized. With Miller serving as acting head of the Commission, the other members spent the next two weeks in daily conferences at the Railway Ministry trying to convince their Russian counterparts of the urgent necessity of changing existing operating procedures on the Trans-Siberian Railway. They strongly recommended that the line be divided into Superintendent's Districts each 300 to 400 miles in length and that locomotive engines be run straight through for 150 miles instead of 75 miles, which was the existing practice.

On July 10 Stevens, who had finally recovered from his bout with erysipelas, accompanied by a large entourage of Army officers and Cabinet Ministers and their staffs, arrived in Mogilev, the headquarters of General A. A. Brusilov, the Commander-in-Chief of the Russian Armies. Here Stevens was joined on the following day by the other four members of the Commission, who were completing a 2,800-mile inspection trip that had taken them through the important rail centers of Moscow, Kursk, Kharkov, Ekaterinoslav, and Kiev in Southern Russia. After a briefing by Brusilov on July 11, at which Stevens offered to supply one of his Commission members to superintend railway construction behind the front lines, Stevens and the others returned to Petrograd.

Back in the capital on the 12th, Stevens and his colleagues resumed their daily meetings at the Railway Ministry. Out of these conferences came a number of recommendations, the most important of which was that of the previously mentioned Superintendent's Districts for the handling of train operations on the various independent railways composing the Trans-Siberian system. A second recommendation was that the Russians make use of an instruction cadre of U.S. railwaymen trained in the operation of the Superintendent's Districts. Eventually, M. Liveroski, the new Minister of Ways of Communications, endorsed the proposals and requested the U.S. Government to recruit a group of U.S. railwaymen to train the Russians in the employment of the recommended methods. The receipt of this request in Washington triggered industry-wide recruiting of the several hundred men who eventually manned the so-called Russian Railway Service Corps (RRSC), an organization headed initially by George H. Emerson, General Manager of the Great Northern Railway, who was given the assimilated rank of Colonel.

In the meantime, the Commission completed the major portion of its work, and Gibbs and Greiner left for home on August 7. On August 24 Stevens, Miller, Darling (who had just returned from an inspection of the Murmansk Railway), and the Commission staff left Petrograd to begin an intensive survey of the facilities of the Trans-Siberian Railway. Traveling mostly by day, and joined at Omsk by Assistant Minister of Ways of Communications L. A. Ustrugov, the three engineers made detailed inspections of railway shops and yards as they proceeded eastward and did their utmost to sell Russian railwaymen on the advantages of the new operating procedures they had recommended. After almost a month, this slow-paced trip

ended in Vladivostok on September 22, with Stevens bedfast with an acute sinus infection, and, according to Darling, "too bull-headed" to go to Japan to receive proper medical treatment.

Barely a week later, Ambassador Francis was insisting that Stevens return to Petrograd to inspect a railway line for worried Allied officials. Leaving Miller in Vladivostok to meet the RRSC, whose early arrival was anticipated, and dropping Darling off in Harbin to return home by way of China, Stevens and several of his staff again made the trek westward, arriving in Petrograd on October 14. Here, Stevens spun his wheels ("It is very tiresome to butt one's head against a cotton wall," he wrote), part of the time in fruitless conferences with Minister for Foreign Affairs Michael I. Terechenko and Minister of Ways of Communications Liveroski. On October 26, after the lapse of two weeks and just at the moment when Stevens had about decided to terminate his sojourn in the West, the Russian Government asked him to inspect railway facilities between Moscow and Omsk and to suggest ways of speeding up the movement of Siberian grain to Western Russia to prevent the starvation of large numbers of people during the approaching winter. In Moscow, Stevens labored for a day or two in a largely vain effort to untangle the traffic jam created by thousands (8,000-12,000) of freight cars loaded with war supplies originally destined for the front lines. He then turned eastward to Chelybiansk, where he arranged for the early shipment of some 6,000,000 bushels of wheat to Moscow and other cities of European Russia. But time had run out for Stevens and for the Kerensky Government—the November Revolution broke out in Petrograd before Stevens could complete his trip. Hastening back to Moscow, he once found himself under fire in one of the street battles that raged through the future Soviet capital as the Bolsheviks captured the Kremlin and, eventually, the entire city.

Unable to reach Petrograd by the direct mail route, Stevens, who had been living in his assigned private railway car at the South Station, on November 13 bluffed the Bolshevik Commissar of Railways into attaching his car to a Northern Railway train headed for Vologda. After trying for two days to get a train from Vologda to Petrograd, 350 miles to the west, Stevens had his private car, with an American flag flying, attached to the Trans-Siberian Express out of Petrograd, the last run of the Express, so Stevens later said, for over four years. After a nerve-racking trip of nearly two weeks, Stevens arrived in Harbin on November 24. From here he cabled: "Any further efforts toward helping railroad absolutely useless. No government. . . I cannot stand Russian winter. Will shortly leave for the United States."

His plans to return home, however, were frustrated by events and by harassed Washington officials, who had just learned that Stevens was the only one of his original five-man Advisory Commission who remained in Asia. Miller, the last to depart, had left Vladivostok early in November. In these circumstances, Willard cabled Stevens: "Please do not leave Vladivostok until Emerson arrives and until you have heard further from me. . . . Splendid work you have done is greatly appreciated, but it is not finished." Replying that he had "no ambitions other than to accomplish some good," Stevens promised to wait for Emerson and indicated his willingness to remain in Russia if there was any possibility of achieving results. The arrival in Vladivostok of the transport *Thomas* bearing Emerson and the RRSC members posed immediate problems for Stevens. Fear that the *Thomas* would be frozen in, the existence of turbulent political conditions ashore, and the presence aboard the *Thomas* of a group of "mischievous political agita-

tors," who had somehow been engaged as interpreters for the RRSC, caused Stevens to cable for and receive authority to take the *Thomas* to Japan. Arriving in Nagasaki harbor on December 19, he had to hold the *Thomas* for three weeks as a floating barracks until he could secure sufficient U.S. funds to cover the expenses of the RRSC personnel in hotels ashore.

From Nagasaki, Stevens spelled out his hardnosed solution for the handling of the railway situation in Eastern Siberia: "We should all go back shortly with men-of-war and 5,000 troops. Time is coming to put fear of God into these people." And, in the hope that political conditions would improve in Siberia, he strongly urged Washington to hold the RRSC personnel in Japan so that they might be quickly employed as originally intended. In Tokyo on Christmas Eve, Stevens conferred with Ambassador Roland S. Morris, and in subsequent days with Viscount Ichiro Motono, the Minister of Foreign Affairs, to whom he presented his appraisal of recent political developments in European Russia, to some of which he had been an unwilling witness. Asserting his belief that power had passed "permanently and inalienably to the Maximalist constituency," he pointed out that although there might be some changes in the future in the makeup of the ruling circle in Russia, he believed that it would be a "fatal mistake for the Allied powers to attempt to support or countenance any counter-revolution," and that it would be futile and dangerous to antagonize what certainly would be the "decisive influence in Russia by attempting any sort of armed intervention even in eastern Siberia."

Informed late in January, 1918, by U.S. Consul John K. Caldwell at Vladivostok that the RRSC could land with entire safety at any time, Stevens and Emerson returned to Vladivostok to survey the situation and then proceeded to Harbin, Manchuria, where, on February 1, Stevens began negotiations with Dmitri L. Horvath, the head of the Chinese Eastern Railway, and L. A. Ustrugov, representing the recently overthrown Russian Government, in an attempt to perfect a plan for the placing of a contingent of the RRSC on the Chinese Eastern Railway as an entering wedge for the initiation of the RRSC's operations in Siberia. By March 10, Stevens thought that he had reached an understanding with the two Russian railway executives and, working under that assumption, cabled Washington that he would immediately begin assigning RRSC personnel on the Chinese Eastern Railway. Although 100 of the RRSC members had reached Harbin by March 3, five weeks went by before Stevens was able to put them to work. During this period, Ustrugov, after initially leading Stevens to think that he was in agreement with his proposals, raised one objection after another to the commencement of work by the RRSC. Finally, in exasperation, Stevens, on April 7, bluntly warned Ustrugov that unless the RRSC were allowed to begin work immediately: "I shall at once arrange to send the entire contingent back to the United States, reporting to my government that in my opinion the Russian railway authorities do not desire assistance of the Americans and that the expressions of sincerity with which I have heretofore been greeted in this matter, are not borne out by their practical actions. . . . The effect of such a report . . . can be readily understood by yourself." The threat worked wonders. Three days later, April 10, 1918, the RRSC began performing the work for which it had been recruited. But four more months were to pass before Stevens could bring the remainder of the RRSC members from Japan to Vladivostok to begin work in Russian territory.

The capture of Vladivostok at the end of June, 1918, by Czechoslovak prisoners of war,

who had deserted from the Austrian Army, and who had arrived in the Far East en route to join the French forces on the Western Front in Europe, proved decisive in opening the way for the remaining RRSC members to be employed in that area. Even though Lansing asked Stevens on July 10 to move the RRSC men to Vladivostok at once, a full month passed before Stevens was able to comply with the directive. In the interval, marked by a shooting war between the Czechoslovak troops on the one hand, and Red soldiers, allegedly aided by German and Austrian prisoners of war, on the other, the United States somewhat reluctantly decided on August 3 to send in American troops, ostensibly to protect the Czechoslovaks in their withdrawal and to support Russian efforts to achieve self-government. Stevens' delay in moving the RRSC undoubtedly was related to this decision, for eight days after the U.S. Government's announcement of its intention to intervene, Stevens brought the Nagasaki contingent of the RRSC ashore at Vladivostok. In advising Lansing of the event, Stevens cabled: "We have no shadow of authority. . . . I am mixed with no political faction . . . simply trying to work with railway authorities"

INTER-ALLIED TECHNICAL BOARD

With the RRSC personnel all ashore on the Asian mainland, Stevens' work entered a new phase. Although he continued to function as the top-level U.S. railway representative by virtue of his chairmanship of the 1917 Advisory Commission, a position he was to hold until April, 1919, he left most of the day-to-day details of the operation of the RRSC to its head, Colonel Emerson. After mid-August 1918, Stevens devoted his efforts to thwarting the attempts of the Japanese to gain control of Russian railways in Manchuria, even suggesting that the RRSC be sent home should the Japanese gain their objectives. In his efforts to maintain the Open Door Policy in the face of Japan's evident intention to extend its influence in Eastern Siberia and Manchuria, Stevens was effectively supported by the U.S. Government, which early proposed that Stevens, continuing his 1917 role as "official adviser of the Russian Ministry of Ways of Communication should, with the assistance of the Russian Railway Service Corps . . . undertake the effective working of the railways in cooperation with Russian officials and personnel," a position endorsed by Russian Ambassador Boris A. Bakhmeteff, who remained in Washington as the representative of the defunct Kerensky Government. From the first the Japanese, not unexpectedly, raised objections to the proposed grant of authority to Stevens, declaring that neither the "Advisory Commission of Railway Experts under Mr. Stevens nor Russian Railway Service Corps under Colonel Emerson have been authorized to assume direction of Russian railways or generally to act as agents of Russian people outside scope of defined mission." And, as the autumn advanced, the Japanese continued in various ways to postpone endorsement of U.S. plans for the operation of the Chinese Eastern and the Trans-Siberian Railways.

Returning to Tokyo from conferences in Vladivostok and Harbin, Ambassador Morris and Stevens on October 23 began a month's-long attempt to win Japanese approval of a plan under which Stevens would assume administrative control of the Chinese Eastern Railway and the Siberian portion of the Trans-Siberian Railway. After weeks of prodding by Morris and Stevens, the Japanese on December 2 revealed their reaction in a radical revision of the Morris-Stevens plan. Specifically, the Japanese proposed that the "nations having military forces in Siberia," should create a Technical Board composed of railway experts, that the Technical Board should "act through a president elected by a majority of the members of the board,"

that the "management of the railways . . . be left in the hands of the Russians," that the "Russian officials shall . . . follow the advice and accept the assistance" of the Technical Board. Foreign Minister Yasuya Uchida, on presenting the revision, which nowhere mentioned Stevens, personally assured Ambassador Morris that the proposal "was offered with the distinct understanding that Stevens should be made President of the Technical Board. . . ."

The month of December passed with Morris pressing Stevens to accept this and subsequent Japanese proposals and with Stevens, from Harbin, countering with repeated suggestions for spelling out the unfettered authority of the President of the Technical Board. In a final effort to meet the demands of Stevens and Morris, the Japanese submitted an amended plan on December 27 which, among other things, provided for the election by the Technical Board of a President "to whom shall be intrusted technical operation of [the] railways." This version of the railway operating plan, and particularly the key phrase giving the president control over the "technical operation" of the railways, incorporated many of the suggestions previously proposed by Stevens. Although the new Japanese proposals did not fulfill all of his hopes, Stevens was won over to accepting them by a State Department appeal of January 4, 1919, which declared: "The Department is greatly concerned because of the reports received daily of the distress in Siberia due to the present intolerable conditions of transportation. It would seem that some plan of action must be adopted at once as the position is now such that the responsibility for further delay in attempting to solve this vital problem may be, with reason, laid upon us and that, therefore, unless we are willing to undertake the task in the face of existing difficulties we should promptly give way to others who will." To this appeal Stevens replied on January 8: "I am ready and willing to immediately go ahead with the plan of operating the railways which evolved after long negotiations. I have asked Ambassador Morris to complete formalities as early as possible. Myself and service corps are ready to act at once." Stevens' decision to cooperate paved the way for formal acceptance of the Uchida proposals by the United States Government on February 10, 1919, and for the early inauguration of the machinery suggested for controlling the railways.

On March 5, 1919, Stevens officially assumed his new position as U.S. representative on the Inter-Allied Technical Board. Joining him on the Board were railway representatives of China, France, Great Britain, Italy, Japan, and of the White Russian Government of Admiral Kolchak. (The Czechoslovakian member joined later.) Assembling in Vladivostok on that date, the members promptly elected Stevens to the presidency of the Technical Board, a position which he later described as 75% diplomatic and 25% technical in nature. At this initial meeting the Board established English as the official language and declared Stevens' powers, as President, to be supreme in all administrative matters pertaining to the Board's headquarters. After holding nine meetings in Vladivostok, Stevens, on March 19, 1919, moved the Board to Harbin and established its headquarters in a building supplied by the Chinese Eastern Railway. Here it remained until a fire destroyed the building on January 18, 1922, and forced the transfer of the Board's offices into the general office building of the Chinese Eastern, where they continued to function until the dissolution of the Board in the following November.

Except for two visits to Washington on State Department orders, the second to serve as advisor to the Secretary of State on Chinese Eastern Railway problems during the

Washington Armament Conference (1921-1922), Stevens was to spend his time for the next three and one-half years in active charge of the Board's affairs. Since he was the only member of the Board who had any jurisdiction over the funds earned by or contributed to the railways under their supervision, Stevens was able to impose his will on the other members on most matters—on all votes except two in the three and one-half year history of the Board, a majority of the members supported his proposals.

From the beginning Stevens was confronted with the almost impossible task of keeping railway traffic flowing on the Chinese Eastern Railway and on that portion of the Trans-Siberian lines not under the control of the new Soviet government. In his initial year in the new post (until May, 1920), he could command the technical services of the previously mentioned Russian Railway Service Corps, first under Emerson, and later under Benjamin O. Johnson, formerly of the Northern Pacific. The experienced railroad men of this outfit did yeoman service wherever they were employed and those assigned in Central Siberia, who aided in the ultimate evacuation of the more than 70,000 Czechoslovaks, often were called upon to work under battle conditions. In effecting the Czechoslovak evacuation, Stevens had to raise some \$400,000 (2 carloads) in gold rubles and 60 cars of wheat for Russian railwaymen and coal miners who refused to work unless they were paid and their families were fed.

For most of the time the Board held its meetings in Harbin, but on occasion Stevens did take or send the members out on special trains so that they might observe operating problems with which he was already well-acquainted. One such trip took the Board to Omsk at the end of May, 1919. Here, Stevens and the other Board members held numerous conferences with the members of the White Russian Government of Admiral Kolchak in what proved to be largely unsuccessful efforts to gain Kolchak's cooperation in the operation of those portions of the Trans-Siberian Railway under his nominal political jurisdiction. Farther east, along the Trans-Baikal section of the Trans-Siberian Railway, Stevens found the Board's operations hampered by Ataman Grigorii Semenov and his so-called army of 10,000 Cossack brigands, who, Stevens maintained, were encouraged by the Japanese Army as they "murdered, whipped, and otherwise maltreated the railway operators and their families," and completely terrorized the entire railway force. When Semenov turned his hostility toward the RRSC inspectors, Stevens, fearing that some might be killed, gave serious thought to withdrawing them from that sector, but finally left the decisions up to the Americans, who, to a man, refused to leave their posts.

In attacking the multitude of problems confronting him, Stevens achieved considerable success in improving the technical side of railway operations. With the cooperation of RRSC inspectors, he was able to speed up the repair of locomotives and cars, to increase train speeds through the institution of U.S. dispatching methods, and to increase tonnage moved through the use of daily reports on locomotive and car movements and by the heavier loading of freight cars. In other areas he was not so successful. His attempts to reduce the number of employees continually ran afoul of Russian work rules which made it financially prohibitive to lay off an employee. In attacking the regulation requiring the annual replacement of 25% of the crossties, after years of argument he was able to substitute a system of individual tie inspection—a process that produced a saving of \$100,000 in one year.

Among his more difficult problems was that of financing the operations of the railways. Over the whole period of the Board's exist-

ence, the United States and Japanese governments supplied the major portion of the funds made available for its use—Japan put up \$4,500,000 and the United States \$5,000,000. It was hoped and expected that with the restoration of service the railways would earn sufficient revenues to become self-sustaining. But these hopes of Stevens and others were never fulfilled. Although a system of freight and passenger rates was laboriously negotiated, Stevens soon discovered that great numbers of those who used the railways refused to pay, and throughout the last year of the Board's life (1922) Chinese Eastern Railway deficits mounted from month to month, compelling the railway "to borrow money wherever it could by short term notes and on exorbitant terms, and also to sell advance transportation certificates in large amounts." Contributing to the deficits were the low rates assessed the various nations for the movement of their military forces, and, more particularly, the refusal of certain of them to pay anything, a fact that roused the ire of Stevens, who asserted that they "never paid a dime nor even acknowledged my requests for payment." Actually, only the United States, Japan, Great Britain, and Italy made any payments whatsoever for use of the railways by their troops. In attempting to put Chinese Eastern Railway operations in the black, Stevens was thwarted by wasteful spending on unneeded items—including a deluxe train—and, especially by overhead, where he found that administration and higher supervision constituted 28% of expenses as opposed to 3% to 4% on U.S. railways.

As the years passed, Stevens often wearied of his frustrating task and more than once asked to be relieved of his burden, only to yield to State Department pressure to continue in the service of the United States. Characteristic of these episodes was his expression in January, 1922, of a desire "to throw up at once the Chinese Eastern Railway as a hopeless problem." On this occasion, after Secretary of State Hughes personally insisted that his continuance as Chairman of the Technical Board was "essential to the preservation of American interests," Stevens subordinated his desires and agreed to continue as the U.S. representative until the Technical Board's activities could be brought to an end—an action the State Department had long sought to accomplish. Another eight months were to elapse, however, before the State Department's labors were finally rewarded by the departure of the last Japanese soldier from Vladivostok on October 25, 1922, almost two years after all other Allied troops had been called home. The receipt of this intelligence, which he had long awaited, permitted Stevens to call the members of the Technical Board together in their 133rd session on November 1, 1922. To his longtime co-workers and friends, Stevens announced that their work was at an end and then officially proclaimed the dissolution of the Board. Leaving his son Eugene, the Board's Secretary and Treasurer, behind to wind up the Board's affairs, Stevens shortly returned to the States.

On March 15, 1923, Stevens submitted to the State Department a short review of his actions as President of the Inter-Allied Technical Board—the only official report he ever prepared on his operations as a U.S. diplomat during the years from 1917 to 1922. In a lengthy acknowledgment, which he released to the press on April 4, 1923, Secretary of State Hughes wrote:

I wish to take this occasion to assure you of the high regard in which your work as President of the Interallied Technical Board, and as the American representative thereon, is held by the President as well as by myself and the other members of the Government.

. . . Your own leading part in this work constitutes a public service of the highest order. I feel that you have contributed much to the well-being of the people of Eastern

Siberia and Manchuria and to the early recuperation of their economic life, and that you have advanced the prestige and honor of the United States in that part of the world and with all who have known of your work.

Years later, in speaking of this "very commendatory letter to the Press," Stevens characterized it as "a rather unusual thing for that hardboiled outfit—the [State] Department, to do."

For his long and trying labors as President of the Technical Board, Stevens was honored by his country with the award of the U.S. Distinguished Service Medal, by France with the Legion of Honor, by Czechoslovakia with its Military Cross and its highest civilian decoration, by China with the orders of Chia-Ho and Wen-Hu, and by Japan with the Order of the Rising Sun.

Although many contemporaries and some latter-day students of the period have attempted to assess Stevens' role as a U.S. diplomat during World War I and its aftermath, no one has done it as well as Ambassador Roland S. Morris. In appraising Stevens' efforts on behalf of his country, Morris knew whereof he spoke, for from his post in Tokyo in the 1917-1920 period, he was a continuing collaborator with Stevens in the shaping of U.S. foreign policy in the Far East. Years later, in speaking of the Inter-Allied Technical Board's operations, Morris declared:

This Board, with Mr. Stevens as its head, settled down to try to work out the operation of the Trans-Siberian system, faced by a bitter civil war, the menace of undisciplined Cossack bands, the jealousies of factions and conflicting nationalities. . . . For almost two years [after the return of the Russian Railway Service Corps] with only one or two assistants he continued to superintend the operation of the great Trans-Siberian system, thus occupying a position unique in the history of American engineering. With a life experience of sixty years, calm, cool, far-visioned, and with all his personal ambitions, I imagine, gratified and cherishing but one purpose, to serve his country as best he could, quite alone he completed the task he had undertaken. From a small apartment at Harbin he exercised a moral influence during that period of reconstruction in the Far East, the results of which will continue to operate after our generation has passed away.

It is singularly interesting to try to picture the polyglot throng which poured through his office day by day as he counselled with Chinese generals, Manchurian leaders, Japanese diplomats, civilians and bureaucrats, Cossacks, Frenchmen, Englishmen and Americans of all kinds, united only in their faith in one man, who seemed to be the sole disinterested factor in that bewildering situation. It was an extraordinary service which he rendered.

BIBLIOGRAPHY

Advisory Commission of Railway Experts to Russia (files); Russian Railway Service Corps (files); Inter-Allied Technical Board (files). All in the National Archives, Washington, D.C.

DuVal, Miles P. *And the Mountains Will Move: The Story of the Building of the Panama Canal*. Stanford: Stanford University Press, 1947.

Lee, W. Storrs. *The Strength to Move a Mountain*. New York: G. P. Putnam's Son, 1958.

Morris, Roland S. "John Frank Stevens," an address on the occasion of the presentation of the John Fritz medal to Stevens, *New York Times*, March 22, 1925, II, p. 3.

Papers Relating to the Foreign Relations of the United States. Washington: Government Printing Office: 1919, Vol. I (1934); 1920, Vols. I & III (1935 & 1936); 1921, Vol. I (1936); 1922, Vol. I (1938); 1923, Vol. I (1938); 1918, *Russia*, Vols. I, II, & III (1931

& 1932); 1919, *Russia* (1937); *The Lansing Papers, 1914-1920*, Vol. II (1940).

Stevens, John F. "Russia During the World War," an address to the Engineers Club, November 23, 1926, in *Engineers and Engineering*, Vol. 44, January 1927, pp. 17-23.

Stevens, Emerson, Johnson, and other manuscripts in the Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, California.

Stevens Papers in the Library of Congress, Washington, D.C.

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. 17802) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 17802) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, was read twice by its title and referred to the Committee on Finance.

PRESIDENT NIXON'S ADDRESS TO THE NATION ON CAMBODIA

Mr. CURTIS. Mr. President, last night, the President of the United States delivered to the Nation an address which was heard by millions of Americans.

I commend President Nixon on the statement that he made and the action that he has taken in these past few weeks of trial for our country.

President Nixon's statement was factual. It was forthright. It was informative.

The American people are united on one thing: their desire that the fighting in Southeast Asia come to an end.

The disagreement in this country is over how best to bring that about.

In a football game, not everyone can be the quarterback. Someone must decide on the plan, which means that that individual has a great responsibility resting on his shoulders.

The President's responsibilities are awesome. I know that no man in the United States today is more desirous of bringing to an end the fighting by American forces in Southeast Asia than the President of the United States. I think that was true when President Johnson was in the White House. The responsibilities that rest upon President Nixon's shoulders placed in his breast a greater desire for peace than any other American could possess.

I am sure that President Nixon examined and reexamined the entire problem and the course of action that he chose to follow. It is now being proved that that course of action was the wisest one to take. There is always a risk involved in dynamic action, but there is also a risk involved when we do nothing.

The President has met his responsibility. He has acted in the way he believes he would best save the lives of the greatest number of our Armed Forces in Southeast Asia. He has acted in a way that he believes will make it possible to

bring the greatest number of American boys back home in the shortest length of time.

Mr. President, it is not for any of us to say that we have a monopoly on all information or on all the facts. None of us can see into the future. Historians, many years from now, will have to decide who is right. I believe they will find in President Nixon's favor. I am sure that historians will find that President Nixon gathered all the facts he could and that he searched his heart and mind over and over again before he made the decisions he did.

I believe that millions of Americans, many of whom perhaps disagreed with him 10 days ago, are today supporting the President of the United States. He is not only our Commander in Chief, which places a great responsibility upon him; he is also our chief negotiator, not only at the Vietnam peace talks in Paris but everywhere else, as well. He is the man who dispatches ambassadors here and there and who makes proposals and communicates with foreign countries. It is for the benefit of all Americans that the Nation act in unity.

Mr. President, in light of the fact that as the days go on, more and more Americans are coming to the realization of the correctness of the President's position, it is my hope that the same sentiment will prevail in the Chamber and that we will slow the critical action, turn our attention to other business, and give the President a chance to complete the course of action that he has undertaken for the benefit of the American boys now in Southeast Asia.

ORDER FOR RECOGNITION OF SENATOR THURMOND ON MONDAY, JUNE 8, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the disposition of the reading of the Journal on Monday next, the distinguished senior Senator from South Carolina (Mr. THURMOND) be recognized for not to exceed 30 minutes.

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

FIFTY-FOURTH SESSION, INTERNATIONAL LABOR CONFERENCE AT GENEVA, SWITZERLAND—APPOINTMENTS BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, appoints the Senator from Texas (Mr. YARBOROUGH) and the Senator from Illinois (Mr. SMITH) to attend the 54th session, International Labor Conference, to be held at Geneva, Switzerland, on June 2 through 25, 1970.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. MANSFIELD. 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. MANSFIELD. 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, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business?

PRESIDENT NIXON'S STATEMENT ON CAMBODIA

Mr. GRIFFIN. Mr. President, I associate myself with the remarks of the distinguished Senator from Nebraska (Mr. CURTIS) concerning President Nixon's address to the Nation last evening.

The President's address was a convincing statement of the wisdom and the success of the sanctuary operation.

I believe he made it abundantly clear again that all American troops will be out of Cambodia before the end of June, and that 150,000 troops will be coming home on schedule.

In my view, his forthright statement demonstrated that there is no need for the pending Church-Cooper amendment, and I believe that a majority of the Senate will come to that conclusion.

As he has done before, President Nixon reaffirmed his confidence in the American people—and I am hopeful that confidence will be reciprocated.

I ask unanimous consent that the text of the President's address be printed in the RECORD.

There being no objection, the text of the President's address was ordered to be printed in the RECORD, as follows:

RADIO AND TELEVISION ADDRESS BY THE PRESIDENT ON THE CAMBODIAN SANCTUARY OPERATION

Good evening, my fellow Americans.

One month ago, I announced a decision ordering American participation with South Vietnamese forces in a series of operations against Communist-occupied areas in Cambodia which have been used for five years as bases for attacks on our forces in South Vietnam.

This past weekend, in the Western White House in California, I met with Secretary Laird, General Abrams and other senior advisors to receive a firsthand report on the progress of this operation.

Based on General Abrams' report, I can now state that this has been the most successful operation of this long and very difficult war.

Before going into the details which form the basis for this conclusion, I believe it would be helpful to review briefly why I considered it necessary to make this decision, what our objectives were; and the prospects for achieving those objectives.

You will recall that on April 20, I announced the withdrawal of an additional 150,000 American troops from Vietnam within a year—which will bring the total number withdrawn, since I have taken office, to 260,000. I also reaffirmed on that occasion our proposals for a negotiated peace.

At the time of this announcement I warned that if the enemy tried to take advantage of our withdrawal program by increased attacks in Cambodia, Laos, or South Vietnam in a way that endangered the lives

of our men remaining in South Vietnam, that I would, in my capacity as Commander-in-Chief of our Armed Forces, take strong action to deal with that threat.

Between April 20 and April 30, Communist forces launched a series of attacks against a number of key cities in neutral Cambodia. Their objective was unmistakable—to link together bases they had maintained in Cambodia for five years in violation of Cambodian neutrality. The entire six-hundred-mile Cambodian-South Vietnam border would then have become one continuous hostile territory from which to launch assaults upon American and allied forces.

This posed an unacceptable threat to our remaining forces in South Vietnam. It would have meant higher casualties. It would have jeopardized our program for troop withdrawals. It would have meant a longer war. And—carried out in the face of an explicit warning from this Government—failure to deal with the enemy action would have eroded the credibility of the United States before the entire world.

After very intensive consultations with my top advisors, I directed that American troops join the South Vietnamese in destroying these major enemy bases along the Cambodian frontier. I said when I made this announcement: "Our purpose is not to occupy these areas. Once the enemy forces are driven out of the sanctuaries and once their supplies are destroyed, we will withdraw."

That pledge is being kept. I said further on that occasion, "We take this action not for the purpose of expanding the war in Cambodia, but for the purpose of ending the war in Vietnam." That purpose is being advanced.

As of today I can report that all of our major military objectives have been achieved. 43,000 South Vietnamese took part in these operations, along with 31,000 Americans. Our combined forces have moved with greater speed and success than we had planned; we have captured and destroyed far more in war material than we anticipated; and American and allied casualties have been far lower than we expected.

In the month of May, in Cambodia alone, we captured a total amount of enemy arms, equipment, ammunition and food nearly equal to what we captured in all of Vietnam in all of last year.

Here is some film of the war material that has been captured.

This is some ammunition you see. We have captured more than 10 million rounds of ammunition. That is equal to the enemy's expenditures for nine months.

Here you also see a few of the over 15,000 rifles and machine guns and other weapons we have captured. They will never be used against American boys in Vietnam.

This reality was brought home directly to me a few days ago. I was talking with a union leader from New York. His son died in Vietnam this past February. He told me that—had we moved earlier in Cambodia—we might have captured the enemy weapon that killed his son.

Now you are looking at some of the heavy mortars, rocket launchers and recoilless rifles that have shelled U.S. base camps and Vietnamese towns. We have seized over 2,000 of these along with 90,000 rounds of ammunition. That is as much as the enemy fires in a whole year. Had this war material made its way into South Vietnam and had it been used against American troops, U.S. casualties would have been vastly increased.

Here you see rice, more than 11 million pounds of rice. This is more than enough rice to feed all the enemy's combat battalions in Vietnam for over three months. This rice will not be feeding enemy troops now, but rather war refugees.

Now with the rainy season now beginning,

it will take the enemy months to rebuild its shattered installations and to replace the equipment we have captured or destroyed.

The success of these operations to date has guaranteed that the June 30 deadline I set for withdrawal of all American forces from Cambodia will be met. General Abrams advises me that 17,000 of the 31,000 Americans who entered Cambodia have already returned to Vietnam. The remainder will return by the end of this month. This includes all American air support, logistics and military advisory personnel.

The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that is necessary to protect the lives and security of our men in South Vietnam.

Our discussions with the South Vietnamese government indicate that their primary objective remains the security of South Vietnam, and that their activity in Cambodia in the future—after their withdrawal from the sanctuaries—will be determined by the actions of the enemy in Cambodia.

When this operation was announced, the critics charged that it would increase American casualties, that it would widen the war, that it would lengthen our involvement, that it might postpone troop withdrawals. But the operation was undertaken for precisely the opposite reasons—and it has had precisely the opposite effect.

Let us examine the long-range impact of this operation.

First, we have eliminated an immediate danger to the security of the remaining Americans in Vietnam, and thereby reduced our future casualties. Seizing these weapons and ammunition will save American lives. Because of this operation, American soldiers who might not otherwise be ever coming home, will now be coming home.

Second, we have won precious time for the South Vietnamese to train and prepare themselves to carry the burden of their national defense, so that our American forces can be withdrawn.

From General Abrams' reports and from our advisors in the field, one of the most dramatic and heartening developments of the operation has been the splendid performance of the South Vietnamese army. Sixty percent of all the troops involved in the Cambodian operations were South Vietnamese. The effectiveness, the skill, the valor with which they fought far exceeded our expectations. Confidence and morale in the South Vietnamese army has been greatly bolstered. This operation has clearly demonstrated that our Vietnamization program is succeeding.

Third, we have insured the continuance and success of our troop withdrawal program. An April 20, I announced an additional 150,000 Americans would be home within a year. As a result of the success of the Cambodian operations, Secretary Laird has resumed the withdrawal of American forces from Vietnam. Fifty thousand of the 150,000 I announced on April 20 will now be out by October 15.

As long as the war goes on, we can expect setbacks and some reversals. But, following the success of this effort, we can say now with confidence that we will keep our timetable for troop withdrawals.

Secretary Rogers and I have been particularly encouraged by the resolve of 11 Asian countries at the Djakarta Conference to seek a solution to the problem of Cambodia. Cambodia offers an opportunity for these 11 nations, as well as other countries of the area, to cooperate in supporting the Cambodian government's efforts to maintain Cambodian neutrality, independence and territorial integrity. We shall do what we can to make it possible for these Asian initiatives to succeed.

To the North Vietnamese tonight I say

again—the door to a negotiated peace remains wide open. Every offer we have made at the conference table, publicly or privately, I herewith reaffirm. We are ready to negotiate, whenever they are ready to negotiate.

However, if their answer to our troop withdrawal program, and to our offer to negotiate, is to increase their attacks in a way that jeopardizes the safety of our remaining forces in Vietnam, I shall, as my action five weeks ago clearly demonstrated, take strong and effective measures to deal with that situation.

As all of you know, when I first announced the decision on Cambodia, it was subjected to an unprecedented barrage of criticism in this country. I want to express tonight my deep appreciation to the millions of Americans who supported me then and who have supported me since in our efforts to win a just peace.

But I also understand the deep divisions in this country over the war. I realize that many Americans are deeply troubled. They want peace. They want to bring the boys home. Let us understand once and for all that no group has a monopoly on those concerns. Every American shares those desires; I share them very deeply.

Our differences are over the best means to achieve a just peace.

As President I have a responsibility to listen to those in this country who disagree with my policies. But I also have a solemn obligation to make the hard decisions which I find are necessary to protect the lives of 400,000 American men remaining in Vietnam.

When I spoke to you a month ago, a clear threat was emerging in Cambodia to the security of our men in Vietnam.

Ask yourselves this question: If an American President had failed to meet this threat to 400,000 American men in Vietnam, would those nations and peoples who rely on America's power and treaty commitments for their security—in Latin America, Europe, the Middle East or other parts of Asia—retain any confidence in the United States? That is why I deeply believe that a just peace in Vietnam is essential, if there is to be a lasting peace in other parts of the world.

With this announcement tonight, we have kept the pledge I made when I ordered this operation, that we would withdraw from Cambodia on a scheduled timetable—just as this Administration has kept every pledge it has made to the American people regarding the war in Vietnam and the return of American troops.

Let us look at the record.

In June of 1969 I pledged a withdrawal of 25,000 troops. They came home. In September of the same year I said I would bring home an additional 35,000. They came home. In December I said an additional 50,000 Americans were coming out of Vietnam. They, too, have come home.

There is one commitment yet to be fulfilled. I have pledged to end this war. I shall keep that promise. But I am determined to end the war in a way that will promote peace rather than conflict throughout the world. I am determined to end it in a way that will bring an era of reconciliation to our people—and not an era of furious recrimination.

In seeking peace, let us remember that at this time only this Administration can end this war and bring peace. We have a program for peace—and the greater the support the Administration receives in its efforts, the greater the opportunity to win that just peace we all desire.

Peace is the goal that unites us. Peace is the goal toward which we are working. Peace is the goal this government will pursue until the day that we reach it.

Thank you, and good night.

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COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORT OF DEPARTMENT OF DEFENSE

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, on disbursements made under "Contingencies, Defense" appropriations, for the period July 1, 1969, to March 31, 1970, were valued at \$951,-332; to the Committee on Appropriations.

REPORT OF DEPARTMENT OF TRANSPORTATION

A letter from the Assistant Secretary for Administration, Department of Transportation, transmitting, pursuant to law, a report on purchases and contracts made by the Department under clause 11 of section 2304 (a) of title 10, U.S. Code, during the period of November 1, 1969, through April 30, 1970 (with an accompanying report); to the Committee on Armed Services.

REPORT OF NATIONAL TRANSPORTATION SAFETY BOARD

A letter from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report of the Board for 1969 (with an accompanying report); to the Committee on Commerce.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 1117) to establish a Joint Committee on the Environment, was read twice by its title and, by unanimous consent, referred jointly to the Committee on Public Works, the Committee on Interior and Insular Affairs, and the Committee on Commerce, and ordered to be reported by July 15, 1970.

The remarks of Mr. MUSKIE when he introduced Senate Joint Resolution 207, of an identical title, appear later in the RECORD.)

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HARRIS):

A petition presented by national aviation associations urging immediate steps to increase the capacity of airports and airways; to the Committee on Commerce.

A resolution adopted by the city council of the City of Philadelphia, memorializing the President of the United States to authorize the immediate and safe withdrawal of all American forces from Southeast Asia; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CURTIS, from the Committee on Agriculture and Forestry, with an amendment:

S. 3592. A bill to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations (Rept. No. 91-915).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10184. An act to provide for the dis-

position of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Mont. (Rept. No. 91-916).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. BOGGS (for himself and Mr. WILLIAMS of Delaware):

S. 3922. A bill to authorize the conveyance of certain unneeded Federal lands of the Fort Miles Reservation, Del., to the State of Delaware for public education and park purposes, and for other purposes; to the Committee on Armed Services.

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

By Mr. EASTLAND:

S. 3923. A bill for the relief of Richard Miao; and

S. 3924. A bill to amend title 18, United States Code, to prohibit the transportation and possession of explosives when not in compliance with certain applicable provisions of law; to the Committee on the Judiciary.

By Mr. SMITH of Illinois:

S. 3925. A bill for the relief of Pirkko Anneli Mikkola; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 3926. A bill for the relief of Hedy Theresa Pereira; to the Committee on the Judiciary.

By Mr. HART:

S. 3927. A bill to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act, and for other purposes;

S. 3928. A bill to amend the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans to associations of fishing vessel owners and operators organized to provide insurance against the damage or loss of fishing vessels or the injury or death of fishing crews, and for other purposes; and

S. 3929. A bill to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes; to the Committee on Commerce.

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

By Mr. JAVITS (for himself, Mr. MILLER, Mr. JORDAN of Idaho, and Mr. PERCY):

S. J. Res. 206. Joint resolution to request the Council of Economic Advisers to publish economic data; to the Committee on Banking and Currency.

(The remarks of Mr. JAVITS when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

By Mr. MUSKIE (for himself, Mr. JACKSON, Mr. MAGNUSON, Mr. RANDOLPH, Mr. BAKER, Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. CANNON, Mr. CHURCH, Mr. COOPER, Mr. EAGLETON, Mr. GRAVEL, Mr. HARRIS, Mr. HATFIELD, Mr. INOUE, Mr. KENNEDY, Mr. MCGEE, Mr. MANSFIELD, Mr. METCALF, Mr. MONDALE, Mr. MONTGOMERY, Mr. MOSS, Mr. NELSON, Mr. PACKWOOD, Mr. PELL, Mr. PERCY, Mr. SPONG, Mr. STEVENS, Mr. TYDINGS, Mr. YARBOROUGH, Mr. YOUNG of Ohio, and Mr. WILLIAMS of New Jersey):

S. J. Res. 207. Joint Resolution to establish a Joint Committee on the Environment; referred jointly, by unanimous consent, to the Committee on Public Works, Committee on

Interior and Insular Affairs and the Committee on Commerce, and ordered to be reported by July 15, 1970.

(The remarks of Mr. MUSKIE when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

S. 3922—INTRODUCTION OF A BILL TO CONVEY CERTAIN UNNEEDED FEDERAL LAND TO THE STATE OF DELAWARE

Mr. BOGGS. Mr. President, I introduce on behalf of my senior colleague (Mr. WILLIAMS) and myself, a bill which would convey five parcels of land at Cape Henlopen, Del., from the Army and the Navy to the State of Delaware.

Quite frankly, Mr. President, we in Delaware have long wanted these lands for the use of outdoor recreation for the benefit of all our citizenry.

These parcels, which total slightly more than 820 acres, are either enclaves within or barriers between parkland operated by the State of Delaware. To the north of the military lands is the 540-acre Cape Henlopen State Park. To the south is State parkland known as Gordon's Pond.

All this land is located on the Atlantic Ocean and enjoys the benefits of beautiful beaches and imposing sand dunes. It is undeveloped commercially, and the State is determined to maintain it in its natural state. There are few such places remaining on the eastern seaboard.

The Navy owns four of the parcels: One of 15 acres where some Reserve forces are trained; two totaling three-quarters of an acre on which are located some little-used equipment sheds; and another of 614 acres on which some important oceanographic work is conducted. The Army owns a 190-acre plot used for recreation and some Reserve training.

In April—during Earth Week—the Army began an operation on a 70-foot-high sand dune covering 13 acres in its area. It leveled the top of the dune, reducing its height to about 40 feet. The purpose of this operation, I understand, was to create a parking place for between five and 10 house trailers.

I can understand the desirability of such action. The land, probably worth \$100,000 an acre, commands a breathtaking view of the Atlantic Ocean and a long stretch of unsullied beach.

But, in so doing, the Army destroyed one of nature's wonders. The "Big Dune," as it is known, is the largest sand dune between Sandy Hook, N.J., and Cape Hatteras, N.C. It has been the subject of scholarly articles in both *Scientific American* and the *National Geographic*.

This destruction was undertaken without consultation with Delaware officials or with people who live in the area. Quite understandably, all were upset.

The Governor of Delaware, the Honorable Russell W. Peterson, persuaded the Army to agree to hold the destruction to the 13-acre plot. He asked the congressional delegation to start an effort to convey the military land to the State.

Since that time, Representative WILLIAM V. ROTH, Jr., Senator WILLIAMS and

myself have been holding discussions with the Department of Defense. We told the Department we were interested in the land and asked them to justify retention of any parts of it they could.

They since have indicated verbally that they might be responsive to conveying the 15-acre plot, the two plots which total three-quarters of an acre, and a corridor through the center of the 612-acre plot.

But we have received no confirmation of that offer and the Army maintains its need to retain the 190-acre plot.

My colleagues and I would disagree with that premise.

The 1st Army at Fort Meade, Md., which operates the land, claims it is necessary for recreation and training. And yet it admits that only 14,000 persons used it for recreation last year. By comparison, more than one million persons used the State-owned recreational beaches.

It is not our intent to deny the use of the beaches to the military, but rather to make them available to all on an equal basis.

Governor Peterson has offered to replace the training sites by finding other, more suitable areas in the State.

This bill would simply convey all the lands under military control to the State of Delaware. We realize there may be perfectly valid justification for the Navy to retain part of its land, and we are more than willing to consider such justifications and to accommodate them during the legislative process.

The PRESIDING OFFICER (Mr. BYRD of Virginia). The bill will be received and appropriately referred.

The bill (S. 3922) to authorize the conveyance of certain unneeded Federal lands of the Fort Miles Reservation, Del., to the State of Delaware for public education and park purposes, and for other purposes, introduced by Mr. BOGGS, for himself and Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 3927, S. 3928, AND S. 3929—INTRODUCTION OF BILLS TO ENHANCE FISH AND WILDLIFE RESOURCES AND TO PROTECT DOMESTIC COMMERCIAL AND SPORT FISHING

Mr. HART. Mr. President, it is my pleasure today to introduce for appropriate reference three bills to enhance fish and wildlife resources throughout the country and to promote and protect domestic commercial and sport fishing.

The first of these bills would amend the Dingell-Johnson and Pittman-Robertson Acts. These acts provide funds for fish and wildlife restoration to the States through excise taxes on sporting arms, ammunition, and fishing gear. The amendments I propose would add to the Pittman-Robertson fund by switching revenue received from the existing excise tax on pistols and revolvers from the general fund to the Pittman-Robertson fund. The extra money would be used for hunter safety programs and other State projects. The remainder of the amendments are "housekeeping" changes to

streamline the administration of both acts. All of these proposals, Mr. President, are the thoughtful recommendations of the distinguished conservationist and Congressman from Michigan's 15th District, Mr. DINGELL.

The second bill would amend the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans to fishermen marine insurance associations so that they may insure themselves against marine perils.

The third would increase the penalties against foreign vessels for fishing in the contiguous fishing zone of the United States, up to a maximum of \$50,000.

Mr. President, all of these bills are needed and it is a pleasure for me to introduce them in the Senate. I ask unanimous consent that they be printed in full in the RECORD.

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

The bills (S. 3927) to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act, and for other purposes;

(S. 3928) to amend the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans to associations of fishing vessel owners and operators organized to provide insurance against the damage of or loss of fishing vessels or the injury or death of fishing crews, and for other purposes; and

(S. 3929) to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes introduced by Mr. HART, were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3927

A bill to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL AID IN WILDLIFE RESTORATION

SEC. 101. The first sentence of section 3 of the Federal Aid in Wildlife Restoration Act of September 2, 1937 (16 U.S.C. 669b), is amended to read as follows: "An amount equal to all revenues accruing each fiscal year (beginning with the fiscal year 1971) from any tax imposed on specified articles by section 4181 of the Internal Revenue Code of 1954 (26 U.S.C. 4181) shall, subject to the exemptions in section 4182 of such Code, be covered into the Federal aid to wildlife restoration fund in the Treasury (hereinafter referred to as the 'fund') and is authorized to be appropriated and made available until expended to carry out the purposes of this Act."

SEC. 102. Sections 4, 5, 6, 7, 8, and 8(a) of the Federal Aid in Wildlife Restoration Act of September 2, 1937 (16 U.S.C. 669c—669g-1), are amended to read as follows:

"SEC. 4. (a) So much, not to exceed 8 per centum, of the revenues covered into said fund in each fiscal year as the Secretary of the Interior may estimate to be necessary for his expenses in the administration and execution of this Act and the Migratory Bird Conservation Act shall be deducted for that

purpose, and such sum is authorized to be made available therefor until the expiration of the next succeeding fiscal year, and within sixty days after the close of such fiscal year the Secretary of the Interior shall apportion such part thereof as remains unexpended by him, if any, and make certificate thereof to the Secretary of the Treasury and to the State fish and game departments on the same basis and in the same manner as is provided as to other amounts authorized by this Act to be apportioned among the States for such current fiscal year. The Secretary of the Interior, after making the aforesaid deduction, shall apportion, except as provided in subsection (b) of this section, the remainder of the revenue in said fund for each fiscal year among the several States in the following manner: One-half in the ratio which the area of each State bears to the total area of all the States, and one-half in the ratio which the number of paid hunting-license holders of each State in the second fiscal year preceding the fiscal year for which such apportionment is made, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting-license holders of all the States. Such apportionments shall be adjusted equitably so that no State shall receive less than one-half of 1 per centum nor more than 5 per centum of the total amount apportioned. The term fiscal year as used in this Act shall be a period of twelve consecutive months from July 1 through the succeeding June 30, except that the period for enumeration of paid hunting-license holders shall be a State's fiscal or license year.

"(b) One-half of the revenues accruing to the fund under this Act each fiscal year (beginning with the fiscal year 1971) from any tax imposed on pistols and revolvers shall be apportioned among the States in proportion to the ratio that the population of each State bears to the population of all the States: *Provided*, That each State shall be apportioned not more than 3 per centum and not less than 1 per centum of such revenues. For the purpose of this subsection, population shall be determined on the basis of the latest decennial census for which figures are available, as certified by the Secretary of Commerce.

"Sec. 5. For each fiscal year, the Secretary of the Interior shall certify to the Secretary of the Treasury and to each State fish and game department the sum which he has estimated to be deducted for administering and executing this Act and the Migratory Bird Conservation Act and the sum which he has apportioned to each State. Any State desiring to avail itself of the benefits of this Act shall notify the Secretary of the Interior to this effect within sixty days after it has received the certification referred to in this section. The sum apportioned to any State which fails to notify the Secretary of the Interior as herein provided is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act.

"Sec. 6. (a) Any State desiring to avail itself of the benefits of this Act shall, by its State fish and game department, submit programs or projects for wildlife restoration in either of the following two ways:

"(1) The State shall prepare and submit to the Secretary of the Interior a comprehensive fish and wildlife resource management plan which shall insure the perpetuation of these resources for the economic, scientific, and recreational enrichment of the people. Such plan shall be for a period of not less than five years and be based on projections of desires and needs of the people for a period of not less than fifteen years. It shall include provisions for updating at intervals of not more than three years and be provided in a format as may be required by the Secretary of the Interior. If the Secretary of the

Interior finds that such plans conform to standards established by him and approves such plans, he may finance up to 75 per centum of the cost of implementing segments of those plans meeting the purposes of this Act from funds apportioned under this Act upon his approval of an annual agreement submitted to him.

"(2) A State may elect to avail itself of the benefits of this Act by its State fish and game department submitting to the Secretary of the Interior full and detailed statements of any wildlife-restoration project proposed for that State. If the Secretary of the Interior finds that such project meets with the standards set by him and approves said project, the State fish and game department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require. If the Secretary of the Interior approves the plans, specifications, and estimates for the project, he shall notify the State fish and game department and immediately set aside so much of said fund as represents the share of the United States payable under this Act on account of such project, which sum so set aside shall not exceed 75 per centum of the total estimated cost thereof.

The Secretary of the Interior shall approve only such comprehensive plans or projects as may be substantial in character and design and the expenditure of funds thereby authorized shall be applied only to such approved comprehensive wildlife plans or projects and if otherwise applied they shall be replaced by the State before it may participate in any further apportionment under this Act. No payment of any money apportioned under this Act shall be made on any comprehensive wildlife plan or project until an agreement to participate therein shall have been submitted to and approved by the Secretary of the Interior.

"(b) If the State elects to avail itself of the benefits of this Act by preparing a comprehensive fish and wildlife plan under option (1) of subsection (a) of this section then the term 'project' may be defined for the purposes of this Act as a wildlife program, all other definitions notwithstanding.

"(c) Administrative costs in the form of overhead or indirect costs for services provided by State central service activities outside of the State agency having primary jurisdiction over the wildlife resources of the State which may be charged against programs or projects supported by the fund established by section 3 of this Act shall not exceed in any one fiscal year 3 per centum of the annual apportionment to the State.

"Sec. 7: (a) When the Secretary of the Interior shall find that any project approved by him has been completed or, if involving research relating to wildlife, is being conducted, in compliance with said plans and specifications, he shall cause to be paid to the proper authority of said State the amount set aside for said project. The Secretary of the Interior may, in his discretion, from time to time, make payments on said project as the same progresses; but these payments, including previous payments, if any, shall not be more than the United States pro rata share of the project in conformity with said plans and specifications. If a State has elected to avail itself of the benefits of this Act by preparing a comprehensive fish and wildlife plan as provided for under option (1) of subsection (a) of section 6 of this Act, and this plan has been approved by the Secretary of the Interior, then the Secretary may, in his discretion, and under such rules and regulations as he may prescribe, advance funds to the State for financing the United States pro rata share agreed upon between the State fish and game department and the Secretary.

"(b) Any construction work and labor in each State shall be performed in accordance with its laws and under the direct super-

vision of the State fish and game department, subject to the inspection and approval of the Secretary of the Interior and in accordance with rules and regulations made pursuant to this Act. The Secretary of the Interior and the State fish and game department of each State may jointly determine at what times and in what amounts payments shall be made under his Act. Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of the Interior against the said fund to such official or officials, or depository, as may be designated by the State fish and game department and authorized under the laws of the State to receive public funds of the State.

"Sec. 8. (a) Maintenance of wildlife-restoration projects established under the provisions of this Act shall be the duty of the States in accordance with their respective laws. Beginning July 1, 1945, the term 'wildlife-restoration project', as defined in section 2 of this Act, shall include maintenance of completed projects. Notwithstanding any other provisions of this Act, funds apportioned to a State under this Act may be expended by the State for management (exclusive of law enforcement and public relations) of wildlife areas and resources.

"(b) Each State may use the funds apportioned to it under section 4(h) of this Act to pay up to 50 per centum of the costs of a hunter safety program and the construction, operation, and maintenance of public outdoor target ranges, as a part of such program. The non-Federal share of such costs may be derived from license fees paid by hunters, but not from other Federal grant programs. The Secretary shall issue not later than the 120th day after the effective date of this subsection such regulations as he deems advisable relative to the criteria for the establishment of hunter safety programs and public outdoor target ranges under this subsection.

"Sec. 8A. The Secretary of the Interior is authorized to cooperate with the Secretary of Agriculture of Puerto Rico, the Governor of Guam, and the Governor of the Virgin Islands, in the conduct of wildlife-restoration projects, as defined in section 2 of this Act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to Puerto Rico, Guam, and the Virgin Islands, out of the money available for apportionment under this Act, such sums as he shall determine, not exceeding for Puerto Rico one-half of 1 per centum, for Guam one-sixth of 1 per centum, and for the Virgin Islands one-sixth of 1 per centum of the total amount apportioned, in any one year, but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in Puerto Rico, Guam, or the Virgin Islands, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act."

SEC. 103. This title may be cited as the "Federal Aid in Wildlife Restoration Act Amendments of 1970".

TITLE II—FEDERAL AID IN SPORT FISH RESTORATION

SEC. 201. Section 4 of the Federal Aid in Fish Restoration Act of 1950 (16 U.S.C. 777c) is amended to read as follows:

"SEC. 4. So much, not to exceed 8 per centum, of each annual appropriation made in pursuance of the provisions of section 3 of this Act as the Secretary of the Interior may estimate to be necessary for his expenses in the conduct of necessary investigations,

administration, and the execution of this Act and for aiding in the formulation, adoption, or administration of any compact between two or more States for the conservation and management of migratory fishes in marine or fresh waters shall be deducted for that purpose, and such sum is authorized to be made available therefor until the expiration of the next succeeding fiscal year. The Secretary of the Interior, after making the aforesaid deduction, shall apportion the remainder of the appropriation for each fiscal year among the several States in the following manner: 40 per centum in the ratio which the area of each State including coastal and Great Lakes waters (as determined by the Secretary of the Interior) bears to the total area of all the States, and 60 per centum in the ratio which the number of persons holding paid licenses to fish for sport or recreation in the State in the second fiscal year preceding the fiscal year for which such apportionment is made, as certified to said Secretary by the State fish and game departments, bears to the number of such persons in all States. Such apportionments shall be adjusted equitably so that no State shall receive less than 1 per centum nor more than 5 per centum of the total amount apportioned. Where the apportionment to any State under this section is less than \$4,500 annually, the Secretary of the Interior may allocate not more than \$4,500 of said appropriation to said State to carry out the purposes of this Act when said State certifies to the Secretary of the Interior that it has set aside not less than \$1,500 from its fish-and-game funds or has made, through its legislature, an appropriation in this amount for said purposes. So much of any sum not allocated under the provisions of this section for any fiscal year is hereby authorized to be made available for expenditure to carry out the purposes of this Act until the close of the succeeding fiscal year, and if unexpended or unobligated at the end of such year, such sum is hereby authorized to be made available for expenditure by the Secretary of the Interior in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport or recreation. The term fiscal year as used in this section shall be a period of twelve consecutive months from July 1 through the succeeding June 30, except that the period for enumeration of persons holding licenses to fish shall be a State's fiscal or license year."

Sec. 202. Sections 6, 7, and 8 of the Federal Aid in Fish Restoration Act of 1950 (16 U.S.C. 777e-777g) are amended to read as follows:

"Sec. 6. (a) Any State desiring to avail itself of the benefits of this Act shall, by its State fish and game department, submit programs or projects for fish restoration in either of the following two ways:

"(1) The State shall prepare and submit to the Secretary of the Interior a comprehensive fish and wildlife resource management plan which shall insure the perpetuation of these resources for the economic, scientific, and recreational enrichment of the people. Such plan shall be for a period of not less than five years and be based on projections of desires and needs of the people for a period of not less than fifteen years. It shall include provisions for updating at intervals of not more than three years and be provided in a format as may be required by the Secretary of the Interior. If the Secretary of the Interior finds that such plans conform to standards established by him and approves such plans, he may finance up to 75 per centum of the cost of implementing segments of those plans meeting the purposes of this Act from funds apportioned under this Act upon his approval of an annual agreement submitted to him.

"(2) A State may elect to avail itself of the benefits of this Act by its State fish and

game department submitting to the Secretary of the Interior full and detailed statements of any fish restoration and management project proposed for that State. If the Secretary of the Interior finds that such project meets with the standards set by him and approves said project, the State fish and game department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require. If the Secretary of the Interior approves the plans, specifications, and estimates for the project, he shall notify the State fish and game department and immediately set aside so much of said appropriation as represented the share of the United States payable under this Act on account of such project, which sum so set aside shall not exceed 75 per centum of the total estimated cost thereof.

The Secretary of the Interior shall approve only such comprehensive plans or projects as may be substantial in character and design and the expenditure of funds hereby authorized shall be applied only to such approved comprehensive fishery plan or projects and if otherwise applied they shall be replaced by the State before it may participate in any further apportionment under this Act. No payment of any money apportioned under this Act shall be made on any comprehensive fishery plan or project until an agreement to participate therein shall have been submitted to and approved by the Secretary of the Interior.

"(b) If the State elects to avail itself of the benefits of this Act by preparing a comprehensive fish and wildlife plan under option (1) of subsection (a) of this section, then the term 'project' may be defined for the purposes of this Act as a fishery program, all other definitions notwithstanding.

"(c) Administrative costs in the form of overhead or indirect costs for services provided by State central service activities outside of the State fish and game department charged against programs or projects supported by funds made available under this Act not exceed in any one fiscal year 3 per centum of the annual apportionment to the State.

"Sec. 7. (a) When the Secretary of the Interior shall find that any project approved by him has been completed or, if involving research relating to fish, is being conducted, in compliance with said plans and specifications, he shall cause to be paid to the proper authority of said State the amount set aside for said project. The Secretary of the Interior may, in his discretion, from time to time, make payments on said project as the same progresses; but these payments, including previous payments, if any, shall not be more than the United States' pro rata share of the project in conformity with said plans and specifications. If a State has elected to avail itself of the benefits of this Act by preparing a comprehensive fish and wildlife plan as provided for under option (1) of subsection (a) of section 6 of this Act, and this plan has been approved by the Secretary of the Interior, then the Secretary may, in his discretion, and under such rules and regulations, as he may prescribe, advance funds to the State for financing the United States' pro rata share agreed upon between the State fish and game department and the Secretary.

"(b) Any construction work and labor in each State shall be performed in accordance with its laws and under the direct supervision of the State fish and game department, subject to the inspection and approval of the Secretary of the Interior and in accordance with the rules and regulations made pursuant to this Act. The Secretary of the Interior and the State fish and game department of each State may jointly determine at what times and in what amount's payments shall be made under this Act. Such payments shall be made against the said appropriation to such official or officials, or depository, as may be designated by the State

fish and game department and authorized under the laws of the State to receive public funds of the State.

"Sec. 8. To maintain fish-restoration and management projects established under the provisions of this Act shall be the duty of the States according to their respective laws. Beginning July 1, 1953, maintenance of projects heretofore completed under the provisions of this Act may be considered as projects under this Act. Title to any real or personal property acquired by any State, and to improvements placed on State-owned lands through the use of funds paid to the State under the provisions of this Act, shall be vested in such State."

Sec. 203. Section 12 of the Federal Aid in Fish Restoration Act of 1950 (16 U.S.C. 777k) is amended to read as follows:

"Sec. 12. The Secretary of the Interior is authorized to cooperate with the Secretary of Agriculture of Puerto Rico, the Governor of Guam, and the Governor of the Virgin Islands, in the conduct of fish restoration and management projects, as defined in section 2 of this Act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to Puerto Rico, Guam, and the Virgin Islands, out of money available for apportionment under this Act, such sums as he shall determine, not exceeding for Puerto Rico 1 per centum, for Guam one-third of 1 per centum and for the Virgin Islands one-third of 1 per centum of the total amount apportioned in any one year, but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be made available for expenditure in Puerto Rico, Guam, or the Virgin Islands, as the case may be, in the succeeding year, on any approved projects, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport or recreation."

Sec. 204. This title may be cited as the "Federal Aid in Fish Restoration Act Amendments of 1970".

S. 3928

A bill to amend the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans to associations of fishing vessel owners and operators organized to provide insurance against the damage or loss of fishing vessels or the injury or death of fishing crews, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742c) is amended by striking out "Sec. 4." and inserting in lieu thereof "Sec. 4a."

Sec. 2. The Fish and Wildlife Act of 1956 is amended by inserting immediately after section 4a thereof (as redesignated in the first section of this Act) the following new section:

"INSURANCE LOAN PROCEDURES

"Sec. 4b. (a) The Secretary is authorized to make loans to any fishermen's marine insurance association to enable such association to carry out its insurance operations.

"(b) The Secretary may not make loans under this section to any fishermen's marine insurance association which in aggregate amount exceed an amount equal to 50 per centum of the amount of the capital and surplus of such association.

"(c) Any loan made by the Secretary under this section shall—

"(1) bear an interest rate of not less than

(A) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (B) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose.

"(2) mature in not to exceed ten years.

"(3) be secured in a manner deemed satisfactory by the Secretary, and

"(4) be subject to such other terms and conditions as the Secretary deems necessary or appropriate.

"(d) The Secretary may, with respect to any loan made by him under this section, agree to a modification of—

"(1) the interest rate,

"(2) the time of payment of any installment of principal, but such modification may not extend the loan beyond ten years.

"(3) the security for the loan, or

"(4) any other terms or conditions made with respect to the loan by the Secretary.

"(e) There is created a Fishermen's Association Insurance Loan Fund which shall be used by the Secretary as a revolving fund to make loans under this section. Any funds received by the Secretary in payment of principal or interest on any loan so made shall be deposited in the Fund and be available for making additional loans under this section. There is authorized to be appropriated to the Fund the sum of \$10,000,000 to provide initial capital.

"(f) As used in this section—

"(1) The term 'fishermen's marine insurance association' means any association, whether corporate or otherwise, which is formed by citizens of the United States who are owners or operators of commercial fishing vessels for the purpose of insuring themselves, in accordance with applicable State laws, against—

"(A) any loss of, or damage to, a commercial fishing vessel (including machinery, equipment, and gear) caused by marine perils, and

"(B) the injury or death of any officer, and any member of the crew, of a commercial fishing vessel incurred incident to the operation of such vessel for fishing purposes except that a fishermen's marine insurance association may not insure any commercial fishing vessel other than a vessel of which at least 75 per centum of the interest therein is owned by a citizen of the United States who is a member of such association.

"(2) The term 'citizen of the United States' includes a corporation, partnership, or association which—

"(A) is organized under the laws of any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, and

"(B) is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended (46 U.S.C. 802)."

S. 3929

A bill to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Act entitled "An Act to prohibit fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels", approved May 20, 1964 (16 U.S.C. 1932), is amended—

(1) by striking out "not more than \$10,000" in subsection (a) thereof and inserting in lieu thereof "not less than \$25,000 and not more than \$50,000",

(2) by amending subsection (b) thereof to read as follows:

"(b) Every vessel employed in any manner in connection with a violation of this Act shall be subject to forfeiture and the tackle, apparel, furniture, appurtenances, cargo, and stores of any vessel so employed shall be forfeited. All fish taken or retained in violation of this Act or the monetary value thereof shall be forfeited, and, for the purposes of this Act, it shall be a rebuttable presumption that all fish found aboard a vessel seized in connection with a violation of this Act were taken or retained in violation of this Act.", and

(3) by amending subsection (c) thereof by striking out "including its tackle, apparel, furniture, appurtenances, cargo, and stores" each place it appears therein.

SEC. 2. The first sentence of section 3(a) of such Act of May 20, 1964 (16 U.S.C. 1083), is amended to read as follows: "Enforcement of the provisions of this Act is the joint responsibility of the Secretary of the Interior, the Secretary of the Treasury, and the Secretary of the Department in which the Coast Guard is operating, and each such Secretary may, by agreement with any other Federal department or agency, utilize the equipment (including aircraft and vessels) of that department or agency to carry out such enforcement."

SEC. 3. Such Act of May 20, 1964 (16 U.S.C. 1081-1085), is further amended by adding at the end thereof the following new subsection:

"Sec. 6. The Secretary of the Treasury may pay to any person, other than an officer of the United States or a person authorized to function as a Federal law enforcement agent under this Act, compensation of not more than \$5,000 if such person submits to any such officer or authorized person original information concerning any violation, perpetrated or contemplated, of this Act and such information leads to any penalty or forfeiture incurred for violation of this Act."

SENATE JOINT RESOLUTION 206— INTRODUCTION OF A JOINT RESOLUTION ON WAGE-PRICES

Mr. JAVITS. Mr. President, I introduce a substitute wage-price joint resolution for Senate Joint Resolution 203, which I introduced on May 22. This resolution requests the Council of Economic Advisers to publish at least once a month the implications of unusually significant wage and price decisions. It is cosponsored by Senators JORDAN, MILLER, and PERCY, the other Republican Senators of the Joint Economic Committee, and is identical to a House resolution being introduced by my ranking JEC colleague Representative WILLIAM WIDNALL, of New Jersey. These resolutions are the outgrowth of recommendations contained in the annual Joint Economic Committee report, and place the JEC Republicans once again on record as urging the administration to adopt a more aggressive wage-and-price policy. I believe it is very significant that a consensus on this subject should have been reached by this group of Republicans, and I note with some satisfaction that several administration figures—including Secretary Romney, Undersecretary Walker, and Treasury Assistant Secretary Wiedenbaum—have also begun to urge an "incomes policy."

Mr. President, we have been told since January that excess demand in our economy has been eliminated, and we have recently learned that businesses

have substantially cut back on their earlier estimates for capital spending. These developments suggest that inflationary pressures are being substantially deflated. Nevertheless, productivity has been declining since the last quarter of 1968, and falling productivity inevitably raises the unit cost—and the price—of manufactured goods. What we have, therefore, is a mixture of conditions, some laying the ground for rolling back inflation and others pointing toward further price increases.

On the productivity side, I believe we must take steps to restore an effective investment incentive for business. Failure to raise productivity by such a step as this will inevitably force business to resort to another well-known means of raising productivity: laying off employees. This fact indicates also that action on the pending manpower bill should be one of our high priority tasks as summer approaches.

On the price side—and here is where the JEC resolution comes in—I believe the administration must adopt a stronger stance on wages and prices. The resolution describes one course of action which will mobilize public opinion in the fight against inflation. To use Undersecretary Walker's words, the resolution would push, or promote the educational process in understanding why prices do what they do; Americans, who are far more sophisticated now than they were even in 1946 when the JEC was established, demand and can absorb the kind of information that this resolution attempts to give them.

I am aware that my Democratic colleagues in the Congress and in the Joint Economic Committee are pressing for stronger action on the wage-price front. Wage-price controls are talked about, as well as a wage-price freeze; we may have to come to them but the feasibility of a course of action at this time suggests the greater likelihood of immediate action along the lines of the resolution at hand. Should current efforts to reduce inflation prove fruitless—and I include in those efforts a comprehensive program to improve business productivity—we may well have to enact stricter controls.

I ask unanimous consent that the joint resolution be printed in the RECORD.

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

The joint resolution (S.J. Res. 206) to request the Council of Economic Advisers to publish economic data, introduced by Mr. JAVITS, for himself and other Senators, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S.J. RES. 206

Whereas the goals of maximum employment, production, and purchasing power set forth in the Employment Act of 1946 affirm the need for price stability,

Whereas the level of inflation presently affecting the national economy is causing severe hardship and a loss of purchasing power for many citizens, and

Whereas an informed public debate, in the fight against inflation, would mark a sig-

nificant advance toward our economic policy goals: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That until December 31, 1971, the Council of Economic Advisers is hereby requested to publish, periodically, but at least once a month, with whatever assistance may be required from other executive branch departments and agencies:

(1) the implications of unusually significant price decisions made or proposed in major industries during the preceding month

(2) the implications of unusually significant collective bargaining agreements entered into or proposed in major industries during the preceding month, and

(3) such other data on price and wage developments as the Council deems beneficial to the public interest.

SEC. 2. (a) With respect to the data referred to in paragraph (1) of the first section, each analysis should indicate how the price decisions set forth therein can be expected to influence overall consumer and wholesale price levels, how they might affect other prices in related industries, and the arguments made by particular companies or industries why such price increases are deemed necessary.

(b) With respect to the data referred to in paragraph (2) of the first section each analysis should indicate the magnitude of wage and benefit increases, under different timing assumptions, represented by the proposals set forth therein; the productivity experience and wage experience in the industry; and whether industry officials believe such increases would bring about price increases.

SENATE JOINT RESOLUTION 207— INTRODUCTION OF A JOINT RESOLUTION TO ESTABLISH A JOINT COMMITTEE ON THE ENVIRONMENT

Mr. MUSKIE, Mr. President, on behalf of myself, and Senators JACKSON, MAGNUSON and RANDOLPH, and Senators BAKER, BAYH, BIBLE, BOGGS, CANNON, CHURCH, COOPER, EAGLETON, GRAVEL, HARRIS, HATFIELD, INOUE, KENNEDY, MCGEE, MANSFIELD, METCALF, MONDALE, MONTROYA, MOSS, NELSON, PACKWOOD, PELL, PERCY, SPONG, STEVENS, TYDINGS, YARBOROUGH, YOUNG of Ohio, and WILLIAMS of New Jersey, I introduce a joint resolution to establish in the Congress a forum for the assessment of present and future problems affecting man and his environment.

The legislation is an expanded and revised version of Senate Resolution 78 which would establish a similar Senate Select Committee on Technology and the Human Environment. Senate Resolution 78 and its counterparts in the 89th and 90th Congress were the subjects of extensive hearings by the Subcommittee on Intergovernmental Relations and were reported favorably to the Senate Government Operations Committee. This new resolution extends the concept of Senate Resolution 78 to include membership from both Houses of Congress.

Mr. President, we live in the midst of a scientific and technological revolution. While we have learned many things from science and technology, we have learned many things about science and technology at the same time.

On the one hand, we have learned that the potential of our scientific and technological expertise as a force for good

in the world is great. In a few generations, we have added more to our store of knowledge and understanding than the accumulation of thousands of years of human thought. We have explored our surroundings and tested our abilities so thoroughly that we have created more knowledge than we have time to digest.

On the other hand, we stand at the threshold of losing control over our own genius. We have come so far so fast that we have lost some of our sense of direction. We may have lost more than we have gained. We have discovered that the human and natural resources of our environment may be threatened by the very technology that has made America strong.

The difficult choices, the tough decisions, are just ahead of us. The longer we ignore the impact of our technological development on the natural environment, the more our days will be numbered. The longer we ignore the human price of technological development, the greater will be the price of life itself.

For all we have learned, we still know too little about the effects of what we have done with our scientific and technological genius. We know even less about the effects of what we might do.

In hearings on Senate Resolution 78, Dr. Barry Commoner, of Washington University in St. Louis emphasized this point in his testimony:

Before the development of modern technology, human beings breathed air consisting largely of oxygen, nitrogen, some carbon dioxide and water vapor. Now the air carries into our lungs as well oxides of sulfur and nitrogen, carbon monoxide, flakes of asbestos, soot and dust, and a variety of manmade organic and radioactive substances. It is often said that technology has transformed man. Indeed it has. The new technological man unlike his predecessors carries strontium-90 in his bones, iodine-131 in his lungs. We know little about the separate effects of these and the many other new agents which burden our body. We know even less about their possible interactions, which may be far more harmful than the sum of the separate effects.

As legislators, we are responsible for understanding these changes. We must be able to make accurate predictions about new technologies and we must apply this knowledge to our decisions regarding environmental protection, resource development, food production, transportation, power supply, education, communication, health, and employment.

We should assess the undesirable consequences of technological change and devise an early-warning system to protect our human and natural resources.

We should evaluate our governmental institutions at all levels to determine their capability to adapt to these technological demands.

And we should analyze the impact of technological change on the people of our Nation so that we can help inform them.

It is not the intent of this resolution to establish a committee which would infringe the substantive jurisdiction of any standing committee. The joint committee would have no jurisdiction over legislation or powers of legislative oversight. Rather, it would provide a source of information and analysis not now

available to the Congress. Information which the standing committees do not have the time nor the mandate to develop for themselves.

Standing committees are increasingly burdened with legislative proposals within their special fields, and the committee staffs have little opportunity to explore the broad relationships between other fields and the environment. The hearings developed by the joint committee would provide Members of Congress, their assistants, and committee staff members with information for the development of legislative and executive policy.

The standing legislative committees involved with the environment should help determine the areas of inquiry which they felt were most relevant to their requirements. They could help guide the effort of the joint committee along lines which would assure maximum benefit to the standing committees.

Through its hearings and reports, the joint committee also would make an important contribution to the executive branch, to scholars and academic institutions, to professional organizations, to State and local governments, and to the public at large.

The need for this joint committee has been emphasized by the testimony of eminent scientists, educators, scholars and government officials during hearings held on Senate Resolution 298 in the 89th Congress, Senate Resolution 68 in the 90th Congress and on Senate Resolution 78 in the 91st Congress.

The concept of a Joint Committee for Technology Assessment was recommended by the National Academy of Sciences in a report to the Committee on Science and Astronautics of the House of Representatives in July 1969.

A further recommendation has been made to the Environmental Studies Board of the National Academy of Sciences and National Academy of Engineering in a report on "Institutions for Effective Management of the Environment." The study group recommended that—

The activities of the executive branch in establishing environmental policies, evaluating and overseeing their implementation, and in general managing environmental affairs should, we believe, relate to a more broadly effective congressional organization than now exists. At present several committees of both Houses of the Congress have jurisdictions that relate to environmental matters. And while we would not presume to suggest a reorganization of congressional committees, we do recommend that a joint committee of the Congress, comprised of the chairmen and ranking minority members of the relevant committees of both Houses, would provide a much needed focal point for the informed discussion of environmental affairs.

Such a joint committee would provide an open forum for annual hearings relating to the President's report, in which the important issues would be discussed and debated in public. This would, of course, in no way infringe upon existing jurisdictions relating to appropriations or other congressional activities, though careful consideration should be given to organizational realignments in the future.

During the 1969 hearings, Dr. Emmanuel Mesthene, director of the program on

technology and society at Harvard University, observed that—

The jurisdictions of existing committees and subcommittees coincide with the jurisdictions of the individual agencies or the individual economic sectors—the Armed Services, agriculture, industry, and commerce, space—which are charged with technological development. This tends to lead to a fragmentation of concern to a partial view of the implications of technological development.

It seems to me, therefore, that a select, cross-jurisdictional committee could be particularly responsive to this defect in the existing committee structure, because it would be able to take an overall view and to concentrate specifically on the third-party implications, the indirect effects of technological development.

In 1967, Dr. James A. Shannon, Director of the National Institutes of Health, testified that Congress and the executive branch have approached environmental problems on an individual basis, and he endorsed the comprehensive approach of a study committee. He said:

The holistic approach has been missing and the result has been widespread fragmentation of responsibilities. This way of doing business has diffused the discharge of Federal responsibilities. It has tended to confuse State and local relationships to these Federal efforts.

In 1967, Prof. Roger Revelle, director of the Center for Population Studies, Harvard University, noted that—

We live in a world of such rapid change and are beset by our own actions, that thoughtful men everywhere are trying to pierce the curtain of the future with an anxiety and intensity that did not exist in past generations.

Very few great problems of the real world can be solved within one discipline. They have to be solved by many disciplines together.

Revelle viewed a joint committee as the means for bringing the knowledge of these disciplines together and providing the Government with a forum for thinking about them over longer time horizons.

Congress, as a whole, must develop a way to inform itself on the issues of the environment. We must insure that our public institutions have the capacity to evaluate the environment together with other disciplines and the ability to reduce the hazards of future technological development to an absolute minimum. These tasks of organization and commitment may pose an even greater challenge to American government than the ultimate prescription and implementation of solutions themselves.

The environment we pass on to our children will reflect our ability to define the problems we face as much as our determination to solve them. If we fail to complete the work we have begun, our children will have to pay more than the price of our inaction. They will bear the tragedy of our failure to protect them against environmental changes which can disrupt life processes and impair physical and mental health.

The future of our society depends on how well we at the Federal level provide leadership and answers concerning the critical relationship between our human and natural resources.

Therefore, I urge prompt consideration of this resolution. I ask unanimous consent that the text of the resolution be printed in the RECORD at this point.

I also ask unanimous consent that this resolution and House Joint Resolution 1117, a similar resolution passed by the House and now being held at the desk, be jointly referred to the Committees on Public Works, Commerce, and Interior with instruction to report back to the Senate by July 15.

The PRESIDING OFFICER. Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object, and I shall not, I shall do so only for the purpose of establishing a principle in the RECORD.

I have discussed this matter with the distinguished Senator from Maine. And I want to make it clear that in this instance I do not speak for the chairman of the Committee on Interior and Insular Affairs (Mr. JACKSON), because I have not discussed it with him, although I would hope that his ideas would be similar to mine.

Mr. President, is it possible while objecting to make a parliamentary inquiry?

The PRESIDING OFFICER. Would the Senator yield for that purpose?

Mr. MUSKIE. Mr. President, I yield for that purpose.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. ALLOTT. Mr. President, I would like to inquire of the Chair if this matter were handled in this way by unanimous consent, would it then be regarded as a precedent of the Senate?

The PRESIDING OFFICER (Mr. ALLEN). It would not be a precedent because this is done by unanimous consent. A joint referral could only be made by unanimous consent. No precedent would be established.

Mr. ALLOTT. Mr. President, I thank the Presiding Officer for that answer. I am very happy to hear that answer. Certainly, I am not anxious—in fact, I am very unanxious—to set up a procedure which would be a precedent in the Senate.

The Senator from Maine and I have discussed this matter. And we have both agreed that as a general principle it would be something that we would not want to establish as a precedent.

Mr. President, with this understanding, I think I am satisfied with the answer and we will have the hearings, the bill will be reported, and we can then handle it in the regular manner without getting into the setting of a precedent.

This was what greatly concerned me about the situation.

Mr. President, I have no further remarks on the matter.

Mr. MUSKIE. Mr. President, may I say that the distinguished Senator from Colorado has accurately reported the substance of our discussion.

We both agree that it would be undesirable that this sort of procedure establish a precedent.

I concur with the distinguished Senator that when more than one Senate committee has jurisdiction over a piece of legislation, the desirable approach is for each committee to handle the legislation separately from the point of view

of its own jurisdiction and discharge that responsibility and then in the regular course have the matter handled by the Senate as a whole.

It is the unusual nature of this resolution, the subject matter of which covers the jurisdiction of at least three Senate committees, that finally persuaded us to take this unusual course.

I concur with the Senator. It should be regarded as unusual, it should not be regarded as setting a precedent, and any subsequent proposal of this nature should be considered on its merits at the time it is advanced.

So, Mr. President, with the approval of the Senator from Colorado I ask unanimous consent for the referral which I have requested.

The PRESIDING OFFICER (Mr. ALLEN). The joint resolutions will be received; and, without objection, will be jointly referred to the Committees on Public Works, Commerce, and Interior and Insular Affairs, with instructions to report back to the Senate by July 15, 1970; and, without objection, the Senate joint resolution will be printed in the RECORD.

The joint resolutions (S.J. Res. 207 and H.J. Res. 1117) were received, read twice by their titles, and ordered, by unanimous consent, to be referred jointly to the Committees on Public Works, Commerce, and Interior and Insular Affairs.

Senate Joint Resolution 207 was ordered to be printed in the RECORD, as follows:

S.J. RES. 207

Joint resolution to establish a Joint Committee on the Environment

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a joint congressional committee which shall be known as the Joint Committee on the Environment (hereafter in this joint resolution referred to as the "committee") consisting of eleven Members of the Senate to be appointed by the President of the Senate, and eleven Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Of the eleven Members of the Senate appointed under this subsection, six Members shall be from the majority party, and five Members shall be from the minority party. Of the eleven Members of the House of Representatives appointed under this subsection, six members shall be from the majority party, and five Members shall be from the minority party. In the appointment of members of the committee under this subsection, the President of the Senate and the Speaker of the House of Representatives shall give due consideration to providing representation on the committee from the various committees of the Senate and the House of Representatives having jurisdiction over matters relating to the environment.

(b) The committee shall select a chairman and a vice chairman from among its members, at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship shall alternate between the Senate and House of Representatives with each Congress, and the chairman shall be selected by members from that House entitled to the chairmanship. The vice chairman shall be chosen from the House other than that of the chairman by the members of that House. The committee may establish such subcommittees as it deems necessary and appropriate to carry

out the purpose of this joint resolution.

(c) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee. Vacancies shall be filled in the same manner as original appointments are made.

(d) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking testimony.

(e) The committee shall keep a complete record of all committee actions, including a record of the votes on any question on which a record vote is demanded. All committee records, data, charts, and files shall be the property of the committee and shall be kept in the offices of the committee or such other places as the committee may direct.

(f) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate or to the House of Representatives.

SEC. 2. (a) It shall be the duty of the committee—

(1) to conduct a continuing comprehensive study and review of the character and extent of environmental and technological changes and their effect on population, communities, and industries.

(2) to study methods of using all practical means and measures, including financial and technical assistance, in a manner calculated to foster, promote, create, and maintain conditions under which man and nature can exist in harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans; and

(3) to develop policies that would encourage maximum private investment in means of improving environmental quality.

(b) The environmental quality report required to be submitted pursuant to section 201 of the National Environmental Policy Act of 1969 shall, when transmitted to Congress, be referred to the committee as well as to standing committees in the Senate and the House of Representatives having jurisdiction over the subject matter of such report.

(c) On or before the last day of December of each year, the committee shall submit to the Senate and to the House of Representatives for reference to the appropriate standing committees an annual report on the studies, reviews, and other projects undertaken by it, together with its recommendations. The committee may make such interim reports to the appropriate standing committees of the Congress prior to such annual report as it deems advisable.

(d) Before undertaking any study or investigation, the committee shall notify and consult with standing committees having jurisdiction over the subject matter thereof to avoid unnecessary duplication with any investigation undertaken by any other joint committee, or by any standing committee of the Senate or of the House of Representatives.

SEC. 3. (a) For the purposes of this joint resolution, the committee is authorized, as it deems advisable (1) to make such expenditures; (2) to hold such hearings; (3) to sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate and of the House of Representatives; and (4) to employ and fix the compensation of technical, clerical, and other assistants and consultants. Persons employed under authority of this subsection shall be employed without regard to political affiliations and solely on the basis of fitness to perform the duties for which employed.

(b) The committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency

as it deems advisable. With the consent of any other committee of the Congress, or any subcommittee thereof the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee determines that such action is necessary and appropriate.

SEC. 4. To enable the committee to exercise its powers, functions, and duties under this joint resolution, there are authorized to be appropriated for each fiscal year such sums as may be necessary to be disbursed by the Clerk of the House of Representatives on vouchers signed by the chairman or vice chairman of the committee.

MR. MUSKIE. Mr. President, I also ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Washington (Mr. MAGNUSON).

THE PRESIDING OFFICER. Is there objection?

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

STATEMENT BY SENATOR MAGNUSON

Mr. President, in this time of rapid change and progress Congress must retain flexibility as an institution and be prepared to improve its structure in order to meet and solve important problems facing the nation. There are no more pressing national problems than those embodied in the term "environment." It is time for Congress to adjust its structure to meet head-on in a coordinated fashion these problems. Therefore, I am pleased to join Senators Muskie, Jackson, Randolph and others in sponsoring the resolution to create a Joint Committee on the Environment.

The Senate Commerce Committee has begun to recognize danger signals arising from the very developments we have pursued as goals of national policy—industrial growth and innovations; the tapping of natural resources; mechanization and cybernation; and a blanketing network of fast, powerful, efficient air, land, and water transports.

We have awakened to the realization that the uninvited companion of economic progress is too often an unseen environmental hazard or poisonous byproduct. Our national cost accounts for evaluating technological progress must weigh fully in the balance the assault of that technology on our air and water and our soil, the marring of our countryside, and the brutalizing of our tranquility.

In 1970 and beyond, the commerce committee has undertaken as a first priority to evaluate, and, where necessary, balance the necessary growth of commerce against the essential preservation of the environment.

This is not a new task, though it has assumed new prominence and urgency. In the past, the Committee has both investigated and legislated on such environmental concerns as the impact of pesticides on fish and wildlife, radiation emissions from electronic products, airport and airways noise abatement, estuarine contamination, sport and commercial fisheries conservation, and rail, aviation, and motor vehicle safety—each reflecting the Committee's concern and responsibility for a sound physical environment as well as a healthy economic environment.

To meet its growing responsibilities in environmental matters as well as to facilitate its overall efficiency, the Commerce Committee established two new subcommittees in 1969: the standing Subcommittee on Energy, Natural Resources, and the Environment and the Subcommittee on Oceanography.

The work of the Committee, in particular of these two subcommittees includes such environmentally critical projects as:

(1) The stimulation of low-emission vehicle development through Federal motor vehicle procurement practices;

(2) Examination of the environmental as well as the economic implications of power-plant siting and related issues;

(3) The conservation and non-degrading development of ocean resources;

(4) Examination of the need for new measures to assure the environmental integrity of estuarine areas and coastal zones;

(5) The exploration of techniques for promoting more efficient, less polluting technology for energy generation;

(6) The comprehensive investigation of transportation-related noise from trucks to motorcycles to aircraft;

(7) The review of progress in controlling electronic radiation from television sets and microwave ovens;

(8) Review of recent developments and the need for restructuring in weather modification programs;

(9) The examination of available technology for control and improvement of the interior environment with emphasis on air purification possibilities;

(10) Study of the degradation of railroad rights-of-way because of sewage disposal procedures; and

(11) Exploration of the need and desirability for uniform procedures, insuring that all regulatory agencies consider fully the potential impact of their decisions on the environment and a review of progress toward the elimination of pesticides contamination of fish and wildlife.

With the creation of the Joint Committee on the Environment, which we propose today, our resources in dealing with problems rationally, competently, and thoroughly will be substantially enhanced.

MR. HART. Mr. President, it is with great pleasure that I endorse the bill introduced today by the Senator from Maine.

Once again the Senator has taken the lead in identifying an important gap in our system of environmental protection and in moving quickly to alleviate the problem. The bill is but another example of his perceptive leadership in this area and of his ability to bring others who are similarly motivated together into joint action.

The need for the bill appears to me to be manifest. Although the Congress in the past years has become increasingly sensitive to problems of environmental quality, its efforts have been hampered to a significant degree by a lack of coordination. Duplication of effort has too often denied valuable resources to projects of vital importance. Laudable efforts have too often been dissipated by dispersal in different and sometimes inconsistent directions.

The bill which is introduced today gives us the opportunity to repair these deficiencies and thus constitutes a significant step in the adaptation of our institutions to environmental dangers we can no longer ignore or disparage. Rapid consideration and acceptance of its provisions, as I see it, can only operate to the public's advantage.

MR. BAKER. Mr. President, I am pleased to join the chairman of the Subcommittee on Air and Water Pollution, the Senator from Maine (Mr. MUSKIE), and other Senators, including several chairmen of other legislative committees, in cosponsoring the joint resolution introduced today to establish a permanent nonlegislative Joint Congressional Committee on the Environment.

In my activities as a member of both the Committee on Public Works and the

Committee on Commerce, I have been continually impressed with the magnitude and complexity of the national and international problems regarding the environment. It is clear that environmental issues cross every area of jurisdiction and although rational management dictates a division of responsibilities, it is essential that an integrating forum be available to Congress to explore the full range of the problems arising in man's relationship to his environment.

The Joint Committee on Environment would serve this important role; having as its principal function the development of information on the broad range of problems and making that information available to the authorizing committees of Congress, thereby assisting in the development of a unifying thread holding together the multitude of congressional activities.

This session of Congress has already seen the creation of parallel organizations in the executive branch in the Office of Environmental Quality and Council on Environmental Quality and it is entirely appropriate that Congress afford itself a similar overview capability.

I would like to point out that the recognition of the scale and complexity of these problems has led me, with the cosponsorship of Senator MUSKIE, to introduce a bill, S. 3410, which would create a system of national environmental laboratories to establish a structure that would provide integrated application of the full range of scientific research and development to the environment. The Subcommittee on Air and Water Pollution anticipates hearings will begin on this measure in the month of July. I look forward to those hearings as a first step leading to the enactment of a national environmental laboratory which would provide an essential complement to the recent establishment of the executive branch agencies and the proposed Joint Environmental Committee of Congress.

It is with considerable optimism that I see emerging from Congress a responsive program dealing with the environment which is consistent with the commitment of President Nixon and his administration and, of course, with the strong interest being expressed by the public. I look forward to the early consideration of these respective proposals and I urge my colleagues to give them their close attention.

Mr. President, I ask unanimous consent that a statement by the distinguished Senator from Washington (Mr. JACKSON) relating to the introduction of the joint resolution to establish a Joint Committee on Environment, be printed in the RECORD, along with an excerpt from the committee report.

There being no objection, the statement and the excerpt requested by Senator JACKSON were ordered to be printed in the RECORD, as follows:

INTRODUCTION OF A JOINT RESOLUTION ESTABLISHING A JOINT COMMITTEE ON THE ENVIRONMENT

(Statement by Senator JACKSON)

Mr. President, I take great pleasure in joining with the Chairman of the Subcommittee on Air and Water Pollution, the Chairmen of the Commerce and Public Works Committee, and many other Senators

in cosponsoring the Joint Resolution introduced today to establish a permanent non-legislative Joint Committee on the Environment. A restructuring of the institutions of the Congress to make them more responsive to the critical environmental problems of today and of the future is in my view necessary and long overdue.

The Joint Committee which is proposed can provide the Congress and the American people with a new and an important capability for continuing review, study and assessment of environmental and technological problems.

It is clear that all Committees of the Congress have an important role to play in improving the quality of the environment and the quality of life in America. The Legislative Reference Service tabulated over 100 bills in the 90th Congress which were directly concerned with environmental issues. In the present Congress there are even more. Recent reports indicate that of the 16 standing committees of the Senate, eight have broad jurisdiction in this area. Of the 21 House standing committees, 11 are similarly involved.

On a subject so pervasive, broad, and important as "environment" and the "quality of life," no committee may exercise exclusive jurisdiction. It is also clear, however, that environmental management must be viewed in a comprehensive way. We have established the Council on Environmental Quality to provide an overview of the environmental system within the Executive Branch. We have, as yet, no comparable forum within the Congress to consider the general status of the environment at large. We must do so if our presently fragmented, problem solving efforts in this area are to be made cohesive.

In view of these considerations, I proposed in October of last year, that following enactment of the National Environmental Policy Act and establishment of the Council on Environmental Quality, that the next logical step would be the establishment of a non-legislative Joint Committee on the Environment rather than a more limited Senate Select Committee.

Mr. President, following the Joint House-Senate Colloquium to Discuss a National Policy for the Environment in June of 1968, which Congressman Miller and I cosponsored, I requested the Legislative Reference Service to prepare a report dealing with, among other things, "Alternatives For Congressional Action" in the area of environmental administration. I ask unanimous consent that this section from the report be printed at this point in the Record.

PART II. ALTERNATIVES FOR CONGRESSIONAL ACTION

An impressive number and variety of legislative proposals for improving the quality of our environment have been set before the 90th Congress (see appendix). Support for action has come from diverse segments of American society: from the scientific community, from business, and from public affairs groups.

The Congress should move ahead to define clearly the desires of the American people in operational terms that the President, government agencies at all levels, the courts, private enterprise, and the public can consider and act upon.

The ultimate responsibility for protecting the human-serving values of our environment rests jointly with the legislative, executive, and judicial branches of our Government. The Congress, as a full partner, has the obligation to provide comprehensive oversight of all environment-affecting programs of the executive branch, and also to participate in the overall design of national policy, thus serving both as architect of environmental management strategy and as the

elaborator of goals and principles for guiding future legal actions.

Under the present organization of the Congress, varying aspects of environmental management (including air and water pollution control, strip mine reclamation, outdoor recreation, housing and space planning in urban areas, highway construction, atmospheric research, oceanography, and rural conservation) are committed to different committees. While there has been a steady expansion of independent committee interest in specific environmental problems, the Congress so far has not evaluated this field in its entirety with a view toward evolving a coherent and unified policy for national environmental management.

It should be recognized that the declaration of a national environmental policy will not alone better or enhance the total man-environment relationship. The present problem is not simply the lack of a policy. It also involves the need to rationalize and coordinate existing policies, and to provide the means by which they may be reviewed continuously, made consistent with other national policies and ranked in reasonable priority.

The proper development of such a far-reaching body of policy raises many difficult organizational, economic and legal problems. Some individuals who were present at the July 17 colloquium suggested that a congressional mandate on the subject of environment, which would necessarily encompass a very wide range of problems and issues, would be impractical and ineffective. Yet others pointed out that equally broad mandates and satisfactory organizing concepts for managing our economic welfare and for guiding the development of atomic energy have been tested over a period of years, with effective machinery now operating both in the executive and legislative branches to evaluate the extent to which national goals and activities in these fields are meeting public expectations and needs.

In any event, to those involved in the colloquium and recent hearings on this subject, it is clear that two functions must be served: coordination and information gathering. Environmental problems cut across so many existing operational organizations that coordination in both the executive and legislative branches must be improved. Further, an effective channel of information exchange and overview must exist between the Congress and the administration. If, for example, an environmental council were established in the Executive Office of the President, as has been proposed, it should be complemented with a corresponding joint congressional committee for purposes of efficient and continued interaction.

The acquisition and evaluation of information specifically for the Congress must be improved. Raw facts and data from ecological and economic studies must be interpreted to be useful in the legislative process. This function should be performed in an organization reporting directly to the Congress; for example, a strong joint committee staff or an expanded Legislative Reference Service environmental unit.

Congress (regardless of present or future executive branch approaches) may exert a meaningful influence on the formulation of national environmental policy by embarking on one or a combination of the following steps:¹

¹ This white paper deals with action alternatives for the Congress. Obviously the spectrum of organizational and administrative alternatives for policy in the executive branch is equally important. These range from definition of rights with court defense, to regulation by Federal agency, to standard setting, to incentives for voluntary conformance, to subsidy of technology for restoration and maintenance.

A. A concurrent resolution could be introduced declaring the strong interest of the Congress in establishing national environmental policy.

This would represent a firm expression of concern on the part of the Congress about environmental deterioration, but would not be a direct confrontation with the task of defining national policy. The resolution might urge the creation of an appropriate body to investigate all matters relating to environmental management; to analyze the means and methods whereby the organization, administration and funding of government programs affecting the environment may be improved; and, to determine the ways whereby nongovernmental entities could be encouraged to participate in overcoming further deterioration of the environment in the national interest. Hearings on the resolution could provide a forum for a wide range of opinion.

B. A joint resolution calling for an amendment to the Constitution on the subject of environmental values could be introduced.

This would require approval by two-thirds of the Congress and ratification by three-fourths of the States. The amending process is both slow and cumbersome. Moreover, acceptance would require a tremendous groundswell of support. However, a proposed amendment would generate wide discussion and involve the State legislatures which are vitally important in achieving environmental quality goals. The advantage of constitutional amendments lies in the unanimity of national commitment. Such an amendment for the environment could place expanded emphasis on the judicial process as an instrument of controlling future abuse of environmental values.

C. A joint committee or committees on environmental management could be established to provide across-the-board oversight on Federal programs, to conduct studies with the assistance of professional staff, and to recommend legislation. Alternatively, select or permanent committees could be established in each House.

Such committees could draw membership from existing legislative committees involved with environmental matters, and perhaps focus primarily on the review of policy and coordination matters dealt with by such groups as the Office of Science and Technology, Water Resources Council, the Council on Recreation and Natural Beauty, and various interagency coordinating committees.

D. A new environmental surveillance unit to conduct research and information-gathering services for the Congress could be organized.

In the past, Congress has shown reluctance to add new appendages of this sort to the legislative branch. An alternative might be an expansion of the functions of the General Accounting Office to make continuing studies of environmental conflicts and to prepare appropriate reports for transmittal to the Congress. New staff positions and additional funding would be required.

E. The Congress could establish a nongovernmental task force to carry out in its behalf a special study of environmental policy needs.

Such a task force could engage the services of private research organizations and draw its membership from the finest talent available in the academic community. The task force could be administered directly by the Congress or made the responsibility of some arm of the Congress such as the Legislative Reference Service, Library of Congress, which has the authority to employ experts on short-term assignments.

F. A temporary environment management council could be organized.

Such a council might be similar in organization and operation to the National Coun-

cil on Marine Resources and Engineering Development. Its purposes could be to identify all unmet needs and opportunities in the environmental field, to study impediments to sound environmental management, conflicts of interest and gaps in existing agency and congressional activities, and to develop recommendations for legislative action within a specified period of years.

The Congress would retain an overview of the council and would control the budget for its operation. Establishment of a policy planning group in the Executive Office of the President forces the generation of proposals to the Congress. A receiving committee should be set up to correspond to this Council, similar to the Joint Economics Committee and the Council of Economic Advisers.

G. A governmental commission could be established for the same purposes.

The commission could be composed entirely of Congressmen, perhaps the chairman of key committees which deal with environmental matters. Or it could be a Joint Commission including representation from the executive branch and the public at large. A third type would be a Presidential Commission with members chosen at the discretion of the Chief Executive. Through a combination of studies and hearings, the Commission could be asked to produce a blueprint for legislative action in the environmental field.

H. The Legislative Reference Service could be directed to add a central research and evaluation unit on environmental matters.

A precedent is the establishment of the Science Policy Research Division in 1964.

I. An environmental counselor could be placed on the staff of each appropriate standing committee of the Congress.

The purpose would be to increase the technical staff available for committee work. Each counselor could be given the permanent responsibility of advising the committee to which he was assigned on the probable environmental impact of all pending legislation.

SENATOR RANDOLPH ENDORSES PROPOSAL TO ESTABLISH JOINT COMMITTEE ON THE ENVIRONMENT

Mr. RANDOLPH. Mr. President, I am pleased to join with my distinguished colleague from Maine as a cosponsor of the resolution to establish a Joint Committee on the Environment.

The people of the United States are properly concerned over the condition of the environment. They indicate daily that they wish to halt the degradation of the world in which we live. There is growing public pressure on all levels of government to provide the legal machinery and leadership under which a clean and wholesome environment will be created and maintained.

Creation of a Joint Committee on the Environment would be an important step for the Congress to take in adjusting its own organization to the new and urgent demands being made on it.

Such a joint committee would serve as a bridge to help coordinate the work of the several standing committees with jurisdiction over environmental legislation. Under the present arrangement, there is some fragmentation of responsibility in this important area which the joint committee, even though it would be nonlegislative in nature, could ease.

Considering the urgency of the need for positive action on environmental matters, I hope the Senate will give a prompt and positive response to this proposal.

ADDITIONAL COSPONSORS OF BILLS

S. 3715

Mr. BROOKE. Mr. President, I ask unanimous consent that at the next printing the names of the junior Senator from New York (Mr. GOODELL) and the junior Senator from South Dakota (Mr. MCGOVERN) be added as cosponsors of S. 3715, the Flexible Fiscal Policy Act.

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

S. 3724

Mr. MCGEE. Mr. President, I ask unanimous consent that, at the next printing, the name of the distinguished Senator from Pennsylvania (Mr. SCOTT) be added as a cosponsor of the bill (S. 3724) to amend the Internal Revenue Code with respect to ammunition recordkeeping requirements.

The ACTING PRESIDENT pro tempore (Mr. HARRIS). Without objection, it is so ordered.

HIGHER EDUCATION OPPORTUNITY ACT OF 1970—AMENDMENTS

AMENDMENT NO. 679

Mr. JAVITS. Mr. President, I submit a series of amendments intended to be proposed by me to the Higher Education Opportunity Act of 1970, S. 3636, which have been requested by the administration, and ask unanimous consent that there be included as part of my remarks an explanatory letter from the Department of Health, Education, and Welfare.

The PRESIDING OFFICER (Mr. SAXBE). The amendment will be received, and printed and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The amendment (No. 679) was referred to the Committee on Labor and Public Welfare.

The letter presented by Mr. JAVITS is as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

May 28, 1970.

HON. JACOB JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: We transmit for your consideration the enclosed amendments that we wish to propose to the Administration's bill, which you introduced on March 25 as S. 3636, to enact a "Higher Education Opportunity Act of 1970".

The amendments would effect these changes:

1. Eligibility to participate in all Federal student assistance programs under title IV of the Higher Education Act of 1965 would be extended to all accredited public and non-profit private vocational and technical schools.

2. Students at proprietary vocational and technical schools, who would not be eligible under the amended bill for educational opportunity grants or work-study assistance, would nevertheless be eligible, under the proposed amendments, for the benefits of the program of insured subsidized loans.

3. We propose a restructuring of the bill's provisions amending the insured loan program. The restructuring would assure that subsidized insured loans will be available to eligible students on terms as favorable as those upon which National Defense student loans may now be obtained (except for loan

cancellation for teaching and military service, which the bill would repeal). Specifically, all interest charges would be borne by the Federal Government while a borrower under the program is attending an eligible institution prior to the loan repayment period and, after the repayment period has begun, during periods of further education, or military, Peace Corps, or VISTA service. Interest charges to the borrower during the repayment period (except as indicated) would be limited to 3 percent annually for up to ten years.

4. Commercial lenders would be permitted to originate subsidized loans. However, in order to assure that no student eligible for the interest subsidy will be denied an insured loan in the amount for which such subsidy is available to him, educational institutions participating in the education opportunity/work-study program would be required to establish procedures to facilitate the obtaining of subsidized loans. Under such procedures we would contemplate that educational institutions would refer their students to commercial lenders who have agreed to accept such referrals. Under regulations of the Commissioner of Education, to be promulgated after the bill's enactment, educational institutions would themselves be required to make such loans to those of their students unable readily to obtain these loans from the lenders to whom the institutions have referred them.

5. Interest on unsubsidized insured loans would be required to be deferred during the period of a student's attendance at an eligible institution prior to the repayment period, and during periods of further education, or military, Peace Corps, or VISTA service after the repayment period has begun.

6. The limitation on the amount of federally insured loans outstanding would be repealed.

7. The loan cancellation provisions of the NDEA student loan program, as extended by Public Law 91-230, would be repealed.

8. The 20 percent matching requirement for work-study programs, omitted from S. 3636, would be restored. Waiver of all or part of the requirement, now authorized by existing law under conditions to be established by the Commissioner, would specifically be available for work-study programs conducted by institutions not less than 50 percent of whose students come from low-income families, for counseling or tutoring of the educationally disadvantaged and for programs of community service where matching would involve unusual hardship. Except where such waiver is appropriate, institutions would be encouraged to provide non-Federal matching in excess of the 20 percent minimum. Non-Federal matching amounts would not reduce the student's eligibility for Federal assistance, however.

9. The amendments would also effect several minor technical improvements in the bill, including correction of the name of the proposed National Foundation on Higher Education to "National Foundation for Higher Education," and the provision of a limited exemption from State and local taxation for the proposed National Student Loan Association.

We are advised by the Bureau of the Budget that enactment of S. 3636, as modified by these proposed amendments, would be in accord with the program of the President.

Sincerely,

JOHN G. VENEMAN,
Acting Secretary.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore (Mr. HARRIS) announced that on today, June 4, 1970, he signed the following enrolled bills which had previ-

ously been signed by the Speaker of the House of Representatives.

S. 614. An act for the relief of Franz Charles Feldmeier; and

S. 1786. An act for the relief of James Harry Martin.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 4, 1970, he presented to the President of the United States the following enrolled bills:

S. 614. An act for the relief of Franz Charles Feldmeier; and

S. 1786. An act for the relief of James Harry Martin.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Marshall F. Rousseau, of Texas, to be U.S. Marshal for the Southern District of Texas for a term of 4 years, vice Marion M. Hale.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the Committee, in writing, on or before Thursday, June 11, 1970, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDITIONAL STATEMENTS OF SENATORS

A DOG'S LIFE

Mr. SAXBE. Mr. President, for some time, I have feared that our society was going to the dogs. Sometimes it is so bad I have had to scratch an impulse to flea. My paw used to tell me that a dog is man's best friend. I thought that was stretching the truth too far.

After reading the attached letter written recently to the Newberry News, I am sure of it. Dogs scare me.

If Senators will read the letter, and I ask unanimous consent to have it printed in the RECORD, dogs will scare them, too.

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

DOGS BEWARE

Dogs are not allowed in public unless on a leash and accompanied by some one.

Dogs are not considered a necessity.

A dog license does not give a dog owner the right to leave his dog run or out two or three times a day to go to his neighbors yard to exercise and for bathroom privileges.

If one wants a dog, one must keep him home, tied up or penned and keep the destruction and cleaning up in the yard of the owner.

It is not your neighbors duty to clean up after your dog or be pestered with the digging and scratching that goes on in ones yard and garden or dogs romping in a garden.

Dogs follow the scent of other dogs and the scratching, digging and waste kills plants. Even one small dog coming to ones yard

everyday and doing his business and scratching around a favorite plant or bush will ruin it.

It is a sickening thing to go to pick flowers or vegetables and find dog waste on them. Or to run over it with a lawn mower or step in it. One could very easily slip and fall and be injured.

Also dogs bite. Four people have been bitten in the vicinity of Newberry in the last 6 months.

Dogs can run in front of cars and cause accidents.

On Center Ave. 2 dogs have been hit by cars in the last few months. One was killed.

Dogs are an imposition, a destructive nuisance, also dangerous. Cars going down Center Ave. have had to dodge kids on bicycles with their dogs running beside them.

A precautionary suggestion is, "roads are not a play ground for dogs or for children on or off bicycles."

There are 20 or more dogs running loose at the State Hospital location, that make their daily visits away from home. The majority of these dogs are not tied but come and go as they please.

If a dog owner were to take his dog for a walk 2 or 3 times a day and let him do his exercise and business in another dog owners yard, I am sure the second dog owner would soon tell the first dog owner to take his dog elsewhere. A non-dog-owner surely has the same rights and should not have to put up with the mass of dogs.

Non-dog-owners, we do not have to put up with these dogs.

A tranquilizer gun is available so these dogs can be picked up. Call the sheriffs office, and he can tell you who to call to get these dogs picked up if people continue to let them run.

CAMBODIAN SUCCESSES?

Mr. MUSKIE. Mr. President, in his television address to the Nation last evening, President Nixon made far-reaching claims as to the military success of the Cambodian invasion. I question those claims and their relevance to our long-term interests and objectives in Southeast Asia.

As I said in my reaction to the President's speech, last night, captured weapons and supplies may give the appearance of military victory, but that cannot obscure the fact that we have widened the war and added to the uncertainty as to our prospects in Southeast Asia. The President's action has, in addition, made a negotiated settlement much more difficult.

By supporting expanded South Vietnamese military action in Cambodia, we have helped to spread their forces thinner. By increasing military pressure on the Vietcong and the North Vietnamese in Cambodia, we have driven them farther into the arms of the Communist Chinese. Most important, we have complicated our political problems in Southeast Asia and in Europe by raising new obstacles to a political settlement in Indochina. In South Vietnam we have tied ourselves more closely to the fortunes of the Saigon regime. In Cambodia we have injected ourselves into a more complex political situation, where we do not even have a bargaining partner.

I am not alone in this pessimistic view of the consequences of the Cambodian invasion. Distinguished reporters who have examined the situation in Southeast Asia have raised serious doubts

about the value of the President's moves and the basis for his optimism. I ask unanimous consent that three articles on this question—one by Robert Kaiser, from the May 31, 1970, Washington Post; one by Terence Smith, from the June 3, 1970, New York Times; and one by Joseph Kraft, from the June 4, 1970, Washington Post—be printed in the RECORD.

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

THE VIEW FROM SAIGON: NO END IN SIGHT
(By Robert G. Kaiser)

"O mouse, do you know the way out of this pool? I am very tired of swimming about here, O mouse!"—Alice in Wonderland.

Saigon—If the mouse knows, he isn't saying. After a month of foraging in Communist sanctuaries in Cambodia, after a year of Vietnamization and 16 months after Richard Nixon took office promising to end the war, the United States is still swimming about in Indochina. The end may be in sight in presidential speeches, but it isn't in sight from here.

The Cambodian adventure has reopened the breach between the image of the war one gets by looking at it in Vietnam, and the image conveyed by the speeches of high officials in Washington. While President Nixon and Secretary of Defense Laird imply that the Cambodian incursions will accelerate the American withdrawal and ensure the success of Vietnamization, the men most directly responsible for conducting the war in Vietnam refuse adamantly to make any such predictions.

Many American officials here are still shaking their heads at the terms of President Nixon's April 30 speech announcing the Cambodian offensive. "A move that was taken for small tactical reasons got swept up in the big strategic picture," as one senior official put it in a somewhat helpless tone of voice.

To an outsider with no claim to expertise beyond 14 months experience chasing his sense of curiosity around Vietnam and Cambodia, the qualms of these officials seem thoroughly justified. Neither the situation before April 30 nor the situation since then much resembles the descriptions coming from Washington.

From here, the fall of Prince Norodom Sihanouk in Cambodia seems to have changed the Indochina situation radically. Though spokesmen for the administration aren't saying so, the United States ability to control events on this peninsula—which has never been great—seems less now than ever before.

On April 30, the President said attacks against the sanctuaries were necessary "to guarantee the continued success of our withdrawal and Vietnamization programs." He added that the enemy is "concentrating his main forces in these sanctuaries . . . where they are building up to launch massive attacks on our forces and those of South Vietnam."

As it has turned out, that concentration of enemy troops in the sanctuaries did not exist. Thus U.S. and South Vietnamese troops met almost no opposition when they entered them early this month.

This is one of those small errors of fact that have recurred throughout the war in Vietnam, disturbing but not crucial. Much more important was the President's basic contention that the sanctuaries had to be attacked to allow withdrawal and Vietnamization to continue successfully.

On that question, like all the big questions in the history of the Vietnam war, there can be no certain answer. There is only one way to try to predict events in Vietnam: One assembles a portion of the

information available (there is too much ever to consider it all), judges it on the basis of experience and intuition and ends up with a guess, more or less educated. For most who have tried it, this system has proven woefully imperfect. But it is all that exists, so we continue to use it.

A NEW DEPARTURE

President Nixon's prognostication came as a surprise in Vietnam. What he said, in effect, was that all the boasts about Vietnamization in the past were hollow: the program couldn't work because of the enemy's sanctuaries in Cambodia. Those sanctuaries existed before Sihanouk was deposed March 18. Nothing that happened after March 18 made them any more dangerous, according to Mr. Nixon's own commanders in Vietnam.

It is difficult to begrudge Mr. Nixon his decision to change his mind about the allegedly rosy future of Vietnamization. The theory that a relatively constant number of Vietnamese soldiers could grow in stature—but not in numbers—to replace half a million Americans has always been questionable. Many of the President's critics had accused him of dreaming on this score, or of deliberately misleading the public.

And yet in Vietnam, Vietnamization has looked like a reasonable bet—not a sure thing, not even a clear favorite, but by Vietnamese standards, a wager with a fair chance of success.

To be sure, it was a risky idea, not least because the North Vietnamese did have large forces in the Cambodia sanctuaries. But one could travel all around this country asking Americans and Vietnamese and outsiders, too, if they thought it would work, and the answer has been a conditional but widespread "yes" for many months.

The question had to be posed carefully: Could the United States withdraw its forces without the last men having to shoot their way to their airplanes? Could the South Vietnamese army and government hold up the tent until the Americans got out from under it? As the geopoliticians sometimes put it, could the Americans withdraw and leave behind a decent interval before fate took its course in South Vietnam?

The question had to be put in those terms because any broader assertion could not be justified. The long-term future of South Vietnam depends on so many variables, so few of them dependent on the outcome of the current shooting war, that any grander prediction would be foolhardy. Americans and Vietnamese here tend to agree about that.

When you asked those who answered a cautious "yes" if they could think of another way to get the United States out of Vietnam in an orderly fashion, you heard two answers. The first, and much the more popular, was "no", the other was that America might negotiate a settlement with the North Vietnamese that would allow a complete and quick withdrawal.

This idea, so popular among war critics in Washington, is not very popular here. Among Vietnamese and Americans in Vietnam, there is widespread doubt that the North Vietnamese will negotiate a settlement unless they can be sure it is to their advantage. From here, where the Communists appear to be weak on the ground, negotiation does not look like an appealing alternative for Hanoi. A negotiated settlement that accurately reflected the current balance of power in South Vietnam would, in effect, force Hanoi to give up most of its stated objectives. And it is hard to imagine the South Vietnamese or the United States agreeing to a settlement that did not accurately reflect the current balance of power.

BASIS FOR OPTIMISM

The limited optimism that has existed here was due to a few apparent facts about the

state of the war that have gained wide acceptance in the last year or so. Briefly stated, these are the principal ones:

The government has established a dominant physical presence in all of the urban areas and in most of the countryside, including the crucial Mekong Delta, the area around Saigon and heavily populated coastal regions in the north. U.S., ARVN and local militia forces have obliterated most of the old Vietcong army, pushing its remnants out of the populated areas. The Communists now must rely on North Vietnamese to do most of their fighting.

Most of the remaining enemy force units, primarily northern, have been forced to stay close to their sanctuaries.

Without its local military forces, the Vietcong's political organization has been weakened, at least ostensibly. People in the countryside are therefore less conscious of the Vietcong's presence while more active government programs have made them more conscious of the Saigon regime.

Apparent rural prosperity has also helped the government. Economists say the prosperity is false, based entirely on props provided by American dollars, but it is real to the farmer who can buy a radio, a motorbike or a tractor.

And President Thieu, with the army, has established an unprecedented degree of political stability in wartime Vietnam. The chaos of the 1963-6 period has been superseded by a remarkable calm, relatively speaking.

If those generally optimistic assertions were widely accepted here, so were a number of doubts and questions that put any optimistic conclusions in jeopardy. The fundamental reservation must be that none of these factors can be counted on in the long term. The Vietcong have demonstrated an ability to revive their organization, and all the Saigon government's apparent strengths seem to be based on slender reeds. All could be reversed in one way or another.

The future of Vietnamization has long seemed to depend on the answers to these questions: Could the lamentable ARVN officer corps become effective? Could the local militia, now extremely erratic, assure local security without U.S. and ARVN assistance? Could the army survive without the American props that now support them at every level?

Could official corruption in Vietnam be controlled or regularized? Could the woefully weak civil administration be improved? Could economic collapse and chaos in South Vietnam be avoided? Could the non-Communists ever compete with the political organizing skill of the Vietcong? And finally, could South Vietnam ever cope with enemy forces in the northern half of the country, where the Communists have much more secure sanctuaries and a much better tactical position than in the south?

These were the long-term problems. Despite them, it seemed possible that over a short term of, say, five years, the South Vietnamese might be able to hold their own—not because of their strengths so much as because of the Communists' grave, if temporary weaknesses.

The offensive into Cambodia seems unlikely to help provide any satisfactory answer to the questions about the long-term prospects for Vietnamization. But by further weakening the Communists' tactical position, the new offensive should make the situation on the ground in South Vietnam even more hopeful.

In sum, if the Nixon's administration was pursuing a short-term strategy of getting out of Vietnam as quickly as possible without the tent collapsing in the process, the Cambodian operation might have been very helpful. Might have been, had others remained equal. But of course they have not. For reasons over which the Nixon administration

had only slight control, the entire Indochina situation changed dramatically during the past several months.

THE HOPES FADED

Before this change, the United States had what seemed a fair chance of escaping more or less honorably from Indochina if it could cope with the situation in South Vietnam. The war in Laos seemed stalemated, albeit precariously. Cambodia's neutrality under Sihanouk, though benevolent to the Vietnamese Communists, seemed to assure stability in that country for the foreseeable future (in this part of the world, no more than a few years). So in those good old days, the United States just might have escaped from the region, leaving Indochina intact, at least for a reasonable period of time.

The good old days are gone. The situation in Laos looks more precarious than ever. The Communists are in a stronger position, especially after their recent offensive in southern Laos. Souvanna Phouma's neutralist government faces a gloomy future.

More important, the pretense of Cambodian stability is gone. Cambodia has become an active battlefield of the war, a third front for the North Vietnamese. In the first days after the March 18 coup, there might have been a chance for Lon Nol to negotiate a modus vivendi with the North Vietnamese. But instead, he threw down the gauntlet, and the North Vietnamese responded in kind.

The new government in Cambodia is weak, uncertain and apparently ineffectual. The same adjectives would flatter the Cambodian army. The Cambodian economy is in shambles, and will almost certainly get very much worse. The rubber industry, which provides almost all of Cambodia's exports, has already been severely disrupted by the new war.

U.S. intelligence now expects the Lon Nol regime to be challenged by a Cambodian liberation movement, led at least in name by Prince Sihanouk, whose personal popularity is said to remain high in the Cambodian countryside. The new regime's ability to cope with this challenge is, at the very best, problematical. If any prediction in Indochina is justifiable, it is that Cambodia will be in turmoil (or in Communist hands) for a long time to come.

Despite these baleful prospects, the United States seems to be tied to the new Cambodian regime almost willy-nilly. President Nixon said it was necessary to attack the Cambodian sanctuaries to assure the success of U.S. policy in Vietnam. If Sihanouk returns to power, all of Cambodia will probably become a sanctuary for the Communists. Must the whole country then be invaded?

Moreover, regardless of presidential rhetoric, it seems impossible not to interpret the offensive into Cambodia as a signal to Hanoi that the United States would not allow Cambodia to fall. Such a signal must have seemed unavoidable in Washington, if 50,000 dead in Vietnam were not to be written off as a bad go.

If one defends the Vietnam war for its stated purpose—to assure self-determination in South Vietnam—or for its cold war purpose—to stop the advance of communism in Asia—the reaction to events in Cambodia must be the same: Cambodia must be saved. But in the long run, barring a re-creation of the American presence in Vietnam, there appears to be no way Americans can prevent Communists (or pro-Communists under Sihanouk) from taking over Cambodia.

As a result of the coup against Sihanouk and events since, Indochina is now a maelstrom of conflicting vital interests: The North and South Vietnamese, the Laotians, the Cambodians and now even the Thais all see their vital interests in jeopardy.

President Nixon apparently sees America's vital interests at stake here too. But these

vital interests are not compatible—in several combinations, they are mutually exclusive.

And there is no foreseeable way that the maelstrom can be calmed, unless North Vietnam abandons its Indochina campaign.

That, of course, has always been the dream of America officials, in both the Johnson and Nixon administrations. Someday, the United States always believed or hoped, the men in Hanoi would have to cry uncle. One can hear that talk again: They've overextended themselves, according to the new version of the old line; they can't fight on three fronts in the rainy season after losing their supplies, with hostile forces on all sides.

Perhaps this time it is true, but the small bits of evidence available suggest the contrary. Skeptical Westerners very recently in Hanoi were impressed by the apparent high morale and resiliency of the leadership. According to one of these recent travelers, the morale of the masses has apparently risen lately, because the government has cut prices and ended rationing of many consumer goods.

LONG FIGHT AHEAD

In the field, the Communists show every sign of having the patience to carry on the war. In Cambodia, according to U.S. intelligence and captured documents, they are beginning the long difficult task of building an indigenous revolutionary movement from the hamlets up.

Surely the North Vietnamese have grave supply problems, but they have already secured a new infiltration route via the Sekong and Mekong rivers into southeast Cambodia, which conceivably could be extended to their forces in southern South Vietnam.

And if it is true, as Presidents Johnson and Nixon have both said, that North Vietnam is counting on the American opponents of the war to win their victories, then the men in Hanoi must now be dancing the North Vietnamese version of a jig. Perhaps something resembling the gloomy picture that now seems to face the United States was inevitable even before Sihanouk's fall. Some old Indochina hands have long criticized American policy as shortsighted and self-deluding, because it failed to face up to the entire Indochina problem.

The United States has devoted its attention to South Vietnam, these critics have said, hoping that the Communists would do the same, thus localizing the problem. The criticism is harsh but difficult to dispute, if one assumes the United States has had long-term objectives in this region. Almost certainly there would have been serious instability in Indochina's future even if Vietnamization in the old context had been a smashing success.

Even in the new context, Vietnamization seems certain to continue. In Vietnam it is assumed that the end of the Cambodian operation on June 30 will be quickly followed by a substantial further withdrawal of U.S. troops. These withdrawals should be possible without serious repercussions in South Vietnam. Three months ago, that alone would have been very good news. It is still, on balance, good news; but now one must wonder if the orderly withdrawal of Americans from South Vietnam will be seen, a year or two from now, as a very significant achievement.

U.S. AIDES IN SAIGON QUESTION POLICY

(By Terence Smith)

SAIGON, South Vietnam, June 1—There is widespread doubt among the most experienced American observers in South Vietnam that current United States policies will bring lasting peace.

Although 110,000 American troops have been withdrawn from Vietnam and enormous strides have been made in pacification in the last 18 months, the United States still faces vast problems in extricating itself.

At the root of the pessimistic outlook are

serious and widely held doubts about the following:

The efficacy of the Vietnamization program, which has yet to face major challenges.

The wisdom of the extension of the war into Cambodia, which, despite the immediate military gains it may achieve, seems likely to complicate American efforts to disengage and may eventually involve the United States—step by painful step—in the defense of yet another weak and uncertain government.

The effectiveness of the Saigon Government in dealing with increasingly serious economic and political problems in South Vietnam.

The nature of the progress achieved in the pacification program, which remains fragile and subject to the enemy's will.

Finally, there is a conviction that United States policies fail to come to grips with the central element in the Vietnam puzzle; the need for a negotiated political settlement that reflects the true balance of power among the Vietnamese people.

"We won't solve this war by cleaning out the base areas in Cambodia, or even by replacing American troops with South Vietnamese," an American who has spent five years in Vietnam said the other day.

"We have to go to the heart of the matter and find an acceptable way of distributing political power among the Vietnamese. That's what the fighting is all about, and it won't stop until we solve it."

The skepticism about American policy is shared in many quarters in Vietnam—by young, dedicated Americans working at the province and district level, and by independent observers, including journalists and foreign diplomats. It is greatest among those whose jobs permit them to travel around Vietnam.

The attitude is also evident among educated, independent South Vietnamese, people outside the Government who are deeply concerned about the future of their country after the American disengagement.

A TRACE OF BITTERNESS

Through the remarks of all those people runs a common theme: No lasting peace is possible without a political solution.

"Vietnamization, by itself, won't produce any kind of peace in this country, just or otherwise," a 31-year-old major who works as a district adviser in the pacification program said recently with more than a trace of bitterness.

"Unless it is matched by some sort of political settlement, Vietnamization just means the fighting will go on and on. But instead of Americans killing Vietnamese, you'll have Vietnamese killing Vietnamese."

Many people here, like the major, acknowledge that Vietnamization will eventually get American soldiers off the battlefield—though not necessarily out of the country—but they insist that it will not end the war or produce a just peace.

Behind that belief is the conviction that the enemy continues to have the necessary strength, spirit, manpower and determination to continue the struggle in South Vietnam—and Laos and Cambodia—for the foreseeable future. Few military men here dispute that assessment of the Communists' capability.

LOST IN THE FUROR

President Nixon's offer, in his address April 20, to discuss at the Paris peace talks "a fair political solution (reflecting) the existing relationship of political forces in South Vietnam" had barely begun to sink in when it was lost in the furor caused by the invasion of Cambodia 10 days later. It may have been, as one American here described it, "the first casualty of Nixon's decision to go into Cambodia."

The senior members of the American mili-

tary command are visibly defensive about the Cambodian operation and the controversy it has caused. They insist that it was a militarily justifiable tactical operation that got caught up in larger strategic and political questions.

Gen. Creighton W. Abrams, commander of United States forces in Vietnam, has indicated to friends that he feels that President Nixon drastically oversold the operation and enlarged its goals beyond realizable dimensions.

The general has said that the real purpose was to put a dent in the enemy's supply system and not, as Mr. Nixon suggested, to overrun and clean out the Communist headquarters.

The greatest peril in the Cambodian venture seems to lie in the period after June 30, when the Americans have withdrawn and the South Vietnamese are likely to continue their operations. The consensus here is that the President is going to find it far harder to get Americans out of Cambodia than it was to send them in.

CHOICE FOR AMERICANS

In the short run the Americans may be faced with the choice of either going to the aid of the South Vietnamese or watching them flounder if they come under heavy pressure. In the long run the United States could find itself committed by proxy, as a result of South Vietnamese pledges and actions, to the defense of the shaky Government headed by Premier Lon Nol, which displaced Prince Norodom Sihanouk.

If the South Vietnamese become overextended in Cambodia, the Americans are going to find it correspondingly difficult to carry out their withdrawals from Vietnam on schedule.

Apart from the complications of the Cambodian venture, Vietnamization faces other serious problems. So far a total of 110,000 Americans have been pulled out of Vietnam, leaving 429,000 behind. The real test will come in the next year, during which 150,000 more will have been withdrawn and the South Vietnamese are to take on the heavy fighting.

The first and most obvious danger is military. For the last four years the large American combat divisions have effectively manned the front lines. They have pursued the main North Vietnamese and Vietcong units relentlessly, gradually driving them from populated areas into the jungles and mountains along the Laotian and Cambodian borders.

As Vietnamization advances, the South Vietnamese divisions will take on the task while the remaining American units fall back into something approaching garrison duty. Their safety and that of an additional 250,000 or more Americans providing combat and logistical support will depend on the South Vietnamese.

HIGHER TOLL FORESEEN

Even conceding substantial improvement in the quality of the South Vietnamese armed forces, it is hard to imagine them coping with divisions of North Vietnamese regulars as effectively as the Americans did. The result may be significantly increased casualties—American as well as South Vietnamese—in the later stages of the withdrawal process.

Another consequence may be strikingly reduced security in certain areas of the countryside, most notably in the northern half of the country.

In the northernmost area, I Corps, the enemy has more than 20 battalions of fresh, well-equipped regulars in the vicinity of the demilitarized zone, and it has the capacity to reinforce them with up to three divisions at any time.

When the three divisions of Americans that are stationed there are withdrawn, the South Vietnamese will have to take on the job of patrolling along the demilitarized zone and protecting the coastal cities of

Quangtri, Hue and Danang. At the very least, they will require reinforcements, and it is not clear from where additional troops would come.

There is a parallel situation in II Corps, the area south of the border region, where mountainous terrain and bad communications are a tangible asset for the enemy.

As a result of years of intensive allied operations, the Communists have been pushed from the heavily populated coastal plain into the mountains. Once the Americans are gone the South Vietnamese may be hard-pressed to keep them there.

IMPACT ON SHAKY ECONOMY

Vietnamization will also have a drastic impact on South Vietnam's already shaky economic structure. The country earns more than 90 per cent of its foreign currency from Defense Department outlays and private spending by American soldiers. As the withdrawal proceeds the supply of dollars will be cut back just when they are most needed to bolster a sorely weakened economy.

In addition, the approximately 145,000 Vietnamese who are directly employed by United States agencies and companies will have to find jobs.

Those bleak prospects are considered by knowledgeable people here to be a principal threat to the stability of the Government of President Nguyen Van Thieu.

The domestic political and economic situation has deteriorated dramatically in recent months. While the attention of the world has been riveted on Cambodia, Mr. Thieu has been coping with just about the noisiest political crises since his election.

Rather than working to rally his non-Communist political opposition behind him, as the United States Embassy has been urging him to do lately, President Thieu has come down hard on any group that has challenged his authority or criticized his regime. Individuals with the temerity to speak out have been prosecuted and jailed. Groups that have expressed their complaints in public demonstrations have been tear-gassed and beaten by riot policemen.

Now there is a rising tide of criticism of the Government in newspapers and the National Assembly that can only be expected to increase during the Senate election this fall and the presidential contest next year.

In addition, Mr. Thieu has failed to create anything approximating a national party that might be capable of mobilizing the country in preparation for a political battle with the Communists. Instead, his basic distrust of politicians—he was a general—and his reluctance to share power remain as great as ever.

As for the pacification program, there can be no question that enormous strides have been made during the last 18 months in the effort to extend the Government's control into the countryside. There is general agreement that the current program, which is the result of years of experimentation, mistakes and disappointment, is functioning better than any of its hapless forerunners.

But the progress in certain provinces has been counterbalanced by setbacks in others. A proper pacification map of Vietnam would resemble a patchwork quilt, a mixture of bright and dark patches that produce a mottled impression over all.

The combination of problems—military, economic and political—guarantees that the American disengagement, particularly during the next year, will be a painful and troubled process.

LAOS, CAMBODIA LIKELY SCENES OF MOST FIGHTING UP TO 2 YEARS

SAIGON.—“For the next year or two most of the fighting will probably be in Cambodia and Laos,” Deputy Ambassador Sam Berger said the other day. And that offhand comment by one of the beakiest of the hawks

here in Saigon explains why most of the Washington justifications for the Cambodian operations carry so little weight.

For the Washington apologia are based on the standards of the war as it used to be. But, in fact, there is a whole new war here, featuring new commitments to a new regime in Cambodia. That entails new forces in being, new opportunities for the other side, and a new set of criteria to measure success or failure.

In the war as it used to be, the other side had settled down to a strategy aimed at countering President Nixon's Vietnamization program. The primary objective was to weaken and discredit the South Vietnamese regime by selective strikes against its installations and officials all across the country.

This strategy did not lend itself to counter-attack by American and South Vietnamese forces. Even by American estimates enemy killed-in-action fell in the first quarter of this year by about fifty per cent—from 3,000 to 2,000 per week. And there were corresponding drops in enemy losses of weapons and supplies.

Set against that measure, the Cambodian venture registers a dramatic improvement by our side. Estimates of enemy killed-in-action soared to nearly 6,000 in the first week of May, and then held about 3,000 weekly. There were well-publicized discoveries of huge stocks of rice, weapons, ammunition and other stuff. The South Vietnamese forces showed a capacity to execute highly coordinated strikes on the ground and by air and sea. The operation looks, in short, like an unqualified success.

But in the process, American objectives in the war have been raised. The United States has acquired, or at least become credited with, a new protege. Rightly or wrongly, the general view here is that the United States intervened in order to save the Cambodian government which replaced the regime of Norodom Sihanouk—the new government of Prime Minister Lon Nol.

Thus, the Cambodian foreign minister, in a speech to the Djakarta conference of Asian nations on May 16, described his government as living in a state of siege, and then added: “We have been relieved by the help brought to us by the Americans and our South Vietnamese neighbors.” A South Vietnamese intelligence officer with ministerial rank told Mike Wallace of CBS and this columnist that “the Americans panicked and intervened when it looked like the Lon Nol regime would collapse.” President Nguyen Van Thieu told a group of American journalists that if the Lon Nol government lasted, President Nixon would do well in the congressional elections this year, and the election in 1972.

The view here, in short, equates American interest with the Lon Nol government. If not absolutely obliged, the United States is under heavy pressure to keep the Lon Nol government going. If that regime falls, the Cambodian operations will be called a failure.

Nobody knows exactly what it will take to keep the Cambodian regime alive. Not surprisingly there is an internal fight in Saigon as to what is required. One group, centering around Vice President Nguyen Cao Ky, favors a considerable forward commitment of South Vietnamese troops to knock out the enemy. Another group, centering around President Thieu, believes it will be enough to station just across the Cambodian border strike forces that can block any threats in the center of that country as they materialize.

Probably the Thieu approach will win—the more so as the President has American backing. Still, the sorting out will not happen overnight. It will be a long time. To use a metaphor employed by a leading American commander here, before the South Vietnamese army gets over its night on the town and goes back to work.

That leaves two new openings for the Com-

munists. In Cambodia, the Communists have the obvious possibility of doing what they refrained from doing under the Sihanouk regime. They can develop a country-wide guerrilla movement based in the rural areas. Given the urban focus of the present regime in Phnom Penh, the organization of a peasant resistance looks like child's play.

In South Vietnam, the massing of government forces on the Cambodian front exposes what one Communist leader calls "holes" behind the line. The other side is in better position than ever to pursue low level attacks on major government installations. The seizure of Dalat—which is a kind of government vacation spot—over last weekend is a perfect case in point.

Perhaps the Communists will miss these opportunities. It may be that they are too weak to get moving in Cambodia, or to step up their actions here in South Vietnam. It may even be that the decisive constraint will be the losses suffered as the result of the Joint American and South Vietnamese operation against their former sanctuaries in Cambodia.

But that is not the point. The point is that the Cambodian operation cannot be measured by the standards of the old war. The numbers of enemy killed, the amount of supplies seized, and the improved performance by the Saigon forces are not the kind of factors they used to be. A whole new war is on, and it is far too early to measure success or failure. Indeed, perhaps all that is clear is that anybody who needs a quick success is in bad trouble.

AMERICA—ADDRESS BY REV. IRVIN R. PUSEY

Mr. WILLIAMS of Delaware. Mr. President, on February 24, 1969, the Reverend Irvin R. Pusey, grand chaplain of the Grand Lodge of Delaware and pastor of the Red Lion Methodist Church, Red Lion, Del., delivered an outstanding address before the conference of Grand Masters of Masons in North America, meeting in the Shoreham Hotel, Washington, D.C.

At a time when there is so much confusion in our country I think it would be well for all Members of the Senate and others to have the opportunity to read this remarkable address outlining the principles upon which America stands.

I ask unanimous consent that these remarks be printed in the RECORD.

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

AMERICA

(By Rev. Irvin R. Pusey)

I consider it a privilege to be with you tonight, to share in this great meeting with great people. I come to you as a Mason; as a Minister; and as an American. I have a love for my Lodge; a love for my land; and a love for my Lord. And these themes of circumstance will color what I have to say to you tonight. They all flow together; they all mingle in; they cannot be separated. I thank God for all of these.

I should like to share with you three things you can hang your thoughts on: Masons as men of purpose; Masons as men of patriotism; Masons as men of prayer.

So to you distinguished guests; to you, Mr. Chairman; to you dear ladies and to you brethren, let me speak of these three things.

Masons as men of purpose. We live in a divided world tonight; a world where there are two Koreas; two Vietnams; two Germans; two Chinas; two Berlins. A world that

is divided by philosophical and political ideologies and even in our fair land, we see many, many problems. Freedom is under attack by Communism. Don't think it is not. Men by the hundreds are coming back from Vietnam in little wooden boxes; pant legs pinned up, coat sleeves tucked in. They know Freedom is under attack tonight. We see in America tonight the ravages of an increasing crime rate that many of our police departments are now admitting they cannot really control. Immorality in America is no longer a disgrace—it is a way of life. If there was ever a time for Masons to live by the spirit of their Fraternity, it is now. To become men of purpose, and I do not mean men of purpose just by saying "Oh, I have a purpose for my life", but as Masons to take the purposes and the spirit of Masonry and get it out of the ritual of a Lodge Room and let it live in our hearts; on the streets, in our homes and in our factories. Let Masonry come alive; let it become incarnate in our bodies, because unless it does then I am afraid of its future.

Not long ago I gave my little daughter a stuffed toy lion. She played with it, carried it around; kicked and mauled it. I often wondered what would happen if that stuffed lion ever came alive. Many Masons are treating Masonry that way. We dabble in it; we play with it. Oh, if it could only come alive. I hear people say, "you know we have got to defend Masonry". I do not believe it. You do not have to defend Masonry any more than you have to defend a lion. Let it loose. It will protect itself. Let it loose in your life and my life.

We read in the Book of Acts in the Bible, of Peter and John going up to the Temple and they met a lame man at the gate of the Temple. He was begging. It was quite surprising, because at that time most beggars used to beg on the outside of the city at the gates of the city where the marketing was done and the caravans came through. But, this man was begging at the gates of the Temple. Why? Because he expected more from those who entered the Temple; more from those who believe in God. I think he was right. And I believe tonight that the world has a right to expect more from Masons than many other groups. And God help us if we do not think so. I believe Masonry makes a man a better man and if it does, it gives him an awesome responsibility to let loose the spirit and the morals and the principles of Masonry. Let it come alive. Let that be our purpose.

I want to say that Masons ought to be Patriotic. This is a dirty word in our day and time. The thing to do if you want to be popular is to criticize America; find fault with her. And this can be done. She has got her faults and she is certainly open to criticism. I have done some myself. But I am just a little bit weary of hearing all this. Because, as I look at this land, I believe there is a lot to be said for America. And now I would like to say a good word for America. I think she is the greatest nation on earth. I make no apologies for that. Patriotism comes from the word patriarch. It means love of fatherland. Let us not be ashamed of it.

I would like to take the letters of the word America: A M E R I C A, and ascribe some thoughts for each letter.

A. A is for AHEAD. We live in a time of social and political revolution, where people are telling us that a democracy can no longer cope with the needs of the time. This is a technological age, they say, and the only way a government can control and compete and take care of its people is to become socialistic or communistic. I do not believe it. No nation has done more for her people than America. No Nation has given more dignity and freedom and opportunity to her people than America. And I know her standard of living is the envy of the world.

There are some who like to compare us with the communist nations, notably the Soviet Union.

Do you realize that if we were to become equal with the Soviet Union, we would have to go backwards? We would have to cut our agricultural and industrial production by great percentages. We would not be able to meet here tonight, if this hotel was located in Russia. Such a thing as Masonry would not be tolerated. Such a society could not exist in the Soviet Union. You couldn't be here tonight and if you were, there would be secret police in the garage taking down your license numbers from your cars.

Speaking of police. The police in Russia are there to protect the government. The police in America are here to protect the public. And I am one who thinks that the police of America are doing a great job and are ridiculed unnecessarily. The Grand Master of Delaware, Warren Schueler, is a lieutenant colonel of the state police. We have three other state troopers on the staff, who are masons, and whenever I hear the cry of police brutality go up I cringe, because usually, it is just an attempt to get out of a crime a person has already committed.

And I will tell you something tonight, brethren and friends, I hope I never have to make the choice; but if I do have to make the choice, I would far rather have police brutality of the criminal rather than criminal brutality of the public the way it is being done today. And so as I look at America, I see that she is already far ahead of any other system of government. Name any system of government that has done as much for their people as the United States of America! In fact, many of these governments today exist because of the American dollar that's kept them afloat. So why should we want to change to another form of government when we are already ahead—

M stands for mighty, she is a mighty nation; and I, for one am NOT ashamed of the military power of the United States because I'm convinced tonight that the only thing that stands between the Soviet, the Red Chinese war machine and world domination is the military power of the United States! I believe they fear and respect it and I'm not ashamed of our military power! I'm proud of every one of our men in uniform because they not only represent their country, but they represent a direct challenge to a way of life that would ruin our way of life. They represent power that the enemy will respect! And to those who would burn the American flag and tear it down, burn their draft cards (and by the way, when they burn their draft cards, I would have a lot more respect for them if they burnt their social security cards at the same time). Those who burn the American flag ought to read up on history and, I'll make this statement in front of anybody—no nation has done more for the world in the history of the world than the United States of America!

Ask any Englishman if there would be an England today without America's help in World War II. Of course not! Charles De Gaulle, in France, can say all he wants to about his anti-Americanism (you notice he doesn't do it much anymore . . . not since he got stung himself by the Communists last spring when they turned on him), but he used to be very anti-American in many respects. Yet, Charles De Gaulle has a Nation to be President of tonight because there are 10,000 American graves in Normandy and throughout France that bought his country back from Hitler! I'll say this too! There wouldn't even be a Russia tonight without America! Just go back in history a few years. In 1942, Hitler's armies were at the gates of Moscow and we know that the Russian winter took its toll: But it wasn't the Russian winter that defeated Hitler's army—it was the Russian army that defeated Hitler's armies, but with what? Ships—hundreds of

them left America and put in at Russian ports. It was American guns, and American tanks, and American planes, and American bombs in the hands of Russian soldiers that turned the tide and if she didn't have the war equipment we gave to her, she would never have done it! Hitler would have marched right into the streets of Moscow. So there is a Russia today because there was an America who pumped out of her factories war materials and armed the Soviet Soldiers. And then those who would say about America's involvement in Vietnam—how criminal we are over there—look at the past! What did we do with West Germany, this enemy that had ravaged Europe and killed many of our men? Why we turned our treasures loose and we poured money into West Germany and today she has the fastest growing economy in all of Western Europe and her dollar is the soundest!

What did we do with Japan? Here is an enemy that made a sneak attack on Pearl Harbor and 2,700 American men died! With this enemy that stabbed us in the back, we signed a peace treaty on the decks of the U.S.S. *Missouri*. Did we go in and plunder and loot and rape that nation? No! We sent money, medical aid, food supplies, factory equipment—we went in there and we put Japan back on her feet! We also turned back to her many islands of the Pacific taken at such a high price, Iwo Jima, to name one. Today, Japan has the fastest growing economy in the whole world, thanks to her enemy, America, who treated her better than she had ever been treated before, even after Pearl Harbor. Who was the first one to come to the aid of the South Koreans, even before the United Nations involved themselves in it? And those in South Vietnam! When no other nation cared, the very finest of our young men went over there and are over there going through the ravages of war for the freedom of another country! Don't tell me we're criminal—history just doesn't prove it!

I am reminded of a story I heard when I was in theological seminary. It was told to me by one of the associate editors of the Baltimore Sun Newspaper. He said, "When I was born, my mother died in giving me birth." He said, "My father was a good man—a farmer, and I was the last of eleven children. Dad wanted to keep the family together and he did. One warm summer day I saw my dad sitting on the front porch of the old farm house and I ran and climbed up into his lap. I was then about seven years old. Dad put his big arm around me and began to tell me all about my mother, whom I never knew. Tears rolled down his cheeks and when he finished he pointed to a little cemetery across the way and said, "Son, you'll never know how much you cost me."

All across the world America can point to hundreds of thousands of little white crosses and say to the world, you'll never know how much you cost me. She is a mighty nation and I am not ashamed of her military power.

E stands for Everyone. Now we know and we have to admit that there have been injustices in this country. This is certainly true. But there have been injustices in every country. I do believe, however, that more people have been given an opportunity in this country than in any other nation. There are a lot of people tonight who are submitting bills to America. They want something. It is like the little boy who went to school. He found out from his classmates that some of them were getting a larger allowance than he was getting. When he found it out he thought he would give Mom the word. But when he got home, he chickened out and could not bring himself to tell her that he needed a larger allowance because every one else in class was getting it. He wrote her a note, and left it on the dining room table. When he went to school

the next morning his mother found it. She picked it up and read it. It went something like this: (To Mom. A bill from your son. For taking out the garbage, fifty cents; for helping with the dishes, seventy-five cents; for saying thank you and please, two dollars. It all totaled up to several dollars.

When he came home that night his mother did not say a word to him and he was a little bit surprised, but he was too afraid to bring up the subject. After he finished his supper, he saw a little note sticking out from under the plate. He pulled it out and opened it up. It said something like this: To my son, a bill from your Mother. For bringing you into this world and going into the jaws of death to do it, the cost was love. For walking the floors with you at night when you were sick, the cost was love. For teaching you to talk and to walk, the cost was love. He got the idea. He could never repay his mother).

Suppose that in some way America could submit a bill to us for the privilege of being born in this country. The cost was the grace of God. For the freedom you have enjoyed, the cost was innumerable lives given at Valley Forge, Gettysburg, Iwo Jima, Korea and so on. We could never repay her for what she has done for us.

R stands for Religion. We will never be able to understand this great American phenomena apart from God. What is it that makes America unique? Not democracy. Other nations have had democracy. The Greeks had it thousands of years ago. Not her military power. Other nations have had military power. Not her resources. Other nations have great resources. I believe it is the fact that she is one nation under God. Notice that phrase—Under God. Not equal with God, or above God, or along side of God, but a nation under God. Under God's rule and law. As I have surveyed the American scene, I have wondered how people can get the idea she is supposed to be religiously neutral. Oh, I know that there was no religious denominations to be supported by our government. But I cannot buy the idea that she was supposed to be religiously neutral, not when I look at history. When the Pilgrims would rather have their Bibles than their lives, and came to these shores and wrote a Mayflower pact and stated therein that they took possession of this land in the name of God and for the propagation of the Gospel of Jesus Christ.

When I see Washington kneeling at Valley Forge, praying. When I hear Benjamin Franklin call thirteen colonies together when they were about to split up at the Continental Congress and say to those gentlemen, "let us pray". And out of that prayer meeting came much of the structure of our Government. I see the Continental Congress in 1775—one year before the Declaration of Independence—call upon the American people on July 12th to have a day of fasting and prayer in humility and recognition of Almighty God.

That was done by the Continental Congress in 1775. It was George Washington who issued a statement that he would like to see ministers or chaplains in all branches of the armed forces. And it was Washington, after he had finished his oath of office said, "so help me God", and so has every President all down through history. The Congress in 1853 decreed that the motto on our coinage and our money be "In God We Trust". Consider the National Anthem of this nation (The Star Spangled Banner). It has this phrase in it: (Praise the power that has made and preserved us a nation. Then conquer we must when our cause it is just and this be our motto In God is our Trust.) That is our National Anthem. Go to the Lincoln Memorial and there you can read his Gettysburg address which has this phrase in it (one nation under God"). Go to the tomb of the Unknown Soldier and there you can read ("Here

Lies One Known Only to God"). Go to the Washington Monument and there you can read many portions of Scripture, one of which says (Suffer the little children to come unto me and forbid them not for of such is the Kingdom of God"). In 1956 the Congress of the United States had the phrase ("One Nation Under God") inserted into the Pledge of Allegiance to our flag. Many of the men who wrote our great historic documents were Men of God and they did not separate their Religious Convictions from their Political Philosophy. America's history is rooted in the Bible; she was reared in the cradle of prayer and nursed at the breast of the church.

I stands for institutions! Which one of her institutions would you want to do away with? A trial by jury? I wouldn't! A free press? I wouldn't! Free Elections? I wouldn't! Some may need updating, as times change, but, those who want to eliminate them never seem to have any better alternatives. And until they do, I am not for destroying a structure of government that has served so many, so well, for so long.

C stands for capitalism. Here is another dirty word today. It simply defines an economic system that says a man has a right to make a profit and own property. And it is this economic system called capitalism that has released energies of man as no other system has, that he might achieve the capabilities God gave him. And this system, as former Rep. Walter Judd said, "has made it possible for six percent of the world's population living in the United States to own fifty percent of the world's wealth. Six percent of the world's population owns fifty percent of the world's wealth. It didn't just happen. There was an economic system that sparked it and primed it and that system is called capitalism. Although there are many nations around the world who look down their noses at it and do not want to have anything to do with it, they will take all the cream that it can produce. They will take all the money capitalism can make. They do not want the system, but they want all that it can produce."

We have this great system of capitalism because the political structure of our Government says that man is endowed with certain inalienable rights, and these rights are endowed by his Creator, including the right to own property and to make a profit. This rests on the foundation of a religious philosophy that men are important to God. That they are made in the image of God, and that freedom is not just something that we obtained. Freedom is something in the human heart. We can go back to the Book of Genesis in the Old Testament and note the creation of Adam and Eve. When God made Adam he gave him a free will. And God did it at a risk. A risk that he would rebel and disobey God. God was willing to take that risk because he thought it was so valuable for man to have freedom. Whenever the flame of that freedom planted there by Almighty God, has been imprisoned it has leaped out into the world. All are created with certain inalienable rights and endowed by their Creator. That is the philosophy that lets capitalism be what it is tonight.

A stands for abundance. America is an abundant nation. We have over 500,000 men in Vietnam; 300,000 or so in Europe; 50,000 in Korea; hundreds of thousands scattered around the world. We are fighting a costly, bloody war. We have a multi-billion dollar program in space going on now, reaching out to the stars. We have multi-billion dollar social improvement programs reaching out to the people. And not one of us has a ration card for food or gasoline. She is an abundant nation, she's been good to you and to me.

I remember several years ago a couple who celebrated their 60th wedding anniversary. Their daughter, now grown up, with children of her own, wanted to take mother and

dad out for dinner. The parents said certainly we will be happy to go, but before we do, we would like to go to an old farm some miles from here. So the daughter drove them out to the farm. The barn had fallen down. Someone else was tilling the ground. The house had burned down. They got out of the car and they walked up the lane, the old farm lane, covered now with weeds. The wife said to the husband, let's stop right here. The daughter shook her head and said I do not understand it. I wanted to take you out to a very lovely dinner for your 60th wedding anniversary, and here you are in the middle of nowhere. Why did you come here before we go to dinner? The wife slipped her hand into that of her husband, saying, it was right here that your father first told me that he loved me. It is a meaningful place.

When history is written, may they look back on this troubled era of America saying of the Masonic Lodges, they were one of the first that told America they loved her.

Finally, Masons should not only be men of purpose and men of patriotism, but men of prayer. Men of faith who not only believe in the reality of God but that they can commune and communicate with God through prayer. If our prayers have simply degenerated into a little ritual that means nothing, then God help us. Whenever the Masonic Lodge loses its spiritual dimensions it will lose its life. We need to keep alive the great sinews of faith, a belief in God. A supreme being, not just an ideal but a personal God, who I as a Christian minister believe has made himself known in Jesus Christ.

Someone has said when you depend on money, you will get what money can do. And that is something. If you depend on organization, you will get what organization can provide. And that is something. If you depend on programs, you will get what programs can do. And that is something. But when you depend on prayer, you will get what God can do. I know in my life I need what God can do. What my church needs is what God can do. What America needs tonight so desperately is what God can do for her through people like you.

Abraham Lincoln in his famous Gettysburg Address said that this nation needed a new birth of freedom and in his time that was very true. I think tonight we could change the words to say that this nation needs a new birth of faith, faith in people, by the people, and for the people shall not perish from the earth.

God Bless you.

RETURN OF CONTROL OF PUBLIC SCHOOLS TO LOCAL AUTHORITY

Mr. ALLEN. Mr. President, during the first session of the 91st Congress, I submitted a resolution for a constitutional amendment which provides for the return of the control of our public schools to local authorities.

Since submitting the resolution, I have on a number of occasions on the floor of the Senate pointed out the destructive effects on our educational system of edicts from Washington which concerned problems that could have been best resolved by local officials.

My attention has recently been called to an excellent editorial in the *Camilla, Ga., Enterprise* which was reprinted in the *Headland Observer*, an outstanding weekly newspaper published in *Headland, Ala.*, that focuses on this question of local versus Federal control of our public school system.

I commend this article to the Senate and 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:

MORE MONEY NOT COMPLETE ANSWER

Following the popular in our thinking about public matters, the cry now is that massive amounts of Federal dollars are needed to correct what is reported to be a poor school situation. In recent weeks there has been a rash of reports about the condition of schools all around the country.

Readers Digest in their current issue has two feature articles on schools—one on the failure of integration—the other on school busing—both of which spell out a pretty bad school situation in all parts of the country.

Testimony this past week before the Senate committee was to the effect that the schools were in shambles—were poor—etc.

The President's Commission and his own proposals are for a massive new amount of money for schools in city ghetto areas, etc.

More than money, the one greatest act on the part of all concerned which would improve our schools would be return them to the teachers and the parents.

These two have been consulted the least, ignored the most, and who likewise are paying the highest price in heartaches as they witness the truth themselves.

We are sure there is a need for more funds to accomplish objectives planned and promoted by the teachers and parents—but let's let them write this bill of needs and then let's appropriate the money.

Since the courts began to apply a social principal (a Swedish social workers thinking) to the administration of our schools they have been in a tailspin downward. The proclaimed fact—separate schools are inherently not equal—has proven to be false and baseless and we proceed now in multi-directions trying to salvage, rather than build.

A good many of the orders from courts have been utterly stupid, senseless, unthinking and to say the least—not considerate of the human beings they were directed against. You would not treat anyone the way the Courts and the Federal agencies have treated the teachers, pupils and parents of this state this year. It is beyond belief that reasonable and kind men could order acts which have been put into writing.

We repeat—the greatest need of our time is to get the schools out of the courts, out of the hands of Washington bureaus—return them to the hands of professional educators and parents. For almost two hundred years these people had been doing a good job. America had grown great and was continuing to lead the world in most areas of academic achievement and thought—until the socialist, the planners, the bureaucrats took hold.

We are opposed to the State of Georgia and the Federal government putting any more money into any school program—until the operation of Public Schools are returned to the people who run them, who use them.

At a time when we could be making progress, when many new techniques and gadgets are available, when modern means and transportation are here, when students are ready and eager—we must waste all of our time dividing up and balancing on racial lines with absolutely no consideration given to the curriculum, the facilities, the faculties, the ability and desires of the students, the many other related factors which are needed to support a climate for education.

In Mitchell we must send in composition of classes grade by grade, room by room. Testing is met with opposition. Ability grouping is frowned on. Programs must be geared to averages, and classes are composed by racial formulas.

We will live through it. It appears now that some of the major publications are catching on to the truth. That the activity of the Warren Court has been detrimental to

education is coming to light. In time the pendulum will swing back to sensible local control which we had before.

But in the interval many children will receive less than their share of the educational opportunities of the day.

THE ACTION BY THAILAND—THE NIXON DOCTRINE WORKING

Mr. GOLDWATER. Mr. President, in 1969, President Nixon promulgated his Guam doctrine, that Asian wars should be fought by Asians, and that our allies in Asia might expect U.S. material support, but not U.S. manpower. That became known as the Nixon doctrine and was generally widely hailed.

Newspapers here on the eastern seaboard had little but praise for the Nixon approach to Asian problems when expressed at Guam. They said good things about it because it meant lowering the American profile in Asia and eventual pullout of Americans from Vietnam.

Not only the press, but others in the media as well, were generally much in favor of what Mr. Nixon pronounced as official U.S. foreign policy.

The idea was that if any small Asian nation was attacked by aggressors from abroad, then other Asian nations would come to their rescue, if they were to be rescued at all. Americans might supply equipment for the venture but not men.

This week we have evidence that this doctrine is working. Cambodia is in trouble. For years her territory has been wilfully violated and her resources stripped by Communist invaders from North Vietnam. The whole Cambodian frontier with Vietnam has been held by foreign troops and these troops have imposed their will upon Cambodia.

For the past 5 years or so, the Cambodian Government under Prince Sihanouk has accepted this Communist domination with docility. In fact, the Communists from Vietnam dictated in those years who should be in the Cambodian cabinet, and how that cabinet should rule.

As long as the Government of Cambodia accepted the Communist role in that country, there was obviously nothing anybody could do about it. Certainly her neighbors were not inclined to intervene.

Then the dictator of Cambodia took his trip to Europe and in so doing made the classic blunder of tyrants all through history. A dictator has an uneasy seat. He can rule only as long as he himself is there to insure compliance with his dictates. He must always instantly repress rebellion. A protracted absence involves serious risk of an end to his authority.

The people of Cambodia in his absence decided they did not need Sihanouk any longer, and his own Prime Minister kicked him out.

That new Government broke its ties with the Communists and ordered North Vietnam troops to leave the country. The new Government also broke the connecting links between the Communists in eastern Cambodia and their supply bases. They closed their seaports, principally the new harbor of Sihanoukville, to the Communist forces.

The new Government of Cambodia

also appealed to the United States and the rest of Asia for assistance.

At this point the Nixon Guam doctrine came into play.

The United States declined to send in manpower to Cambodia to help the Cambodian Government. Those American troops who did enter Cambodian territory—a relatively small number—did so not in an effort to keep the present Cambodian Government in power, but to destroy enemy bases that were being used to attack American and South Vietnamese positions.

Totally within the bounds of the Guam Declaration, the United States has agreed to send a very limited amount of arms, small arms primarily, to the Cambodian Government. We are not sending men and we do not intend to do so.

Also totally within the Guam Declaration the Government of Thailand, at the request of the Cambodian Government, is sending troops.

This is one Southeast Asian nation helping another which is attempting to throw out a Communist invader.

And so it comes as a surprise to find the New York Times on June 3 writing an editorial warning of what it calls ominous implications in the action by Thailand.

I could easily understand—and approve—such an editorial warning, were it issued against American troops participating in an effort to shore up the Cambodian Government against enemy invasion. I personally feel that the President of the United States is absolutely right when he declares, as he has repeatedly done, most notably stated at Guam, that we are not the world's policeman. We cannot forever assume that role.

I feel more strongly than the New York Times, though, about leaving any country totally defenseless against Communist aggression from without. If Thailand is capable of sending troops to help the Cambodians defend themselves from this invasion, so much the better.

I can recall how thrilled the New York Times was in 1964 when Lyndon Johnson said he would not send American boys to fight Asian boys' wars. Now, when President Nixon is attempting to carry out that long-forgotten pledge, the Times is aghast. If Cambodia saves itself from the Communist invaders, it will be with the help of other Asian countries, and Asian boys will be fighting their own battles—not American boys doing it for them.

And yet the New York Times is horrified at the thought, apparently, of anybody fighting Communist aggression anywhere in Southeast Asia.

This is what seems puzzling to me. Why should this newspaper applaud the Nixon doctrine of letting Asians solve Asia's problems, and then wring its hands and cry out about ominous implications when that doctrine bears fruit?

Were the Communist takeover in Cambodia native-born and nurtured; that is, by Cambodian Communists, the Times might have a valid point about Thailand intervention even though, by the same token, one would expect the Times to feel this was no concern of ours. But there is

no such pretext involved in Cambodia. The invasion of Cambodia is by North Vietnamese and Vietcong Communist troops. They are in total violation of a series of international agreements which guarantee Cambodia's neutral status.

This blatant invasion of a small neutral country by the Communists does not seem to bother the newspaper. But an effort on the part of other Asian countries to thwart this invasion does.

**POSTMASTER WINTON M. BLOUNT
ADDRESSES THE DELAWARE
BANKERS ASSOCIATION**

Mr. ALLOTT. Mr. President, on May 14, Postmaster General Winton M. Blount gave a very sensible speech before the 75th annual meeting of the Delaware Bankers Association in Wilmington, Del.

The Postmaster General is a member in good standing of what is referred to as "the establishment." And the bankers who listened to him are also members of that much maligned institution. Therefore, it was a significant occasion for an intelligent discussion of the problems of communications between the young and "the establishment."

The Postmaster General argued persuasively that there is a continuing need to improve this communication. But at the same time, he made clear that both the young and "the establishment" have responsibilities in this field. Men in public office especially must be prepared to listen to reasoned argument and to respond with candor. And youthful critics must respect the traditions of civility when pressing their points of view. Further, they respect the duties and motives of those with whom they disagree.

If both sides meet their responsibilities, then so-called communications gaps will be bridged. If these on both sides of this gap conduct themselves with the good sense and admirable dignity of the Postmaster General, then we will enter a new era of openness and good feeling in public life.

So that all Senators may study Postmaster General Blount's remarks, I ask unanimous consent to have his speech printed in the RECORD.

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

ADDRESS BY POSTMASTER GENERAL WINTON M. BLOUNT AT THE 75TH ANNUAL MEETING OF THE DELAWARE BANKERS ASSOCIATION, WILMINGTON, DEL., MAY 14, 1970

I know it would be fitting, in addressing so distinguished a group of financial authorities, to discuss the state of the economy, or the outlook for business, or some such related topic. But, I think there is a matter which cuts even closer to the heart of America than her economic stability, and that is the stability of the relationship between her generations—between her sons and fathers.

One of the popular clichés of recent years has been "generation gap." I suspect it began as a way of observing that children rebel against their parents. But this is the way and the nature of life. Children break the bonds of childhood and become adults, and they make a new relationship with their parents. So there was nothing new in this.

But this last ten years was the decade of the "gap." It began with a missile gap and ended with a credibility gap, and some-

where between the phrase-makers produced some other gaps—one of which was the generation gap. And the phrase became a self-fulfilling prophecy.

In thinking about how well or how poorly Americans succeed in raising their children, I suppose we could say that we never did as well as we intended, nor as poorly as we might.

But something came unstuck in the last decade, and it came unstuck right there where most Americans live—in the family. I don't profess to know what it was, but the result was a generation with some of our young who had a lot of education and little maturity; a lot of independence and little dependability and little discipline; a generation with the normal needs of youth for security and assurance, and nowhere to turn to get it. Society turned upside down and the young were on top, where they never wanted to be.

The young cult blossomed and was fueled by business and by the media, and the young were courted and coddled wherever they laid their dollar down.

And they were used politically: sometimes in positive efforts like the Peace Corps, for their idealism; other times in more cynical or quixotic ways, simply because they brought devotion and energy to whatever course they pursued, and because they made good copy.

They warmed the hearts of those political boy scouts who featured themselves at the front of youth crusades, and they inflamed the neuroses of those politicians whose "suffer-the-little-children-to-come-unto-me" complexes thrive on adolescent adoration.

Through it all, our young people got a sense of power and importance all out of proportion to reality. And they never understood that their importance lay in their usability.

Throughout this manic period, the agony of Vietnam not only persisted, but escalated, and chewed into the lives of these young people. When they objected, they thought no one listened; when they protested, they thought no one cared, and in time they realized just what their apparent importance consisted of. They turned in on themselves in bitterness, and where once youngsters rebelled against their parents to grow and mature, there was now real alienation in the process.

Everyone talked about generation gap, and the only hands that tried to reach across it were the hands of economic or political opportunism—the so-called "peace" candidates, for example, who spoke so bravely of peace for the world when what they were really looking for was a piece of the action. So we had our young people pulled between cynicism on the left and indifference on the right. Small wonder that some of them said: "A plague on both your houses" and turned to radicalism.

And as always in this country, there was a vast majority of students and other young people who were concerned with America, but who kept silent and allowed the image of youth to be established by the radicals.

Perhaps we should fault them for not speaking up.

Perhaps we should ask ourselves who would have listened.

Whatever the questions, whatever the answers, we have been on a collision course with reality in America. We came to reality in a burst of gunfire in Ohio two weeks ago and, as the country held its breath in that dark silence, we understood finally that America cannot move to the third century of its freedom at war with its children.

In his Inaugural Address, President Nixon said: "Government will listen. We will strive to listen in new ways—to the voices of quiet anguish, the voices that speak without words, the voices of the heart—to the injured voices, the anxious voices, the voices that have despaired of being heard." And he said: "We

cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices."

I think the significance of the past ten days rests in the fact that Americans are beginning to lower their voices. Once might wish that we could have the time now to breathe and examine where we are without the pressures of publicity and the passions of politics, but we cannot. Still, I think our young people are ready to believe that the promise to listen to the voices that have despaired of being heard—that that promise stands, and it will be kept.

But it must be kept all over America, and not just in the halls of government. You have something to learn from our young people. I urge you to listen to them.

It is important to listen to the questions they are asking and also to examine the answers they are offering. There is a vast basis for mutual understanding with the young; there are vast differences as well. But difference is the driving force in the dialectical process that takes us forward. So let us understand those differences, and respect them.

Where we see war as a political reality, they see peace as a moral imperative. When we speak of making the world safe for democracy, they speak of making the world safe for humanity. When we point to history and the lessons of past wars, they point to the future and answer with the hope that we can put wars by. When we point to what has been accomplished, they point to what remains to be accomplished.

It is a simple matter to see in our differences that the young are naive, that their view of the world suffers from a superabundance of idealism, and a lack of reality and the hard lessons that come with responsibility. And if we see only in these terms, then we miss the more important fact that beyond our differences we share a vast community of interest from which we may together seek a newer world.

It is from this base that we can reach out and help the young to grow and come to civil maturity. And it would be wrong to ignore what has already been accomplished here, both with and for the young.

This Administration has gotten the first positive changes in the draft system, and draft reforms continue. This is a matter which has been discussed with students. So are the SALT talks underway in Vienna. So is de-escalation in Southeast Asia. So is the effort to lower the voting age.

I think that as the young make demands, they should recognize that there is a movement—that there is progress.

These are all matters which concern them. These are matters which affect their welfare, and these issues have been discussed with students and other young people.

So there has been communication. But we can have more. We can listen to their ideas. And I think we can and must expect them to listen to ours. They have not always done this. We can weigh their concerns. We can explain our actions. We can take them into those councils where decisions are made.

Good universities have done this for years. President Nixon has asked his department heads to do this, and we have done so, and we will do more. But let business do it as well. Let industry do it. Let local government do it. Let us together find ways to bring these people into their society.

Last March, a group of students from Princeton asked if they could visit me in my office, and I invited them down. Last Friday they came.

They were naturally very much concerned about Cambodia. But in a deeper sense they were concerned about America—concerned about our priorities, and about the assumptions on which we base those priorities. And

they were concerned about their place—their future in America.

I was greatly impressed with their understanding, with their ability to advance an argument, and their ability to analyze differences of opinion. I was impressed with their willingness to listen.

We reached no agreement in our discussion. We clarified some disagreements. But the most hopeful note, it seemed to me, came at the end. I asked them if young people felt so closed out and alienated that we could no longer find a mutually acceptable basis for action. And they said no. They said generally that young people wanted to try again, to stay within the system, and make it work.

I think there is cold political comfort here. They indicated they will try to change the Congress to their liking—that they will be in opposition to many of the policies of the Nixon Administration. I think we would be very foolish to underestimate the effect they are going to have in the upcoming elections, and in 1972. The brains, the devotion, and the energy they can bring to their cause is a formidable combination. So they are going to try to make their views prevail. Some of them are going to be disillusioned if they aren't completely successful. There will always be those who think that, because the whole country doesn't suddenly swing into line with their views, the system is unresponsive.

They must understand that those who have power are going to try to hold it. Those who decide are going to defend their decisions. This doesn't mean they are invulnerable, that power can't be transferred, and decisions changed. They can.

But it has to happen in the center. It has to happen through the system. It has to happen at the ballot box. I don't think our troubles are over. The radicals on both fringes can't survive without turmoil and bitterness and they're going to try to create more of it. But I think we've turned the corner. There was a silent majority too among the young, and among the students, and they are speaking out now. I think we're going to get an accommodation with this generation.

Now, I want to say a word about the action that precipitated the events of the past few weeks.

President Nixon came to office in the midst of an escalating war in Southeast Asia. He came committed to de-escalate that war and to terminate it. He has been working steadily toward that goal since he became President.

About a month ago, he announced the pending withdrawal of some 150,000 men in addition to the 115,000 that have already been withdrawn from Vietnam in the last year. He also has said that any effort by Hanoi calculated to take advantage of our withdrawal would be met with strong action. Hanoi chose to test his will. They stepped up attacks on our forces. They moved strongly in Cambodia to outflank our forces. They increased their logistical build-up in Cambodia. And they were met with strong action. It could not be otherwise if our will and our determination to meet our commitments were to continue unquestioned in the world.

This was a difficult decision to make. This is a difficult war to fight. There are those who say the President should have sought the permission of the Congress for his action in Cambodia. The Constitution does not require this, nor may the Congress demand it without amending the Constitution. And to do so would be to tie the President's hands in those life and death matters of state which do not admit of lengthy debate. In those circumstances, such as the present case, where speed and secrecy are crucial, such a requirement would be fatal.

The President put his political future on the line to do what the safety of our men in Vietnam requires. On the basis of all available advice, the decision was tough-

minded and it was wise. It has already proven extremely successful.

Nearly 2,500 years ago, a Greek army, outnumbered ten to one by the Persian forces of Darius, stood at Marathon. They fought there and they won, and they preserved Athens for that flowering of Greek genius which would determine the course of Western history from that time forth.

We remember the battle and the victory. We sometimes forget that the decision to stand at Marathon was taken by a scant majority—just six of the eleven Greek generals determined that the battle at Marathon had to be fought.

History proved them right. But when the decision was made, there was no way to know this.

I believe history is going to prove President Nixon right, and very soon. But when the decision was taken, there were only the best opinions, plus tremendous courage, on which to base it.

It is regrettable that the President's action was misunderstood by so many whose concern is genuine. It is more regrettable that his action is misrepresented by so many who know better, but whose concern is first and foremost to serve themselves. It is a simple thing to call for peace. It is a harder thing to make peace, and still harder to make a peace that can be kept.

This is the President's task and his goal, his responsibility to America, and his special commitment to the young of this nation—they want peace, so does the President. It is both ironic and unfortunate that the most deeply held desire of both—the desire for a world without war—should separate, rather than unite, the President and the young.

Perhaps, if we keep our voices down and keep the dialogue going, we can move together once more in the pursuit of this common goal, in the pursuit of a peace that can be kept, a peace that will buy time for some future age of innocence when, in Sandburg's words: "they'll give a war and nobody will come."

CAMBODIAN OPERATIONS—"THE CITY"

Mr. GRIFFIN. Mr. President, in his television address to the Nation last night, President Nixon briefly outlined the accomplishments in the Cambodian sanctuary operations and reported that "all of our military objectives have been achieved."

As the President indicated, allied sweeps in the Cambodia/Vietnam border area have located a number of major base complexes used by North Vietnamese and Vietcong troops. One of the largest of these bases taken by allied forces was discovered by elements of the U.S. 1st Air Cavalry Division on May 5, 1970, in Cambodia's Fishhook area. It is an immense complex some 3 square kilometers in area dubbed "The City" by the U.S. cavalrymen.

LOGISTICAL DEPOT

The logistical part of "The City" was located in three separate areas and included approximately 182 storage bunkers. About 80 percent of these bunkers, each measuring 16 by 10 by 8 feet, were being utilized and contained enemy war supplies. Sixty percent or 87 of these 145 bunkers were filled to capacity. The bunkers contained munitions, weapons, food stocks, medical supplies, and quartermaster clothing and equipment. The largest quantity of a single type was ammunition including AK-47 and 57 millimeter recoilless rifle rounds. Generally,

all types of equipment and supplies were in an excellent state of preservation and in good operating condition when captured. All bunkers were serviced by bamboo-matted trails from 3 to 8 feet in width.

After a thorough investigation of the area, its contents and documents captured in the area, it is apparent that "The City" was well organized and was capable of rapid receipt and issue of large quantities of supplies. Judging from the general condition of the oldest bunkers, and from captured supply documents found in the area, it appears that the storage depot had been in operation for some 2½ years. The bunkers in the northern part of the complex appeared to have been constructed within the last 6 months.

An analysis of the documents and earlier reports indicate that this complex was a supply depot with the primary mission of obtaining supplies and equipment within Cambodia and then delivering these supplies to Communist forces in South Vietnam. In addition, this depot provided supplies to a number of training and headquarters elements. When considering the type and amount of supplies captured, the loss of this depot will certainly reduce the enemy's offensive capabilities in the III Corps area of South Vietnam.

TRAINING AREA

In addition to the logistical storage facilities, the complex contained a training area consisting of a large classroom, small-arms firing range, and mess facilities to support the training area. Also located in the southeastern part of the complex was a small animal farm. These facilities and training aids, including silhouette targets and dummy grenades as well as a large stock of items of personal clothing and equipment, indicate that a portion of this base area was used to provide refresher military and political training to recent replacements from North Vietnam. Colocated with the supply depot, the training center could also readily outfit the replacements while providing the refresher training.

Material captured in "The City" base complex includes the following:

Individual weapons: 50 AK-50 rifles, 922 SKS rifles, 36 MAS rifles, 48 Thompson submachine guns, 42 Chinese Communist grease guns, and 13 AK-47 rifles.

Crew-served weapons: 3 14.5 twin barrel AA guns (complete with sights), 1 20 mm machine gun, 15 7.62 mm machine guns, 60 .30 cal AA machine guns, 6 .51 cal AA machine guns (with 80 extra barrels), 40 60 mm mortars, 6 82 mm mortars, 3 4.2" mortars, 5 120 mm mortars, 22 RPG rocket launchers, 8 75 mm recoilless rifles, and 33 Chinese Communist light machine guns.

Ammunition: 319,000 .51 cal/12.7 mm ammo, 152 anti-tank mines, 710 Chinese Communist grenades, 25,200 14.5 mm AA machine gun rounds, 411 82 mm mortar rounds, 84 4.2" ammo, 3,035 57 mm recoilless rifle rounds, 127 75 mm recoilless rifle rounds, 142 B-50 rocket rounds, 1,559,000 AK-47 rounds, 1,400 rifle grenades, 17 122 mm rockets, 58,000 lbs. plastic explosives, 250 cases detonating cord, 144,000 non-electric blasting caps, 270,000 ft. time fuse, 2,700 fuze lighters, 42,-

670 7.5 mm machine gun rounds, 22 cases anti-personnel mines, 400,000 .30 cal rounds, 13 107 mm rockets, 10 85 mm field gun rounds, 780 60 mm mortar rounds, 168 120 mm mortar rounds, 200 electrical blasting caps, and 16,920 propelling charges for 120 mm rounds.

Miscellaneous: 2,800 rucksacks, 607 shovels, 470 picks, 120 entrenching tools, 45 AK-47 magazines, 4 cases AK-47 repair parts, 1 blow torch, 18 cases 106 mm repair kits, 500 bicycles, 2,750 bicycle tires, 100 pair shoes, 75 pair socks, 320 mess kits, 15 cases 122 mm repair parts, 8 two-wheeled carts, 37 gunners quadrants, 118 .51 cal ammo cans, 40 aiming stakes, 20 60 mm mortar sights, 14 82 mm mortar service kits, 20 60 mm mortar service kits, 4 82 mm mortar base plates, 2 panoramic mortar sights, 3 cases B-40 components, 25 plastic sheets, 3 hydraulic test kits, 80 batteries, 8 field telephones, 9 PRC-6 radios, 27 cases RPG-7 repair parts, 200 lbs. medicine, 86 cases coagulant medicines, and 550,000 ampules.

Food: 30 tons rice, 8 tons corn, 1,100 lbs. salt, 10 pigs, 25 chickens, and 50 baby chicks.

DISTRICT OF COLUMBIA CRIME

Mr. MATHIAS. Mr. President, I again remind Congress of our responsibility in facing and dealing with the serious crime problem in the District of Columbia, since Congress has chosen to retain virtually exclusive governmental authority within the District.

To this end, I ask unanimous consent to have printed in the RECORD a list of crimes committed within the District yesterday as reported by the Washington Post. Whether the list grows longer or shorter depends on Congress.

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

TWO DRUGSTORE EMPLOYEES ROBBED OF \$2,000 AT BANK

An armed man escaped with approximately \$2,000 yesterday afternoon after he robbed two drugstore employees who were depositing the money in a downtown Washington bank branch and led them on a chase through the Corcoran Art Gallery, police reported.

Thomas M. Harvey, 23, and Grant Taylor, employees of the Drug Fair at 1715 Pennsylvania Ave. NW., told police they entered the Riggs National bank branch at 1750 Pennsylvania Ave. at about 1:15 p.m. to make a deposit.

A man brandishing a revolver pushed Harvey against a window, placed the gun at his head and ordered, "Give me the money bag," according to police.

After Harvey gave him the money, the gunman ran from the bank. Harvey said he and Taylor told the bank guard about the holdup, then chased the bandit for a block and a half.

They told police they lost the bandit after he entered the Corcoran gallery.

In other serious crimes reported by area police up to 6 p.m. yesterday:

ROBBED

High's dairy store, 1400 Pennsylvania Ave. SE., was held up by two youths who entered the store about 1:20 p.m. Tuesday. One pulled out a revolver and ordered, "Everybody hold it." The gunman then told two employees to put all the money into a paper bag. Grabbing the bag, the pair ran out of the store and escaped on foot.

Cornalies Gascon, of Washington, was held up about 10:45 p.m. Tuesday as he was walking at Rhode Island Avenue and 22d Street NE. Four youths approached Gascon from the rear and one of them placed a gun at his back. "Give us your money," ordered the gunman and Gascon handed the youths his cash. The four then fled south on South Dakota Avenue.

Rayfield C. Blackston, of Washington, a carrier for the Evening Star, was held up shortly after 8 p.m. Monday in the 1400 block of Delafield Place NW. Two youths confronted Blackston, forced him to hand over his money and collection book, then ran east on Delafield Place.

Alberta A. Fletcher, of Washington, was robbed of a large amount of money about 9:45 a.m. by a man who approached her at 12th and H Streets NE. The man forced her to surrender her pocketbook containing the money, papers and a food stamp identification card.

Rhonda Z. Conn, of Silver Spring, was robbed of her money and a diamond wedding ring about 5:50 p.m. Tuesday when she was jostled by a pickpocket as she waited for a bus in the 1000 block of 16th Street NW.

Charles Adams, of Washington, was held up about 11:55 p.m. Tuesday by two youths, one of them brandishing a handgun, who approached him from the rear at 32d and Gainesville Streets SE. When the armed youth demanded his money, Adams handed him the bills from his pockets. The other youth then took his wristwatch and fled on foot with his companion.

Nathaniel B. Williams, 41, was held up about 10:30 p.m. Tuesday by a young man who entered his car in the rear of the 700 block of Quebec Place, NW., and asked, "Do you have any money?" When Williams hesitated, the man pulled out a .38-caliber pistol and demanded, "Give me everything you got." After Williams gave the gunman his wallet, the man forced him to surrender his watch, keys and registration for his car. He told Williams to get out of the car and drove away, heading east through an alleyway in the middle of the block.

Daisy Hunter, of 35 E St. NW., was robbed of a large amount of money about 6:30 p.m. Tuesday. A young woman stopped Miss Hunter at the rear of her building, forced her to hand over her purse containing the cash and ran north on Massachusetts Avenue.

Raymond Jones, of Greenbelt, was robbed of a large amount of cash by two men who entered his car about 11:15 p.m. Tuesday when he stopped for a traffic light at 14th and V Streets NW. One of them pulled out a knife-like weapon and told Jones to drive to the 1400 block of Florida Avenue NW. There the pair forced Jones to give them the money, then escaped into an alley.

Sporty's Carryout, 56 25th Pl. NE., was held up by a man who entered the shop shortly after 10 p.m. Tuesday and asked the clerk for a small orange soda. As he was drinking the soda, the man pulled out a dark handgun and told the clerk, "Put the money in a bag." The gunman grabbed the sack full of cash, fled from the store and boarded a D.C. Transit bus heading west on Benning Road.

Pamona Alma Hughes, of 1111 1st St. NW., was held up shortly after 1 a.m. by a youth who confronted her in front of her home. Holding a knife at her throat, he ordered, "Give it here." Miss Hughes handed the youth her pocketbook and he fled on foot.

Woodrow W. Bailey, a retired Washingtonian was held up about 11:10 p.m. Tuesday at New Jersey Avenue and P. Street NW., by three youths. One of them placed an unidentified object at Bailey's back and warned, "Don't move or say anything because I got you covered." The other youths then took a large amount of money from Bailey's pockets and the trio fled south on New Jersey Avenue.

Eugene Muir, of Hyattsville, was held up about 4:20 p.m. Tuesday by a young man

wielding a gun who approached him in an alley in the 200 block of Virginia Avenue SE. "This is a gun," the youth said as he placed the weapon at Muir's side. Taking his wallet, the gunman fled on foot.

Otis Finch, of Washington, a taxi driver, was robbed about 12:45 a.m. by a man who hailed his cab at 14th and H Streets NE. and asked the hacker to drive him to the 3300 block of Croft Street SE. At the dead end, Finch stopped the cab and the passenger pulled out a hard object which he placed at the driver's back. "Okay, this is it. Give me all the money, your watch, ring and shoes." The armed man took the items and fled on foot.

Lawrence Earl Willer, of Bowie, was robbed about 3:05 p.m. Tuesday as he left a carry-out shop in the 1600 block of Kenilworth Avenue NE. and entered his car. Three men approached the driver's side of the car and one of them indicated the gun he had concealed in a brown paper bag. While the gunman held Willer at bay and another man urged, "If he moves, shoot him. The other one frisked him and took the bills from his pockets. After grabbing all his money, the trio ran west on Eastern Avenue.

Pierre M. Sprey, of Princeton, N.J., was held up shortly after noon Tuesday by three men who approached him in the 1600 block of 4th Street NW. Two of them stayed behind Sprey while the other man walked beside him and said, "The man behind you has a gun." Sprey said the man pressed something at his back and, when he glanced behind him, he saw the man was armed with a hookbill knife. The trio forced Sprey to hand over his money, and car keys, then fled east on M Street.

Katherine Patterfield, of Washington, was beaten and robbed about 12:30 p.m. Tuesday by two youths who attacked her at the corner of 4th and Aspen Streets NW. Approaching her from behind, the youths knocked Mrs. Patterfield to the ground, causing her to injure her arm as she fell. The pair grabbed her pocketbook and ran west in the 400 block of Whittier Street NW.

Joseph Sousa, of Washington, was held up Monday morning by two young men who approached him on the east side of Logan Circle, near P Street NW. One of them drew a .22-caliber pistol, pointed it at Sousa and demanded, "Give me the money you got in your pocket." Sousa handed the men his bills and they fled toward Q Street NW.

Andrea Chavous, of Alexandria, was robbed of her money and jewelry about 5:55 p.m. Tuesday in the 1200 block of Q Street NW. Two men drove up beside her in an old car, got out and forced her to give them her pocketbook containing a large amount of money, two rings and two bank books.

Jerome Russell Williams, of Washington, was held up shortly after 7 p.m. Sunday as he was collecting for his paper route in the 900 block of Eastern Avenue NE. Someone approached him from behind, placed a hard object at his back and warned, "Don't move or I will stick it in you." Another person removed the bills from Williams' pockets, then fled with his companion.

Lucy Mae McGhee, of Mt. Rainier, was robbed of a large amount of money about 7:05 p.m. Tuesday as she was riding on a D.C. Transit bus. When the bus stopped at 13th Street and Rhode Island Avenue NE., a youth grabbed her handbag, stepped from the rear door of the bus and fled on foot into the 1400 block of Saratoga Avenue NE. The handbag, without the money, was subsequently recovered in the basement of a building in the middle of the block.

Joe Brading Cox, of Washington, was robbed Monday by a man who approached him in the 700 block of 18th Street NW. and demanded his money. When Cox refused and began yelling for help, a second man yoked him and knocked him to the ground. Cox then surrendered his wallet and the pair fled on foot.

Stanley Riley, of Washington, was beaten and robbed about 11:20 p.m. Tuesday by an assailant who attacked him in the 200 block of 11th Street NE. After hitting Riley in the face and cutting him in the forehead, his attacker took his ring, watch and wallet.

Samson Reid, of Washington, was held up about 11:40 a.m. Tuesday near his home at Staples and Neal Streets NE. A youth displaying a gun threatened, "do as I say or you will die," and took the cash from Reid's pockets. After removing his wrist watch, the armed youth ran west on Neal Street.

Richard C. Blowe, of Washington, was beaten and robbed shortly after 2 a.m. by three youths who attacked him at Florida Avenue and R Street NW. After knocking Blowe to the ground and hitting him in the face, the trio removed his wallet and escaped into an alley off of R Street.

Nathaniel L. Murrell and his son Larry, of 1034 Quebec Pl. NW, were held up about 5 p.m. Tuesday by three youths who knocked on the door and asked to see Larry. One of them pulled out a revolver, pointed it at Mr. Murrell's head and said, "Take it easy." The trio then entered the home and asked where the money was. After taking the bills from Murrell's pockets, the gunman demanded the rest of the money. When Murrell said they had none, the armed youth said, "I'll blow Larry's head off." Murrell then led the three upstairs where they took a large amount of money from the bedroom and \$50 in silver half dollars from the bathroom. After removing a collection of old coins and locking Murrell and his son in a bathroom, the intruders warned, "If you come out, you'll be shot," and fled from the building.

STABBED

Alvin Duson, of Washington, was treated at Washington Hospital Center for stab wounds he suffered about 9 p.m. Tuesday. Two men approached Duson as he was walking in the 400 block of Kennedy Street NW, and stabbed him in the left shoulder and chest with a can opener.

ASSAULTED

Melvin S. Goodwin, of Washington, was treated at Freedmen's Hospital for injuries he suffered during a fight with two men about noon Tuesday. The men approached Goodwin at Kenilworth and Eastern Avenues NE. and one of them hit him in the mouth and head with a brick. Goodwin was treated for lip and eye wounds and released.

Wendell A. Smith, of 1839 13th St. NW, was admitted to Freedmen's Hospital for a gunshot wound in his chest. Smith told police a man approached his apartment about 3 a.m. and fired a shot at him from the doorway.

Eric Flemming, an eight-year-old Alton Elementary School student, was admitted to D.C. General Hospital after three youths robbed, stoned and beat him as he waited for his sister to walk him home from school. The youths approached Eric on a street corner near the school at 48th and Foote Streets NE and dragged him into a nearby wooded area. Eric said the trio demanded money and he gave them a dime which was all he had. "Is that all?" the youths asked and when he nodded affirmatively, they picked him up, carried him to a creek and threw him in. As Eric tried to climb out of the creek, the youths threw stones at him. Finally they allowed him to crawl back onto the street where they forced him to give them his shoes. He was treated at the hospital for head wounds and released.

John Calvin Skinner, of Washington, was treated at D.C. General Hospital for injuries he suffered when he resisted an attempted holdup about 6:30 a.m. Two youths approached him as he was waiting for a bus at 14th and Main Streets SW and demanded money. When Skinner replied, "I don't have a dime," and started to walk away, the youths grabbed him and pulled out their

weapons, a knife and a gun. During the ensuing scuffle, Skinner was shot in the hand and one of his assailants was stabbed in the leg.

STOLEN

Eight cases of whiskey valued at \$543.83 were stolen between 12:45 and 3 a.m. Monday from the Columbia Lodge, 1884 3d St. NW., after the rear door was forced open.

Travelers checks and movie slides with a total value of \$1,075, were stolen between 11 a.m. May 27 and 8 p.m. May 29 from Chrysauthi Papastefanou, of Falls Church, when his apartment at 1426 M St. NW was burglarized.

Four typewriters, three projectors, a tape recorder and a television set were stolen from Burrville Elementary School, 801 Division Ave. NE., about 11 p.m. Saturday.

Eight cases of whiskey and \$50 from a cigarette machine, with a total value of \$711.70, were stolen sometime between 12:30 and 3:05 a.m. from Arbaugh's Restaurant, 2606 Connecticut Ave. NW.

A Soligor telescope lens was stolen from an office at Woodrow Wilson high school, Nebraska Avenue and Albemarle Street NW., sometime between 9:30 a.m. May 25 and 8 a.m. May 26.

PRISONERS OF WAR

Mr. MATHIAS, Mr. President, there are many crosscurrents of opinion about the war in Southeast Asia. Some Americans believe American participation in the war should be stopped immediately. Many others believe that the war should be ended gradually while still other Americans believe that we should use even the ultimate weapons if necessary, in an attempt to gain a military victory at whatever risk to our international situation.

There is, however, one facet of the war about which all Americans can agree. That is the fact that the Government of North Vietnam is grievously wrong in its treatment of American prisoners of war.

To date, the Communist treatment of prisoners has been in gross disregard of the 1949 Geneva Convention on the protection of prisoners of war. This convention, to which North Vietnam acceded in 1957, binds both North and South Vietnam as well as the United States, which ratified it in 1955.

On our side, every effort has been made to guarantee observance of the convention, including thorough investigations of alleged violations and punishment of those found guilty. At the same time, regular international inspection has shown that the prisoners held by the Allied command are treated in accordance with the Geneva requirements.

And yet, treatment of prisoners of war by the Government of North Vietnam has flagrantly and constantly breached this fundamental rule of international law, one which it and more than 120 other nations of the world have formally acknowledged as an essential minimum standard of human decency.

Of the more than 1,500 U.S. servicemen currently listed as missing in action in North Vietnam, South Vietnam, and Laos, some 435 are, with varying degrees of certainty, believed to be prisoners of war.

Basic provision of the Geneva convention which the enemy forces have consistently disregarded are: Release of sick and injured prisoners, inspection of

prison facilities by a neutral organization such as the International Red Cross, regular flow of mail between prisoners and their families. What is a special cruelty, the North Vietnamese Government has not even released the names of men held prisoner.

Propaganda from Hanoi has repeatedly claimed that all prisoners are treated humanely. Yet information gained from men released in August 1969 indicates the contrary. These men, who had been detained by the enemy for approximately 2 years, reported long periods of isolation, near-starvation diets, inadequate medical treatment and many forms of physical torture. In addition, reports indicate that at least 19 American prisoners have been murdered by the enemy or allowed to die from disease or malnutrition. The truth or falsity of these stories would be easily established by international inspection.

Because of the enemy's refusal to provide a list of prisoners' names, as required by the Geneva convention, many American wives have made agonizing journeys to government capitals all over the world seeking help to determine whether their husbands are dead or alive. Some 75 wives and parents have had face-to-face meetings with North Vietnamese officials in foreign capitals. They have been subjected to heavy enemy propaganda and to false promises, made as long ago as last September, that in the near future they would be advised of the status of their loved ones. As President Nixon's Ambassador at the Paris negotiations so aptly stated, the handling of prisoners of war is "not simply a narrow question of legal obligations." It is a question of human decency, a question which has been given painful and urgent expression by those asking whether they are wives or widows.

Two of the three men released last August were injured at the time of their capture and under the provisions of the Geneva convention should have been released immediately by North Vietnam. Yet they were retained in captivity for 2 or more years without adequate medical treatment for their injuries. Others were reportedly injured during their capture, some more serious than the two released, but efforts to obtain their release have been futile.

I hope and believe that public and congressional concern may awaken world opinion and may have a substantial sequential impact on Hanoi. Toward this end, I joined 34 other Senators some months ago in introducing Senate Resolution 271. This measure declares the sense of the Senate to be that the government of North Vietnam and the National Liberation Front should, among other steps, provide information on the status of prisoners of war and give evidence of their treatment.

More recently, I joined in a congressional resolution which designated May 3 as a national day of prayer for American prisoners of war.

President Nixon has given the prisoner of war question special priority in the Paris negotiations and related diplomatic efforts and I support him fully in these efforts.

No resolution of the conflict in Southeast Asia will be honorable without providing for the release of American prisoners. It is imperative that the Executive continue to exert all possible energies for improving the conditions of their detention and for hastening their ultimate repatriation, and I know every Member of the Senate supports the Executive in these efforts. No action taken or contemplated by the Senate can be interpreted as an acquiescence in their plight, or as an abandonment to their already unfortunate fate.

SENATOR HANSEN JOINS IN MIDEAST LETTER

Mr. SCOTT. Mr. President, I wish to announce for the RECORD that the junior Senator from Wyoming (Mr. HANSEN) is to be considered a signer of the letter sent to Secretary Rogers on June 1 by 73 Senators concerning the situation in the Middle East and urging the sale of additional jet aircraft to Israel. The Senator from Wyoming (Mr. HANSEN) was necessarily out of Washington on the day the letter was sent. Secretary Rogers has been officially informed that Senator HANSEN is to be considered a signer of the letter.

SENATOR BENNETT CALLS FOR PATIENCE TO CALM INFLATION PSYCHOSIS

Mr. BENNETT. Mr. President, last week, Under Secretary of the Treasury Charles E. Walker said that he did not believe that the stock market and the bond market would continue depressed much longer.

The New York Times quoted him as saying:

You've got a schizoid attitude, with the bond market fearing depression and that cannot go side by side for very long. My own feeling is that within a period of weeks, this schizoid situation will be cleared up, partly by the further unfolding of the economic indicators and by the pullout of troops from Cambodia, as that proceeds on schedule.

This is a succinct appraisal. For too long we have been overly disturbed by the stock market drop. It has been exaggerated out of all proportion—its effect on the economy is just not that great.

Monday, appearing at a luncheon before 350 financiers at the New York Stock Exchange, Budget Director Robert P. Mayo also added his voice of confidence that there would be a business upturn in the second half of 1970. Mr. Mayo told a news conference that he expected the gross national product to show a leveling trend for the second quarter and to swing upward later in the year. He did, however, concede that the economic adjustments now underway is taking longer than had been anticipated.

I might point out in this connection that Treasury Secretary David M. Kennedy made much the same assurance more than 2 weeks ago, when he spoke on May 14 in Logan, Utah, at Utah State University. He said then:

This is a time of transition for the economy and financial markets. The inflationary pressures which built up so strongly after the mid-1960's are now beginning to recede.

Fiscal and monetary restraint have successfully slowed the pace of expansion. As a temporary consequence, output is relatively flat and unemployment has been rising. In this time of transition, there is inevitably a degree of uncertainty over the future course of the economy. . . . Up to a point, this uncertainty is a healthy development. It reflects the success of the policy of restraint in reducing, if not entirely removing, the widespread expectation of continued inflation.

Mr. President, I submit that the Nation has already passed through much of the painful adjustment in which inflation continued while overall business conditions dipped. What is more needed now than anything else is for us to continue the Nation's business as usual. Patience will demonstrate that such a policy pays dividends.

PROGRESS IN COURTS OF LIMITED JURISDICTION

Mr. MATHIAS. Mr. President, I have often had occasion, as a member of the bar and as a public official, to call attention to the pressing need for reforms in judicial procedures at all levels.

Chief Judge Philip M. Fairbanks, of the People's Court of Montgomery County, Md., has recently published a timely article on this subject in *Trial*. Entitled "Educating Judges for Courts of the Poor," it highlights current needs and recent developments in training of judges in courts of limited jurisdiction.

I commend the article to the attention of my colleagues 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:

EDUCATING JUDGES FOR COURTS OF THE POOR

Anyone who has spent any time at all working with or studying the lower courts of this country is soon struck by three facts: (1) the complete lack of any uniform system either nationally or, in the majority of cases, statewide; (2) the tremendous volume of written and spoken material on the importance of lower courts and the need for upgrading and improving them; and (3) how little has actually been done until very recently to overcome the deficiencies and weaknesses of these courts.

As long ago as 1919, Charles Evans Hughes, later Chief Justice of the United States, told the New York State Bar Association:

"The Supreme Court of the United States and the Court of Appeals will take care of themselves. Look after the courts of the poor, who stand most in need of justice."

More than 50 years later, the courts of the poor are still in need of attention, despite recent efforts in many states to improve this system of justice. The courts of limited jurisdiction, while being the courts to which legislative and public attention should first be directed, are, nevertheless, nearly always last to receive consideration from the lawmakers and the legal profession as well as the lay public—despite continued lip service to the long recognized need for reform.

No better example of this philosophy exists than in the field of judicial education. Effective efforts to train and educate judges began less than 25 years ago, but except for one specialized program involving traffic courts and another for juvenile courts, no national programs to train lower court judges exist today, although two are now in the making. Moreover, local and state programs, almost without exception, started first with appellate judges or trial judges of general jurisdiction.

In our system there is no way to train to be a judge. Lawyers do not take courses in judicial decorum, nor do law schools offer programs in how to conduct a trial or how to write opinions. A few young lawyers become clerks to sitting judges, but whether the experience thus gained in the first year of law school is of any assistance 10, 20 or even 30 years later on mounting the bench, is open to question.

The transition from practicing lawyer to judge is a one-day proposition; training must come on the job and through experience and is not easy. If an experience lawyer finds the change difficult, think what the lay magistrate or justice of the peace must experience. Yet until recently no effort has been made to prepare either the lawyer or the layman for his responsibilities as a judicial officer or to educate him after he dons his robes.

A brief summary of those efforts toward judicial education which have been developing since the early 1940's might be useful as a background for the programs now being created.

Perhaps the very first attempt to bring judges together to discuss common problems and to learn new methods was the American Bar Association's Traffic Court Program. Started in December of 1942, the program sought to increase respect for traffic laws through an effective system of traffic courts and to assist in the prevention of traffic accidents. In June of 1947, the first regional traffic court conference was held bringing together judges, clerks, prosecutors, motor vehicle administrators, police and interested citizens. Since then, 110 regional conferences have been held, together with more than 200 state traffic court conference.

For about 15 years this program was the only one specifically directed to lower court judges. Even so, it was a limited program directed to traffic court problems. It did not offer training in criminal justice or civil litigation—to areas which represent substantial portions of the caseload of many lower courts.

In 1956 an annual appellate judges seminar at the Law Center of the New York University came into being. This was a two-week intensive full-time school for judges of the U.S. Courts of Appeal, state Supreme Courts and intermediate appellate courts. It has operated successfully ever since under the sponsorship and guidance of its founders, New York University and the National Institute of Judicial Administration.

As early as 1957 seminars for federal trial judges were developed. These were primarily for new judges, and at least at the outset, dealt principally with how to handle cases of extended duration.

In 1961 the Alabama Program of Continuing Legal Education was first sponsored by the University of Alabama and the Alabama State Bar. It started with a seminar for state appellate judges. Eight of these conferences have now been held and the program has been expanded to include seminars for circuit court judges and, in 1968, for municipal or lower court judges.

In 1962, the State of New York instituted a program for training all lay judges and magistrates of lower courts and required that they complete a prescribed course of study prior to assuming their judicial duties. This appears to have been the first program for lower court judges on a statewide basis and, while designed primarily for lay judges, became popular with legally trained judges also, leading to an advanced training program in 1963.

In 1967 California College of Trial Judges was created to educate and train judges of the Superior and Municipal Courts of the state. This organization had been preceded in 1964 by the California Institute for Municipal and Justice Court judges.

In 1968 the New York Academy of the

Judiciary of the City of New York came into being, sponsored by the National Institute of Judicial Administration.

Over the past few years, local and state programs have been created in a number of states including Illinois, Colorado, Maryland.

No attempt is made here to cover programs specifically designed for juvenile courts. This field is a specialty and while, in the correct sense, juvenile courts are courts of limited jurisdiction, their problems and programs are separate from those of the adult criminal and traffic courts. Programs have existed since 1955 and a national program was instituted in 1961.

All of these efforts, with the exceptions of the Traffic Court Program, the juvenile court program and possibly the Appellate Judges Seminar at New York University are local in nature as opposed to national, and prior to 1962 were directed solely to appellate judges and trial judge of general jurisdiction.

In 1964 the first national program for the training of trial judges came into being in the form of the National College of State Trial Judges originally sponsored by the American Bar Association. This has been a highly successful educational program. Again the principal emphasis is on judges of courts of general jurisdiction, although a few lower court judges have attended the College in the past six years.

The social, cultural and economic changes which have so rapidly engulfed America in the last 10 to 15 years have brought with them an increased realization that our system of lower court justice must be improved and modernized. With this heightened interest by the bar and the public, and with the recognition by the judiciary that a complete program of self-improvement at all levels is necessary, attention has at last been turned to national efforts to reach judges of courts of limited jurisdiction for training and education.

In March of 1969, the Board of Governors of the North American Judges Association at a meeting held in Albuquerque, New Mexico, decided to create a program paralleling that of the American Bar Association for state trial judges at the general jurisdiction level, by establishing an institution for in-depth education and training of lower court judges. NAJA is an organization about ten years old formed by judges of courts of limited jurisdiction throughout the United States, the Virgin Islands, Canada, Puerto Rico and Guam. It is not affiliated with the American Bar Association but has maintained a close although informal relationship with that Association's Traffic Court Program and with the American Judicature Society.

Because of its independent position, NAJA represents and fosters the interests of lower court judges as no other group can do, and during its relatively short career has directed its efforts to improvement of judges and courts of first jurisdiction. NAJA also offers associate memberships to the lay magistrates and justices of the peace throughout the country who wish to join. In this respect it differs from the American Bar Association's newly created National Conference of Special Court Judges which restricts membership to judges who are members of the bar.

Having decided to embark upon a program of judicial education, a committee of the NAJA Board of Governors, assisted by Glenn Winters, Executive Director of the American Judicature Society, and Douglas Lanford, Director of the Alabama Program of Continuing Legal Education, put together a proposal for the establishment of an institution to provide in-residence schooling for the lower court judges on a national basis. The program was presented to the Annual Conference of NAJA at San Francisco in December of 1969 and unanimously endorsed and adopted. The American Judicature So-

ciety has joined with NAJA to cosponsor the program and has provided expertise and financial assistance in the establishment of the institution.

The University of Alabama and the Continuing Legal Education program of that state have offered the facilities of the University, and Douglas Lanford, director of that program, has accepted the directorship.

As a result of this planning and study, the American Academy of Judicial Education has been established. A two-week, in-residence educational program will be offered at the University of Alabama from August 16 through August 28, 1970. A stimulating and challenging program of lectures and discussion groups has been designed. Included are basic courses in evidence, problems of criminal law most commonly encountered, as well as lectures on community relations, administrative methods and conduct of trials. The Academy will be open to judges throughout the United States. Tuition, materials, board and room will be furnished free of charge and it is anticipated that sufficient financing will be available to offer transportation expenses for a substantial number, if not all, of those attending.

The long-range program of the Academy will be not only to train and educate individual judges to perform their judicial functions better, but also to encourage them to return to their own states and cities to organize and sponsor seminars and programs for judicial education with the assistance and the direction of the Academy. This is an ambitious objective but by no means unattainable and without any doubt is long overdue and badly needed.

The American Bar Association has also embarked upon a program for judicial education of lower court judges but in a somewhat different way. An organization known as the National Conference of Special Court Judges has been created within the Section of Judicial Administration of the American Bar Association with the basic purpose in mind of improving the quality of lower court judges through education and training. Members of this Conference are restricted to lawyer-judges who are members of the American Bar Association and also members of the Section on Judicial Administration.

The creation of this Conference completes the group of judicial organizations affiliated with the American Bar Association, starting with the Conference of Chief Justices through the appellate and general jurisdiction trial levels down to the lower courts. The National Conference of Special Court Judges is approaching the education of lower court judicial personnel on the basis of regional or local seminars and two are already planned, one in San Francisco in April and the other in Washington, D.C. in May of this year.

The two efforts by the North American Judges Association and the American Bar Association are the first national efforts to train lower court judges in all phases of their work. Previous programs have either been local or statewide except for the Traffic Court Program. The tremendous size of the field and the complexity of the problems involved lead inevitably to the conclusion that no one group can do the whole job alone.

NOT COMPETITIVE

Therefore, the efforts of both NAJA and the American Bar Association should be vigorously supported and continued, and the idea that they are in competition one with the other should be rejected. Hopefully, each program will be eminently successful and will lead to others, all to the end that the enormous job of training and improving the quality of lower court judges will be actively pursued. When one realizes that a substantial number of the lower court judges in this

country still operate one-judge courts in localities that cannot afford or will not provide expense money to attend conferences, and that the turnover in judicial personnel at this level is extremely rapid, the difficulties in reaching these judges become readily apparent. It is easy for the well-paid, fully qualified, long-term judges of the major metropolitan areas sitting in multi-judge courts to find the time and the money to travel to educational seminars, but it is quite another thing to attract the lawyer or lay justice of the peace in the rural community who has a practice or a business on the side, and whose county or city officials have no idea of paying his expenses to go anywhere. Yet, as long as he is part of our judiciary, he is the man that must be reached.

It has been said that there can be no effective program to control crime in this country unless and until a major overhaul and upgrading of the lower courts has been achieved. I doubt that any one would seriously quarrel with that proposition. It is, however, the old story of following words with deeds, and, unfortunately, this has not been done. While substantial progress has been made in some areas, one need only read Howard James' stinging indictment of lower court justice in his book, *The Crisis In The Courts*, to realize how bad conditions still are in many cities and states particularly the large urban areas.

Judicial education is one of the many ways in which lower courts can be improved, and it is to everyone's interest to support fully any and all efforts to improve the quality and training of judges at the bottom level of our judicial system who preside in the courts of the poor.

SENATOR ERVIN JOINS IN MIDEAST LETTER

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Missouri (Mr. SYMINGTON).

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

STATEMENT OF SENATOR SYMINGTON

Mr. President, on June 1 a bipartisan group of Senators sent a letter to the Secretary of State William Rogers requesting a meeting to discuss recent Soviet moves in the Middle East and urging the United States to provide additional jet aircraft to Israel. It is a privilege to announce that the distinguished Senator from North Carolina (Mr. ERVIN) has asked to be considered a signer of this letter. This means that 76 Senators now support this effort at resolving this serious problem.

VIETNAMIZATION PROGRAM

Mr. DOLE. Mr. President, one of the key objects of President Nixon's Vietnamization program is to allow South Vietnamese forces to assume major responsibility for defending their country. In executing the current Cambodian incursion, President Nixon has reported to the Nation that the performance of the ARVN forces was even better than had been anticipated.

Such an encouraging report signifies a hastening of the day when the last American leaves Southeast Asia.

Importantly, observers outside the administration have reached similar conclusions. The increasing strength of the ARVN forces was recently discussed in an article in *Star*, the Sunday magazine in the Kansas City *Star*.

Mr. President, I ask unanimous consent that an article written by the *Star's*

world-national editor, Robert Pearman, and published in the *Star* of May 24, be printed in the RECORD.

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

ARTICLE BY ROBERT PEARMAN

The face of the president, Nguyen Van Thieu, mouth fixed in the familiar, expressionless, wooden smile, stared down from the picture frame on the wall high above the podium.

A Vietnamese lieutenant colonel, starched and polished, briefed the visitors in clipped, harsh bursts of Vietnamese, tapping his pointer on the map occasionally for emphasis and pausing periodically to allow an interpreter to translate.

"Good morning, gentlemen," the interpreter recited. "I am Lieutenant Colonel Khlem, chief of staff of the 23rd division headquartered here in Ban Me Thout."

Snapping the metal-tipped pointer rapped the surface of the map, landing squarely on the oak-leaf shape of Quang Duc province. The story came out in short staccato bursts like the test firing of a machine gun:

"Mid-October 1969 . . . the Communists, with a tremendous force . . . 7,000 men in strength, infiltrated from Cambodia and staged numerous attacks on the Bu-Prang, Duc Lap outposts . . . the battle lasted 28 October 1969 to 28 December 1969 and the enemy used large weapons such as 107 and 122 mm rockets . . . 105 mm cannon . . . 120 mm mortars.

"These attacks, however, were all crushed by the 23rd Infantry division . . . 1,838 enemy were killed.

"This victory exemplifies the growth of the ARVN (Army of the Republic of Vietnam) and its determination to defeat the Communists."

The colonel might have said more but did not. The Bu-Prang, Duc Lap battles were extremely costly to the 23rd division and other South Vietnamese units engaged. And they were significant as the first test of the army which President Nixon now insists is able to handle its new assignments in Cambodia and later will be able to defend South Vietnam in spite of gradual withdrawal of American troops.

The colonel might have said, but didn't, that when the bloody chain of battles along the border in Quang Duc province was over it was the North Vietnamese who backed away—retreated across the border into Cambodia to reorganize and replenish. The ARVN had won the first test.

In President Nixon's reports to the nation on Indochina he probably provokes the most skepticism among Americans when he talks about the capabilities of the South Vietnamese army—"We can say with confidence that the South Vietnamese can develop the capability for their own defense. We can say with confidence that all American combat forces can and will be withdrawn."

A man from Johnson County scowls over the top of his coffee cup and lets fly—"I believe him just the same way I believed McNamara. They can't do it with all the weapons and with all the help we could give them. They can't ever do it."

What he is expressing in his frustration is that charity forbids recounting the frequent past predictions for the "coming of age," of the South Vietnamese army and when now at last it is happening no one believes it. Not even when the President of the United States says that is true.

It is the "cry wolf" story of 1970 set in the jungles of Vietnam and in the main streets of America.

Long ridiculed and maligned, and often with good reason, the Army of the Republic of Vietnam is now committed to both defense in South Vietnam and offense in Cambodia.

Can ARVN eventually do the entire job, releasing all American combat forces?

Consider the "binh si," the South Vietnamese soldier. He is a peasant in a peasant army who probably has never been to Saigon and has only the vaguest kind of idea where it is.

He is 5 feet, 3 inches tall, and weighs 98 pounds (you can put twice as many of them in a helicopter as Americans). Ready for combat he looks like an overloaded Cub Scout on a weekend hike.

He is paid \$25 a month. He likes to take a nap after noon, but goes five days on 23 cents worth of rice a day. He is asked to serve in the army until the war is over, or until he is killed or until he is wounded so badly he can no longer be a soldier.

He knows that his enemy the "bo doi," the North Vietnamese infantryman, is considered by many as the best light infantryman in the world. But, says Maj. Thomas Henderson, a Texan with seven years in Vietnam: "I haven't seen a 'binh si' chicken out yet."

Bu-Prang, Duc Lap was the first test of the new ARVN and they met it. The only Americans were a handful of Special Forces men and the regular unit advisers. The Saigon troops had American air and helicopter support but Vietnamese pilots flew about one-half the strikes against enemy positions.

In recent months the Fifth ARVN division, on its own since the 1st Infantry division was brought back to Ft. Riley, has had to meet the test in Tay Ninh province on the Cambodian border. When the 9th division, the other Ft. Riley trained division sent to Vietnam, was plucked from the Mekong delta and disbanded, the 7th ARVN division, once referred to by Saigon wags as the coup division, sat back on his haunches and guarded its perimeters. As the Mandarin-style commanding general observed, there was no need to alarm Saigon with high casualty reports.

The Viet Cong rebuilt in the 7th division area, pounced on the 10th regiment of the 7th at Ben Tre and nearly annihilated it. President Thieu found a division commander.

"He's all military," says the American colonel adviser of the new division commander. "Not a political bone in his body."

Some South Vietnamese fighting units—elite Marines, air-borne troops and some battalions of rangers—have long held the admiration of Americans in Vietnam. So have some well-led ARVN divisions—the 1st in the far north, the 21st at Bac Lieu.

Gen. Creighton Abrams, the commander of U.S. forces, calls the ARVN 1st one of the finest divisions to take to the field of battle. The enemy who are in the ultimate position to judge, call its commander, Maj. Gen. Ngo Quang Truong, 39, the best division commander in Vietnam.

The Hac Bao, the Black Panther assault company of the 1st, held the Hue airfield against a North Vietnamese battalion in the Tet offensive and later emerged victorious from a 72-hour battle with overwhelming enemy forces with only 19 of its 240 men alive. The Hac Bao were the first friendly force to re-enter the Hue Citadel, captured by the Communists during the Tet offensive.

Other ARVN units are and have been less illustrious. Until about a year ago the Joint General Staff in Saigon candidly conceded that the ARVN 25th was probably "the worst division ever to enter any battlefield east of Suez." The 25th operated in the tradition of the Oriental war lord—hold strong fortified positions and do not expend equipment and manpower in combat.

I once met a rough-tough U.S. Army ranger major who served as an adviser to the ARVN in those days, who calculated that the only solution to the problem was a "Russian Army Day." On Russian Army Day, as he outlined it, every month an adviser would be given a .45-automatic with a full clip of ammuni-

tion and license to eliminate all of the incompetent officers.

Over the last few months President Thieu has quietly conducted his own style of "Russian Army Day," without such extreme measures as the American major jokingly suggested. Thieu and Thieu alone appoints the army corps and division commanders and the military province chiefs. And one by one those who held their jobs from politics and money have been reassigned. New officers, proven battle leaders, got the jobs.

What made the ARVN so bad and what now makes it better?

In a very real sense the South Vietnamese army was born in a kind of deceit and betrayed at Geneva. The French had enlisted some Vietnamese battalions, mostly Catholics and southerners, to fight on their side against the Viet Minh. Early in the war, in 1948, it officially became the Army of the Republic of Vietnam.

As the war went on and became more and more costly the French inveigled the Vietnamese to form more and more battalions to fight with the French Union forces.

But at Geneva the French cast their Vietnamese allies aside, did not consult them in the negotiations, and finally signed a cease-fire without their approval and their signature.

No signature was necessary, for at this point the national army was still under French command.

The South Vietnamese negotiating team called Saigon offering to resign.

"We have totally failed in our mission," they told Ngo Dinh Diem.

Out of these ashes Diem with much American advice and assistance began to fashion his army. It was shaped to meet a conventional thrust from the north, like the attack across the 38th parallel in Korea. The guerrilla war caught it clumsy and roadbound.

In January, 1963, in the northern Mekong delta Viet Cong guerrillas hiding in a tiny palm-fringed hamlet named Ap Bac, fought off an attack by a dozen Saigon armored personnel carriers and shot down five helicopters. It was obvious that the insurgency in the South, rising since 1956, had become dangerous and that ARVN was extremely vulnerable.

Beset by political uncertainties, lacking leadership, and seldom with any real will to fight, ARVN was pummeled by the Viet Cong and increasing numbers of North Vietnamese infiltrators, and by the fall and winter of 1964-65 had abandoned much of the countryside, barricading itself in the cities and fortified compounds.

Then came 1965—the first big year of the Hawk—and the initial waves of a tide of Americans. The American fighting man walked into Vietnam with all of the confidence of a nation certain that 100,000 of its best men could quickly turn the balance in a war against a rag tag peasant army.

Coming operations were often carefully shielded from our Vietnamese allies for fear of security leaks, deception and ambush.

ARVN, in effect, was told to stay out of the way while we finished the job. In 1965 more than 9,000 Saigon soldiers were listed as missing in action. They had found their way out of the war.

Finally in 1967 came the umpteenth new Pacification program and the "bench sitting" was formalized. It was announced policy the American troops would fight the growing members of North Vietnamese army and main force Viet Cong units while ARVN guarded the pacification teams working in the villages.

How well this was working never was fully tested. The RD teams (Revolutionary Development) were suffering heavy casualties at first, but before any conclusive evidence could be drawn came Tet in 1968.

The enemy hurled 84,000 troops in a general offensive that stretched from one tip of

Vietnam to the other and drove deepest into Hue and Saigon.

It was the turning point for South Vietnam's army. Now they saw that all the Americans with all their equipment could not or had not kept the enemy from launching an attack no one thought possible. Now he was in Ben Tre and My Tho and Pleiku and Ban Me Thout, in the ancient Citadel in Hue and in Saigon and Cholon itself. The Phu Tho race track where idle ARVN officers dallied at the betting windows on weekends was suddenly, overnight, the enemy command post.

Some American units were engaged, but for the most part the job of clearing the cities fell to the South Vietnamese. Half of the North Vietnamese-Viet Cong attacking force was killed, 20,300 by the Vietnamese, 18,581 by the Americans and other allies.

In the weeks that followed President Thieu put the country on full mobilization for the first time in two decades of war. Before the summer was out he had added 220,000 to the armed forces, 161,000 had volunteered. More than 3 million people in the countryside put their very lives on the line by signing up to defend their communities, passing a single weapon from guard to guard.

In Hue, breeding ground of Buddhist discontent and a city almost totally alienated from Saigon before Tet, today 18,000 civilians stand guard, three shifts a day. In Saigon, once the city that simply removed itself from the rigors of war, there are trained civil defense units active on every block.

When the President started ordering American divisions home the ARVN troops were sent to face the enemy where the danger was highest . . . in the north near the DMZ, and in Cambodia. Some Vietnamese division commanders said the Americans were pushing too fast, expecting too much. But the transformation went on. Last year 9,414 Americans were killed in Vietnam. Saigon forces lost 21,833.

What do the Americans who work with the ARVN really think about its ability to do what President Nixon says?

"As things are now the ARVN can handle the situation in South Vietnam," says Col. Maurice Price, adviser to a regiment of the 5th division, the replacement for the Big Red One.

Colonel Price made it clear, however, that in his opinion the Army of the Republic of Vietnam could not deal with a major emergency beyond the scope of its previous commitments.

Others say the same thing less categorically, believing that South Vietnam will need American helicopter, air and some logistical support for another two or three years, but after that can probably handle North Vietnam's best on its own.

No one sees a miracle. The South Vietnamese army and other fighting forces they know will, in the coming months, probably face defeats, lose bases and defended positions, and on occasion perform in the manner which most Americans over here have come to expect. But in the long pull they are banking on the new ARVN, they are counting on the "binh si," and a people who have somehow now endured a quarter of a century of war and still have the will to go on with this one whether the Americans go home or not.

President Nixon told the nation on April 20 that American casualties in Vietnam had reached the lowest point in five years. The following table reflects the rising South Vietnamese effort.

1st quarter of year	U.S. battle deaths	SVN battle deaths	Estimated enemy battle deaths
1968 (Tet offensive)...	4,869	10,500	72,455
1969.....	3,184	5,922	44,846
1970 (thru April 4)....	1,246	5,044	28,350+

JET FIGHTERS FOR ISRAEL

Mr. SMITH of Illinois. Mr. President, as a cosigner of a letter to Secretary of State William Rogers, requesting favorable action on Israel's request to purchase jet fighters from the United States, I invite the attention of Senators to a column recently written by Roscoe and Geoffrey Drummond, in which they discuss the Mideast balance of power. They have presented some very sound points in favor of this type of noncombat support for our allies.

I ask unanimous consent that the column, "Mideast Is Nixon's Cuban Missile Crisis," from Today's Chicago, be printed in the RECORD.

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

MIDEAST IS NIXON'S CUBAN MISSILE CRISIS (By Roscoe and Geoffrey Drummond)

WASHINGTON.—President Nixon's bold action in Cambodia needs to be followed by bold action in the Mideast—for the same purposes: There is strong interaction between the two.

What's happening in Indochina is important to the United States.

What's happening in the middle east is vital to the United States.

We cannot afford to leave the soviet challenge to the survival of Israel unmet, because it would invite massive expansion of soviet power and risk an unwanted war which could engulf both the United States and Russia.

Moscow has to be shown that further soviet brinkmanship in the middle east is perilous and cannot be safely employed on the assumption that the United States is in a mood to abandon its responsibility for peace almost anywhere in the world.

Expecting that the United States is too divided and distracted to react, here is what Moscow is now doing:

It is taking over the defense of the bulk of Egyptian air space with soviet arms and soviet personnel. It is manning the newly installed soviet SAM sites with soviet technicians. It is supplying the experts to handle the control towers and deep radar and it is providing soviet pilots to fly soviet planes, in part to free Egyptian forces to expand their war against Israel.

Its purposes are evident.

It aims to erase totally United States influence in the middle east. It aims to establish the Soviet Union as the dominating all-powerful force in the Moslem world.

Its strategic aim is to reopen the Suez canal so soviet ships and arms can move easier and faster to all of southeast Asia, where its goal is soviet dominance.

To all of these ends, it is apparently willing to go just as far as it can without rousing the United States to any effective counteraction.

The Kremlin is now confronting President Nixon with the equivalent of the Cuban missile crisis with which Nikita Khrushchev confronted President Kennedy in 1962. This is Nixon's middle eastern in "Cuban crisis" and it rests on the calculation that he will blink and look away.

We doubt that Richard Nixon will do so. He gave the reason for not doing so in his address on Cambodia:

"If, when the chips are down, the United States acts like a pitiful, helpless giant, the forces of totalitarianism and anarchy will threaten free nations and free institutions throughout the world."

It is reasonable to expect that the President:

Will warn the Russians that we do not intend to leave Israel exposed to mounting Russian military power in Egypt.

Will implement that warning by meeting Israel's request to buy United States jet fighters to counter the soviet threat.

The United States refrained from providing these planes a few weeks ago, hoping our restraint would be matched by soviet restraint. It wasn't. Mr. Nixon then felt the superior skill of Israeli pilots against superior numbers kept the balance of air power at least equal. Now Moscow is upsetting that balance by manning soviet planes with skilled soviet pilots.

Israel is the perfect application of the Nixon doctrine—that short of combat aid, the United States will help others to help themselves. Here is an independent, democratic nation, created by the United Nations, determined and able to defend itself if we will supply some of the means. It has never asked for and doesn't want a single foreign soldier to help.

The United States will be defending its own security by helping Israel to defend its own survival.

THE WAR IN INDOCHINA

Mr. FULBRIGHT. Mr. President, recently the Baltimore Sun published a perceptive and eloquent article, written by Wallace Carroll, about the war in Indochina.

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:

INDOCHINA STRIFE HAS WARPED OUR IDEALS, LET REDS INTO MIDDLE EAST

(By Wallace Carroll)

For 16 years we Americans have been trying to save South Vietnam. Now it is time to save the United States of America.

All wars confuse, and the war in Vietnam has confused our minds and purposes more than most. But if we stand back a moment and ignore the angry clamor at home and abroad, we should be able to establish two useful truths:

1. The United States is not losing the war in Vietnam.

2. What we are losing is something more serious than the loss of any war or territory. It is the soul of America that is being lost in Vietnam.

It is time for us to save the soul of America. This fixes our purpose. Now what must we do? Let us begin by cutting through the underbrush of myth, sloganeering and emotional catchwords that will otherwise keep us from reaching any wise solution to our Vietnam problem.

The most persistent myth of all is that the war in Vietnam is a do-or-die struggle with "world communism"—that if we falter in Southeast Asia, the balance of power in the world could shift heavily against us.

Why is this a myth?

What we are concerned with here is the reality of power—the ability of a nation to control or precipitate events beyond its own borders.

Among the Communist nations there are two great concentrations of power, the Soviet Union and Communist China. No American who has read his history will underestimate the hostility of these two power centers to the United States. This hostility is heavily documented by 50 years of words and acts. And today, if you talk to an American ambassador or intelligence agent in any part of the world, he will tell you that the local operatives of the Russians and Chinese, though they may not be on speaking terms, are vying with each other in the damage they can do to American influence and prestige.

POWER CENTERS UNTOUCHED

Any prudent American must therefore want his country to maintain its present margin of superiority—its deterrent capability—over these two hostile power centers, and particularly over the Soviet Union. So why should the United States stop smiting the Communists in Vietnam?

It takes no special insight to see that, despite all we have done in Vietnam, we have left, the two big hostile power centers completely untouched. For 16 years we have been helping the South Vietnamese with money and brains. For the past five years we ourselves have made appalling sacrifices in blood, money, prestige and internal peace and security. Yet for all this, we have yet to singe the whiskers of a single commissar in Moscow or Peking.

During these past five years our first team—the best of our fighting men—has been bogged down in a grinding struggle with what is not even the fourth team of the Communist side.

During these five years two presidents, with all the military and civilian brains at their command, have spent fretful days and sleepless nights, week after week, month after month, year after year, absorbed by this dirty little war. And during all this time the big rascals in Moscow and Peking have been sitting back comfortably and laughing at us.

During those same five years (as we shall see in a moment), the Soviet Union especially has been able to project its power and influence into parts of the world that really weigh heavily in the strategic balance—areas that are much more vital to the United States than South Vietnam. And the United States has suffered a disastrous—yes disastrous—loss of prestige and influence in those areas.

The net effect, then, of the Vietnam war to date on the world power situation has been to enhance the strength of the Communist side and weaken our own.

But suppose that the United States persists in Vietnam. Suppose that we go on fighting for another 10 years until the last little man in black pajamas has been run to earth. Won't that change the world equation?

A STRATEGIC BACKWATER

No, it will not. The centers of power in Moscow and Peking will remain untouched. And our resources will only be squandered further in what is no more than a strategic backwater.

Consequently, if we are really alarmed by the growth of Communist power in the world, it would make much more sense to put our resources where they can count in the balance. We would do better, for example, to put \$10 billion into an anti-ballistic missile system that would help maintain our deterrent capability over the Soviet Union and Red China than to put another \$100 billion into Vietnam. (We could do even better by putting more money into our cities, schools, hospitals and anti-pollution programs, but we are only concerned at the moment with the power relationships outside our borders). Yet as long as we continue to waste our substance in Vietnam, Congress and the taxpayer will be reluctant to spend adequate amounts on our truly vital needs.

In sum, the continuance of the war in Vietnam is all gain for the Soviet Union and Communist China, all loss for the United States.

But other myths and catchwords persist. We are told, for example, that we cannot end this war in Vietnam short of military victory without losing our "national honor."

Certainly every American should be concerned about the honor of his country, so let us examine this argument.

American aid to Vietnam does not derive from a treaty negotiated between the two governments and solemnly ratified by the

Senate. It all stems from a letter sent by President Eisenhower on October 24, 1954, to the late President Ngo Dinh Diem. In that letter President Eisenhower simply promised "assistance" to the government of South Vietnam; in return the United States expected South Vietnam to undertake "needed reforms."

Now, President Eisenhower's pledge of assistance did not mean that Americans would fight in Vietnam. In fact, no fighting men were sent for the next 10 years. The letter simply meant that the United States would send military and civilian advisers, war materials and economic and technical assistance.

On the Vietnamese side neither Mr. Diem nor any of his successors ever took the promised reforms seriously. To this day successive Vietnamese governments have done very little to build a solid base of support among their people.

THE 41,000 AMERICANS KILLED

On the American side, however, Mr. Eisenhower's promise has been fulfilled many thousand times over:

1. Forty-one thousand Americans have given their lives. Another 285,000 have been maimed or scarred. And hundreds of thousands more have interrupted their careers and left their homes and families to fight for a country from which we can never expect any material return or even gratitude.

2. The United States has spent \$100 billion in the war. And it is continuing to spend at the rate of nearly \$25 billion a year.

3. This vast expenditure has aggravated a ruinous inflation that eats up the earning power and savings of every family in America.

4. This same expenditure has deprived our schools, hospitals, welfare services and other programs of the funds they urgently need to meet the growing demands of our own people.

5. Our effort to help Vietnam has caused political and social strains such as this nation has not experienced in more than a century. It has set generation against generation. It has brought two presidents into a constitutional conflict with Congress. It has, indeed, ground up one President and now threatens to grind up another.

What more must we do? Clearly the "national honor" argument is a hollow one, and no responsible American should give it currency.

Still, we are told, if we leave Vietnam without "victory" our allies will never trust us again.

If we are honest with ourselves, we must admit that withdrawal from Vietnam would make shake our allies in that part of the world—particularly Thailand, Nationalist China and the Philippines.

But alliances must be based on realities, and the leaders of these countries must face the reality that the United States will never again fight anyone's battles the way it has fought the battles of South Vietnam.

Our withdrawal would therefore give the governments of these allies a healthy and needed jolt. It would tell them, in effect, to hitch up their britches, make the kind of reforms that the Vietnamese have failed to make, win the confidence of their people and be solved to fight their own battles against internal and external enemies.

MORE POTENT ALLIES

Given such energetic measures of self-help these governments might then expect advice, military supplies, economic assistance and only such additional help as a touchy Congress would be willing to give under our constitutional procedures.

But there are other more potent allies, notably in Western Europe. There we find the second great power concentration of the non-Communist world. In this power complex,

symbolized by the NATO alliance, our obsession with Vietnam and our neglect of Europe have been resented and deplored by the civil and military leaders.

In this area, which is the prime battleground of the Cold War, our withdrawal from Vietnam would bring one spontaneous cheer: "Thank God the Americans have come to their senses."

On balance, then, our alliances would be strengthened and our leadership enhanced by withdrawal from Vietnam.

There remains one of the most hoary and seductive catchwords of the lot—"the falling domino theory." If South Vietnam falls to communism (so the theory goes), Laos, Cambodia, Thailand and Malaysia will inevitably follow.

Let us assume for the sake of argument that this theory is 100 per cent correct—that all these nations will slip into the embrace of their big neighbor, Communist China.

What would be the effect on the world power equation?

Power in the modern world is determined largely by industrial production and technological skills. A rough index to this kind of power is a nation's gross national product—its annual output of goods and services.

The World Bank puts the gross national product of South Vietnam at a little less than \$2 billion. For purposes of comparison, the output of goods and services in the state of North Carolina is about \$19 billion. (The gross national product of Maryland in 1969 was \$16.3 billion.)

The output of South Vietnam, Laos, Cambodia, Thailand and Malaysia combined is barely \$11 billion. Compare this with little Belgium, which alone has a gross national product of about \$22 billion.

It follows that if these five Asian countries joined up with China lock, stock and bean-sprouts, the effect on the world balance would be negligible.

As we know too well, the people of these countries can make life miserable for an intruder. But for the rest of this century they will not be able to project power—military, economic or political—beyond their borders in ways that might shape events in the world.

There is one part of the world, however, where the domino theory is working with ominous accuracy—and working relentlessly against us. This area is not a strategic backwater, an economic cipher, like Southeast Asia; it is an area of prime strategic importance in the world power equation.

MIDEAST A KEY AREA

The land, sea and air communications of three continents and the oil pipelines that feed an even wider area traverse the Middle East.

This region now leads the world in oil production. The output of countries bordering on the Persian Gulf alone is 10 million barrels a day compared with 8.8 million barrels in the United States.

This oil is wealth and power. The U.S. forces in Southeast Asia run on Persian Gulf oil. So do the U.S. and NATO forces in Western Europe. For the latter reason, the Persian Gulf has been called the eastern flank of the NATO alliance.

In addition, Western Europe gets three-fourths of its non-military oil supplies from the gulf. And Persian Gulf oil flows eastward to fuel the economy of Japan, the second leading industrial power of the non-Communist world, as well as Australia, New Zealand and most of the countries of South Asia.

It follows that any serious interruption of the oil flow from this region could cause economic disruption from London to Tokyo and hamper the military operations of the United States and its allies from Britain to the Sea of Japan.

With this background, let us see what has happened since the United States decided that everything must be sacrificed to Viet-

nam. The map shows how the dominos have fallen.

Start with Iraq on the eastern bank of the Arab world. Iraq is rich in oil and it leads to the still richer oil-producing sheikdoms of the Persian Gulf. (Bear in mind that for more than a century, czars and commissars have schemed to gain access to the gulf.) Iraq, like most of other Arab countries, has broken diplomatic relations with the United States. Its government is fanatically anti-American and up to its neck in Soviet advisers. Its armed forces are equipped and trained by the Soviet Union.

To the west, commanding an important stretch of the eastern Mediterranean, is Syria. Same story here. The government is saturated with Soviet influence, the armed forces equipped and trained by the Russians.

IN HOCK TO RUSSIA

Now jump to the United Arab Republic on the southern shore of the Mediterranean. Here is a country in hock to the Soviet Union. There are now said to be as many as 10,000 Soviet "advisers" in that country. Among them are more than 100 Soviet fighter pilots.

Next to the west is Libya. Only a year ago its government was pro-Western. Now a new military dictatorship, like those in other Arab countries, is flirting ominously with Egypt and the Russians. The British have been forced out of their bases at Tobruk and El Adem; the United States is being forced to withdraw from Wheelus Air Force Base, our last remaining military installation in the Middle East.

Farther to the west (skipping Tunisia, which remains friendly to the U.S.) is Algeria. Its government is so close to the Soviet Union that it permitted only Russian accounts of the invasion of Czechoslovakia to be published in 1968. The armed forces are trained and equipped by the Russians.

Let us pause here in our map-reading long enough to make a point. If anyone thinks these vast Soviet investments in the United Arab Republic and other Arab countries are aimed against Israel, he should have his head examined. They are aimed against us—against us and our allies.

For more than a hundred years the British kept the Russians out of the Mediterranean. Only five years ago this vast sea was an American lake. Now most of the eastern and southern littoral are dyed a deep pink. A Soviet fleet sails the blue waters, using former British and French naval bases that are denied to the American Navy.

The Russians are well on their way to achieving their strategic objective: to make it impossible for American sea and air power to operate in this area and to destroy American political influence as well.

Now look at the Red Sea, the link between the Mediterranean and the Indian Ocean when the Suez Canal is open. The Red Sea is becoming a very red sea indeed. On the western shore are the United Arab Republic and the Sudan. The latter, like the United Arab Republic, has a pro-Soviet government and Soviet-trained armed forces. On the eastern shore, commanding the narrow entrance to the Red Sea from the Indian Ocean, are the South Yemen Republic and Yemen. Both are armed by the Russians and are overrun with Soviet advisers.

Just to sew things up, the Soviets have equipped and trained the armed forces of Somalia, which stands on the peninsula where Africa juts out to form the Gulf of Aden.

There remains the Persian Gulf itself. For more than a century, the British, who were masters there, would not let a Russian poke his nose into these sheikdoms. But now the British are leaving—their small air, ground and naval forces will be entirely out of the gulf next year.

"COURTESY CALLS"

Already the Russians have sent warships on "courtesy calls" to the gulf ports.

When the Suez Canal is again open, Soviet vessels from the Black Sea will be able to sail down the Red Sea to Aden, the old British base which the obliging South Yemen government has made available to them. From Aden they will be able to patrol the Persian Gulf at will.

All of this Soviet maneuvering, from the Persian Gulf to the Straits of Gibraltar, makes up the boldest power play of the entire Cold War (which has not come to an end, by the way, no matter what some of our eminent scholars may say).

If this power play succeeds—and it is far on its way to success—the Soviet Union will be able at a given moment to slow down industry from Western Europe to Japan and put a crimp in the military operations of the United States and its NATO partners.

The Middle East is the worst example of what has happened to American interests since we made Vietnam the be-all and end-all of our foreign and domestic policies. There are other regions, notably Western Europe, where American interests have also suffered from similar neglect. But let us move now to the home front. And again let us confine our discussion to one area—the effects of the war in Vietnam on the soul and character of this nation.

We can begin with some ancient wisdom from the Bible. The second book of Chronicles tells the story of Amaziah, a young king of Judah whose reign promised well until he set off on a foreign war. In a battle with the Edomites, Amaziah's army killed 10,000 of the enemy and took 10,000 prisoners. By Amaziah's orders these prisoners were hurled over a cliff to their death. Then the young king brought home with him the gods of his enemies and set them up and worshipped them. This was the beginning of the end of Amaziah.

NO REAL PEACE

We Americans have fought three wars in less than 30 years and we have known no real peace in between. And from each of these wars we have brought back the gods of our enemies—the gods of violence and terror. We were repelled, of course, by the bestial cruelty of Hitler's Nazis, the Japanese militarists and the North Korean Communists. But as we fought fire with fire we learned ways of war that would have appalled the soldiers of the Eighteenth, Nineteenth and early Twentieth Centuries.

All of these new and hideous forms of violence and cruelty were brought out of our arsenal in Vietnam.

Heaven knows we Americans did not introduce cruelty to Southeast Asia. Here, in fact, we met an enemy who was—if possible—even more fiendish than the Nazis. But again we let his gods become our gods—his standards our standards.

We ordered our American boys, who had been brought up to believe in justice and mercy and love of their fellowmen, to sow the land with napalm, a hellish kind of liquid fire that spared no one, no matter how innocent or unoffending.

We set up "free fire zones" and ordered our troops to shoot anything that moved. We set fire to the thatched villages of the miserable people we had come to save. If we did not torture and butcher prisoners ourselves, we stood and watched while our allies did it for us. We dabbled in the hideous arts of assassination. We sprayed the fields and forests with chemicals that wipe out the livelihoods of no one knows how many people and left side effects that may continue for generations.

A few weeks ago we saw on our television sets an American soldier known as "Killer." And why was he called "Killer"? Because he loved to kill "Gooks." How many "Killers" will come home from Vietnam, and what will happen when they re-enter the lifestream of the nation?

The horrible truth is that we have done

things in Vietnam that would have made General Sherman retch.

"TREMBLE FOR MY COUNTRY"

"Indeed," wrote Thomas Jefferson in the days of America's innocence, "Indeed, I tremble for my country when I reflect that God is just."

But nobody trembled for America this time. Nobody, that is, except our young people.

When we talk about young people, let us shunt aside the Jerry Rubins, Abbie Hoffmans, Mark Rudds and all the other scruffy hooligans who have tried to capture and pervert the idealism of a generation.

The young we have in mind are the millions of sober, serious, hard-working students who have not been hurling rocks or burning down libraries. Anyone who has talked to these idealistic young men and women in recent years must have been struck by the kind of sadness that hangs over them like the mist on an upland meadow. These young people are sad with the sadness of impending doom.

They have seen the United States—this country they were taught to love—go to war with every kind of violence and savagery against the people of a far-away land. They have become conscious of what this violence and savagery have been doing to the American character. And they have become increasingly fearful that the "American system" has gone off the tracks and is lurching headlong toward doomsday.

For their entire generation they can see only a fiery end in the ultimate madness of a nuclear war.

For more than five years these students—the serious and idealistic ones—have been trying to tell their elders of their fears. They started out quietly, seeking to show us that the war in Vietnam was wrong—morally wrong and wrong in every other way because it could only end in futility. They tried to tell us that the war was destroying the soul of America—that, like any moral wrong, it was hurting the perpetrators more than it was hurting the victims.

But nobody would listen—nobody, that is, but a few senators, like Eugene McCarthy and Robert Kennedy.

The young rallied to these leaders and tried to make their point through the open and legitimate ways of our political system. They left the campuses and went to work for the candidates who were willing to stand for an end to the war.

VICTIM OF VIOLENCE

In this effort of political persuasion they were largely unsuccessful, and the leader who might have won for them became a victim of violence (like his brother before him).

Still, the young did not give up. After a time they resumed their rallies, their petitions, their letter-writing to the politicians, their debates and discussions. But as the nation continued, unheeding, on its course, something ugly happened.

It was the supreme irony of the student peace movement that many of the students who were revolted by the violence in Vietnam began to condone violence at home—anything that would make "the system" listen.

And this violence of the young brought the inevitable reaction. The killing of students on university campuses and the assault of an organized mob on a peace march in New York City were ominous enough. But even more disturbing was the cry of exultation over these bloody events that went up across the nation and the clamor for more student blood from supposedly civilized Americans.

If we of the older generation can overlook the students' excesses for a moment and try to be honest with ourselves, we will have to admit that these young people were right about the war when we were wrong.

These young men and women saw the folly and futility of this war and they sensed that

it was poisoning the bloodstream of the nation. They saw the futility of the war long before President Johnson (who recognized it only tacitly and reluctantly in March, 1968) and well before President Nixon (who conceded it even later).

But if we still refuse to give these young people their due, let us imagine that their reaction to the war had taken the opposite course.

Suppose that when the recruiters for the napalm company came to the campus, the students had vied for those well-paid jobs in the chemical industry.

Suppose that they had shouted at their rallies: "Pour it on. Burn the mothers, scorch the children, destroy the villages, slaughter the prisoners, drop the atom bomb!"

If we had raised such a generation of fiends, would we be better pleased with them? And would the future of our country be the brighter for it?

Every consideration of internal health as well as the standing of the United States in the world thus points to the unmistakable lesson: We must get out of Vietnam.

We must get out, out, out. We must get out fast, fast, fast.

President Nixon has started the withdrawal of our fighting men. For that he should get full credit. The aim of every conscientious citizen should be to keep him on this course and to get him to move faster.

There are many citizens, no doubt, who distrust Mr. Nixon. But they might remember this: He is the only President we have, and he is by far the best President we can possibly have until January, 1973.

We should therefore rally round him when he does the right thing and let him know our displeasure when he goes off course. If he speeds withdrawals, we should applaud him. If he goes astray, as he did in Cambodia, we should let him know that we do not like it.

DISREGARD DEMAGOGUES

And when the super-patriots and jingos start abusing him with cries of "Treason" and "Betrayal" we should let him know that the sane people of this country, who are still a majority, are right behind him. As a matter of fact, the sane people can try a little jingoism of their own: Do we stand for Vietnam First or America First?

We should also support and applaud those political leaders of either party who work to speed the end of this dirty war.

We can do all this in the healthy ways open to the people of a democracy—by letters to the President himself and to other political leaders; by visits to senators and congressmen; by petitions, and by orderly rallies and demonstrations.

Finally, every conscientious citizen should close his ears to the demagogues and ranters who would try to divide us, generation against generation, black against white, region against region.

With the nation proceeding on this course toward peace, we should come down hard on the practitioners of violence. The essence of statesmanship is to identify a source trouble, correct it, then punish those who still try to exploit it. Anyone who troubles the peace of our cities, campuses or countryside should be met with the awesome severity of the law.

There remains a hard, practical question: How soon can we "decently" get out of Vietnam?

ANOTHER 10 YEARS

A high official of the State Department recently told a Senate committee that some U.S. forces would have to stay there for another 10 years.

Of all the foolish assumptions that have been made since this bloody mess began, this one is the most outrageous.

We now realize that we should never have put an army into Vietnam.

We know that as long as we keep an army there we shall risk new Cambodias, new temptations to bomb hither and thither, new massacres, new deceptions.

And we know that as long as Americans keep dying in Vietnam the home front will never be at peace.

This is a prospect that we cannot tolerate. We have done our best to save Vietnam. Now it is time to save America.

Melvin R. Laird, Secretary of Defense, has said that American units will no longer be needed in ground combat after the middle of 1971. Why can't we do better than that and aim to get all American units out of Vietnam by that date?

If that should prove to be logistically impossible, we must set the end of 1971 as the absolute deadline for every unit to be out.

By that time 17 years will have passed since we started out to help the Vietnamese to help themselves. If the Vietnamese cannot stand on their own feet after 17 years of our tutelage, it means either that they lack the will to learn or that we lack the skill to teach.

Yes, it is time to come home. It is time to bind up the nation's wounds. And it is time for the best of our youth and the best of their elders to sit down together and agree on what they want this America of ours to be.

For when this nation is again at peace with itself nothing in the world will be impossible.

THE NEWS MEDIA

Mr. DOLE, Mr. President, the news media in the United States has long been recognized as an important force for molding public opinion. And in recent months, this power has been under much discussion in the Nation.

Fortunately, in our country we have a number of sources of information aside from the news media. Often we may learn of an important Government decision directly from the source of that decision—such as the President's reports to the people on foreign policy. On the other hand, people in other nations are largely dependent for their understanding of us on what they read or hear from the American news media. The current Camodian operation is an example of the misconceptions that arise when a single source of information is available.

John P. Roche, in a June 4 Washington Post dispatch from Italy, points to an example of inaccurate information in the press leaving erroneous impressions about the conduct of the war.

Mr. President, I ask unanimous consent that Mr. Roche's column be printed in the RECORD.

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

[From the Washington Post, June 4, 1970]

ITALIANS VIEW UNITED STATES POLITICS THROUGH PRISM OF AMERICAN MEDIA
(By John P. Roche)

ROME.—Discussing contemporary American politics with even the best-informed Italian observers is an arduous task. The key to the difficulty is that they see the United States through a prism constructed by the American media. Despite the fact that Vice President Spiro Agnew has attacked the media for loading the dice, the charge is true (and I might add that I began complaining about it long ago when the politics of the media were conservative, and it was all a liberal could do to get a letter-to-the-editor published).

Take Cambodia, for example. If all one read for instant news about the United States was the Paris Herald Tribune, he would be convinced of the following propositions:

We invaded the Khmer nation without its consent.

The decision was a reckless gamble.

It had no real military justification.

President Nixon, responding to criticism, cutback his objectives and limited his time frame.

Just about everybody is against it.

Anybody with a fifth grade education knows that the Cambodians wanted us to bail them out. Although even Hubert Humphrey is quoted as stating that we engaged in "open aggression," it is perfectly clear that the Cambodians said, "Don't ask us, do it." The reason for this is that Cambodia, like Laos, wants to maintain its official neutrality, while unofficially taking a dim view of a Communist regime in Phnom Penh.

Nor was the decision a reckless gamble without significant military justification. It was a well-conceived, and so far well-executed, surgical operation on the Communist supply dumps which have for five years been a vital part of their leap-frog maneuvers into South Vietnam.

The papers seemed to think it was a failure because we didn't capture the high command, but this was a phony. The minute the first ARVN units went into the Parrot's Beak, the high command doubtless took off towards Laos, and we knew it.

The most outrageous charge, however, has been that Mr. Nixon initially planned to go all the way to Thailand, but then—as criticism built up—backed off and settled for an exercise limited to two months and 30 kilometers.

The evening that the President announced his decision, Henry Kissinger held a background briefing for the press at which the limited character of the operation was clearly stipulated. He even mentioned eight weeks as the time-frame.

As far as public support is concerned, the only figures I have seen (stated without any comment in the Paris Herald Tribune) showed 59 per cent of the population behind the Cambodian action. When 100,000-plus proletarians marched in New York to back Nixon, the stories in Europe made it sound like incipient fascism. This way, they can't lose, they have us coming and going.

However, how can one blame Italians, or other highly competent European observers, if they simply reflect the view of America that dominates the media in the United States? This problem keeps the brave souls who work for the U.S. Information Agency tossing in their beds.

But just as they think they have reached first base, some visiting American fireman breaks the news that Mr. Nixon will be impeached. When they deny this "fact," those listening nod their heads knowingly and say, "Poor chap. Of course, he has to say that."

In short, the government of the United States has become the main target of the American establishment. This began the day John F. Kennedy was killed, reached mature growth under Lyndon B. Johnson, and is now flexing its muscle against Richard Milhous Nixon. It has actually reached the point where a presidential (or vice presidential) defense of public policy is immediately and stridently denounced as an "act of repression" as a "muzzling of dissent"!

COMMITMENT TO AMERICA

Mr. SMITH of Illinois. Mr. President, the Quincy, Ill., Exchange Club, in an effort to reach and reward the young people of Adams County for stating the case for active, practical patriotism sponsors a "Commitment to America" essay con-

test. This year's winner is Tom Rupp, of Quincy. Tom is a fine young man who, while recognizing the lack of perfection in our system, writes of this optimism that the American people still retain the energy and enthusiasm to carry this country to new heights of peaceful world leadership.

I believe that Tom Rupp, in stating his commitment to America, typifies the vast majority of the young people of Illinois and the Nation. Tom Rupp is idealistic in his dreams for America and Tom Rupp understands the practical hard work needed to make his ideals a reality.

Mr. President, I ask unanimous consent that Tom Rupp's winning essay, "Commitment to America," be printed in the RECORD.

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

COMMITMENT TO AMERICA

(By Tom Rupp)

Right now, America is at a crossroad. She is at the apex of her glory. From here, she will either slide back into ruin, decay, turmoil, and oblivion, or else she will move forward and accomplish more than ever before. It is my duty as a citizen of the United States to see that this country achieves even greater heights of success.

At no other time since the Civil War has this country been so divided. There is racial tension, student unrest, Vietnam, pollution, and the ever present Communist threat. Does this sound like a lot to contend with? It is. But when hasn't the United States had its troubles?

The Civil War failed to settle the racial problem. There has always been a generation gap. Possibly it was not as pronounced earlier as it is now, but it was still there. America has always had its Vietnams.

Americans have continually had it rough. We were involved in a major war only thirty years after gaining our independence. We then separated ourselves into two warring nations during the Civil War. And after that, there was the West to be settled, industry to be developed, and new laws and great leaders to civilize and make us the mature, powerful, and stable government that we are today. No, Americans never led an easy life.

What is all this background information leading up to? I just want to show that this country has always had to fight to stay alive. Many governments have challenged the principles upon which this land was founded. But the citizens of this nation have always been able to preserve that most precious of commodities—freedom. My main commitment to America is maintaining and spreading that freedom, no matter what this commitment entails. If I am called to go to the Armed Forces, I will go. If the people wish me to be a civic leader, I will serve. Or if I am called just to perform a job that enables this country to keep operating smoothly, I will try to do that job to the best of my ability.

Right now, the main threat to our freedom seems not to be the Communists themselves, but the effects of their evil deeds. Just because we have not been able to contain them is no reason to become disillusioned. We are certain to stop them. In the past half of a century, the Communists have succeeded in silencing half of the world. We simply have not been able to cope with their savage, brutal tactics of slavery. Granted, we have been stopped temporarily. There must be a solution somewhere, however. And it is up to us to find it. We shall not fail.

But is it really the Communists who are threatening the American way of life? I do not believe so. It is you and I who are actually causing the most damage, not the

Communists. I can see what the Communists are doing in Southeast Asia, in Africa, in Western Europe. And when I see all this evil taking over, I became frustrated. There seems to be no stopping the Communist machine. But there is! The solution is again, you and I.

Throwing out all our pessimistic, no-win-policy thoughts and replacing them with an optimistic viewpoint is the beginning. From there, it is time for action. I can not wait for the other person to begin this time. If I do, it may be too late. I must start helping in my own hometown *right now!* By taking an active part in electing good politicians, by helping keep my city clean, by helping in drives for charity, by participating in whatever I am able, I am fulfilling my duty as a citizen. But we must all work together. If everyone helped clean up small, local ills, this country would not have any national problems. We then could focus our attention on the main issue: the world.

Beginning with the settling of Jamestown in 1607, the leaders of this country have always had a dream, a vision. They saw this land's ideals being copied by everyone. There would be world peace. Utopia at last! All this would spring from a tiny country where everyone believed in everyone else. There was trust.

What has happened to this American dream? Is it lost? I hope not. No, I believe that it is just dormant. It just seems that with all these troubles springing up, everyone has become disillusioned. There seems to be no hope. America is falling apart, we have had it. But this is not the case. The hope lies within you and me. It lies with the common man.

People, that is what America is made of. The primary natural resource of this country has always been its inhabitants. We have the endurance to overcome any obstacle in our path. From the instant of its creation, this country has stood for freedom. Our democracy allows for the individual. I am not forced to work at a particular job, I am not forced to live in a certain area. I can travel freely, and I can speak my mind. This is all summed up in that one, very important word—freedom.

This country is far from perfect, but it still provides the best model of a large, working democracy that you can find anywhere in the world. This does not mean it can not be improved! On the contrary, reform the laws where necessary, but do not advocate throwing out the government without replacing it with something better.

Millions have helped make this country what it is. Thousands have died protecting it. We can not let the sweat, accomplishments, and dreams of all those great men perish. We have always been able to overcome anything in our path. We can not quit now! With a little action, this country can easily surmount any obstacles in our way and progress ever onward.

This is my commitment to America—the preservation of that freedom that so many men hold dear. We must all keep this civilization advancing, meeting all opposition head on. With this united effort, some day we are bound to reach our common goal: World Peace.

IMPACT OF SOUTHEAST ASIA WAR ON U.S. ECONOMY

Mr. FULBRIGHT. Mr. President, earlier this week the Committee on Foreign Relations heard testimony from Mr. Thomas J. Watson, Jr., chairman of the board, International Business Machines Co., on the impact of the war in Southeast Asia on the U.S. economy.

Mr. Watson was the fourth in a series of witnesses to appear before the commit-

tee on this subject. Previously we heard Mr. Louis B. Lundborg, chairman of the board, Bank of America; Mr. Elliot Jane-way, noted author, economist, and business consultant; and Mr. Gordon Sherman, president, Midas International Corp.

All of these distinguished business leaders have made what I believe to be exceptionally interesting and highly significant statements, although none has received adequate attention in the press.

Mr. Watson concurred with the earlier witnesses in stating that the war has seriously distorted our economy. He said:

The war in Vietnam is the major factor which has turned our healthy economy into an unhealthy one.

In addition to his comments on the economy, Mr. Watson made some astute comments on other effects of the war, especially in regard to our youth. He has talked to great numbers of young people in recent months, and speaking of the way young people feel, he said:

This intensity of feeling is a fact—one as real as body counts and defense budgets and the GNP. And it means simply this: As long as Vietnam continues, the polarization of youth and the elder generation will undoubtedly increase.

Mr. Watson heads one of the world's most successful business operations. I think his comments bear our careful consideration. I commend them to the Senate and the public and ask unanimous consent that Mr. Watson's remarks be printed in the RECORD.

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

STATEMENT OF THOMAS J. WATSON, JR., BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, JUNE 2, 1970

You have asked me to discuss the economic impact of the war in Vietnam on the United States, and my views on the state of the nation and the world. This is a large order, and I shall be brief. As a matter of fact, since I received your invitation, a number of very highly qualified persons have made their views known—in the press or before this Committee—and I'm not sure there is much left to be said.

This is a personal statement which in no way reflects the policy or opinion of the IBM Company. You certainly know that I'm a layman in politics and international affairs. The only special inputs I get are from a large number of IBM installations throughout the free world.

Increasingly over the past four years, I have been concerned about our nation's course in Southeast Asia, and its effects on our country—especially young people.

The key fact, as I see it, is this: 50 percent of the population of this country is under age 25; and the longer the war continues, the more it broadens the gap between the elder generation, sometimes called the establishment, and our young men and women, who will soon be responsible for the leadership and destiny of this country. Indeed, the prolongation of the war may well set up a continuing revolution of our youth through which they may become sufficiently demoralized so that the progress of our country will be appreciably slowed.

So I have two main points for wanting a prompt end to the Vietnam undertaking. First I don't think we can afford not to heed the dissatisfaction of our youth. Second, it seems certain to me that continuing the war produces unacceptable costs: in the lives of our fighting men, in weakening of our in-

stitutions, and in the undermining of our national morale.

Furthermore, our actions in Vietnam are losing us valuable and traditional friends in the West. We present a picture of a terribly powerful, awe-inspiring nation unable to manage itself in a disciplined fashion.

Our prestige is suffering abroad. Let me illustrate the point concretely by giving you a rundown of actions against IBM properties in various parts of the world during the last six weeks. In West Berlin, nearly all the windows in one of our buildings were broken by young rioters. Then gasoline was poured about and it was set on fire. The windows in one of our Dutch facilities were broken by students. Our branch office in Cologne was attacked by protesters against the Vietnam War and the windows smashed. A powerful bomb was discovered just before it was timed to explode in an IBM Argentina office. Just a few days ago, we received bomb threats at our Amsterdam and Paris Data Centers.

And here at home, we've had many bomb threats and one actual bombing at 425 Park Avenue in New York City—our Eastern Regional Headquarters. It happened in the middle of the night and, fortunately, no one was hurt.

While I don't want to draw strong conclusions from random acts of unhappy young people around the world, I do think that if we don't draw some kind of conclusion from all of these things, we will be casting away facts which, if used correctly, can lead us to do intelligent things in the future to ameliorate the situation.

The President found this country in Vietnam and has pledged us to withdraw. I know, of course, of the deep concern and commitment he has to ending the bloodshed and the suffering. I applauded his decision for paced withdrawal as opposed to the earlier open-ended commitment. It is very important, I think, to recognize that once this policy of the President was announced to the country, the youth became quieter than at any time in the previous four years. It is significant that a plan for withdrawal brought about immediate calming and significant, too, that as soon as this timetable seemed to be interfered with by the Cambodian campaign, the violence flared up more strongly than ever before.

To continue as a great nation, our country must be drawn together again. I doubt that this can be done while we're in Vietnam. Once this is thoroughly understood, we can plan our strategy around this point.

Speaking first on the economic side, I want to make it clear that I see this country as the strongest country economically and in every other way that has ever been known to man. This is fundamentally as true today as it was a year ago or five years ago. We are just a bit out of gear. We have a crisis of confidence in ourselves. We wonder not only why we can't get out of Vietnam with dispatch, but how we ever got into it and stayed in it so long. Our children wonder about our leadership, and we wonder about their ideals.

The war in Vietnam is the major factor which has turned our healthy economy into an unhealthy one. Some years ago, many thought the United States could contain and support anti-Communist movements wherever they arose throughout the world and, at the same time, have an economy back here at home that would be almost unaffected. Obviously, this hasn't worked. The present economic prospects are discouraging. Inflation may be slowing down—though very slowly—but unemployment is up and rising, and businessmen are showing great caution and concern about the future.

Inflation always accompanies war and distorts an economy. Inevitably it must be corrected; and this brings about some difficulties for all and disasters for those of the labor force who lose their jobs and don't quickly find new ones. During the first two years

of escalation in Vietnam (1965–1966), we were in a period of rising prosperity. Sales and profits were strong, and the country was reaching full employment. The war and a very strong consumer market base at home combined to overcommit us economically. This overcommitment fueled inflationary pressures, and distortions began to occur. In short, we simply overtaxed our ability to produce, and since the supply of goods could not be increased sufficiently to avoid inflation, a way of cutting down on demand had to be found. Therefore, the Administration took courageous and very necessary fiscal and monetary steps—parts of the inevitable correction process. Nevertheless, as long as the demands on our economy from the Vietnam involvement remain, it will be difficult to contain inflation fully.

When we are completely out of Vietnam, much of our economic problem will be solved. But, in the meantime, inflation may progress, and wage settlements now being made in anticipation of future inflation or in an effort to catch up with the past loss of progress build an uncertainty which is hampering a turnaround. I would, therefore, suggest on the economic side that the Administration give serious consideration to resorting at once to the guideline approach to wages and prices that worked reasonably well in the early years of the Kennedy Administration. I know this method was not successful over the long-term period, but for two or three years, I think the record will show that the approach was helpful, and it has the advantage of being able to be put into effect at once.

In summary on the economic side, as long as our involvement in Vietnam continues, it will be a major obstacle to both the short and the long-term economic health of the country.

There are important reasons other than economic for leaving Vietnam. In the past year, I have spent over one hundred hours talking to young people on college campuses and elsewhere. Just recently, I spent a full day on the California Institute of Technology campus, talking first in private with the class officers of the graduating class, and then with students in their dormitories and at various campus gatherings. I've done the same thing at Brown, at Oberlin, and elsewhere. There is absolutely no question about the sincerity and intensity of the dissatisfaction of the vast majority of these young Americans with the direction in which we are going in Southeast Asia. World War II, with which I was intimately connected, welded the large majority of our country—young and old, rich and poor—together. This war has only lukewarm support from some and varying degrees of dissent from others. Most of it is fairly hot. The dissension is largely between the young and the old, so that it not only fractionates and polarizes, but it does so at one of the fundamental roots of our society, the family.

Earlier this year at Oberlin in an open forum—a give and take session—I attempted to defend the United States, as so many of us do when we're talking to younger people. I said, "You young people are filled with criticism, but where on earth could you find a better country than the United States?" The answer was surprising and in some ways noble. It was simply this—"Of course the United States is the best place in the world, but do you argue with our desire and right to make it even better?"

A young man came into my office the other day to talk to me about a "Pause for Peace." This was an idea for getting people in the United States to stop whatever they were doing for a full hour to emphasize the great desire of most of America to get out of Vietnam rapidly. He spoke with such conviction and intelligence that I asked him to come back and address the whole management committee of IBM. In the course of his dis-

cussion, he said one thing that impressed all of us profoundly. He asked us: "How would you like to have a son killed during a paced withdrawal from a war which you had decided was a bad war in the first place?" I think this chap summarizes the reason for youth's current great dissatisfaction.

This intensity of feeling is a fact—one as real as body counts and defense budgets and the GNP. And it means simply this: As long as Vietnam continues, the polarization of youth and the elder generation will undoubtedly increase.

There will be more inevitable accidents which will engender still more violence. To quell this and keep the peace, more and more National Guard and military units will have to be called out. The longer we continue, the more chaotic the nation will become. The damage we have already seen will take decades to repair, and if we continue, I believe we will soon reach a point where much of the damage will be irreparable.

For all these reasons I believe we should withdraw all of our military activities, both operational and advisory, from Southeast Asia as soon as possible.

I'm sure this Committee has been given many specific suggested dates for complete withdrawal. I won't give a date—I'll simply say that I believe that time is running out and that the situation here at home deteriorates as each month goes by. Summer vacations may produce a misleading calm. Next fall the term may open on a cooler note because of the decision of a number of colleges to recess prior to elections to permit students to campaign for the candidates of their choice. And if it looks as though we really were getting out this fall, the situation on the campuses would be a good deal more peaceful. But if we're still there actively next spring, we'll see a heightened replay of this past spring's campus disorders. And if we remain in Vietnam through the fall of 1971, the situation will become more serious.

There's a syndrome in the United States which makes it very difficult for us to cope with a situation like Vietnam—Americans are efficient and orderly; and when those with responsibility try to find strategies and moves for the future, they try to find efficient and orderly ones. We do this same thing in business. It's impossible to figure out an efficient, orderly and dignified way of getting out of Vietnam. And therefore we continue year after year to compound the situation by staying there simply because we can't find a good, orderly way of disengaging.

There isn't any comfortable way to withdraw. It's always going to be easy for the Communists to interrupt our plans, to make us look ridiculous, and to profit through our loss.

Therefore, I believe we must exhaust every possibility—however novel, however imaginative—to disengage and save as many lives as possible in the process. It seems to me that there are two places we can start. We should take a hard look once again at the Paris negotiations to make certain that in our offers we have gone to the absolute outer limit of what we can give. If we can make a compromise there and succeed, we have the possibility of some dignity as we move out. I think it's vital that the Government assure itself that the truce efforts in Paris and the concessions being offered to North Vietnam are compatible with our aims. These concessions must in fact be balanced off against what we have to lose by a continued stay in South Vietnam or by a confused and chaotic withdrawal.

Combined with our efforts in Paris, we should make major new efforts to get the United Nations involved in the work of ending the war and preserving the peace in Southeast Asia. I think this kind of third party intervention is absolutely essential if we are to have any kind of orderly departure.

We've done a lot of things outside the United Nations in the past decade and so have our opponents. There may come a time when the strength of the U.N. will be directly connected with the survival of the world. So we must help build its strength. Here is a way to let the world know that we continue to believe in the U.N. I recognize, of course, that the Security Council could reject this proposal, but I think we should initiate it.

Now, if we find a successful approach which results in real progress towards withdrawal, what will the results be? First, would be the resurgence of faith of our young people.

Second, we would have a better relationship between the Administration and Congress. I am concerned about the various legislative proposals now being considered to restrict the President's ability to move with dispatch for the security of the country. I hope that the Administration and Congress can find a common course of action so that such bills would not be necessary, and we would preserve the President's traditional freedom of action.

Third, the United States would be sufficiently united by these actions so that our governmental processes would receive the support of most of the elements in our society.

Fourth, there would be a renewal of our military flexibility—of our capacity to defend areas critical to our national security, and importantly, a regaining of national respect for our military establishment.

Fifth, a renewed respect and understanding from our oldest and staunchest free world friends and allies.

In conclusion, I do not wish to criticize any of the three presidents—Kennedy, Johnson and Nixon—who have struggled with this immensely difficult problem. I have no doubt that President Nixon—like Presidents Kennedy and Johnson before him—sincerely seeks peace in Southeast Asia. In appearing here today I wish to do just one thing: To voice one man's conviction that we stand at a crossroads of decision, with all comfortable routes closed off; that we must end this tragedy before it overwhelms us; and that we must therefore face up squarely to a tough decision and see it through with courage and dispatch.

MIKE LEON, "MR. CONSERVATION" IN WYOMING

Mr. McGEE. Mr. President, for some time now, I have been troubled by the persistent inner urge to approach the problem of our environment in a fashion somewhat different than the style currently in vogue.

In no sense do I wish to imply that what we hear and read these days about our environment and its diminishing quality is lacking in substance or attractive mode of expression. At the same time, we all recognize that the environmental rhetoric does not lack in abundance and volume. Certainly it is not my desire to add to that abundance or volume.

Other Senators, I am sure, experience from time to time a certain weariness over the repeated reminders that we are in deep trouble because of man's abuse of that fragile and delicate relationship between all life and its surroundings. It is not so much that we do not wish to heed the quite proper, not to mention imperative, warnings about pollution and our careless, if not greedy, ravishment of the world we live in; but it is instead the very human urge for

freshness. If not freshness of concept, at least freshness of presentation.

Surely our scientists have developed a good many tight and high probability concepts. They have also developed massive compilations of data. None of this can we ignore; but we who are laymen, and quite as concerned, might wistfully wish for surcease from the lingual battering we so often experience by such terms as "eco-systems," "biodegradable," "silvicultures," "eco-tactics," "neo-Malthusian," and so forth.

Somewhere in all this we need to recapture the vitality necessary to carry us closer to resolution of our staggering environmental problems. Perhaps such an approach might be placing less emphasis on the current grand design of ecology and more emphasis on how we as individuals can proceed toward the accomplishment of solutions to our environmental problems. I can think of no better example than a single and great man in Wyoming and his tireless step-by-step approach toward saving the best that is in Wyoming's incredible and varied environment.

The man is Mike Leon from Story, Wyo., ex-cowhand, ex-magazine publisher, community and statewide leader, politician, and writer with few peers. With his wife, Claire, Mike has been my conservation anchor and adviser. Along with Claire, he knows Wyoming's mountains, mesas, and streams the way a painter knows the structure and parts of his work. Mike's integrity and know-how springs from his skill as a social scientist, his knowledge of the earth sciences and his unswerving sensitivity to the necessary bonds between man and nature.

But Mike does not retreat to the arrogance that experts sometimes adopt when the world does not understand or adopt the expert's prophecy. Mike knows that political action is a must if we are to come to grips with pursuing a quality environment. Thus, Mike has stood for the State Legislature and will undoubtedly stand again. There is no doubt in my mind that he will be successful. In his last campaign, he generated the slogan, "Why Should Wyoming Be Like Every Place Else When Every Place Else Wants To Be Like Wyoming?"

This is the freshness that I believe provides the kind of handle concerned men and women need effectively to deal with our environmental problems. You see, oftentimes the thoughtless believe that if we just get enough smokestacks, all of our problems are resolved. What Mike knows, what all thoughtful men know, is that Wyoming can be a model of environmental know-how and balance for the rest of the country. It is this struggle that has engaged Mike for over 20 years. It is for this reason that Mike Leon is my mentor and Mr. Conservation in Wyoming.

When we are confronted in large scale with the consequences of man's assault upon his frangible surroundings, we quite properly wonder about the improbability of reconstituting that environment. What we need in the face of that gloomy outlook is an example of what can be done to establish a creative working approach to the problem.

It is just here that Mike Leon has demonstrated over and over again that there is a way and that Wyoming can show the way as a model for the wise use of our resources. What Mike has been saying for so long now and what I believe to be the case, is that when we consider the use of our resources, we must base our considerations on something more inclusive than just tons of coal mined and barrels of oil pumped.

Our notion of resource development must also include a veneration of the touchy balance that is nature's iron law. We must, therefore, harmonize the need for industrial development with the need for the regenerative powers to be found in nature unpillaged by profit.

Mike's careful research and observation, for example, have shown that the unchecked urge to harvest timber in Wyoming runs right square in the face of wildlife values, of aesthetic values and of silviculture values. In short, the short range urge for lumber jobs and profits lead to nearly irreparable damage to the recreational values, not to mention confounding the delicate balance of nature in our high, dry, shallow soiled Rocky Mountain West.

It is this kind of attention to nitty-gritty done with such flair and careful attention to detail that promises resolution not only of Wyoming's environmental problems but to the country's as well. America will benefit because Mike Leon has provided a model we must emulate. It seems to me that this is what Mike meant in his campaign slogan, "Why Should Wyoming Be Like Every Place Else When Every Place Else Wants To Be Like Wyoming?"

APPEAL FOR INTERNATIONAL JUSTICE

Mr. DOLE. Mr. President, last month approximately 3,800 concerned Americans gathered in Washington at a Constitution Hall rally, cosponsored by a bipartisan group of Senators and Congressmen. The purpose of the meeting was to underscore the concern of Americans everywhere for the welfare of U.S. prisoners of war and servicemen missing in action in Southeast Asia.

Over 1,000 next of kin of American POW's and MIA's were in attendance at Constitution Hall for the appeal for international justice. They were joined by nearly 3,000 of their fellow citizens.

The plight of the POW's and MIA's and the sentiments of their loved ones back home are discussed in the June 1970, issue of Air Force and Space Digest. An article on the May 1 rally and an editorial on the rights of prisoners of war will, I believe, be of interest to the Senate.

Mr. President, I ask unanimous consent that the article and editorial be printed in the RECORD.

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

THE PLIGHT OF THE PRISONERS WE HAVE NOT FORGOTTEN

(By Maurice L. Lien)

Mayday! Mayday!

This call, an appeal for help known to air-

men the world over, was sounded in the nation's capital the evening of May 1, the traditional May Day.

The plea, uttered from the podium by Mrs. James A. Mulligan, wife of a U.S. prisoner of war in Southeast Asia, was echoed in the hearts of nearly 1,000 other wives, parents, and children at a rally that filled Constitution Hall. They met, along with more than 2,500 others—including Vice President Spiro T. Agnew—to appeal for justice for their husbands, fathers, and sons held prisoners of war or missing in action.

Scores of senior Air Force officers, headed by the Vice Chief of Staff, Gen. John C. Meyer, were present.

The Vice President told the audience that North Vietnam was guilty of "an unforgivable breach of the elementary rules of conduct among civilized people" in its mistreatment of American prisoners of war.

"We shall never forget these men, and we shall never forget how they have been treated," the Vice President pledged.

The purpose of the rally, supported by the Air Force Association's national headquarters and attended by hundreds of AFA members from the District of Columbia, Maryland, and Virginia, was twofold: to demonstrate to the wives and families of the prisoners and the missing that Americans care; and to show the North Vietnamese and Viet Cong that their conduct is not condoned by the American public.

May 1 is also "Law Day." It was for this reason that the rally sponsors—a bipartisan congressional group headed by Sen. Robert Dole of Kansas—selected that date for the appeal. Senator Dole said that May first was "an especially appropriate day to pay this tribute" because the joint resolution passed by Congress designating Law Day specifically referred to international justice.

Other rally sponsors included Sen. Peter H. Dominick (R-Colo.); Sen. Barry Goldwater (R-Ariz.); Sen. Mike Mansfield (D-Mont.); Sen. George Murphy (R-Calif.); Sen. Edmund S. Muskie (D-Me.); and Sen. John Stennis (D-Miss.). Others were Representatives W. C. Daniels (D-Va.); Martin B. Mc-Kneally (R-N.Y.); Catherine May (R-Wash.); Richard L. Roudebush (R-Ind.); Robert L. F. Sikes (D-Fla.); and Olin E. Teague (D-Tex.).

Speakers included ten members of Congress, six wives of prisoners or missing servicemen, and Capt. James A. Lovell, Jr., USN, who recalled the world's concern over the fate of his Apollo-13 crew on its ill-fated trip to the moon. Captain Lovell asked that "now, again, people of the world unite with prayer and with pressure to bring these brave men home."

Another speaker was H. Ross Perot, the Dallas, Tex., multimillionaire who has devoted much of his time and fortune to arousing world opinion against Hanoi in its treatment of POWs. Mr. Perot, who testified on the issue before a House Foreign Affairs subcommittee earlier in the day, stressed that Hanoi "will not be moved by sentiment" or by "human emotion," but only by the pressure of 200,000,000 Americans.

Also present for the rally were four of the nine US prisoners released so far by Hanoi. Among them were Air Force Maj. Fred N. Thompson and Joe V. Carpenter, both from Maxwell AFB, Ala. They were introduced to the audience, as was AFA National President George D. Hardy.

According to rally officials, relatives of the missing men were present from every state except Hawaii. Many next of kin were flown to Washington in Air Force, Navy, or National Guard transport aircraft. Other relatives came by bus and car, some from faraway states. The morning following the rally, they filled to overflowing the Department of Interior auditorium for the first national meeting called to discuss ways to help their loved ones.

The meeting was organized by the League of Families of American Prisoners of War in Southeast Asia, an organization formed in the spring of 1969 to foster exchanges of information between families. All next of kin who attended the rally were invited to participate in the discussions.

During the meeting, a team of DoD officials, headed by Air Force Brig. Gen. Daniel "Chappie" James, Jr., Deputy Assistant Secretary of Defense for Public Affairs, stood by to answer questions.

That a major rally for MIA/POWs or a national meeting of their next of kin would be held in the nation's capital was undreamed of by most families just a year ago. Before May 18, 1969, Administration policy for the families had been, "Don't do anything to jeopardize either the delicate negotiations being conducted or the lives of your loved ones." Mr. James B. Stockdale of Coronado, Calif., wife of a senior Naval officer held in North Vietnam, was not content just to sit and wait. Almost singlehandedly she set out to form a national organization of families. She wanted a better communications net, greater exchange of information among POW families, and more positive action from government officials.

Informal local and regional groups of POW and MIA wives had been formed in many localities where families of men who are overseas tend to wait it out: near large air bases, Army installations, and Naval facilities, close to friends, medical facilities, and other services. They exchanged information about prisoners; discussed actions being taken by government officials or international organizations; and, most important, acted as morale boosters for each other in what they knew would be many, many months of heartbreaking loneliness and frustration.

In 1968 Mrs. Stockdale began contacting wives in cities across the country, asking them to serve as area coordinators in a new, national organization, and to seek out others to affiliate with them. Her perseverance led to the formation, in early 1969, of the League.

During the League's formative stage, Administration policy had been cautious to the point that neighbors, and in some cases children, did not know fathers, husbands, or sons were missing. At that time, many families would not participate—for fear of jeopardizing the lives of loved ones. Since the reversal of Administration policy in the spring of 1969, League membership has grown to approximately 1,000 families and is active across the entire country.

Funds to support activities of the League, and of the many local and regional groups, come primarily from the families themselves. Many have spent thousands of dollars seeking information about their husbands or sons, or in trying to gain public support that might persuade the Communists to release the names of men held prisoner and to abide by the Geneva Conventions.

News coverage of the prisoner-of-war situation in the first few months following the changes of Administration policy was localized and spotty. Not enough factual information on the shocking treatment of prisoners, and the doubts and burdens their families had to bear, was published in any single article to enable the American public and the world to comprehend the extent of North Vietnam's inhumanity. This changed in October 1969, when Air Force/SPACE DIGEST published what the editors referred to as "one of the most important articles ever published in this magazine." Even today, DoD officials call it the "most helpful, single article" on MIA/POWs published to date.

The article was "The Forgotten Americans of the Vietnam War," by Louis R. Stockstill. Response to "The Forgotten Americans" was immediate and dramatic, beginning with a reading of the complete article on the floor of the US House of Representatives by Rep.

Roman C. Pucinski of Illinois. In his preamble, Congressman Pucinski said, "I call this article to the House because I consider it one of the most important documents of journalism in recent years. . . . It should shake the conscience of the whole free world." The article has been entered in the *Congressional Record* five times, most recently on March 6 at a hearing before the House Armed Services Committee, headed by Rep. L. Mendel Rivers.

The *Reader's Digest* ran a condensation of "The Forgotten Americans" as the lead article in its November 1969 edition. Circulation of the *Digest's* U.S. edition alone is 17,400,000. More than two-thirds of a million reprints have been requested by *Digest* readers. AFA distributed 50,000 reprints of the original AF/SD article, including copies to every Ambassador to the United Nations and to the foreign press corps in New York and Washington.

On November 11, 1969, the United States urged the UN to exert its moral influence on Hanoi to ensure humane treatment of prisoners of war. The presentation was made by Mrs. Rita Hauser, U.S. Representative to the UN Human Rights Commission. In her presentation, Mrs. Hauser drew heavily on material in "The Forgotten Americans."

Requests for reprints of the AF/SD version of Mr. Stockstill's article had begun pouring into AFA headquarters literally before distribution of the magazine was completed. Telephone calls from families of men missing or held prisoner came in from all parts of the country. It was immediately obvious that families were organized and geared for action. They were ready to tell the world what was happening to their loved ones. "The Forgotten Americans" gave them, for the first time, something they could use to arouse public opinion. Some 13,500 reprints of the article were sent by AFA directly to next of kin, at their request and at no charge.

AFA National President George D. Hardy first spoke on the plight of American prisoners in Southeast Asia in Spokane, Wash., in early October, just as the article was beginning to reach AFA members. Within a week, AFA's Washington office had received requests for copies of his remarks and the article from POW families in neighboring cities and distant states—an indication that their communications net is effective.

In his travels, Mr. Hardy meets with families whenever he can, to learn of ways in which AFA can be of help. Of these meetings, he says, "I am continually amazed that [POW/MIA families] can keep a positive attitude through all this. They know the Communists and some peace groups are trying to use them as pawns, yet they sustain each other and keep up their activities. Every time I meet with such a group, I am impressed by their patience and courage, and I leave more determined to keep up my efforts and those of AFA in behalf of these men and their wonderful families."

AFA efforts in support of MIA/POWs have generally taken two forms: first, to spark a nationwide letter-writing campaign to foreign governments, especially to those that recognize or do business with the government in North Vietnam, and to foreign publications; and, second, to directly support the families of the missing or imprisoned men and assist them in telling their stories to the world.

AFA Chapters and individual members first joined in the campaign by distributing reprints of "The Forgotten Americans" to news media, to other organizations, and to civic leaders in their communities. Many AFA Chapters invited the families to join in their meetings. This gave family spokesmen an opportunity to emphasize that the POW situation was not a remote problem but rather one of direct concern to every citizen.

An outstanding example was the campaign, led by Georgia's State AFA President William H. Kelly, who is a colonel in the Georgia Air National Guard. Colonel Kelly and his State and Chapter officers developed a plan to distribute reprints through individuals and through regional and statewide groups. Colonel Kelly sent messages and reprints to all members of Georgia's Press and Broadcasting Associations; to 550 top Jaycee members; to 100 key members of the Retired Officers Association living in the state; to religious and youth groups; and to many others. Chapters, meanwhile, concentrated on local media, organizations, and civic leaders.

Other AFA units throughout the country took up the POW cause. In Michigan, for example, State AFA President Majorie O. Hunt sent out some 600 news releases to all newspapers and radio and TV stations in the state. She included a letter explaining AFA, and a list of Chapter presidents who could be contacted for local information. She also appeared on an hour-long broadcast on radio station WMUZ in Detroit, and made a tape for another station.

Dallas, Tex., Chapter President Brig. Gen. Herbert G. Bench, USAF (Ret.), sent a reprint of the Stockstill article to each Chapter member urging them to write letters to foreign governments and to selected publications, and to keep the reprints available in their offices. In neighboring Fort Worth, Gordon Brownlee distributed 1,500 reprints and got excellent coverage in that city's news media.

In early March, George J. Burrus, III, President of the Cape Canaveral Chapter and Chairman of AFA's Florida State POW Letter Committee, reported that a community-wide project in his area had succeeded in obtaining nearly 25,000 signatures on petitions, and that local school children were writing letters. Chapters across the state are actively supporting this program.

Ten wives of men listed as missing in action or prisoners of war live in the Tucson, Ariz., area. AFA's Tucson Chapter has invited these wives to all its functions. The Chapter has helped raise funds so four of the wives could visit the capitals of the free world to tell their stories.

The Spokane, Wash., Chapter, under the leadership of Vernon L. Gomes, Chairman of their POW committee, and in cooperation with the Armed Services Committee of the Spokane Chamber of Commerce, conducted a successful fund-raising drive to help pay expenses for other wives and a mother of a prisoner of war to make a similar trip.

These are only representative examples of nationwide AFA programs to publicize the plight of American prisoners of war in Southeast Asia and to assist their families. This report would be incomplete, however, without mention of the outstanding program of the Eglin, Fla., Chapter of AFA.

Col. Harry G. Howton, USAF (Ret.), with the help of Chuck Widaman, Eglin Chapter President, and Herbert "Bud" West, Florida State AFA immediate Past President, helped develop a model program of action, and published a twenty-four-page brochure describing in detail what concerned citizens can do to help. The program involves the League of Families, the Eglin AFB and Hurlbert Field Officers' Wives Clubs and NCO Wives Clubs, religious groups, the news media, and many other organizations. Colonel Howton serves as Area Coordinator for the program.

The brochure, which has been widely distributed, includes information on MIA/POWs sample letters and resolutions with suggested addresses, and much other valuable information. The Eglin group also printed bumper stickers to help keep this problem always in the public's mind. Details on the program can be had by writing: Eglin Chapter, AFA, P.O. Box 176, Shallmar, Fla. 32579.

Many other organizations are now involved

in the campaign on behalf of the POWs. Included in these are veterans and other patriotic groups, such as United We Stand, the national Jaycees, and chambers of commerce and local groups in communities across the nation. On April 8, Maj. Gen. Winston P. Wilson, Chief of the National Guard Bureau, in a letter to the Adjutants General of all states, announced a "Show Your Concern" campaign, to be conducted on a voluntary basis by Guard personnel within their local communities.

Have we accomplished our mission? The answer, obviously, is no.

Have we been of any help? Yes, but it should be borne in mind that we still have a long way to go.

There has been what DoD officials term a "significant increase" in letters received by families of men held prisoner, starting in November 1969, after publication of "The Forgotten Americans," but this is considered only a start. In testimony before the House Committee on Armed Services on March 6, Richard G. Capen, Jr., Special Assistant to the Secretary of Defense for Legislative Affairs, testified:

"It must be pointed out that the Geneva Convention clearly specifies that a prisoner of war should be allowed to write not less than six letters and cards per month. In the five years our men have been held captive, only about 175 individuals have been allowed to write. Their families have received about 1,100 letters. Usually the frequency for those few letters has been around one or two letters per year.

"If the men we believe to be prisoners were allowed to write as dictated by the Geneva Convention," he continued, "their families should receive some 6,000 to 8,000 letters per month. But there have been only 1,100 in a total of five years."

The provision for treatment of prisoners of war as prescribed in the Geneva Conventions of 1949, which have been signed by more than 120 nations, including the U.S. and North Vietnam, calls for the immediate release of sick and injured, impartial inspection of prisoner facilities, the complete identification of men held, and affirms the right of prisoners to correspond with their families.

According to DoD figures released on May 8 (as of May 2), the total number of US servicemen classified as prisoners or missing in action was 1,646. More than half—783—are Air Force (see following table).

Of the 450 servicemen DoD believes to be prisoners, 228 are Air Force. Of the remainder, 144 are Navy, fifty-five are Army, and twenty-three are Marines.

A total of 1,096 servicemen are missing and thought to be captive—555 from the Air Force, 337 Army, 112 Navy, and ninety-two Marines.

In March, an Army sergeant passed his sixth year in captivity. Twenty-one others have been prisoners or missing for more than five years.

A total of thirty-one Americans have been released by hostile forces to date—nine were released by Hanoi and twenty-two by the Viet Cong in South Vietnam.

At the May 1 rally, H. Ross Perot put forth his analysis of North Vietnam's leaders. They are not concerned with prisoners—theirs or ours, he said. They refuse to acknowledge the some 33,000 North Vietnamese and Viet Cong held by the South Vietnamese, and cannot comprehend that the American public, or our government, would be concerned about "just 1,500" servicemen. Prisoners are useful to the Communists only for propaganda purposes or as pawns.

Mr. Perot emphasized, as did all rally speakers, that the leaders in Hanoi must be convinced that the American people and their leaders are truly concerned over "just 1,500" men. He declared that elected leaders must speak out, and the public must write

letters, so that the message will be unmistakable. Permanent alienation of all Americans by the government in Hanoi is "a risk they cannot take, over 'just 1,500' men." Mr. Perot said. "They're counting on us to protect them from the Chinese over the long haul."

In a recent review of AFA's efforts in support of this campaign, AFA President Hardy said, "We've got to continue to encourage our members, to publicize this problem in their communities, and to get everyone to write to Hanoi and to other governments. I know it takes time, but as we were reminded at the rally, the prisoners have lots of time, just sitting in their cells."

The mission for the future, then, is clear. More Americans must get involved and express their concern. According to the Air Force Judge Advocate General's Office, "There is no public-affairs objection to a military person, as an individual citizen and even using his military rank and/or title, expressing his opinion to a foreign government on the POW issue." It did caution, however, that "actual content of the letters must be restricted to the subject of humane treatment of POWs by North Vietnam and must not invade the political arena."

The government in North Vietnam must be made to believe that 200,000,000 Americans are concerned about "just 1,500" of their countrymen. That is a goal to which AFA is dedicated.

THE UPWARD TREND IN LETTER WRITING

	1964	1965	1966	1967	1968	1969 ¹
Number of men classified as POW's or as missing in action.....	22	173	472	878	1,243	1,428
Number of men writing letters during the year ²	1	19	47	73	94	208
Number of men writing letters for the first time.....	18	28	33	23	114	
Total number of letters received by families.....	8	35	156	165	256	699

¹ Figures for 1969 are still incomplete, since letters written by POW's late in the year are still being received by families.

² This tabulation does not necessarily derive from the row below it, as a cumulative total, since some families received mail on a one-time-only basis.

USAF'S PRISONERS OF WAR OR MISSING IN ACTION

(As of May 2, 1970, the following men of the United States Air Force—listed here alphabetically by last name—were carried by the Department of Defense as either prisoners of war or missing in action and believed captured by hostile forces in Southeast Asia.

(Because this is the first known compilation of USAF personnel to be published DoD has asked, for security reasons, that we not identify specific individuals they have reason to believe are prisoners. We have complied with this request, knowing that many of the names of known POWs have been publicly released on an individual basis. We do not wish to jeopardize, in any way, the life or well being of any man now held prisoner or who might be captured in the future.

(Some of the names are followed by reference¹, which indicates that the family of that man either has received mail from him or has been notified by an American pacifist group that such mail is en route. The names marked with the references were released to news media by the pacifist group on three recent dates—January 15, March 11, and March 27. In addition, the January 15 release also included the names of five servicemen (three of them Air Force personnel) who were listed by the North Vietnamese as dead. The three USAF members so designated, still officially listed by DoD as "missing in action,"

are identified below by reference.²—The editors.)

Abbott, Joseph S., Jr., Maj.¹, Abbott, Robert Archie, 1st Lt.¹, Abbott, Wilfred Keese, Maj., Adachi, Thomas Y., SSgt., Adam, John Quincy, Sgt., Adams, Samuel, TSgt., Adams, Steven Harold, SSgt., Albertson, Bobby Joe, TSgt., Albright, John Scott II, 1st Lt., Alfred, Gerald Oak, Jr., Capt., Allee, Richard K., Maj., Allen, Henry L., 1st Lt., Allen, Thomas Ray, Capt., Allinson, David Jay, Maj., Ammon, Glendon Lee, Maj., Anderson, Warren Leroy, Maj., Andrews, Anthony Charles, Capt.¹, Andrews, Stuart Merrill, Lt. Col., Andrews, William Richard, Maj., Angstadt, Ralph Harold, Maj., Apodaca, Victor Joe, Jr., Capt., Appleby, Ivar Dale, Maj., Applehans, Richard Duane, Capt., Armstrong, John William, Col., Asire, Donald Henry, Col.

Atterberry, Edwin Lee, Maj., Austin, Charles David, Capt., Austin, Joseph Clair, Lt. Col., Austin, William Renwick II, Capt., Ayers, Richard L., Maj., Backus, Kenneth Frank, Capt., Bagley, Bobby Ray, Lt. Col.¹, Bailey, John Edward, Capt., Baker, Arthur Dale, Capt., Baker, Elmo Clinnard, Maj.¹, Balamoti, Michael, Maj., Balcom, Ralph Carol, Maj., Baldridge, John R., Jr., 1st Lt., Ballard, Arthur T., Jr., Maj., Bannon, Paul W., Maj., Barbay, Lawrence, Maj., Bare, William Orian, Capt., Barnett, Robert Warren, Maj.¹, Barras, Gregory I., Maj., Barrett, Thomas Joseph, Capt.¹, Baugh, William Joseph, Maj., Bean, James Ellis, Col.¹, Begley, Burriss Nelson, Lt. Col., Belcher, Glenn Arthur, Capt., Belcher, Robert Arthur, Maj., Bennett, William George, Lt. Col., Berg, Kille Dag, Capt., Berger, James Robert, Capt.¹

Bergevin, Charles Lee, 1st Lt., Beyer, Thomas John, Capt., Biediger, Larry William, Maj., Bifolchi, Charles Lawrence, Capt., Bliss, Robert Irvin, Capt.¹, Black, Arthur Neil, SSgt.¹, Blackwood, Gordon Byron, Capt., Blair, Charles Edward, Lt. Col., Blevins, John Charles, Capt., Bliss, Ronald Glenn, Capt.¹, Bodahl, John Keith, Capt., Boglages, Cristos C., Jr., Maj., Bolstad, Richard Eugene, Maj.¹, Bomar, Jack Williamson, Lt. Col.¹, Booth, James Ervin, Capt., Borden, Murray Lyman, Capt., Borling, John Lorin, Capt.¹, Mors, Joseph Chester, Maj., Bossio, Galileo Fred, Lt. Col., Boston, Leo Sydney, Maj., Boyd, Charles Graham, Capt.¹, Boyer, Terry Lee, Capt., Branch, James Alvin, Maj., Brand, Joseph William, Lt. Col., Brashear, William James, Maj., Brazelton, Michael Lee, Capt., Brazlk, Richard, Capt., Brennan, Herbert Owen, Col., Brenneman, Richard Charles, Capt.¹, Bridger, Barry Burton, Capt., Brinckmann, Robert Edwin, Lt. Col.

Brodak, John Warren, Capt., Brooks, William L., Maj., Brown, Earl C., Capt., Brown, Wendell L., Capt., Brown, Wilbur Ronald, Capt.¹, Brownlee, Charles Richard, Maj., Brucher, John Martin, Capt., Brudno, Edward Alan, Capt.¹, Brunstrom, Alan Leslie, Maj.¹, Buchanan, Hubert Elliott, Capt., Burd, Douglas Glenn, 1st Lt., Burdett, Edward Burke, Col., Burer, Arthur William, Maj., Burkart, Charles W., Jr., Maj., Burns, Donald Ray, Lt. Col., Burns, Michael Thomas, Capt.¹, Burroughs, William David, Lt. Col.¹, Busch, Jon Thomas, Capt., Bush, John Robert, Capt., Bush, Robert Edward, Maj., Butler, William Wallace, Capt., Butt, Richard Leigh, Capt., Bynum, Neil Stanley, 1st Lt., Byrne, Ronald Edward, Jr., Lt. Col.¹, Callies, Tommy Leon, Capt., Campbell, Burton Wayne, Capt.¹, Campbell, Clyde William, 1st Lt., Campbell, William Edward, Lt. Col.

Capling, Elwyn Rex, Maj., Cappelli, Charles Edward, Maj., Caras, Franklin Angel, Maj., Carrier, Daniel Lewis, Capt., Carrigan, Larry Edward, Capt., Carroll, Patrick Henry, 1st Lt., Carter, James Louis, Lt. Col., Case, Thomas Franklin, Maj., Casey, Donald Francis, Lt. Col., Chambers, Carl Dennis, Capt., Chambers, Jerry Lee, Maj., Cherry, Fred Vann, Lt. Col.¹, Chesley, Larry James, Capt., Chesnutt, Chambless M., Capt., Chiarello,

Vincent Augustus, Capt., Christensen, Dale, MSgt., Christiano, Joseph, Lt. Col., Chwan, Michael Daniel, Capt., Claffin, Richard Ames, Capt., Clapper, Gean Preston, TSgt., Clark, John C., Capt., Clark, John Walter, Capt.¹, Clark, Lawrence, TSgt., Clark, Stanley Scott, Lt. Col., Clark, Thomas E., Capt.

Clarke, Fred L., MSgt., Clarke, George William, Jr., Capt., Claxton, Charles Peter, Maj., Clements, James Arlen, Maj.¹, Coady, Robert F., Capt., Cobell, Earl Glenn, Maj., Collins, James Quincy, Jr., Maj.¹, Collins, Thomas Edward, III, Capt.¹, Colwell, William Kevin, MSgt., Condit, Douglas Craig, Capt., Conkling Bernard, Maj., Conlon, John Francis, III, Capt., Conner, Lorenze, Capt., Connolly, Vincent John, Maj., Cook, Glenn Richard, 1st Lt., Cook, Kelly Francis, Lt. Col., Cook, William Richard, Lt. Col., Cooper, William Earl, Lt. Col., Copeland, H. C., Maj., Corbitt, Gilland Wales, Lt. Col., Cordier, Kenneth William, Capt., Cormier, Arthur, TSgt.¹, Craner, Robert Roger, Maj., Crecca, Joseph, Jr., Capt.¹, Crew, James Alan, Capt., Crews, John Hunter, III, Capt., Cross, James E., Capt., Crossman, Gregory John, Capt., Crosson, Gerald Joseph, Jr., Capt., Crow, Frederick Austin, Jr., Col.

Crumpler, Carl Boyette, Lt. Col.¹, Cruz Carlos Rafael, Capt., Curtis, Thomas Jerry, Maj.¹, Cushman, Clifton Emmet, Capt., Cuthbert, Bradley Gene, Capt., Daffron, Thomas C., Capt., Dailey, Douglas Vincent, TSgt., Danielson, Benjamin, Capt., Darcy, Edward Joseph, TSgt., Dardeau, Oscar Moise, Jr., Maj., Daughtrey, Robert Norland, Maj.¹, Dauten, Frederick, Maj., Davies, John Owen, Capt., Davies, Joseph Edwin, Capt., Davis, Charlie B., Lt. Col., Davis, Daniel Richard, 1st Lt., Davis, Edgar Felton, Maj., Davis, Gene Edmond, TSgt., Davis Robert Charles, Capt., Day, George Everett, Lt. Col., Deichmann, Samuel M., Capt., Dennany, James Eugene, Maj., Derrickson, Thomas G., II, Capt., DeSoto, Ernest L., Maj., Dewispelaere, Rex F., SSgt., Dexter, Bennie Lee, Sgt., Di Tommaso, Robert Joseph, Capt., Diamond, Stephen Whitman, Capt., Diehl, William Calvin, Jr., Maj., Doby, Herb, Maj.

Dodge, Ward Kent, Lt. Col.,² Donahue, Morgan Jefferson, 1st Lt., Donald, Myren Lee, Capt., Dotson, Jefferson S., 1st Lt., Doughty, Daniel James, Maj., Dove, Jack Paris, Sr., Capt., Downing, Donald William, Maj., Dramesi, John Arthur, Maj., Driscoll, Jerry Donald, Capt.¹, Duart, David Henry, Maj.¹, Ducat, Bruce Chalmers, Capt., Dudash, John Francis, Maj., Duffy, John E., 1st Lt., Dugan, Thomas Wayne, Maj., Dusing, Charles Gale, TSgt., Dutton, Richard Allen, Maj.¹, Duvall, Dean Arnold, SSgt., Dyczkowski, Robert Raymond, Maj., Earll, David John, Capt., Eaton, Curtis Abbot, Maj.

Eaton, Norman Dale, Lt. Col., Echanis, Joseph Yagnacio, Capt., Eckley, Wayne Alvin, TSgt., Edgar, Robert John, Capt., Edmundson, William Rothrock, Capt., Edmunds, Robert Clifton, Jr., Capt., Eilers, Dennis Lee, Capt., Elliot Robert Malcolm, Maj., Ellis, Jeffrey Thomas, Capt.¹, Ellis, Leon Francis Jr., Capt., Elzinga, Richard G., Capt., Engelhard, Erich Carl, Maj., Espensied, John Lee, Maj., Everson, David, Maj., Evert, Lawrence Gerald Capt., Fallon, Patrick Martin, Col., Fanning, Joseph Peter, 1st Lt., Featherston, Fielding W., Capt., Fellenz, Charles R., TSgt., Fellows, Allen Eugene, Maj., Fer, John, Capt., Ferguson, Douglas, 1st Lt., Fieszel, Clifford Wayne, Capt., Finlay, John Sewart, III, Lt. Col.¹, Finney, Arthur Thomas, Lt. Col., Fisher, Donald Ellis, Lt. Col., Fisher, Donald G., Maj., Fisher, Kenneth, Maj., Pitton, Crosley James, Jr., Maj., Fleenor, Kenneth Raymond, Lt. Col.¹, Flesher, Hubert Kelly, Maj., Flom, Fredric Russell, Capt.

Flynn, John Peter, Col.¹, Fobair, Roscoe Henry, Maj., Foley, Brendan Patrick, Maj., Forby, Willis Ellis, Maj., Ford, David Edward, Capt.¹, Foster, Paul Leonard, SSgt., Fowler,

Henry Pope, Jr., Capt.¹, Francisco, San De-
wayne, Capt., Franklin, Charles Edward, Maj.,
Frederick, Peter Joseph, Lt. Col., Frederick,
William V., Maj., Fullam, Wayne Eugene,
Maj., Fuller, William Otis, Maj.

Gaddis, Norman Carl, Col.¹, Galbraith, Rus-
sell Dale, Capt., Ganley, Richard O., Capt.,
Gerndt, Gerald Lee, Capt., Getchell, Paul
Everett, Capt., Gideon, Willard Selleck, Maj.,
Gilchrist, Robert Michael, Capt., Gillen,
Thomas, E., Maj., Gist, Tommy Emer-
son, Capt., Glover, Calvin Charles, TSgt.,
Golberg, Lawrence Herbert, Maj., Gomez,
Robert A., 1st Lt., Goodrich, Edwin Riley, Jr.,
Maj., Goss, Bernard Joseph, Maj., Gourley,
Laurent L., Capt., Govan, Robert Allen, Maj.,
Grace, James William, Capt., Graham, Den-
nis Lee, Capt., Gray, David Fletcher, Jr.,
Capt.¹, Gray, James A., Capt., Green, Norman
Morgan, Col., Greene, Charles Edward, Jr.,
Maj., Gregory, Robert Raymond, Maj.,
Grenzsbach, Earl W., Jr., Maj., Grewell, Larry,
TSgt., Grubb, Peter Arthur, Capt., Grubb,
Wilmer Newlin, Maj., Gruters, Guy Dennis,
Capt., Guarino, Lawrence Nicholas, Lt. Col.¹,
Guillermín, Louis Fulda, Capt., Guillet, An-
dre Roland, SSgt., Guttersen, Laird, Maj.¹,
Guy, Theodore Wilson, Col.

Hackett, Harley B., III, Capt., Hagerman,
Robert Warren, Lt. Col., Hall, William War-
ren, Maj., Hall, Donald Joe, TSgt., Hall, Fred-
erick M., 1st Lt., Hall, George Robert, Maj.¹,
Hall, James Shreve, TSgt., Hall, Keith Nor-
man, Maj.¹, Hamilton, Eugene David, Maj.,
Hamilton, John Smith, Lt. Col., Hamm, James
Edward, Capt., Hanley, Larry James, Capt.,
Hanson, Thomas Patterson, Capt., Hardy,
John Kay, Jr., 1st Lt., Harley, Lee Dufford,
Capt., Harris, Carlyle Smith, Maj.¹, Harris,
Cleveland Scott, Capt., Harris, Stephen W.,
SSgt., Harrold, Patrick K., 1st Lt., Hartness,
Gregg, Capt., Hartney, James Cuthbert, Lt.
Col., Harworth, Elroy Edwin, TSgt., Has-
senger, Arden Keith, MSgt., Hatcher, David
Burnett, Maj.¹, Hauer, Leslie John, Lt. Col.,
Hawkins, Edgar Lee, Capt., Helliger, Donald
Lester, Maj., Heiskell, Lucius Lamar, Capt.,
Held, John Wayne, Maj., Helmlich, Gerald
Robert, Maj., Helwig, Roger D., Capt., Hen-
ninger, Howard William, Maj., Hensley, Ron-
nie L., SSgt., Hensley, Thomas Truett, Capt.,
Herrick, James Wayne, Jr., 1st Lt., Herrold,
Ned Raymond, Capt., Hesford, Peter Dean,
Capt.

Hess, Frederick W., Jr., Capt., Hess, Jay
Cridde, Maj., Hestle, Roosevelt, Jr., Lt. Col.,
Hicks, Terrin Dinsmore, Maj., Hill, Howard
John, Capt., Hill, Robert Laverne, MSgt.,
Hincley, Robert Bruce, Capt., Hiteshew,
James Edward, Lt. Col.¹, Hivner, James Otis,
Maj., Hoff, Sammie Don, Capt., Hoffman, Ar-
thur Thomas, Capt.¹, Holland, Lawrence
Thomas, Maj., Holley, Tilden Stewart, Maj.,
Holmes, David Hugh, Capt., Holmes, Lester
Evan, Lt. Col., Holton, Robert Edwin, Capt.,
Hopper, Earl Pearson, Jr., Capt., Horinek,
Ramon Anton, Maj.¹, Horne, Stanley Henry,
Maj., Hoskinson, Robert Eugene, Maj.,
Hrdlicka, Davis Louis, Maj., Hubbard, Edward
Lee, Capt.¹, Hughes, James Lindberg, Lt. Col.¹,
Hughey, Kenneth Raymond, Maj., Huney-
cutt, Charles J., Jr., Capt., Hunter, Russell
Palmer, Jr., Maj., Ingvalson, Roger Dean, Lt.
Col.¹, Ireland, Robert N., MSgt., Irsh, Wayne
Charles, Capt., James, Gobel Dale, Maj.¹, Jar-
vis, Jeremy Michael, Capt., Jayroe, Julius
Skinner, Maj.¹, Jefferson, James Milton, Capt.,
Jefferson, Perry Henry, Capt., Jeffords, Der-
rell Blackburn, Lt. Col., Jeffrey, Robert Dun-
can, Capt.¹, Jensen, George William, Lt. Col.,
Jensen, Jay Roger, Maj.¹, Jekell, Eugene Mil-
lard, Capt., Johns, Paul Frederick, Maj.,
Johnson, Harold Eugene, Capt.¹, Johnson,
Samuel Robert, Lt. Col.¹, Jones, Louis Farr,
Lt. Col., Jones, Murphy Neal, Capt.¹, Jones,
Robert Campbell, Capt.¹, Jones, William Eu-
gene, Capt., Jourdenais, George Henry, Capt.

Kahler, Harold, Lt. Col., Karl, Paul An-
thony, Maj.¹, Karins, Joseph John, Jr., Capt.,
Karst, Carl Frederick, Lt. Col., Kaster, James
Helms, Lt. Col.¹, Kearns, Joseph Thomas, Jr.,
Maj., Keirn, Richard Paul, Maj.¹, Keller, Wen-

dell Richard, Maj., Kemmerer, Donald Rich-
ard, Capt., Kerr, Everett Oscar, Capt., Kerr,
John C. G., Maj., Kerr, Michael Scott, Capt.¹,
Ketterer, James Alan, Capt., Kibbey, Richard
Abbott, Maj., Kiefel, Ernest Phillip, Jr., Maj.,
Kilcullen, Thomas Michael, Capt., Killian,
Melvin Joseph, Col., King, Charles Douglas,
Sgt., King, Donald Lewis, Maj., Kinkade, Wil-
liam Louis, Capt., Kirk, Thomas Henry, Jr.,
Lt. Col., Klein, Russell L., MSgt., Klemm,
Donald Martin, Maj., Klenda, Dean Albert,
Capt., Klinck, Harrison Hoyt, Maj., Kline,
Robert Earl, Lt. Col., Klingner, Michael, 1st
Lt., Knapp, Herman Ludwig, Lt. Col., Kne-
bel, Thomas Edward, SSgt., Knight, Larry
Dale, Capt., Knight, Roy Abner, Jr., Maj.,
Kommendant, Aado, Capt., Koonce, Terry
Treloar, Capt., Kosko, Walter, Capt., Kramer,
Galand Dwight, Capt., Kryszak, Theodore
Eugene, Maj., Kwortnik, John Charles, Maj.
Ladewig, Melvin Earl, Capt., Lamar, James
Lesley, Lt. Col., Lane, Charles, Jr., Capt.,
Lane, Michael Christopher, Capt.¹, Lane,
Mitchell Sim, Capt., Larson, Gordon Albert,
Lt. Col.¹, Laster, Carl William, Maj., Law-
rence, Bruce Edward, Capt., Lebert, Ronald
Merl, 1st Lt.¹, Leetun, Darel Dean, Maj., Le-
fever, Douglas Paul, Capt., Lehnhoff, Edward
W., Jr., Capt., Lengyel, Lauren Robert, Capt.¹,
Leonard, Edward Watson, Jr., Capt., Lewis,
James Wimberley, Maj., Lewis, Merrill Ray-
mond, Jr., Maj., Ligon, Vernon Payton, Jr.,
Col., Lillund, William Allan, Capt., Lilly,
Warren Robert, Maj.¹, Lindsey, Marvin Nelson,
Maj., Lindstrom, Ronnie, 1st Lt., Lint, Donald
M., Sgt., Lockhart, Hayden James, Jr., Capt.¹,
Long, John Henry Sothorn, Capt., Long,
Stephen Glen, 1st Lt., Luckl, Albin, E., Capt.,
Luna, Carter Purvis, Lt. Col., Luna, Donald
A., Capt., Luna, Jose David, Capt.¹

Lunsford, Herbert Lamar, Lt. Col., Lurie,
Alan Pierce, Maj., Lyon, Donovan Loren, Maj.,
MacCann, Henry Elmer, Maj., Macko,
Charles, Maj., Maddox, Notley Gwynn,
Lt. Col., Madison, Thomas Mack, Lt.
Col., Madison, William Louis, TSgt., Mag-
nussen, James A., Jr., Maj., Mahan, Douglas
F., Capt., Makowski, Louis Frank, Lt. Col.¹,
Mallon, Richard J., Capt., Mamiya, John Mi-
chlo, MSgt., Martin, John Murray, Maj.,
Martin, Larry Eugene, Capt., Martin, Russell
Dean, Capt., Mascari, Phillip Louis, 1st Lt.,
Mason, William Henderson, Lt. Col., Massucci,
Martin John, Capt., Masterson, Michael John,
Capt., Mastin, Ronald Lambert, Capt.¹, Mat-
thes, Peter R., 1st Lt., Mauterer, Oscar, Lt.
Col., Maxwell, Samuel Chapman, Maj., Mayer-
cik, Ronald Michael, Capt., McCleary, George
Carlton, Col., McCrary, Jack, MSgt., McCub-
bin, Glenn Dewayne, Capt., McCuiston,
Michael K., Capt.¹, McDaniel, Morris L., Jr.,
Maj., McDaniel, Norman Alexander, Capt.¹,
McDonald, Emmett Raymond, Capt., Mc-
Donald, Kurt Casey, Maj., McElhanon, Mi-
chael Owen, Maj., McGouldrick, Francis J.,
Jr., Maj., McKenney, Kenneth Dewey, SSgt.,
McKnight, George Grigsby, Maj., McManus,
Kevin Joseph, Capt., McNish, Thomas
Mitchell, Capt.¹, McPhail, William Thomas,
Capt., Meadows, Eugene Thomas, Capt.,
Means, William Harley, Jr., Maj., Mearns,
Arthur Stewart, Lt. Col.¹, Mechenbier, Edward
John, Capt.¹

Mellor, Fredric Moore, Maj., Menges, George
Bruce, Capt., Meroney, Virgil Kersh III, 1st
Lt., Merritt, Raymond James, Lt. Col., Metz,
James Hardin, Lt. Col., Meyer, Alton Benno,
Capt., Meyer, William Michael, Maj., Mid-
night, Francis Barnes, Capt., Milklin, Richard
M. III, Capt., Miller, Carl Dean, Maj., Mil-
ligan, Joseph Edward, Capt., Mims, George
Iverson, Jr., Capt., Mitchell, Albert Cook, Maj.,
Mitchell, Thomas Barry, Capt. Moe, Thomas
Nelson, Capt.¹, Monlux, Harold Deloss, 1st Lt.¹,
Moore, Herbert William, Jr., Capt., Moore,
Thomas, MSgt., Morgan, Burke Henderson,
Capt., Morgan, Charles Elzy, Maj., Morgan,
Edwin Everton, MSgt., Morgan, Herschel
Scott, Maj., Morgan, James Sheppard, Maj.,
Morgan, Thomas Raymond, Maj., Morley,
Charles F., 1st Lt., Morrill, Merwin Lamphrey,
Maj., Morrison, Glenn Raymond, Jr., Capt.,

Morrison, Joseph Castleman, Maj., Mullins,
Harold Eugene MSgt., Mundt, Henry, Gerald
II, 1st Lt., Myers Armand Jesse, Maj.¹, Myers
Glenn Leo, Capt.¹

Nasmyth, John Heber, Jr., Capt.¹, Needl,
Bobby Gene, Lt. Col., Nellans, William Lee,
Capt., Nelson, William Humphrey, Col.,
Neuens, Martin James, Capt.¹, Newcomb, Wal-
lace Grant, Capt., Newsom, Benjamin Byrd,
Lt., Col., Nichols, Hubert C., Jr., Lt. Col.,
Nix, Cowan Glenn, Maj.¹, Nobert, Graig
Roland, Capt., Norris, Thomas Elmer, Jr.,
North, Kenneth Walter, Maj.

O'Grady, John Francis, Lt. Col., Odell, Don-
ald Eugene, Maj.¹, Olds, Ernest Arthur, Maj.,
Olson, Gerald Everett, Capt., Ortiz, Jose H. 1st
Lt., Osborne, Edwin Neims, Jr., Maj., Over-
look, John Francis, Maj., Owens, Joy Leonard,
Lt., Col.

Pabst, Eugene Matthew, Capt., Packard,
Ronald Lyle, Capt., Page, Albert Linwood, Jr.,
Capt., Page, Gordon Lee, Maj., Palmer, Gil-
bert Swain, Maj., Palmgren, Edwin David,
Col., Panek, Robert J., Sr., Capt., Parker,
Frank C. III, Capt., Parker, Woodrow Wilson
II, Capt., Parrott, Thomas Vance, Capt.¹,
Parsley, Edward Milton, TSgt., Pasekoff, Ro-
bert Edward, Maj., Pate, Gary, SSgt., Pauley,
Marshall Irvin, TSgt., Paxton, Donald Elmer,
Lt. Col., Pearson, Robert Harvey, Capt., Pear-
son Wayne Edward, Capt.

Peel, Robert Delayney, Capt.¹, Pemberton,
Gene Thomas, Lt. Col. Perkins, Glendon Wil-
liam, Maj.¹, Ferme, Elton Lawrence, Maj.,
Petersen, Gaylord Dean, Capt. Peterson, Del-
bert Ray, Capt. Peterson, Douglas Brian, Maj.¹,
Pietsch, Robert Edward, Capt. Pike, Peter X.
Capt. Pitchford, John Joseph, Jr., Maj.¹, Pit-
man, Peter Potter, Capt. Pittmann, Alan Dale,
SSgt. Pogreba, Dean Andrew, Col. Pollack,
Melvin, Capt.¹, Pollard, Ben Marksbury, Maj.,
Pollin, George John, Capt. Pobster Russell
Arden Maj. Harmon, 1st Lt. Poor, Russel Ar-
den, Maj. Potter, William Tod, Capt. Powell,
Lynn Kester, Capt. Powell, William Elmo,
Capt. Preston, James Arthur, TSgt. Pugh,
Dennis G., 1st Lt. Purcell, Robert Baldwin,
Maj.¹, Pyle, Darrell Edwin, Capt. Pyle, Thomas
Shaw, Capt.¹, Pyles, Harley Boyd, Maj.

Rackley, Inzar William, Jr., Maj. Ragland,
Dayton William, Lt. Col. Ralston, Frank Del-
zell, III, Capt. Rash, Melvin Douglas, Sgt.
Rausch, Robert E., Capt. Ray, James Edwin,
Capt.¹, Raymond, Paul Darwin, Capt. Read,
Charles H. W., Jr., Lt. Col. Reilly, Lavern
George, Lt. Col. Reitmann, Thomas Edward,
Maj. Renelt, Walter A., Lt. Col. Rex, Robert
Alan, 1st Lt. Rexroad, Ronald Reuel, Capt.
Reynolds, Jon Anzuena, Capt.¹, Richardson,
Floyd Whitley, Lt. Col. Rickel, David J., Capt.
Ringsdorf, Herbert Benjamin, Capt.¹, Risner,
Robinson, Col. Robertson, John Leighton,
Maj. Robinson, Kenneth Dale, William An-
drew, TSgt.¹, Roby, Charles Donald, Lt. Col.
Rocket, Alton C., Jr., Capt. Rodriguez, Al-
bert Eduardo, Capt. Romero, Victor, Sgt.
Rose, Luther Lee, MSgt. Rosenbach, Robert,
Capt. Ross, Joseph Shaw, Capt. Rowley,
Charles S., Lt. Col. Ruhling, Mark John, Capt.¹,
Runyan, Albert Edward, Lt. Col.¹, Russell,
Donald M. Maj.

Sale, Harold Reeves, Jr., Capt. Salzarulo,
Raymond Paul, Jr., Capt. Sandvick, Robert
James, Maj. Sawhill, Robert Ralston, Jr., Lt.
Col.¹, Scharf, Charles Joseph, Maj. Schlerman,
Wesley Duane, Maj. Schmidt, Norman, Lt. Col.
Schuler, Robert Harry, Jr., Capt. Scott, Martin
Ronald, Maj. Scungio, Vincent Anthony, Capt.
Seagroves, Michael Anthony, 1st Lt. Seeber,
Bruce Gibson, Maj.¹, Sehonn, James Eldon,
Capt. Setterquist, Francis Leslie, Capt. Shan-
ahan, Joseph Francis, Capt.¹, Shattuck, Lewis
Wiley, Maj. Shelton, Charles Ervin, Maj.
Shingledecker, Armon D., Capt. Shively,
James Richard, Capt.¹, Shoneck, John Regi-
nald, TSgt. Sigler, Gary Richard, 1st Lt.¹, Si-
jan, Lance Peter, Capt. Silva, Claude Arnold,
Capt. Silver, Edward Dean, Maj. Sima,
Thomas William, Maj.¹, Simonet, Kenneth
Adrian, Lt. Col. Singer, Donald Maurice, Lt.
Col.¹, Singleton, Daniel Everett, Capt. Single-

ton, Jerry Ellen, Capt. Sittner, Ronald Nicholas, Capt. Smith, Dewey Lee, Maj. Smith, George Craig, Capt. Smith, Hallie William, Capt. Smith, Harding Eugene, Sr., Lt. Col. Smith, Harold Victor, Maj. Smith, Harry Winfred, Capt. Smith, Herbert Eugene, MSgt. Smith, Howard Horton, Lt. Col. Smith, Lewis Philip, II, Capt. Smith Phillip E., Maj. Smith, Richard Dean, Capt. Smith Richard Eugene, Jr. Maj., Smith Victor A. Capt. Smith, Warren Parker, Jr., Maj. Smith, Wayne, Ogden, Capt. Spillman, Dyke Augustus, Capt. Spoon, Donald Rav, Capt. Springston, Theodore, Jr., Maj. Squire, Boyd Edwin, Maj. St. Pierre, Dean Paul, Capt. Stanley, Robert William, 1st Lt. Stavast, John Edward, Lt. Col. Stearns, Roger H., Capt. Steen, Martin William, Maj. Stephensen, Mark Lane, Maj. Sterling, Thomas James, Maj.†

Stewart, Peter Joseph, Col., Stewart, Robert Allan, Maj., Stickney, Phillip Joseph, TSgt., Stine, Joseph Millard, Maj., Stirn, Robert Lewis, Mj.† Stischer, Walter Morris, Maj., Stockman, Hervey Studdle, Lt. Col., Stonebraker, Kenneth Arnold, Capt., Storey, Thomas Gordon, Maj.† Storz, Ronald Edward, Maj., Stowers, Aubrey Eugene, Jr., Capt., Stroven, William Harry, Capt., Stubberfield, Robert Austin, Maj., Stutz, Leroy William, Capt., Sullivan, Dwight Everett, Maj.† Sullivan, John Bernard, III, Capt., Sumpter, Thomas Wrenne, Jr., Maj., Suprenant, Charles, 1st Lt., Swanson, John Willard, Jr., Capt., Swords, Smith, III, Maj.†

Talley, Bernard Leo, Jr., Capt., Tapp, Marshall Landis, Maj., Tatum, Lawrence Byron, Lt. Col., Temperley, Russell Edward, Maj.† Terrell, Irby David, Jr., Maj.† Thomas, Kenneth Deane, Jr., Capt., Thompson, George Winton, Capt., Thompson, William James, Maj., Thornton, Larry C. MSgt., Thorsness, Leo Keith, Maj.† Tiffin, Rainford, Capt., Tipping, Henry Albert, Maj., Tomes, Jack H., Maj., Torkelson, Loren Harvey, Capt.† Towle, John C., 1st Lt., Train, Steve W., 1st Lt., Trautman, Konrad Wigand, Maj.† Treece, James Allen, Maj., Trier, Robert Douglas, Capt., Tucci, Robert Leon, Capt., Tucker, James Hale, Capt., Tyler, Charles Robert, Maj., Tyler, George Edward, Maj.†

Underwood, Paul Gerard, Lt. Col., Utley, Russel Keith, Maj., Uyeyama, Terry Jun, Maj.†

Van Buren, Gerald Gordon, Capt., Van Dyke, Richard Haven, Capt., Van Loan, Jack Linwood, Maj., Venazi, Gerald Santo, Capt.† Vinson, Bobby Gene, Col., Vissitzky, Raymond Walter, Maj.† Vogel, Richard Dale, Maj.†

Waddell, Dewey Wayne, Maj.† Waggoner, Robert Frost, Maj.† Walker, Herbert C., Jr., Capt., Walker, Michael Stephen, Capt., Walker, Samuel Franklin, Jr., TSgt., Waller, Therman Morris, TSgt., Walling, Charles Milton, Capt., Walsh, Richard Ambrose, III, Lt. Col., Waltman, Donald Glenn, Maj.† Ward, Neal Clinton, 1st Lt., Warren, Arthur Leonard, Capt., Warren, Eryn, TSgt., Warren, Gray Dawson, Capt., Waters, Samuel Edwin, Jr., Capt., Webb, Ronald John, Capt.† Weissmueller, Courtney Edward, Maj., Welch, Robert John, Maj., Wells, Norman Louross, Maj.† Welshan, John Thomas, Capt., Wenaas, Gordon James, Maj.†

Wendell, John Henry, Jr., Maj.† Weskamp, Robert Larry, Capt., West, John T., Capt., Westbrook, Donald Elliot, Maj., White, James B., Capt., Whitford, Lawrence W., Jr., Lt. Col., Widdis, James Wesley, Jr., Capt., Wiggins, Wallace Luttrell, Capt., Wilburn, Woodrow Hoover, Lt. Col., Wilke, Robert Frederick, Col., Willett, Robert Vincent, Jr., 1st Lt., Williams, David Richard, Lt. Col., Williams, Howard Keith, Maj., Williams, James Ellis, TSgt., Williams, James Randall, SSgt., Williamson, Don Ira, Maj., Wilson, Glenn Hubert, Maj.† Wilson, Gordon Scott, Capt., Winn, David William, Col., Winston, Charles C., III, Capt., Wistrand, Robert Carl, Lt. Col., Wolfkell, Wayne Benjamin, Maj., Wood, Don Charles, Maj., Wood, Patrick Hardy, Maj.†

Wortham, Murray Lamar, Capt., Wozniak, Frederick Joseph, Capt., Wright, Donald L., TSgt., Wright, Gary Gene, Lt. Col., Wright, Jerdy Albert, Jr., Maj., Wright, Thomas Thawson, Maj., Writer, Lawrence Daniel, Capt.† Wrye, Blair Charlton, Maj., Wynne, Patrick Edward, Capt.†

Young, James Faulds, Maj.†
Zook, David Hartzler, Jr., Maj., Zook, Harold Jacob, Capt., Zukowski, Robert John, Capt.†

WAR PRISONERS HAVE HUMAN RIGHTS TOO

(By John F. Loosbrock)

One can make a very good case, in purely military terms for the missions into the Parrot's Beak and the Fishhook in Cambodia. It is sound military doctrine to strike, and strike hard, at an enemy's supply caches and his command and control centers. One has only to recall the immense contribution to the ending of our own Civil War, made by Sherman's March to the Sea. The history of war is studded with other examples.

The box score on weapons, ammunition, and food supplies already netted in the Cambodian raids is impressive, and it is good to know that a significant, though incalculable, number of young Americans now serving in South Vietnam will have their fair chance of living to a ripe old age as a result of these operations.

The political side effects of the Cambodian raids are another matter. However one may feel about the necessity for the action there, its divisive impact on the American body politic is as much a fact of life as are the obvious military pulses involved in limiting the enemy's ability to hurt our own troops and those of our allies.

One of the most distressing side effects we have noted is the increasing tendency to substitute knee-jerk reflexes for the rule of reason, to replace honest debate with the parroting of *ersatz* slogans. It is possible, we feel, to be moved to sorrow and anger at the unnecessary and tragic deaths of the four Kent State students without betraying in any way one's belief that a Communist-dominated Asia would be a deadly peril, not only to the United States, but to free men everywhere. But the polarization of our society is making it ever more difficult to discuss almost any issue from more than one point of view.

A friend of ours warned us years ago: "When you walk down the middle of the road, you can get hit from either side." He was right, and it saddens us to have to admit it. But because he was right, important issues, on which all Americans, regardless of color, creed, or political persuasion, should be able to unite, get lost in the shuffle.

A case in point is the plight of the Americans who are known to be either prisoners of the North Vietnamese and the Viet Cong or who are missing and believed to be prisoners. Only one week before the massive gathering on the Ellipse protested the Cambodian operations to the President, the nation, and the world, a much smaller, less vocal, and less photographed crowd gathered only a block away in Constitution Hall.

Families of the war prisoners and of the men missing in action were there, from all parts of the land. There were speeches, requests for help, calls to action, and promises of support. But media coverage was sparse and, we suspect, the Hanoi government was much more impressed and hardened in its intransigence by what happened on the Ellipse seven days later.

The Air Force Association and this magazine took the lead in the matter of the prisoners of war last fall when we published in our October issue Lou Stockstill's magnificent article portraying their plight. Much has happened since in a positive way, as is outlined in detail beginning on page 32. But what remains to be done shows clearly in the statistics—thirty-one men have been released (nine by Hanoi and twenty-two others by the Viet Cong in South Vietnam); 450

are still in prison to our certain knowledge; and 1,096 more still languish in the shadowy land of "missing in action," leaving behind women who know not whether they are wives or widows.

There is much talk of human rights among those who protest the war. But there also is a basic human right involved in the matter of the war prisoners. Any prisoner, no matter how heinous his crime—whether he is imprisoned for criminal, civil, or political reasons, or whether he is a legitimate prisoner of war—deserves the basic human rights guaranteed by domestic and international law. In the case of a prisoner of war, his family is entitled by the Geneva Convention to know where he is held, and to communicate with him.

The North Vietnamese say our men are not prisoners of war but war criminals, and hence not protected by the Geneva Convention. That is pure hogwash. The Geneva Convention does not go into the matter of the legitimacy or illegitimacy of a war. If a man is in the military service, is wearing his country's uniform, and is captured, he is a prisoner of war and entitled to humane treatment under the Convention, which North Vietnam has signed.

Surely here is a cause in which all Americans can come together. We can appreciate the purity of motive with which more and more Americans are opposing the war in Southeast Asia. This is their right and their privilege. But we can also hope that the protesters, who say they are so concerned and who say they care so much, will direct at least a portion of that concern and that care toward their own countrymen whose basic human rights are being trodden upon by the country whose flag flew last month on the Ellipse.

If it is all well and good, when one disagrees with the President of the United States, to march on Washington and "tell it to Nixon," is it not even more pertinent and even more constructive to take up the cause of the American war prisoners and "tell it to Hanoi"?—END

WE MUST NOT LOSE MOMENTUM IN THE PUSH FOR RATIFICATION OF THE GENOCIDE CONVENTION

MR. PROXMIER. Mr. President, For the past 3 years I have daily urged the Senate to take action on the genocide and other human rights conventions. With respect to the Genocide Convention, there has now been widespread support for this position in this administration, in previous administrations, among many of the most prominent members of the bar, among the press, and among many of my constituents.

In April 1970, 2 days of hearings were completed by the Special Foreign Relations Subcommittee on the Genocide Convention. As with the hearings held in 1950, that the large body of testimony was in favor of the convention attests to the intense interest in the convention and the widespread support of basic human rights. Indeed, such resistance as there is to ratification of this convention seems to have abated in the 20 years since the original 1950 hearings.

I genuinely believe that this lessening of resistance can be attributed to the broader and deeper understanding of the provisions of the convention. It is most helpful that the provisions of the convention which seemed to raise so many questions and doubts have now been debated and explained by a great many eminent members and scholars of the

bar, officials of the administration, and representatives in the United Nations.

Now that the momentum has been built up for the most pertinent step toward ratification—moving from the subcommittee to the committee to the floor—it is necessary to assure that the momentum grows to a force and speed which will bring the measure to the floor for debate and a vote before the end of this Congress. Adjournment is perhaps only 3 months away. I urge my fellow Senators not to let this unique opportunity for ratification slip away. Let us make the Genocide Convention one of the shining achievements of the 91st Congress.

INADEQUATE FUNDING FOR MEDICAL CARE OF VIETNAM VETERANS

Mr. KENNEDY. Mr. President, on June 1, 1970, I submitted for reprinting in the CONGRESSIONAL RECORD the testimony of the Senator from California (Mr. CRANSTON), before the Appropriations Subcommittee on Independent Offices, on the medical budget for the Veterans' Administration. The statement starts on page 17700 of the RECORD for that date.

Senator CRANSTON has also prepared backup material, in the form of appendices to his formal statement, presenting in detail his justifications for seeking an additional \$189,172,000.

I ask unanimous consent to have those appendices printed in the RECORD.

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

APPENDIX I

(Additional funds for and other amendments to V.A. 1971 appropriation in H.R. 17548, independent offices appropriations bill, 1970—recommended by Senator ALAN CRANSTON, May 27, 1970.)

A. MEDICAL CARE ITEM

1. *Funds for 5000 additional general medical care personnel to bring overall hospital staff ratio up to 1.7:1* (administration added funds for 3600 positions and House committee/Teague amendment added funds for 1000 more, equalling 4600; cumulative personnel increases sought by VA in FY 68 (3389), FY 69 (3376) and FY 70 (3586) total 10,351 less 866 added in FY 70 yield a deficiency of 9485; leaving about 5000 more funded positions needed at approximately \$10,300 per position)—\$51,500,000.

2. *Funds for salaries to double present spinal cord injury staffing ratios by end of FY '71* (see item A.5.d. for training funding for these new personnel) (present VA SCI staffing level is 1.02:1 bed; whereas ratio) (excluding research and teaching personnel) at Institute of Physical Medicine Rehabilitation (NYU) is 2.17:1; total salary costs for present SCI 1145 FTE positions is \$11,271,000 for FY '70; approximately one half of this—increased to \$12,000,000 to cover 6 percent pay raise—is needed for salaries to reach 2:1 ratio)—\$6,000,000.

3. *Funds to eliminate equipment and maintenance and repair backlogs* (\$49,000,000 backlog reported to House Veterans Affairs Committee by Administrator of Veterans Affairs on April 14; \$5,000,000 added in FY 70 supplemental and assuming \$12,000,000 in \$50 million requested by President and granted by House and \$10 million in House committee/Teague amendment were for this purpose, there now is \$27 million provided for this purpose; this leaves \$22 million

needed for equipment; in addition, HVAC questionnaire to Hospital Directors showed in 1970 deferred maintenance and repair needs totalling \$24,600,000 which are as yet unfunded)—\$46,600,000.

4. *Funds for dental care to eliminate June 30, 1970, case backlog and meet revised FY 71 caseload projection based on recent FY 70 experience* (end FY 1970 case backlog estimated at 44,700 examinations and 8600 treatments and for FY 1971 25,000 more examinations and 20,000 more treatments than originally projected; each fee examination costs \$29.88 and each fee treatment costs \$232.43, requiring \$8,722,000; House Committee/Teague amendment restored \$3 million for this purpose, leaving \$5,722,000 still needed)—\$5,722,000.

5. *Education and Training:*
a. *Physician's Assistants* (210 students, 84 instructors, supplies, and non-recurring costs)—\$4,830,000.

b. *Allied Health Training* (1274 trainees, 189 instructors, supplies and other costs, in over 20 specialties)—\$9,823,000.

c. *Pilot Program to Train Health Specialists in Intensive Care* (60 trainees, 24 instructors, equipment, space renovation, miscellaneous)—\$1,000,000.

d. *Training of Spinal Cord Injury Personnel to double ratio at SCI centers* (1145 trainees, 200 instructors, space renovation, supplies, miscellaneous)—\$4,000,000.

Subtotal ----- \$19,123,000

6. *Activation of 1000 additional nursing care beds* (through conversion of unused present hospital beds; FY '71 includes increase of such 1155 beds)—\$5,915,000.

Total ----- \$134,860,000

B. MEDICAL AND PROSTHETIC RESEARCH ITEM

1. *Amend title to add "and Development"* (Present level of \$59,200,000—a 3 percent increase over FY 1970—representing an actual cutback in research given 10 percent inflation costs in research; provides for no new appreciable research projects—"development" function is to translate research results directly to improvement of patient care).

2. *Add 20% for development generally* (Radioisotope; atomic medicine; pulmonary function labs; electron microscopy; automated laboratory procedures, and 65 medical and 6 paramedical additional patient care/research and education traineeships now approved by unfunded (\$2,266,706))—\$12,000,000.

3. *Fund demonstration project for regionalization in Los Angeles, Southern Central California, area* (Small construction projects, communications and travel to combine services of 5 hospitals and one domiciliary facility)—\$1,000,000.

4. *New project to research and develop method of transferring total community-based mental health concept (including attitudinal therapy program) to VA general and NP hospitals to lead to more individualized, sympathetic and compassionate care* (VA NP Hospital, Tuscaloosa, Alabama)—\$500,000.

5. *Health facilities and services delivery R&D* (Strongly recommended by former Ass't. Sec'y. for Health and Scientific Affs.—presently Chancellor of San Francisco Medical Center—Dr. Philip Lee)—\$3,500,000.

Total (Brings research budget to \$76,000,000 figure sought originally by DM&S within VA) -- \$17,000,000

C. MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSE ITEM

1. *Restore amount originally sought by DM&S and cut within VA* (In order to carry out other recommended expanded medical programs)—\$2,487,000.

2. *Fund twenty-seven more personnel positions (architect/engineers) to carry out 37 of the designs in D.I* (at \$20,000 per slot—

only six additional designs can be made by present staff)—\$540,000.

Total ----- \$3,027,000

D. CONSTRUCTION OF HOSPITAL AND DOMICILIARY FACILITIES ITEM

1. *Expedite design for air-conditioning of 43 VA hospitals qualifying for air-conditioning but unairconditioned and without designs* (Listed in Appendix II; at \$140,000 per design)—\$6,020,000.

2. *Modernization of Brentwood NP Hospital*—\$5,000,000.

3. *Design plan for replacement hospital at Bronx, New York* (8% of estimated cost)—\$4,000,000.

4. *Design plan for replacement hospital at Wadsworth, L.A. VA Center, California* (8% of estimated cost)—\$4,000,000.

Total ----- \$19,020,000

E. GENERAL OPERATING EXPENSES ITEM

1. *Add to implement new "Outreach Services Program" of P.L. 91-219* (VA estimate in comment on proposed bill was \$25,078,252; 2 years allowed for implementation)—\$12,539,000.

2. *Add funds for 200 more DVB field staff to process benefit applications* (to eliminate continual overtime costs which for FY 1970 are estimated to be—\$3,150,000; cost of 200 staff full-time is about 30 percent cheaper than overtime cost for same services and about three new positions per field office)—\$2,226,000.

3. *Add funds for 75 more clerical personnel to process dental care additional authorizations* (see item A.4: \$6,600 per position—average of 1½ persons needed at busiest 50 stations)—\$500,000.

Total ----- \$15,265,000

F. NEW EDUCATION AND TRAINING

1. *Establish separate appropriation bill item for education and training of health personnel* (\$99,786,000 included in initial FY '71 budget for E&T plus \$19,123,000 proposed to be added in item A.1; total to be earmarked is \$118,909,000 including adequate funds for instructors).

2. *Decrease total medical care item accordingly* (by \$66,447,000; less than total of initial E&T earmarking to preserve medical care staff who were devoting some time to teaching).

Grand total ----- \$189,172,000

PROPOSED INCREASES TO ELIMINATE EQUIPMENT REPLACEMENT BACKLOG

(Item A.3, Appendix I)

The Veterans Administration's approximately \$49 million equipment replacement backlog which will exist at the beginning of FY 1971 includes equipment which, having lived its usual life according to established tables of amortization, will become eligible for possible replacement during the FY 1971.

According to studies made in the past to determine the distribution of the nearly \$400,000,000 investment in personal property, approximately 45% of this backlog, or \$22 million, consists of therapeutic and diagnostic equipment, such as:

	Million
Beds and other wards and clinical furniture and equipment.....	\$8.8
X-ray equipment.....	6.3
Blood and body chemistry analyses and other automated laboratory equipment.....	3.2
Equipment required in surgery.....	3.3
Dental diagnostic and treatment equipment.....	.7

Studies indicate that approximately 55% of this backlog, or about \$27 million, consists of general hospital equipment, some major categories of which are:

Furniture for patient day recreation & waiting rooms, solaria, visitor areas, libraries, quarters & offices.....	\$5.3
--	-------

	Million
Machinery & equipment—therapy, laundry, cleaning, food conveyors, frozen food cabinets, dishwashers, etc.-----	4.6
Ovens, ranges, stoves, bake shop and kitchen equipment-----	3.6
Office machines and equipment-----	5.3

APPENDIX II

PROPOSED PILOT PROGRAM TO TRAIN HEALTH SPECIALISTS IN INTENSIVE CARE (Item A.5c, Appendix I)	
Instructional staff:	Costs
5 Physicians-----	\$144,715
12 Nurses-----	177,812
4 Technical-----	43,663
3 Administrative Support-----	23,791
Subtotal-----	389,981
Trainee stipends:	
60 trainees-----	406,769
Equipment-----	62,000
Space renovation-----	86,250
Miscellaneous (contractual services, etc.)-----	55,000
Grand total-----	1,000,000

PROPOSED PHYSICIAN'S ASSISTANT PROGRAM EXPANSION (Item A.5a., Appendix I)	
For an additional \$4.8 million, 42 physician's assistant programs can be effectively mounted, as follows:	
1. Radiologist's assistant-----	4
2. Physician's assistant (general)-----	11
3. Surgical assistant-----	10
4. Orthopedic assistant-----	5
5. Pathologist's assistant-----	9
6. Urologist's assistant-----	3
Total-----	42
The estimated costs would be:	
5 students per program x 42=210 students at \$6,000-----	\$1,260,000
2 instructors per program x 42=84 instructors at \$15,000=-----	1,260,000
Supplies: \$1,000 per student x 210 students=-----	210,000
Non-recurring costs, equipment and space \$50,000 per program x 42=-----	2,100,000
Total-----	4,830,000
Program sites would be as follows:	

1. Radiologist's assistant (4): San Francisco, California, Indianapolis, Indiana, Wood, Wisconsin, Louisville, Kentucky.
2. Physician's ass't (gen'l) (11): Durham, North Carolina, Birmingham, Alabama, Dallas, Texas, Houston, Texas, Buffalo, New York, Iowa City, Iowa, Nashville, Tennessee, Oklahoma City, Oklahoma, Minneapolis, Minnesota, San Francisco, California, Seattle, Washington.
3. Surgical assistant (10): Birmingham, Alabama, Durham, North Carolina, Richmond, Virginia, Denver, Colorado, Seattle, Washington, Chicago West Side, Illinois, Iowa City, Iowa, Houston, Texas, Miami, Florida, Nashville, Tennessee.
4. Orthopedic assistant (5): Seattle, Washington, San Francisco, California, Iowa City, Iowa, Birmingham, Alabama, Chicago Research, Illinois.
5. Pathologist's assistant (9): Durham, North Carolina, Kansas City, Kansas, Cleveland, Ohio, West Haven, Connecticut, Madison, Wisconsin, Birmingham, Alabama, Houston, Texas, Chicago West Side, Illinois, Salt Lake City, Utah.
6. Urologist's assistant (3): Minneapolis, Minnesota, Memphis, Tennessee, Undesignated.

APPENDIX II

DETAILS OF PROPOSED TRAINING OF ALLIED HEALTH AND SPECIALIZED MEDICAL SERVICE PERSONNEL (ITEMS A.5 AND E.1 OF APP. I)

Field	Additional funds required for—						Total
	Trainees		Instructors		Space modification	Other costs	
	Number	Cost	Number	Cost			
Alcoholism counseling-----	20	\$120,000	6	\$75,000		\$18,000	\$213,000
Blind specialist-----	10	60,000					60,000
Dental training-----	150	405,000	15	182,000	\$225,000	330,000	1,142,500
Electroencephalograph technician-----	20	54,000	2	20,000		10,000	84,000
Histopathology technology-----	10	27,000					27,000
Inhalation therapy-----	20	66,000	5	67,000		10,000	143,000
Medical technology-----	90	216,000	23	266,000	100,000	100,000	682,000
Nuclear medicine technology-----	10	37,000				10,000	47,000
Nurse anesthetist-----	50	180,000	16	210,000		50,000	440,000
Pharmacist's assistant-----	45	153,000	4	44,000		15,000	212,000
Pharmacy interns and residents-----	80	600,000	16	319,500			919,500
Psychology-----	150	900,000	15	304,000		8,000	1,212,000
Radiologic technology-----	80	160,000	22	242,000	57,000	100,000	559,000
Social work-----	150	480,000	11	184,000	5,000	31,000	700,000
Basic nurse-----	(1)	(1)	46	673,000	5,000	30,000	708,000
Registered nurse-----	50	330,000					330,000
Practical nurse-----	50	326,000					326,000
Nursing intern-----	6	36,000					36,000
Nursing resident-----	6	37,000					37,000
Biomedical instrumentation technician-----	25	75,000					75,000
Certified laboratory assistant-----	40	60,000	8	120,000		55,000	250,000
Audiologist and speech pathologist-----	80	360,000					360,000
Dietetic intern-----	15	90,000					90,000
Occupational therapy-----	50	155,000					155,000
Rehabilitation technology-----	67	500,000					500,000
Total-----	1,274	5,427,000	189	2,707,000	392,000	767,000	9,293,000

¹ Basic nursing students are not paid stipends.

Note: The nontrainee costs do not pertain only to the increased numbers of trainees. They are applicable also to the increased need for instructors, and so forth, for trainees already in the

system in order to improve quality of training. The funds indicated above will be used in all States other than Alaska and Hawaii. This is because there is training going on in all VA hospitals, and the wide variety of indicated training makes it a certainty that some funds will be distributed to VA hospitals in all States.

RATIONALE FOR PROPOSED ADDITION OF "DEVELOPMENT" TO RESEARCH ITEM (Item B.1 and 2, Appendix I)

Two closely related issues are important to current efforts to improve the quality of health services in this country. The first is concerned with the timely translation of facts of scientific discovery into terms which can be effectively utilized by doctors in the day-to-day practice of medicine. The second is concerned with refining and coordinating methods, instruments, drugs, physical plants and human resources for the delivery of health services.

Accomplishing these goals is, in part, an educational function. In equal or larger part, however, it is a developmental function which bridges the gap separating the practitioner of medicine from the biomedical researcher. This gap has long been recognized by industries of every type. Hence, research budgets, both public and private, are almost invariably coupled with funds for development. The well-established practice of

Research and Development (R&D) funding provides a practical mechanism for the conversion of scientific knowledge to medical utility. In the industrial, physical, pharmaceutical, engineering and other sciences, developmental costs usually run at least 4 to 5 times the cost of basic research.

The failure to provide developmental funds in the health services industry has been a serious deterrent to progress in medicine. Many excellent examples can be drawn from experiences within the medical programs of the Veterans Administration.

Some years ago, VA research was instrumental in the discovery of basic facts, methods and instruments for the use of radioisotopes in the diagnosis and treatment of human illness. In succeeding years there was an inordinate lag in the practical application of these modalities. They were no longer topics of research, but neither were they truly ready to be put into the hands of practicing physicians.

The discoveries of pulmonary physiology have likewise necessitated the same pro-

longed transition. Basic facts from the research laboratory were too long in arriving at the bedside of patients with chronic diseases of the lung.

Work which is not clearly research cannot successfully compete for scarce dollars which are limited to research objectives. Developmental work, on the other hand, is highly suspect when it appeals for funds clearly intended for the immediate care of patients.

At a time when we urgently need to improve health care delivery, the vital developmental function is forced either to borrow from research funds, beg from patient care funds, or, as too often happens, remain unfunded. In the first two instances, the development work competes at a disadvantage and even under the shadow of intellectual dishonesty.

The recognition of development as an integral part of the VA research mission would permit the agency more quickly to advance such vital programs as computerization of clinical laboratories, introduction of new methods for behavior modification of psy-

chiatric and senile patients, preparation of instructional and evaluative methods for hospital employees to assure the re-humanization of health care, automation and improved coordination of patient records, and production of model programs for health service delivery in many categories.

PROPOSED HEALTH FACILITIES AND SERVICES RESEARCH AND DEVELOPMENT

(Item B.5, Appendix I)

A new component in health care, called Health Services Research and Development has emerged with more than 300 staff people devoted to health services research. The VA has been in the vanguard of this new activity leading to the identification of criteria by which alternative courses of action may be defined for the best delivery of health care. The VA is in a unique position to undertake further major research in this field.

An area of great potential for improving patient care is research related to patient treatment. The use of the computer in physiological monitoring in intensive care units and the transmission, using telephone lines, of ECG data to a central point for interpretation are two VA projects in this general area. These projects represent only the barest beginning.

Though progress has been made in developing a patient treatment information system, research is needed to investigate and develop the automation of patient history and physical examination procedures.

An important task would be the development of one or more centers in which the interests, competencies and resources for good health services research are clustered.

The VA could play a major role in architectural design of hospitals and other facilities for optimum delivery of health care. A major emphasis of patient care research should be placed on biomedical engineering in the broadest sense to include integration of systems, structure, electronics, and computer applications.

PROPOSED INDEPENDENT APPROPRIATION FOR EDUCATION & TRAINING

(Item F.1 and 2, Appendix I)

The table on pages 1-9 of the FY 1971 Congressional Submission may be used for reference:

The appropriation for FY 1971 should be as indicated.

The amounts, totalling \$6,126,000 under the heading "Medical Administration and Miscellaneous Operating Expenses" should be subtracted, without replacement, from the appropriation of that title.

The \$60,321,000 for trainee stipends should be subtracted without replacement from "Medical Care." All trainees do not receive stipends. In future years, consideration may be directed to increasing the number of stipended trainees as this may be demonstrated as of value in increasing the total number of trainees.

The \$27,335,000 for instructors should be included, but should not be taken out of "Medical Care." This would permit recruitment of instructors directly, and would permit reimbursement to "Medical Care" for such educational services as are provided.

The items for administrative support and other costs should be included in this appropriation and should not be taken out of "Medical Care."

UNAIRCONDITIONED VA HOSPITALS QUALIFYING FOR AIRCONDITIONING AND FOR WHICH NO DESIGN FUNDS ARE REQUESTED IN FY 1971

(Item D.1, Appendix I)

Albuquerque, N.M.
Amarillo, Tex.
Aspinwall, Pa.
Bay Pines, Fla.
Bonham, Tex.
Brecksville, O.

Castle Point, N.Y.
Chillicothe, O.
Coatesville, Pa.
Columbia, S.C.
Dayton, O.
Newington, Conn.
N. Little Rock, Ark.
Perry Point, Md.
Poplar Bluff, Mo.
Downey, Ill.
E. Orange, N.J.
Fayetteville, Ark.
Fayetteville, N.C.
Fort Howard, Md.
Fort Lyon, Colo.
Fort Thomas, Ky.
Grand Island, Neb.
Grand Junction, Colo.
Gulfport, Miss.
Huntington, W. Va.
Salem, Va.
Salisbury, N.C.
San Fernando, Cal.
Indianapolis, Ind. (CSR)
Kerrville, Tex.
Knoxville, Tenn.
Lebanon, Pa.
Lincoln, Neb.
Lyons, N.J.
Marion, Ind.
Martinsburg, W. Va.
Montrose, N.Y.
Mountain Home, Tenn.
Murfreesboro, Tenn.
Temple, Tex.
Tuscaloosa, Ala.
Wichita, Kan.

APPENDIX III

EXCERPTS OF TESTIMONY FROM VETERANS AFFAIRS SUBCOMMITTEE OVERSIGHT HEARINGS (Nov. 21 to Apr. 28)

Dr. Hugh Luckey, president of the New York Hospital-Cornell Medical Center:

"Are we doing all we know how to do for our veterans? The answer is definitely no. Within the limitation of funds, personnel and physical resources, the Department of Medicine and Surgery is doing a fine job. However, we would be deceiving ourselves if we did not admit that we could do better. . . . Do we have reason to be apprehensive about the future of health care in the VA? I would say the answer must be a resounding yes.

"The VA is subject to the same pressures as exist in other areas of our health care system. Salaries of VA full-time professional personnel are not competitive. . . . Many VA facilities are becoming obsolete. Funds to support research are so limited as to restrict this important attraction of high-quality personnel. . . ."

Dr. Russel V. A. Lee, founder and consultant, Palo Alto Medical Clinic, and clinical professor of medicine emeritus, Stanford University:

"The veterans hospitals have done a remarkably good job in rehabilitation in many of the hospitals. Some of them are really outstanding, but they are not prepared, without some extra help, for the new burden they are going to have of getting these people back to duty. That means not only physical rehabilitation of the people to their wounds, but vocational rehabilitation so that they will be fitted for some sort of useful life into the future."

Dr. Thomas A. Gonda, professor of psychiatry, associate dean, Stanford University Medical School, and director of the Stanford University Hospital:

"I won't belabor the point as far as quality is concerned. Insofar as quantity is concerned, I have seen a gradual drift of personnel downward, and now we have an overall ratio of 1.2, or 1.25 personnel per patient in our Veterans' Administration hospital, which is a full teaching hospital; and this compares to a 3-to-1 staffing ratio at the university hospital.

"I think the answer lies somewhere in between for the most optimal veteran's care. Certainly hospitalized veterans deserve more than they are getting.

"[The X-ray facilities are] obsolete, in the worst sense of the word. Broken down in a very, very true sense. The equipment there has to be constantly repaired . . . the hospital itself has been trying to do something about [it] for some time, and has run into snags, fiscal snags."

Dr. Norman Q. Brill, professor of psychiatry, UCLA School of Medicine, consultant in psychiatry to VA Hospital, Brentwood:

"Over the years, I have personally referred many young psychiatrists to the Brentwood Hospital when they have come here looking for jobs, but in almost every instance, they lost interest when told how many patients they would have to treat and that this heavy inpatient load precluded their having time for research. There were many who, if inclined to take a job in the VA expressed a preference for the Long Beach VA Hospital or a county hospital where the doctor-patient ratio on the psychiatric service is closer to 1 to 25.

"The acting hospital medical director is occupying three positions because he can't take any of his very few doctors off their present assignment to patient care to give him some help; consequently, for almost 1 year, he has functioned as director, assistant director, and chief of professional education of the Brentwood VA Hospital."

Dr. Philip R. A. May, professor of psychiatry, UCLA School of Medicine, consultant in psychiatry to VA Hospital, Brentwood:

"As Doctor Brill told you, 20 years ago, Brentwood was the leading psychiatric center in southern California and at this time, the physical facilities are obsolete, the morale is low, treatment programs are handicapped by not being able to treat patients in the way they ought to be able to, as I see it. The overcrowding has been diminished and used to be appalling. I would say now it's only bad . . . to take two simple examples, that there are just not enough toilets, not enough washbasins—the ones that they have lack privacy—the showers: two people take a shower at the same time in the same shower stall. This is not the kind of thing which I would expect in a modern psychiatric facility."

" . . . I think in terms of the physical facilities, that Brentwood—for which I speak in particular—I think they are considerably below the level that there is now at many State hospitals. That at many State hospitals, each patient has far more space than they have in Brentwood Hospital at the present time; they have research programs; in terms of treatment, they have the ability and the permission and the authorization to follow patients out into the community and do just the kind of care that I was describing to you."

Dr. Beverley Oliphant, intern, VA Hospital, Washington, D.C., and Dr. Joseph Backer, first-year resident in medicine, VA Hospital, Washington, D.C.:

"Some of the medical students from the three university hospitals who rotate through the Veterans Administration hospital as part of their training have described their rotation as 'one of the most frustrating experiences during medical school,' due primarily to 'almost complete inadequacy of ancillary personnel' and 'grossly inadequate care which is the rule at this institution'."

"I would say the care is poor, and the patient, again, in certain aspects, has good care, as far as the doctors who are present to take care of the patients. But as far as the ancillary personnel, the nursing and the laboratory and X-ray, in all these respects, I feel that the care is very much lacking.

"I am very sorry to sit here and say it, but I find that much of the eagerness that I had when I went to the VA last July as a

fresh, young intern, recently graduated from medical school, much of that compassion now has just changed into an apathetic feeling that really disgusts me."

Dr. Stewart Wolf, regent professor of medicine at the University of Oklahoma School of Medicine and head of neurosciences of the Oklahoma Medical Research Foundation:

"I should like to emphasize . . . the danger of deterioration of what has been a vital force in modern medicine in this country. . . . The current national priorities, as reflected in the personnel ceiling policy and budget cuts imposed on the VA threaten the quality of the veterans medical facilities at a time when they are about to be challenged by a great wave of discharged and handicapped GI's who were drafted to fight on the battlefield without glory. . . ."

"In the recent past the VA has been able to attract the highest quality of professional staff. Today, however, there is a concern among potential recruits, in part because of the financial strictures, in part due to the vulnerability of the top administration to the winds of political change, but mainly as a consequence of a subtler problem, namely the feeling that the halcyon days are over. Thus, there is a real danger that the administration and the Congress are about to see veterans' hospitals revert to the mediocre status of the 20's and 30's, where tired physicians and political job holders provided the care for the defenders of our country."

Dr. Louis Jolyon West, chairman of the department of psychiatry and medical director, Neuropsychiatric Institute, University of California at Los Angeles:

"An unhappy example of this regrettable situation can be seen at the Brentwood hospital of the Los Angeles VA Center. Despite the staff's best efforts, Brentwood simply has lacked the resources to keep up with progress being made in state and private hospitals throughout California.

"The residency training program in psychiatry at Brentwood was the leading program in Southern California after the Second World War. However, since the middle '50's, there has been a steady and progressive relative loss of ground. Typically, as the educational program declined, patient care followed. Morale is low, training is stagnant, treatment facilities and treatment programs are lagging behind modern standards. In many aspects they have fallen considerably below the quality of state and county facilities in California today.

"To be blunt, the Brentwood hospital program in 1969 is operating at a level that is mostly still at, or even below the level of 20-25 years ago. The rapid progress that has been made in psychiatry is not reflected there, and Vietnam veterans who are sent to Brentwood do not receive first-class care.

"The physical plant and facilities have not been properly improved. Air-conditioning, standard in all modern hospitals in the area has not been provided. While the previous overcrowding has diminished, certain patient areas are still too crowded, and sanitary facilities are inadequate by current standards. The furniture is mostly old and unattractive. Treatment and testing facilities are inadequate. Staffing levels, especially for physicians, are low. A number of positions lie vacant.

" . . . But Brentwood is by no means the worst in the system, and I have personally visited veterans hospitals, especially those that are remote from the large population centers . . . where I believe [there are] situations even worse than Brentwood.

"In the absence of the facilities . . . which is hard work and takes very skillful personnel, it is easy enough today for whatever staff exists to fall back upon chemicals, and with chemicals we can make a person comfortable and keep him quiet so he doesn't cause a fuss and upset the routine of the hospital. . . . [He would be] a man with an invisible

barrier between him and the rest of the world, a chemical cocoon."

Dr. Philip Lee, chancellor of the University of California Medical Center in San Francisco, and former Assistant Secretary for Health and Scientific Affairs at HEW:

" . . . I believe the budget cuts and restrictions on personnel have seriously affected the improvements in patient care that are needed in the veterans' hospitals and clinics. I believe that a minimum of \$100 million is needed merely to convert the personnel deficit that has resulted from the ceilings imposed in the past several years.

"Second, funds are needed—about \$100 million annually to build new hospitals and modernize existing hospitals and clinics in order that first-rate care can be provided. . . . Third, funds are needed to construct research and teaching space. . . . These are urgent needs. They will improve patient care as no other investment by the VA can. . . ."

Fifth, adequate funds need to be provided the VA for a major program of health facilities and health services research.

"Finally, Mr. Chairman, in answer to your basic questions, 'Are we doing all we can about this problem? Are we doing all we must?', the answer is an emphatic no. The tragic fact is we are asking the veteran to pay in his health for the anti-inflationary policies that are followed by the administration. I think we are asking him to pay too high a price."

Dr. Baldwin G. Lamson, director, UCLA Hospital and clinics:

"At UCLA we are currently operating under some pressure as a result of a heavily worked nursing staff, with a nursing pattern established at 5.5 hours per patient day. In contrast, at the Wadsworth Hospital on a general orthopedic nursing unit, the staffing pattern is currently at 2.7 hours per patient day, and on a medical unit 2.8 hours per patient day.

"The medical intensive care unit was built over one year ago but has never been activated for medical patients. The medical nursing service, which does not have a general purpose intensive care unit, is also unable to provide special duty nurses for critically ill patients. These are often 'speccled' by relatively inexperienced nurses aides. Nursing coverage on the night shift commonly provides only one registered nurse for sixty patients.

"At the present time it will take \$600,000 to replace obsolete equipment and procure needed units to bring the Department of Radiology up to acceptable modern standards for patient care The X-ray therapy department is overloaded and must be expanded. . . . Equipment should be purchased to replace present 10-year-old obsolete machinery for the radiation therapy department at Wadsworth Hospital to remain accredited for the training of personnel which are so urgently needed, and in order to give the best service to veterans.

"The hospital is badly in need of a second special procedures room to be used for cardiac catheterization and angiographic studies, because of the current waiting list of approximately two months before these procedures can be performed.

"Shortages of personnel require, in order that the critical functions of the hospital may be staffed twenty-four hours a day, seven days a week, that several categories of personnel agree to rotate work shifts and serve periods of duty on the evening and night shifts. . . . It is imperative that night, evening, and weekend shifts be staffed with people whose circumstances make these particular shifts attractive to them. . . . In a modern, attractive, well-maintained, equipped and staffed facility, it is possible to obtain voluntary personnel for the unpopular shifts. In a borderline facility this becomes impossible."

Mr. Sam Bottone, project director, Cali-

fornia Nurses Association, and Miss Dorothy Fogarty, RN., Los Angeles VA Center:

"Nurses at Wadsworth have told me that instead of being able to provide nursing care, they often feel as if they are offering only custodial care. The director of the VA Center, Los Angeles, which includes Wadsworth has described patient care at the Center as 'sub-minimal' and the staff morale as 'atrocious'. An important reason why the morale is so bad is because nurses feel that they frequently leave work at the end of a tour knowing that they were unable to provide minimal care to their patients.

"In the extended care unit of Wadsworth the nursing hours per patient day is about 1.1 hours. The minimum criteria used by the California State Department of Public Health's Bureau of Licensing and Certification is 2.5 hours. If this unit were not a federal facility, it would not be licensed to operate in California."

Drs. J. Gary Davidson and Bernhard A. Votteri, Wadsworth Hospital:

"The facilities can be summarily described as filthy. Housekeeping deficiencies lead to the accumulation of dirt including feces, bacterial counts rise, and a definite infective risk results. The facilities available for preventing the spread of infection can best be described as medieval. . . . Filthy conditions such as exist at Wadsworth daily were never seen when I was in Vietnam at the station hospital Danang. . . . We must pause to consider how this affects the patient. We have had patients with fevers of 102° and up with pain relieved only by injections, who have literally dragged themselves home rather than tolerate the above conditions. Patients who are dying from malignancies already have cause for depression without having the crowded, filthy environment as a constant depressing influence upon them."

Francis W. Stover, director of the national legislative service of the Veterans of Foreign Wars:

"Is the VA providing the quality of care intended by the Congress and to which veterans are entitled? The VFW regrettably answers this question in the negative. . . . Every indicator shows that the VA is not getting the money, personnel, equipment, services, and all those other factors which add up to the finest quality medical care. In the personnel area, the VFW has advocated and strongly recommends that the costs of medical care for veterans be considered as a war cost. . . ."

"More basic than this, however, is the need for construction, renovation, and modernization funds. Back in the 1950s President Eisenhower inaugurated a 12-year \$900 million program to renovate and modernize the VA hospital system. President Kennedy reviewed the program and made it a 15-year \$1.3 billion program. It has been estimated that at least \$90 million a year is necessary to keep this program going forward, as contemplated. In recent years, however, the budget for this category has been sharply reduced. For the year 1970, after having some of the money restored, the total is about \$55 million. Because this is a discretionary item, it has suffered the deepest cuts in the VA budget."

Peter L. Lassen, executive director of the Paralyzed Veterans of America:

"We charge VA with letting down—or giving up—on those very seriously disabled who need so much help in all phases of their recovery and rehabilitation. Appearing before another committee earlier this year, Dr. Engle, Chief Medical Director of the VA, admitted: 'We acknowledge that we have been remiss and have not done an optimum job of preparing patients psychologically and socially for adjustment outside the hospital, and in many instances we may have fostered dependency by prolonged hospitalization.'"

E. H. Golembieski, director of the Ameri-

can Legion's national rehabilitation commission:

"The American Legion is gravely concerned over the effects of repeated reductions in budget requests for the Department of Medicine and Surgery on its ability to deliver first-class health services to eligible veterans. . . . The Veterans Administration is being forced to operate what was designed to be a second-to-none medical care program for the nation's sick and disabled veterans with inadequate and arbitrary personnel limitations. . . . At a time when the veteran population is rapidly expanding by the separation of severely disabled veterans of the Vietnam fighting and the continuing routine release of large numbers of servicemen by the armed forces, the VA hospital system is being contracted by the denial of funds necessary to provide for satisfactory professional staffing, operating expenses, the modernization and construction of necessary medical facilities, and utilization of life-saving and life-prolonging facilities and equipment."

Raymond P. Neal, national commander, Disabled American Veterans:

"In our own state of California, DAV reports reveal there are new medical units, equipment, beds and wards lying idle because of lack of funds for staffing. . . . similar situations exist in the VA hospitals at San Francisco and Palo Alto. The additional patient load of Vietnam veterans is placing a strain on current resources required for treatment of other eligible veterans."

"The following is a cross-section of the DAV National Service Officers' reports: 'VA hospital, Nashville, Tenn.: An intensive care unit valued at \$500,000 is completely idle. A new cardiac unit costing approximately \$200,000 is also idle for lack of funds."

"VA hospital, Jackson, Miss.: Two intensive care units now under construction are urgently needed, but will remain idle unless additional funds are provided for necessary staffing.'"

NATIONAL GUARD'S RECORD IN CIVIL DISORDERS

Mr. THURMOND. Mr. President, in recent weeks there has been a great deal of loose talk about the role of the National Guard. Some of it has been close to slanderous, and much of it has been disrespectful to the brave and loyal young men of our country who give of their time and service to enforce the public safety.

I quote the statement of Maj. Gen. James F. Cantwell, president of the National Guard Association of the United States:

From January 1, 1968 until May 1, 1970, a period of more than two years culminating just three days before the Kent State episode, National Guardsmen in every section of the country were called on 191 occasions to help civil authorities restore or maintain order during civil disturbances. Approximately 224,500 National Guardsmen were involved in those unpleasant, frequently dangerous operations. Yet no more than one or two fatalities can be attributed to the actions of National Guardsmen during that entire period. The period included, incidentally, the massive, widespread riots of April, 1968.

This is a good record, and I do not think the Guard has to fear the results of the current investigation.

Mr. President, I ask unanimous consent that the statement of General Cantwell, as well as other statements which give the Guard's side of the story, be printed in the RECORD.

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

STATEMENT BY MAJ. GEN. JAMES F. CANTWELL, PRESIDENT, NATIONAL GUARD ASSOCIATION OF THE UNITED STATES, MAY 11, 1970

The tragic occurrence at Kent State University on May 4 set off an angry, unreasoned reaction that was marked more by emotion than by any sober, factual understanding of what actually happened on that unfortunate campus.

All of us—National Guardsmen more than others—were saddened by the death of four Kent State students in a clash with Guardsmen during the campus disorders. It was indeed, as many Americans have characterized it, a tragedy.

No fair assessment of cause or blame can be made, however, until investigators have developed a full and factual account of what actually transpired. Distorted, hysterical recollections of what took place, offered by distraught eyewitnesses, cover only fragments of the sequence of events leading up to the deaths, and are no substitute for facts. Yet it is on the basis of such fragmentary, highly colored information that terms like "trigger-happy," "poorly trained," "young and immature," and others equally damning have been applied to Ohio troops and the entire National Guard.

Such accusations cannot be justified by the facts. From January 1, 1968 until May 1, 1970, a period of more than two years culminating just three days before the Kent State episode, National Guardsmen in every section of the country were called on 191 occasions to help civil authorities restore or maintain order during civil disturbances. Approximately 224,500 National Guardsmen were involved in those unpleasant, frequently dangerous operations. Yet no more than one or two fatalities can be attributed to the actions of National Guardsmen during that entire period. The period included, incidentally, the massive, widespread riots of April, 1968.

This is an almost phenomenal record considering the tense and explosive atmosphere that prevailed during most of those 191 occasions. It is even more remarkable when one is aware of the extreme physical and verbal abuse and provocation to which National Guardsmen were subjected in disorder after disorder.

It is a record of which even the best-trained police or professional troops could boast with pride.

National Guardsmen receive extensive training in riot control operations, with continual, heavy emphasis on humane techniques and restraint in use of force. They have repeatedly demonstrated both their competence and their humanity. No element among law enforcement agencies has been more insistent than the Guard in protecting the right of all citizens to peaceful, orderly protest. Only the presence of Guardsmen, in fact, guaranteed that right on numerous occasions.

NATIONAL GUARD IN CIVIL DISTURBANCE OPERATIONS, SEPTEMBER 1, 1967 TO MAY 8, 1970

[Year and number of times called]	Number of Guardsmen involved
September 1 to December 31, 1967 (10)	8,692
1968 (101)	154,683
1969 (67)	49,264
January 1 to May 8, 1970 (23)	20,574
Total (201)	*233,213

* This figure represents the total number of National Guardsmen called for support of civil authorities during civil disturbances.

Remarks: Call-ups of National Guard for civil disturbances during this period 1 Sep-

tember 1967-8 May 1970 averaged more than six call-ups per month.

STATISTICS ON NATIONAL GUARDSMEN (Based on a 10-percent sample from three States—Washington, Iowa, and Pennsylvania)

Age: 64.9% over 22 years; 7.9% over 30 years; and 15.8% under 21 years.

Marital status: 51% Single; 49% Married; 28% Married, no children; and 21% Married with children.

Education: 6.1% not high school graduates; 56.9% high school graduates; 36.9% some college; 10.2% one year college; 15.5% two to four years college, no degree; and 11.5% college graduates.

Physical profile: 99% no significant physical limitation.

OHIO: NATIONAL GUARD IN CIVIL DISTURBANCE OPERATIONS

(During period September 1, 1967—May 8, 1970)

[Year and number of times called]

	Number of Guardsmen involved
Sept. 1-Dec. 31, 1967(3)	1,244
1968 (10)	9,451
1969 (4)	1,947
Jan. 1-May 8, 1970(4)	5,775
Total (21)	*18,417

*This figure represents the total number of National Guardsmen called for support of civil authorities during civil disturbances.

STATEMENT OF CHIEF, NATIONAL GUARD BUREAU AT SENATE ARMED SERVICES COMMITTEE DURING STRENGTH AUTHORIZATION HEARINGS, MAY 7, 1970

A day of disorder at Kent State University on 2 May ended with the burning of an ROTC Building. In the morning 150 students became disorderly while protesting the President's position on Cambodia. Fourteen students were arrested and three policemen injured. During the day Weathermen told local merchants if they didn't put signs in their windows protesting the President's policy, then stores would be firebombed that evening. Sale of gasoline in gallon containers was reported in Kent. Telephone threats of violence were received by merchants and officials. Students vowed to protest the 8:00 P.M. curfew imposed as a result of the morning violence. At 7:30 P.M., Co A, 145th Infantry and 107th CAV elements, both Ohio Army National Guard, were ordered to the campus from standby in their armories. At 9:15 P.M., 400-500 students caused riotous conditions and hindered efforts of firemen to fight the ROTC building fire and cut fire hoses. Small bands of rioters in downtown Kent caused light damage. Approximately 150 National Guardsmen were committed to assist Kent Police downtown.

Early 3 May, small fires started on campus and numerous rock throwing incidents were reported. An additional 140 Guardsmen were on fixed post security at Kent City utility plants, and on mobile patrols with city police.

That evening disorder again broke out when approximately 1,500 students gathered on the campus in violation of a ban by the Governor against outdoor meetings. The crowd was dispersed by police and Guardsmen using tear gas after which they gathered downtown and staged a sit-in. They were dispersed, moved back to campus and order was restored.

On 4 May at noon, a major confrontation occurred between Kent State University students and law enforcement agencies, reinforced by 98 Ohio National Guardsmen. This culminated in the death of four students and wounding of 14 others.

"Why did they have live ammunition?"

Ohio Rules of Engagement are detailed in Annex F (Pre-Employment Briefing) to their OPLAN 2 (Aid to Civil Authorities). They are carefully drawn. They begin and end with the admonition to use only the minimum force necessary and prescribe the use of sequentially increasing forces. (I have the document for your inspection).

Ohio elects to load and lock weapons before commitment. The Army unit, when determined by the Officer in Charge, in accordance with their rules of engagement, is authorized the initial selection of the same option of the round chambered and authorizes use of deadly force in self defense to avoid death or serious bodily harm, and authorizes personnel to fire their weapons when required to save their lives including the prevention of serious bodily harm.

Ohio responds to the question, when is a round chambered, and when is a round fired, as follows: "At riot scene and just before he is committed to the street, individual Guardsman will load and lock weapon upon authorization of a responsible officer. Weapon is fired when authorized by a responsible officer unless individual is fired upon or when his life is otherwise endangered."

As to "why did they fire?" We must await the results of the investigation by the Department of Justice (FBI) which was requested by the Governor and the Adjutant General of Ohio, and the results of other investigations including those of General DelCorso by Inspector General and Judge Advocate General personnel.

We can keep in mind that all persons on the green, whether or not confronting the police and Guardsmen, were law breakers in violation of the Governor's (and the University's) ban, in violation of the Riot Act and the lawful order to disperse and, for some, in violation of the Ohio code in knowingly assaulting, striking or wounding a law enforcement officer or member of the organized militia.

We can keep in mind:

The unconfirmed reports of four shots fired by a person in the dissident group;

The unconfirmed report of a non-military spent shell casing in the vicinity;

The report, unchallenged as far as I know, "Kent City and campus police established that a sniper was located on the roof of Johnson Hall of Silver Oak Apartments and was shooting at Guardsmen at the time of the shooting incident;

That a Columbus Evening Dispatch story dated 6 May 1970 contains a university report that a student photographer was beaten by demonstrators and waved a pistol in self defense and relates that a special agent of Portage County said he saw a cameraman firing his pistol between the advancing Guardsmen and the crowd of students;

And that this has been reported to the FBI:

A witness observed the following from Osborne Dormitory. A girl dashed out, fired a weapon at the Guard as they turned away. They turned back and returned the fire.

Mr. Chairman, may we also keep in mind that all Ohio National Guardsmen have received the Army prescribed training and annual refresher training. They have received, during numerous calls to State active duty, riot training far in excess of, and perhaps equal again, to the Department of Army requirement. Few troops have been more involved in civil disturbance operations than Ohio. Company A, 145th Infantry—with every man struck by rocks or bricks, 26 men treated locally and two men hospitalized in this tragic incident—served in six days of Akron disturbances in July 1968 in which they were exposed to sporadic stoning, rock and bottle throwing, riotous crowds, and firebombing. In December 1969, this same unit served two days in student disorders at Akron University, and again in 1970 were

called upon to assist the local authorities in the restoration of law and order.

I expect the investigation being conducted by the FBI and State authorities to make a final determination in the events that happened at Kent.

THE NATIONAL GUARD IN CIVIL DISORDERS

Periodically in recent times, the National Guard has become the target of extensive adverse comment and criticism, resulting from its employment to halt civil disorders. Habitually, the negative comment is focussed on such terms as "poorly-trained" or "trigger-happy," and almost always are written or uttered in the heated, highly-emotional aftermath of a specific incident, before the actual facts surrounding that incident are known. A factual examination of the Guard's performance, however, tells an entirely different story. It's a story of restraint in the face of extreme provocation and abuse, and of effective performance with minimum use of deadly force.

Between January 1, 1968, and May 1, 1970, National Guardsmen were called to duty on 191 occasions to aid civil authorities in the control of civil disorders. Those calls to duty involved 224,500 Guardsmen. That period included the massive riots of April, 1968, with their accompaniment of rioting, looting and burning. Yet the record shows that virtually no fatalities were caused by the acts of National Guardsmen during that entire period of nearly two-and-one-half years! A hasty review of records seems to show no more than two deaths attributable to a Guardsman!

Following is a profile of what might be termed the average Guardsman, drawn from official records. As the Guard's actual record of performance belies intemperately uttered charges of trigger-happiness, so is the real-life Guardsman considerably different from the individual pictured in some of the criticism. The description provided below may serve to put National Guardsmen into better perspective.

PROFILE OF A GUARDSMAN

First and foremost, he is a responsible member of his community, who took a dual oath to defend the Constitution of the United States and to defend his nation and his State. He is sworn to obey the orders of the President of the United States and of the Governor of his State.

He joined the National Guard when he was about 21 years old and currently is in the 22-25 age bracket (64 per cent of the Guard fits into that category). He currently is about 23 years old, is healthy and physically fit.

Educationally, he has completed high school (94 per cent of all Guardsmen have), and very likely attended college for a year or more (approximately 60 per cent have a year or more of college). In fact, about 11 per cent of all Guardsmen possess college degrees, a recent survey revealed.

The chances are approximately 50-50 that he is married, and he may be one of the 21 per cent who are fathers. The chances are better than 80 per cent that his annual income exceeds \$5,000 and better than 50 per cent that it exceeds \$7,500. (Nearly one in seven have incomes exceeding \$10,000 annually).

He most likely is employed in the managerial, professional or technical fields (about one-half of all Guardsmen fit that description), although he may be one of the one-in-five whose jobs involve physical labor of some kind.

He received 5-6 months of active duty training following enlistment, given by Active Army instructors at an Active Army Training Center. Since returning to his hometown unit for continued spare-time training, he has received at least 16 hours of training in civil disturbance operations and riot control. He probably has received more than that amount, particularly if his

unit is in a State that has been subjected to numerous disorders.

As a typical Army Guardsman, the chances are good that he himself has served in a civil disturbance operations, particularly if his unit is headquartered in or near a large urban center or trouble-prone campus. Many Guardsmen have served repeatedly in disorder duties, such as those in Wisconsin, Ohio, California and the District of Columbia. Thus, the typical Guardsman is not an untrained, inexperienced amateur in this field, nor are his officers and non-commissioned officers.

The average National Guard officer, for example, is 30 years old, married, father of two, and with 13.4 years of civilian schooling. He has been in the National Guard nine years, has acquired a considerable range of experience in military leadership, and has received civil disturbance training specifically designed for leaders, as well as the normal training given his unit.

SUMMARY

In summary, National Guardsmen are mature individuals who are old enough to have developed an adult sense of duty and responsibility yet young enough to understand and empathize with college students. In most cases, they themselves are students or have recently been students, and are aware of today's cross-currents of unrest and dissatisfaction. Attitude surveys show that they tend to reflect the same attitude, in the same proportions, as other young men their age, although their service in the Guard has given them a deeper awareness of the full responsibilities of citizenship in a free society. They privately will express pride in their National Guard unit and understanding of its important role, although a large majority will not extend their service beyond the initial six-year tour. They almost universally regard civil disturbance duty as unpleasant and regard the use of unnecessary force against disorderly elements as repugnant. Analyses of attitudes show, however, that they have a remarkable depth of understanding of their oath, their responsibility and their role.

STATEMENT BY ADJUTANT GENERAL FRANK D. PINCKNEY

The tragic events at Kent State University this week have disturbed many people . . . myself included. I deeply regret that four young students lost their lives, and that others were seriously hurt. It is a terrible tragedy when lives are lost in a disturbance of this sort. However, I am not here to condemn or condone what happened at Kent State . . . I don't have all the facts and neither does anyone else at this stage.

Gentlemen, I am here because I am frankly disturbed at the accusing finger of "guilt by association" that is being pointed at every National Guardsman, and I am concerned about the unreasoned, emotional wave of anti-Guard sentiment this incident has created. I ask only that you look at it in perspective.

Looking at it in perspective, we can see that in the last 24 months, approximately 200,000 Guardsmen have been called upon to maintain the peace or restore order in American communities and on the nation's campuses . . . and this is perhaps the most distasteful and unpleasant duty that you can assign to a National Guardsman.

Until this tragic incident at Kent, Ohio, there hasn't been a single incident to blot the performance of these 200,000 men. They have performed with great restraint and good judgment in the face of extreme provocation, abuse . . . and sometimes injury. They have been the targets of epithets, bricks, rocks, boards, molotov cocktails and bullets. . . . Yet, significantly, for more than two years not a single person has suffered serious harm or death as a result of any action by Guards-

men in scores of cities and towns around our nation.

Look at the Guard's performance in South Carolina during this 24 month period: More than 9,800 Guardsmen have been called upon in two dozen or so incidents.

We have been called upon in Charleston—to protect the right of peaceful assembly . . . not to destroy it;

We have been called upon in Columbia to protect lives and property, not to restrict freedom but to protect it;

We have been called upon in Denmark—to protect educational rights . . . not to destroy education;

We have been called upon in Mullins—to protect lives . . . not to instill death or injury.

On all of these occasions, and others, we have performed our duty without injury or serious incident.

We have gone out in search of lost children, and we have abandoned our civilian jobs to assist the beleaguered citizens in a large area of our state in the wake of a disastrous ice storm. This too, is the National Guard.

Gentlemen, let me dispel any notions of the Guardsman as an untrained, unrestrained and trigger happy dolt. He is highly trained—both in general military training and in the tactics of crowd control. Our ranks are liberally sprinkled with men who have served this country in two . . . in some cases three . . . wars. The Guardsman is a member of the community he is called upon to protect . . . Your community. He is your neighbor. He may be a businessman, a teacher, a salesman, a mechanic, a clerk, an administrator . . . or a college student.

Your National Guardsmen are not anti-civil rights . . . they are not anti-youth . . . they are not anti-labor . . . they are not anti-free speech . . . they aren't anti-anything . . . They are a highly professional organization of ordinary American citizens who detest violence as much as anyone. They believe in serving their country . . . but not at the expense of you or anyone else. They do not seek trouble, but neither do they shirk their duty when trouble is fomented by someone else.

And they don't deserve the kind of scorn and abuse that some would so willingly heap upon them.

HUD AND THE BROOKE AMENDMENT

Mr. BROOKE. Mr. President, recently the Housing Association of Delaware Valley prepared a memorandum concerning sections 212 and 213 of the Housing and Urban Development Act of 1969. These sections represent a first step toward eliminating intolerable conditions which have been allowed to exist for far too long in public housing projects throughout the country.

This memorandum accurately sets forth the conditions in public housing, the prospect for relief which was held out by these sections and the subsequent inaction on the part of the Department of Housing and Urban Development which has served to undermine their effectiveness.

I anticipate that corrective actions will be taken by the Senate Banking and Currency Committee as it meets later this year to consider new housing legislation. In the meantime, for the edification of the Senate and the public, I ask unanimous consent that the full text of the memorandum be printed in the RECORD.

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

RACISM AND EXPLOITATION IN PUBLIC HOUSING: HUD AND THE BROOKE AMENDMENT

The Housing Association of Delaware Valley believes Americans at every income level should have access to decent housing, at reasonable cost, of a type and in a neighborhood where they wish to live. Poor Americans, especially families with extremely little or no income, do not have this access, and there have never been programs designed to provide it to them.

There is one program, however, which does offer decent housing at relatively low cost, to families whose incomes are below average and yet above the income floor. This is public housing. The public housing program provides enough subsidy to begin to serve families in this low-income range. Only public housing can provide existing or new units at rents these families can afford. Only through public housing can families in this income group look forward to home ownership.

Many complaints can—and have been—justly made against public housing. It does shut out the very poor—because they cannot afford even the minimum public housing rents. In most large cities, public housing has created new and regimented ghettos, monster projects for overcrowded families in overcrowded surroundings. Operation of public housing has been marked by paternalism and bureaucratic interference in the everyday lives of tenants.

Despite its many shortcomings, public housing is, today, the only way in which federal money may effectively be used to provide homes for some families of low income. For that reason, the Housing Association of Delaware Valley, while seeking better alternatives to public housing, will continue to support meaningful changes within the program, including ways to provide housing assistance to families no matter how low their incomes may be.

I. BACKGROUND TO REFORM

The public housing program was the product of the New Deal. In the original legislation, the Housing Act of 1937, American communities were authorized to establish local housing authorities, and construct housing units with federal subsidies. These units (grouped into "projects") were to be of "low rent character." Their purpose was to provide shelter to American families in the midst of the depression and to prime the pump of the sagging construction industry. The program was administered by the Public Housing Administration (since 1965, by the Department of Housing and Urban Development, or HUD).

The federal subsidies for this program were to cover actual construction (through the sale of local housing authority bonds) and the capital costs on the structures for a period of thirty (within a maximum determined as a proportion of the development cost of the project) which would help the local housing authorities "achieve and maintain the low rent character" of the projects.¹

The instrument for the federal subsidies to local housing authorities was (and remains) the annual contributions contract. This contract binds the local housing authority to manage the federally-assisted project for the sole purpose of low rent housing, unless the government agrees to the use of the site for other purposes. The local housing authority is also required to set rents and occupancy standards to meet certain conditions. In filling units, the local housing authority must consider the financial solvency of the project, since the federal subsidy does not pay for operating and maintenance costs.

This historically has meant that local housing authorities were authorized by the annual

contributions contract to restrict occupancy of the units to families who could afford to pay at least a minimal rent. Families of very low or no income were simply not housed.

To summarize the first thirty years of public housing: federal money subsidized units, not families. Federal money paid for construction and capital costs of building projects—but the cost of maintaining and operating the housing was borne solely by the rent paid by tenants. People who could not afford the minimum rents to keep local housing authorities solvent did not live in public housing.

In the mid-1960s, public housing began to run into sustained difficulties. While depression families of the "submerged middle class" had been able to pay minimum rents on the newly-built units (and pay higher rents as their incomes rose), the post-World War II years saw public housing acquire a whole new clientele. As young veterans and their families moved outside the cities, armed with FHA mortgages the public housing they left behind was receiving more and more chronically poor families, many from the rural South, many black, a growing number on welfare assistance. Year after year, the cities felt the wave of in-migration of families with no place to go, nowhere to live. More and more, public housing became their home.

In the late 1940s and throughout the 1950s, local housing authorities built housing projects to house thousands of these families. Ten, fifteen, twenty stories and higher, these projects rose menacingly from the predominantly low-rise residential black neighborhoods in which they were placed. Horizontal problems became vertical problems. Cost limitations and Congressional scrutiny precluded any kind of amenities in these buildings. Elevators were often made to stop on every other floor—to save money. Room sizes were small. Community facilities, laundry rooms, recreation space, were minimal. Many tenant families had three or more children. The resulting population densities would be unheard-of in private real estate, and were certainly higher than what the tenants had faced in their previous row-house or even tenement neighborhoods.

At the center of all these pressures—lower rental income, intense overcrowding, growing maintenance costs, lack of adequate community facilities—stood the public housing program in 1960s. It faced an ever-growing crisis.

In the past five years, this crisis has come to the fore. Two chains of events have brought it there: (1) tenant protests and (2) mounting criticism from within, by housing administrators and their spokesmen.

Tenant dissatisfaction with public housing was illuminated by the urban rebellions of 1964-69. In city after city, public housing projects—bleak, high-rise prisons, overcrowded, rat-infested—emerged as focal points of frustration and grievance. Central Park Village in Tampa, Florida, and Rev. Hayes Project in Newark, New Jersey, received great attention in the Report of the National Commission on Civil Disorders. So did public housing projects in Detroit, Elizabeth, Plainfield and Jersey City.²

Another kind of protest—rent strikes by public housing tenants—captured public attention in 1969. By refusing to pay excessive rents for indecent, unsafe and unsanitary housing, public housing tenants dramatized the failure of the program to provide acceptable homes at rents poor people could afford to pay.

The classic rent strike in public housing was in St. Louis, Missouri. In February 1969, the St. Louis Housing Authority announced a large rent increase, necessitated by an impending financial deficit in its management operations. The increase would have raised rents an average of 40%—many St. Louis tenants were on fixed incomes, unable and

Footnotes at end of article.

unwilling to meet such a demand on their scarce resources. Missouri has one of the lowest welfare allowances in the country; the increase would have forced welfare tenants in St. Louis public housing to pay between 50% and 90% of their total welfare grant (which includes allowances for food, clothing, shelter and incidentals), for rent.

St. Louis public housing tenants, with the help of the National Tenant Organization, went on strike for eight months. When the strike was negotiated to a close in October, they had won important concessions from the Housing Authority and achieved reform of public housing in St. Louis, including tenant control of many program operations and representation on the Housing Authority Board.

The St. Louis tenants demonstrated their unwillingness to pay for the failures of the public housing program; and they defied the HUD bureaucracy, which was pressuring St. Louis and other local housing authorities to offset deficits by raising rents.⁴

St. Louis was only the beginning. Public housing administrators in Washington, D.C., and other cities soon were confronted by tenant organizations who demanded that poor people no longer be penalized for the failures of Congress and the bureaucracy.

Speaking on behalf of the National Tenant Organization, Chairman Jesse Gray expressed the mood of public housing tenants when he told the Senate Subcommittee on Housing and Urban Affairs:

There is a growing consensus among tenant groups that the adequate housing of low income families cannot be achieved without government aid. . . . Until recently, the public housing program was looked upon as the best and only form of relief.

But closer examination of our public housing program is bringing into serious question the adequacy of that relief. It too often duplicates the worst of the old . . . rather than striking out in bold new directions . . .

The lack of adequate shelter for all Americans in this land is a crisis of critical magnitude. The tragic relationship between landlord and tenant must be altered, be that landlord a ruthless slumlord or an efficient and impersonal government official.⁵

Meantime, criticism from within the public housing establishment, always present, began to swell in 1969. The *Journal of Housing* (publication of the National Association of Housing & Redevelopment Officials—NAHRO) opened up with a stinging article by the Chairman of the New York City Housing Authority.⁶ It pointed out the utter impossibility of continuing public housing under its 1937 subsidy formula of paying capital costs only. It showed how tenants of public housing in New York City were paying a greater portion of their income for rent in 1967 than they had in 1952. It compared the spiraling costs of operating units with the almost stagnant incomes of very poor tenants. It demonstrated that the Housing Authority could only begin to break even by instituting a rent increase of \$10 per unit per month—an increase that few of the tenants could possibly afford. On the strength of these facts, the article indicted public housing for failure and called for a whole new subsidy and a whole new direction.

NAHRO followed up with a campaign designed to convince Congress that the old public housing program was simply unworkable. In testimony before the Senate Subcommittee on Housing and Urban Affairs, NAHRO President William L. Rafsky made the following points:

RAFSKY. We believe the formula in which public housing was authorized in the Housing Act of 1937 cannot meet the needs of the lowest income families . . .

QUESTION. On the subject of increased subsidy to public housing authorities, what is

the answer to those who say the threatened bankruptcy of many public housing authorities is the result of poor and irresponsible management?

RAFSKY. We reject that concept in total and feel that it is inaccurate in terms of actual experience. I think the critics have tried to find a way to explain the failure of low-rent public housing to meet a fiscal crisis, without wanting to recognize that it can only be solved by increased funds . . .

NAHRO summarized its position in a statement on the HUD budget for fiscal year 1970. In support of new subsidies, NAHRO wrote:

The public housing program is at a crucial turning point in determining what it shall be and whom it shall serve. If it is to continue to serve really low income families, there must be a realistic recognition of the inadequacy of the present formula of federal financial assistance. Many large city housing authorities will soon be priced out of the low income market . . . A social crisis of major proportions will develop if low-income tenants in public housing are faced with the alternative of paying an unreasonable proportion of their income for rent—or returning to the slums.⁸

This is the background of the Housing and Urban Development Act of 1969. Pressure from public housing tenants on the one hand, and the housing establishment on the other, combined to convince Congress that fundamental changes, new directions, were imperative if the public housing program were to fulfill its purpose: decent, safe and sanitary homes for low-income families, at rents they could afford to pay.

II. THE BROOKE AMENDMENT: A NEW DIRECTION, MEANINGFUL CHANGE

Sections 212 and 213 of the Housing & Urban Development Act of 1969 mark a watershed in federal housing legislation. Departing from precedent, they authorize extensive federal subsidies to public housing programs for maintenance and operating costs. For the first time, there are subsidies allocated to tenants rather than structures. Public housing tenants, for the first time, are granted a ceiling on rents. The new law also initiates an emergency program of subsidies to local housing authorities in the nation's largest cities, enabling them to meet deficits and provide adequate levels of management and maintenance services to tenants.

Known as the "Brooke Amendment" (Senator Edward Brooke of Massachusetts was the major sponsor), these sections of the new HUD law stipulate that

1. The rent of a public housing tenant family may not exceed 25 percent of the family's income.

2. HUD may pay local housing authorities, under Section 10(b) of the original 1937 law, extra annual contributions to "ensure the low rent character" of the projects (as long as the total annual subsidy does not exceed the maximum under the legislative formula.)

3. Three entirely new subsidies are available for payment to local housing authorities for these purposes:

- to cover an existing deficit.
- to provide better maintenance and management services.
- to supply additional rental income in cases where it costs more to operate the units than can be collected from tenants, using the 25% ceiling.

The Housing Act of 1937 had authorized annual contributions both for debt service and "to ensure to the low-rent character" of public housing projects (see page 1). However, the Department of Housing and Urban Development never took advantage of that authorization, claiming that the law was in need of "clarification." Though many disputed HUD's narrow interpretation of the law,⁹ Congress obliged by including in the 1969 Act specific authorization for maximum

contributions, and thereby mooted HUD's position.

The Brooke Amendment was designed to offer short-term, emergency relief to both local housing authorities and public housing tenants. If reasonable rents (25% of income) fail to cover the costs of operating public housing, local housing authorities can now apply for subsidy to make up the difference. Effective March 24, 1970, the law requires that no public housing tenant (excepting welfare recipients—see below) can be charged rent in excess of 25% of his income. The law also states very clearly that not all tenants are to pay 25%; it is the ceiling, not the ground floor, on rents.

III. THE HUD RESPONSE: RETRENCHMENT AND REACTION

According to the new law, HUD was required to implement the provisions of the Brooke Amendment—including a rent ceiling and guidelines for disbursement of all the subsidies—by March 24, 1970.

On March 16, 1970, HUD published the required guidelines in the form of a circular (RHM 7465.1 and RHM 7475.1).^{*} Instead of seizing the opportunity to refocus the public housing program, the HUD guidelines are designed to encourage rent increases, not decreases, in public housing; to focus blame for program failure on tenants and "lax" management; to place subjective conditions on much-needed emergency subsidies; and, in short, to obstruct implementation of the Brooke Amendment as it was written and intended by Congress.

The proof of HUD's philosophy is abundantly clear in the following review of the March 16th guidelines:

HANDING OUT EMERGENCY SUBSIDIES: WITH CONDITIONS AND QUALIFICATIONS

The law speaks of providing funds (a) to cover deficits of local housing authorities and (b) to enable the authorities to maintain adequate maintenance and operating services. HUD has made (b) the precondition of (a). Subsidies for operations only are completely ignored.

According to page 1 of the circular, the only local housing authorities who may receive funds to meet deficits are those who "have demonstrated that satisfactory standards of management and tenant responsibility have been or will be achieved." Payments of this subsidy are further contingent on the "discretion" of the Secretary.

Are preconditions and "discretion" proper interpretations of Congressional intent?

Local housing authorities in 15 large cities are now facing serious financial problems because operating costs, in line with the economy in general, have increased at a greater rate than project income. Such localities have been required to provide housing for a progressively larger proportions of the very poor, and the rents these families can afford to pay cannot keep pace with spiraling operating costs. Subsidy payments . . . are needed to bridge this gap.

So wrote the House Committee on Banking & Currency, explaining why the Brooke Amendment was necessary.¹⁰ Emergency subsidies to fend off financial collapse—this was the purpose and express intent.

BLAMING THE TENANTS: THE EASY WAY OUT

Besides conditioning subsidy payment on "satisfactory standards of management and tenant responsibility," the HUD circular takes time to place additional emphasis on the latter point. It quotes an excerpt from the Congressional conference committee report which calls for tenant responsibility in public housing "including responsibility for the protection and care of property."¹¹

To blame the tenants for the failure of the

^{*}Copy attached as Supplement to this paper.

Footnotes at end of article.

public housing program is a notorious ploy. But does it hold up to the facts? Is it realistic, let alone fair, to expect public housing tenants—who are already paying rent—to take responsibility “for the protection and care of property”? If they are going to pay rent, that rent should be used for the protection and care of property, and this is the job of management.

As a matter of fact, many local housing authorities, with HUD approval, use leases which forbid tenants to make any repairs on their units: to change locks, to install home improvements, to change a broken window pane, to contract for a home painting job.

It is simply absurd to make “tenant responsibility” a prerequisite for subsidy. It is obvious that in preparing this circular, HUD zeroed in on one of the few Congressional statements which puts the blame on public housing tenants, rather than on the failures of the program itself. By giving this phrase free publicity, HUD has encouraged the perpetuation of prejudice against the families who live in public housing.

RENT REDUCTIONS: REVERSING CONGRESSIONAL INTENT

Will rents be reduced? Not if HUD can help it. The Brooke Amendment explicitly states that no public housing tenant is to pay more than 25% of his income for rent, and further, that it is not the intention of Congress that all rents be fixed at the 25% level. This caveat is critical; most local housing authorities presently use a rent-income ratio of less than 25%. In HUD's Region II, for example, which encompasses the mid-Atlantic states, the average rent-income ratio is between 20% and 23%. No housing authority in Region II uses a 25% rent schedule across the board (though individual tenant families, particularly those paying minimum rents, may be charged that much or even more on a case basis).

Does HUD accurately implement Congressional intent? While allowing that “it is not necessary to raise all rents to 25% of income”, the HUD circular does suggest that local housing authorities adopt a new definition of income (by which rents are computed):

“The definition of family income which is described below, and which must be used to determine eligibility for the subsidy . . . is a simple and easily administrable formula which local housing authorities may wish to consider adopting for purposes of administering their local program.”¹²

What this “simple and easily administrable” formula actually represents is a new and very narrow definition which eliminates many of the deductions HUD has previously recommended, which have enabled public housing tenants in many cities to increase their economic earnings without being penalized by constant rent increases. HUD's new definition of income provides only the barest deductions and exemptions from gross family income (i.e. the total income of all members of a family):

1. 10% of gross income.
2. \$100 exemption for each minor and each dependent adult.
3. Casual gifts, earnings of minors in school full-time, amounts received for costs of illness or medical care, inheritances, insurance payments, scholarships, servicemen's pay.

Such a definition does not allow deductions for the earnings of secondary wage-earners (for example, a wife who takes a part-time job to supplement her husband's earnings); eliminates deductions for amounts spent on child day-care and job training, a clearly regressive step; gives only token deductions for minors and includes all income from non-student minors, a clear reversal of past HUD policy.¹³

The result of this definition of income

Footnotes at end of article.

will be to raise the apparent income of tenant families and lead to increased rents. By suggesting that local housing authorities adopt this definition as their normal working formula, HUD is deliberately sowing antagonisms between tenants and managements; it is undermining progressive local housing authorities whose current definition is more liberal than the suggested one; and it is encouraging less enlightened local housing authorities to continue in their old ways. Under such a system, long-practiced by welfare agencies, poor people are punished for their attempts to raise their standard of living. Income from extra jobs and hard work will be swallowed up in increased rents. Is this what Congress intended?

THE 25-PERCENT SUBSIDY: OPENING THE DOOR TO HIGHER RENTS

As indicated in a previous section of this paper, very few housing authorities have a rent schedule of 25%. Since this particular subsidy only applies to units where tenants do pay 25%, the only way a local housing authority could really cash in would be to contradict Congress' express intent and raise all rents to 25%, HUD has practically made this suggestion outright, in paragraph 4(d) of the circular. Who will stop the local housing authorities from taking the hint?

REDUCING RENTS TO 25 PERCENT: A BUREAUCRATIC ILLUSION

In those cases where some rents are currently above 25%, local housing authorities are required to reduce rents to that level. But, in performing this action, LHAs will be using the HUD definition of income.¹⁴ For instance: Family X is currently paying rent which according to the local housing authority's definition, amounts to 30% of their income. Under HUD's definition however, their rent comes to only 24% of their income. Family X will get no rent decrease. By sleight of hand, HUD has lowered the number of tenants who appear to be paying more than 25% of their income for rent. And, in the process, HUD has lowered the number of tenant families who will enjoy the intended benefit of the law: lower rents.

WELFARE TENANTS: NO HELP FOR THEM

The language of the Brooke Amendment specifically authorizes HUD to withhold “25%” subsidy payments from local housing authorities in cases where a reduced rent would not benefit the tenant. This refers to the welfare rent system, by which welfare tenants in public housing receive a shelter allowance from their local public welfare agency, contingent on the rent they are charged. In most localities, the welfare tenant's grant would be reduced if his rent were reduced. The result: HUD subsidy would be substituting for money otherwise provided to housing authorities by HEW/state dollars, in the form of welfare shelter grants.

To prevent this the Brooke Amendment stipulated that rents for welfare tenants should not be decreased unless local welfare agencies agreed to maintain the shelter allowance at its original level and permit the extra money to remain with the tenant family.¹⁵ The law also directs the Secretaries of HUD and HEW to perform a joint study of the welfare rent system in order to provide welfare tenants with the maximum benefits of the law in and out of public housing.

The HUD circular of March 16, 1970, indicates no HUD-HEW agreement on welfare rents; it says that a second circular will be published to deal with this problem. In the meantime, welfare tenants in public housing will derive no benefit from the 25% ceiling imposed by the Brooke Amendment.

“EXISTING DEFICIT”: NARROW INTERPRETATION REVERSES CONGRESSIONAL INTENT

According to HUD's interpretation of the new law, “existing deficit” means an actual

budget deficit which occurs during the fiscal year in which the law was signed. HUD General Counsel Sherman Unger has ruled (over objections from Congressional sponsors of the bill) that no deficit subsidy will be disbursed to any local housing authority, beyond the current fiscal year. For housing authorities currently on the brink of bankruptcy, whose coming fiscal year will show an operating deficit, HUD has closed the door on financial assistance.

For those housing authorities with current deficits, the prognosis is nearly as bleak. HUD has only requested \$6.5 million for deficit subsidy payments for Fiscal 1970, for the whole country. Yet the Philadelphia Housing Authority alone has a current deficit of nearly \$5 million. The Housing Authority of Newark, New Jersey, is completely bankrupt, as is the National Capital Housing Authority. \$6.5 million would, perhaps, give one of these a decent financial status.

This kind of half-hearted subsidy will not save one single local housing authority from incipient bankruptcy. Why didn't HUD request a full \$75 million for this and the other 1969 subsidies? Why didn't it formulate a full-scale emergency subsidy program, with full monies, to fulfill the promise of the Brooke Amendment?

CONCLUSIONS

One thing is clear. The Department of Housing and Urban Development has sabotaged the intent of the Brooke Amendment and done its best to ignore or render useless the new subsidies contained in the HUD Act of 1969. Worse, the HUD guidelines explicitly blame public housing tenants and local housing authorities for the troubles of the program in express violation of the opinion of Congress.

All this is no shock to long-term HUD-watchers. Time after time, year after year, its policy-makers have tried to shift attention from the inadequacy of the program subsidy; counseled housing officials to “solve” their fiscal crisis by raising rents or admitting “higher-income poor” to the projects; resisted past pleas for the statutory maximum contributions; evaded federal responsibility for the legacy of past public housing policies, including the high-rise horrors which were built under government specifications in the 1950's; and, in short, made steady efforts to obstruct meaningful reform of the public housing program, to block change and foster entrenchment of racist and repressive anti-tenant policies.

HUD is piling failure upon failure, and the victims of its campaign are the very people public housing was intended to serve: low-income American families. Families who now live in public housing, on limited incomes, facing ever-increasing rents which never seem to benefit them: families who need public housing, being told that HUD wants a “mix” and so higher income families will get a unit before them; families, in short, whose need is greatest. These are the people HUD is trying to drive—and keep out—of public housing.

If HUD persists, and goes unchallenged, then we can only echo NAHRO's prediction: “A social crisis of major proportions” will engulf public housing in very short order. We are heading down a dangerous road indeed.

FOOTNOTES

¹ The United States Housing Act of 1937 stipulates that:

“The term ‘families of low income’ means families (including elderly and displaced families) who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use.” (Section 2(2) as amended in the HUD Act of 1965.)

“The Authority (of HUD) may make an-

nual contributions to public housing agencies to assist in achieving and maintaining the low-rent character of their housing projects . . ." (Section 10(a)).

"Annual contributions shall be strictly limited to the amounts and periods necessary, in the determination of the Authority (of HUD), to assure the low-rent character of the housing projects involved. Toward this end the Authority (of HUD) may prescribe regulations fixing the maximum contributions available under different circumstances, giving consideration of cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the amounts and periods of assistance needed to achieve and maintain low rentals. . . . Provided, that the fixed contribution payable annually under any contract shall in no case exceed a sum equal to the annual yield, at the applicable going Federal rate plus 1 per centum, upon the development or acquisition cost of the low-rent housing or . . . project involved." (Section 10(b)).

² For a discussion of the evolution of public housing and its clientele, see *Government and Slum Housing: A Century of Frustration*, by Lawrence M. Friedman, especially pages 116 through 146 (Chicago: Rand-McNally & Co., 1968).

³ *Report of the National Commission on Civil Disorders* (The Kerner Report), Bantam Books, 1968.

⁴ In May 1969, the NAHRO Housing Divisional Committee was informed by HUD that "a growing number of housing authorities are headed toward bankruptcy in their operations if present trends continue, because revenue derived from rents is not keeping pace with mounting administrative and maintenance expenditures." Signed by HUD Assistant Secretary Lawrence M. Cox, the letter continued,

"Therefore, local authorities must find better ways to live within their means. . . . There are two basic courses which need to be considered on the income side. One is an increase in rents. . . . The other is a tenant selection policy which admits persons with a range of incomes sufficient to produce the average rent necessary to balance expenditures . . .

"The legislation . . . does not require the program to serve only the lowest of the low-income families. . . . Nevertheless, if a community chooses to house a larger percentage of the lowest income levels than can be done in a self-supporting manner, . . . then it must be prepared to assume financial responsibility for such a decision. . . ."

(Letters from Lawrence M. Cox, HUD Assistant Secretary for Housing & Renewal Assistance, to Ronald L. Brignac, NAHRO Housing Divisional Committee, May 26, 1969.)

⁵ Testimony of Mr. Jesse Gray, National Chairman, National Tenant Organization, before the Senate Subcommittee on Housing and Urban Affairs, July 18, 1969. (*Hearings*, pages 233-4).

⁶ "Is Public Housing Headed for a Fiscal Crisis?" by Albert A. Walsh, in *Journal of Housing*, Volume 2, February, 1969.

⁷ Testimony of William L. Rafsky, President, NAHRO, before the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency, U.S. Senate, July 18, 1969 (*Hearings*, page 198).

⁸ NAHRO statement on the Budget for Fiscal 1970 of the Department of Housing and Urban Development, July 8, 1969.

⁹ In its statement on HUD's Budget for Fiscal 1970, NAHRO pointed out that, "local housing authorities do not now receive even the full subsidy authorized under the (1937) statute. An administrative determination, in effect since the beginning of the program, has restricted the federal subsidy to debt service requirements. (Emphasis in original, reprinted in the record of the Senate Hearings before the Committee on Appropriations, page 876).

¹⁰ *Report of the House Committee on Banking and Currency*, September 30, 1969, page 14.

¹¹ HUD circular, March 16, 1970, page 2.

¹² HUD circular, page 3 (emphasis added).

¹³ In the HUD circular of March 22, 1968, "Social Goals for Public Housing," local housing authorities were urged to "liberalize the definition of income with respect of the income of minors. (page 2)

¹⁴ This is a requirement of the HUD guidelines. See note 12, page 8.

¹⁵ The welfare department of the District of Columbia has instituted such a policy. The National Capital Housing Authority will therefore be applying the 25% limitation to rents of welfare recipients in the District, and the tenants will be receiving the extra dollars as part of their regular grant. Such an arrangement should be instituted in other parts of the country. Whether it will be, depends on HUD and HEW cooperation, together with the effect of local pressures from welfare tenants and their representatives.

IMPLEMENTATION OF SECTIONS 212 AND 213 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1969

1. *Purpose.*—The Housing and Urban Development Act of 1969 establishes important new policy and authorizes additional financial assistance for dealing with housing authority deficits, levels of operating and maintenance services, and amount of income which may be paid by tenants for rent. The purpose of this Circular is to outline the Department's policies and requirements with respect to implementation of Sections 212 and 213 of that Act.

2. *General:*

a. The Act provides that the rent of a public housing tenant may not exceed 25 percent of the family's income, as defined by the Secretary. (Section 213(a)). This limitation on rents becomes effective no later than March 24, 1970. (Section 213(b)).

b. The Act also provides authority for HUD to pay annual contributions in excess of debt service requirements up to the statutory annual maximum (Section 212(a)) and it provides for that purpose an additional \$75 million in contract authorization (Section 212(b)) which, in accordance with the Conference Report on the Act, may be used to make payments for the following purposes:

(1) To cover existing operating deficits of public housing agencies and enable them to maintain adequate operating and maintenance services and adequate reserve funds.

(2) To make up the amount by which the proportionate share of operating and maintenance expenses attributable to a dwelling unit exceeds 25 percent of the tenant's income, provided the tenant is paying 25 percent of income for rent.

3. *Meeting existing operating deficits:*

a. The Secretary may, in his discretion, make payments to cover existing deficits of Local Housing Authorities, taking into consideration the adequacy of operating and maintenance service and reserve funds, in those cases where the LHA has demonstrated that satisfactory standards of management and tenant responsibility have been or will be achieved.

b. An existing operating deficit means a deficit including the deficiency in the normal maximum reserve existing for the LHA's fiscal year which includes December 24, 1969. Such payments do not apply to future deficits which may arise.

c. As the Conference Report stated in part: "The Committee is deeply concerned over cases of lax management in many public housing projects which have led to high operating costs, deterioration of property, and an intolerable environment for the families who live there. . . ."

"The conferees wish to make it clear that the benefits of subsidized public housing, in-

cluding those provided by this Section, cannot be achieved without tenant responsibility, including responsibility for the protection and care of property."

In seeking assistance under this provision of the Act, LHA's should be prepared to provide specific information on the positive actions they have taken or propose to take in cooperation with the tenants, to meet the concerns of the Conference Committee as stated above.

4. *Payments over 25 percent of income:*

a. The Secretary is authorized to provide payments to make up the amount by which the proportionate share of operating and maintenance expenses attributable to a dwelling unit exceeds the contract rent derived from a gross rent based on 25 percent of the tenant's income, as defined by the Secretary.

b. The Conference Report states that these payments may not be made with respect to a dwelling unit unless the rent paid for the unit is 25 percent of the tenant's income. The Report also states that the conferees do not intend that all tenants in public housing should pay 25 percent of income for rent. In order for the LHA to obtain assistance on behalf of those families which are paying more than 25 percent of income for rent, it is not necessary, therefore, to increase all rents to 25 percent of income and such action is not anticipated.

c. In order to compute the amount of subsidy to which an LHA is eligible, three definitions are essential—a definition of the term "operating costs," the term "rent," and the term "family income." These definitions are set forth in paragraph 7 below. Although it is recognized that many state laws and local practices provide for differing interpretations of "family income," the Act provides for the Secretary defining the term for purposes of Section 213.

d. Except as the Act requires that no tenant pay more than 25 percent of income for rent, as defined by the Secretary, it does not otherwise affect the authority contained in Section 2(1) of the United States Housing Act with respect to the establishment of rents and income definitions for eligibility purposes by the LHA's.

e. The definition of family income which is described below, and which must be used to determine eligibility for the subsidy provided by Sections 212 and 213, is a simple and easily administrable formula which LHA's may wish to consider adopting for purposes of administering their local programs.

5. *Examination of incomes:*

a. LHA's should commence immediately to examine incomes for purposes of determining eligibility for rent adjustments. Adjustments in rent should be based, to the extent possible, on family income data obtained in connection with regular or special re-examinations now in process or recently completed. In other instances, adjustments should be based on the latest verification of family income available to the LHA, and affected tenants should be notified of the basis for such adjustments.

b. If the required rent adjustments cannot be made by March 24, 1970, they shall be put into effect at the earliest date possible, retroactive to March 24, 1970.

6. *Tenants receiving welfare assistance:*

a. Section 213(b) of the Act states that the limitation on rents at 25 percent of income shall not apply in any case in which the Secretary determines that limiting the rent of any tenant or class of tenants will result in a reduction in the amount of welfare assistance which would otherwise be provided to such tenant or class of tenants by a public agency.

b. The Conference Report explained this provision with the statement:

"The conferees are disturbed by the growing practice of stretching an inadequate

welfare budget by placing in public housing increasing numbers of families who cannot pay even the operating costs of the unit they occupy. The Conferees are hopeful that within the context of the welfare program, some means can be found to provide as much support for a welfare family in public housing as would be provided for that family in private housing."

LHA's should, therefore, keep careful records of the amount of welfare payments received by tenants whose rents are adjusted under this Act, both before and after such adjustment. A separate Circular will provide instructions as to actions which should be taken with respect to tenants receiving welfare assistance.

7. Definitions:

a. *Rent.* "Rent" shall mean Gross Rent as defined herein.

b. *Gross Rent.* "Gross Rent" means Contract Rent plus the LHA's estimate of the value or cost to the tenant for reasonable amounts of utilities purchased by the tenants and not included in the Contract Rent.

c. *Contract Rent.* "Contract Rent" means the rent charged a tenant for the use of the dwelling accommodation, equipment, services and utilities supplied by the project. Contract Rent does not include charges for utilities which may be purchased by the project and sold to the tenant as a transaction separate from the payment of such rent, charges for excess utility consumptions, or miscellaneous charges.

d. *Utilities.* Utilities means water, electricity, gas, other heating, refrigeration, and cooking fuels, and other utilities. Other utilities include, but are not necessarily limited to, sewage and garbage or trash collection for which a separate charge is made the tenant by the LHA or others. Telephone service and electricity for tenant-installed air conditioners may not generally be included as a utility.

e. *Family Income.* "Family Income" means income¹ from all sources of each member of the family in the household, including minors, anticipated to be received during the twelve months following admission or redetermination of family income (as the case may be) less: (1) a deduction of 10 percent of family income; and (2) an exemption of \$100 from family income for each minor (other than the head or spouse) and

¹In the case of self-employed persons, income means the net income from the operation of the business or profession. Also, the following are not considered as income by HUD:

(1) Casual, sporadic and irregular gifts, earnings of minors attending school full time, and amounts which are specifically received for, or are a reimbursement of, the cost of illness or medical care.

(2) Lump-sum additions to family assets, such as inheritances, insurance payments, including payments under health and accident insurance and workmen's compensation, capital gains, and settlements for personal or property losses.

(3) Amounts of educational scholarships paid directly to the student or to the educational institution and amounts paid by the United States Government to a veteran for use in meeting the cost of tuition, fees and books, to the extent that such amounts are so used. (Any of such amounts not so used and any amounts available for subsistence are to be included in Family Income.)

(4) The special pay to a serviceman head of a family away from home and exposed to hostile fire (e.g., Viet Nam); relocation payments for moving expenses to families and individuals displaced by urban renewal or other governmental action; and, pursuant to the Food Stamp Act of 1964, as amended, the value of the coupon allotments for the purchase of food in excess of the amount actually charged the eligible households.

for each adult (other than head or spouse) dependent upon family for support.

1. *Operating Maintenance Costs.* Operating and maintenance costs attributable to a dwelling unit for purposes of determining the maximum subsidy payable under Section 213 means costs computed pursuant to the following formula:

(1) Compute the sum of Total Operating Expenditures and additions to Operating Reserve and divide by the number of rooms. This gives the cost per room. (Rooms as used herein means all rooms in all projects under a single Annual Contributions Contract except for leased housing which shall be separately calculated.)

(2) Multiply the cost per room by number of rooms in the dwelling unit. (The number of rooms for each size unit shall be computed in accordance with Low-Rent Housing Pre-construction Handbook, RHA 7410.1, Chapter 3, Section 1.) This gives the cost attributable to each unit by size.

(3) For leased housing the cost attributable to the dwelling is the sum of the rent paid to the owner and LHA costs less the fixed annual contribution payable per unit.

8. Legislative citations:

a. Section 212:

(1) Section 212(a) of the HUD Act of 1969 (PL 91-152) amends Section 10(b) of the United States Housing Act of 1937 to make clear that HUD has authority to pay annual contributions in excess of debt service requirements up to the statutory annual maximum.

(2) Section 212(b) increases the amount of annual contributions authorized under Section 10(e) of the United States Housing Act of 1937 by \$75 million.

b. Section 213:

(1) Section 213(a) provides that the rent of a public housing tenant may not exceed 25 percent of the family's income as defined by the Secretary.

(2) Section 213(b) provides that the above limitation on rents shall be effective not later than 90 days following its enactment. It also provides that the 25 percent limitation shall not apply in any case in which the Secretary determines that limiting the rent of any tenant, or class of tenants, will result in a reduction in the amount of welfare assistance which would otherwise be provided to such tenant, or such class of tenants, by a public agency.

(3) Section 213(c) amends Section 14 of the United States Housing Act of 1937 to make it clear that the Secretary is authorized to amend annual contributions contracts to provide rates of contribution based on the current going federal rate of interest.

OUR PLEDGE TO AMERICAN PRISONERS

Mr. GRIFFIN. Mr. President, when an American citizen joins the Armed Forces, whether as an officer or an enlisted man, whether as a volunteer or as a drafted inductee, he takes an oath of loyalty to the United States.

It is an impressive ceremony, this oath-taking.

At the same time the rest of us in America are, in effect, making to the young man an equally solemn pledge. It is a pledge by implication that while he is serving America the rest of us will do what we can to insure his safe return. We will supply him with the needed training and equipment. We will provide him with adequate leadership and every possible protection.

This implied pledge by his fellow citizens goes beyond this. As he takes his oath we are saying to him, in return, that if captured or harmed, we, his fellow

Americans, will make all possible efforts to restore him to health and to his family.

In other words, Mr. President, the giving is not all on one side; it must be a two-way street. We are asking the young soldier to offer his life and his abilities for his country. In return we are promising to do all in our power to minimize that sacrifice and give it meaning.

In the simplest possible words that is why we in the Senate are so deeply concerned with the fate of some 1,500 of these young men who have been captured by the enemy and are presently being held in North Vietnam.

These men took an oath to serve faithfully and well. They have discharged that obligation. Some died in consequence of that oath. Some were captured by the enemy. Those who have been captured are still in the process of keeping faith with their fellow countrymen.

We can do no less than keep faith with them and with their families.

Our pledge to them may never have been spoken in words and in a solemn ceremony. Theirs was both. But our country's pledge to them is nonetheless real and is no less solemn than theirs. Indeed, by all criteria it must always be considered even more so. We will never—we can never—break our faith with them.

As a nation we must work daily, hourly, constantly to discharge this awesome responsibility to these men. We believe there are some 1,500 of them held prisoner; we do not know for sure because we have never been informed by the enemy as to how many men they hold.

But even if there were only two prisoners, or even only one, our responsibility and our obligation would be as great to those two, or that one.

Mr. President, I say to you and to all my colleagues in the Congress that we must exert every conceivable power at our command to return these men safely home. Until that day comes when they are brought back, we must do all we can to make life for the men themselves more bearable. And we must do what we can to aid the families of these men, who live now under a heavy cloud of anxiety and concern.

The American Government and the American people are equally involved in this responsibility.

We owe it to the men and we owe it to the women and children and parents they left behind.

We cannot rest until we have completely fulfilled this responsibility.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12619) to amend section 11 of an act approved August 4, 1950 entitled "An Act relating to the

policing of the buildings and grounds of the Library of Congress."

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 15628) to amend the Foreign Military Sales Act.

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

There being no objection, the Senate resumed the consideration of the bill.

Mr. MANSFIELD. 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. BELLMON. 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.

The Senator from Oklahoma is recognized.

Mr. BELLMON. Mr. President, in his play, "King Henry VI," William Shakespeare has one of his characters use these lines:

Not to be seen: my crown is called content. A crown it is that seldom kings enjoy.

Certainly the decisions the chief executive of a nation must make regarding the conduct of war and which involve the ultimate power which a government can vest in its leaders is a crown which those leaders seldom enjoy. Clearly for President Nixon, the decisions relating to the Vietnam war have been the most troublesome and difficult he has had to make. And the most recent one, involving the Cambodian sanctuaries, is by far the most difficult of the lot.

President Nixon is certainly not insensitive to the political price he is paying for what he considers to be an honorable course in Southeast Asia. He is not so insensitive or so uninformed as to fail to recognize that this has come to be this Nation's longest and most unpopular war and that he could become an international hero overnight if he yielded to the temptation simply to pull out American troops and come home.

Clearly, this country and much of the rest of the world is impatient for this war to be brought to an end. No one denies that there is much to be done here at home, and certainly no one denies the war is causing deep divisions among our people and serious repercussions throughout the economic system of this country. There is now evidence that these ill effects are being felt abroad.

Mr. President, I believe that President Nixon is equally cognizant that our disengagement is vitally important for the future of a viable nation in South Vietnam. He knows the South Vietnamese people and understands their need to assume responsibility as rapidly as possible if that country is ever to assume

mature status. I believe he has set such a course for our country and that the actions of his administration demonstrate his dedication to this course. Since coming into office 16 months ago, he has developed and followed a course of de-Americanization and has set for himself additional goals which will keep us on this course for at least the next 12 months.

Until the Cambodian sanctuaries were attacked there appeared to be general agreement with President Nixon's Southeast Asian policies. Certainly Mr. Nixon had critics, some in this body, some on the campuses, who felt he should be moving faster; but until Cambodia, even his critics generally supported his Vietnamization policy which had reduced American casualties and costs and increased the South Vietnamese Government's role in the defense of their nation.

The decision to enter Cambodia, even along the very narrow and restricted guidelines which President Nixon has laid down, has clearly been one of the most unsettling developments of this entire war. I can certainly understand the reasoning behind the Church-Cooper amendment and generally support the statement of the Senator from Kentucky (Mr. COOPER) who has explained to this body that the intention is merely to make certain that the President does not inadvertently become deeply mired in Cambodia as we have been since 1965 and before in South Vietnam. I recognize there are others who support this amendment because they simply do not trust President Nixon, and with these I totally disagree. I feel the President has conducted his office in a highly honorable manner and that he has and will continue to keep his word with the American people.

I also feel he has displayed a high quality of leadership in his decision to go into Cambodia and I wish to commend him for the leadership he has shown.

Mr. President, there is another element in this debate which seems worthy of exploration. The President's decision to go into Cambodia has again raised the question as to how this country became so deeply involved in South Vietnam and about the entire process of how we go to war.

While I was not a member of this body when the war in South Vietnam began, I can readily understand the frustration which has built up as the war has dragged on and on, becoming more deadly as time has passed. I can understand that some of those who initially supported President Johnson's decision to send increasing numbers of troops to South Vietnam have decided that this is a serious misadventure, because the scope of the war has vastly exceeded their earlier expectations. The whole process has reminded me of one of Uncle Remus's tales, the story of Brer Rabbit and the Tar Baby.

Mr. President, this is a story which is familiar to most of us but I would like to read a part of it for the RECORD at this time.

As the story goes, Brer Fox went to work to catch Brer Rabbit:

He got some tar and some turpentine and fixed up a contraption that he called a Tar-Baby. He took the Tar-Baby and put it by the side of the big road. Then he went off into the bushes to see what was going to happen.

He didn't have to wait very long before Brer Rabbit came prancing down the road—hippity-clippity, clippity-hippity—as sassy as a jaybird. Brer Fox just lay low. Brer Rabbit pranced along until he spied the Tar-Baby, and then he sat back on his hind legs, astonished. The Tar-Baby, just sat there, and Brer Fox just lay low.

"Morning!" said Brer Rabbit. "Nice weather this morning," he said.

The Tar-Baby didn't say anything, and Brer Fox lay low.

"How are you feeling today?" said Brer Rabbit.

Brer Fox winked one eye slowly, and lay low. And the Tar-Baby didn't say anything.

"What's the matter with you? Are you deaf?" said Brer Rabbit. "Because if you are, I can holler louder," he said.

The Tar-Baby didn't say a word, and Brer Fox lay low.

"You're stuck up—that's what's wrong with you," said Brer Rabbit. "I'm going to cure you of that, I am," he said.

Brer Fox chuckled when he heard that, but the Tar-Baby didn't say a word.

"I'm going to teach you how to speak to respectable folks," said Brer Rabbit. "If you don't take your hat off, and say howdy-do, I'm going to bust you right in the nose," he said.

The Tar-Baby didn't say anything, and Brer Fox sort of chuckled quietly to himself.

Brer Rabbit kept on talking to the Tar-Baby, and the Tar-Baby never said a word. Finally Brer Rabbit drew back with his fist and—blip!—he punched the Tar-Baby on the side of his head. Right there's where he made his mistake! His fist stuck and he couldn't pull it loose. The tar held him fast. The Tar-Baby still didn't say anything, and Brer Fox still lay low.

"If you don't let me loose, I'll knock you again!" said Brer Rabbit. And with that, he punched the Tar-Baby with his other fist! And that stuck, too! The Tar-Baby didn't say anything, and Brer Fox lay low.

"Turn me loose, or I'll kick the stuffing out of you!" said Brer Rabbit. But the Tar-Baby just held on. Then Brer Rabbit struck the Tar-Baby with his feet—first one and then the other—and they stuck fast to the Tar-Baby, too! Brer Fox still lay low.

"If you don't turn me loose," squalled Brer Rabbit. "I'll butt you with my head!" And he butted the Tar-Baby, and then his head got stuck.

Just then Brer Fox sauntered forth, looking as innocent as a mockingbird.

Mr. President, our involvement in Southeast Asia has in many ways resembled Brer Rabbit's encounter with the tar baby.

Clearly, this is no way for a nation like ours to become involved in war, the most serious and dangerous endeavor mankind can possibly know. To send thousands of men to their deaths and billions of dollars up in flames almost by accident or inadvertence, is unthinkable in these times. The whole process clearly needs to be reexamined. The present procedures were evolved in less perilous and less confusing times than those we now face and a new look at the entire process is long overdue.

Mr. President, I therefore agree with those who have expressed a desire for a thorough in-depth reexamination of this country's war-entering process. It is my opinion that the collective judgment of the Congress would, throughout time,

prove to be more reliable and less dangerous for this Nation's security than the action of one man, except in those cases when this Nation was under actual or imminent attack of such a nature as to jeopardize our survival.

This question clearly needs to be settled before another Vietnam erupts or creeps up on us as the action in Southeast Asia has done.

The present problem, however, is that all these needs existed before President Nixon announced his decision to enter Cambodia and before the first American combat troops crossed the Cambodian border. To enter upon a debate or to undertake a change in the war-entering processes at this time and without long and careful preparation is to act hastily and in a climate of high emotional feeling in this country. Such an ill-timed debate is therefore likely to produce the same disastrous type of results as those which followed the passage of the Gulf of Tonkin resolution.

The questions as to how we became so deeply involved in South Vietnam had all been raised time and time again even long before Richard Nixon became President and began the Vietnamization process. The real issues in this debate, as I understand them, are these:

First. Is the decision to destroy the sanctuaries tactical, or is this in fact a new and different war?

Second. Will this action reduce casualties and hasten American disengagement, or will it stretch out the war and cause even greater numbers of young Americans to be killed or wounded?

Third. Are we in fact disengaging in Southeast Asia, or are we becoming more and more mired down with the passage of time?

Fourth. Are the South Vietnamese gaining in strength, stability, and unity, so that they can provide their own defense against the North and hopefully survive as a viable nation as South Korea has been able to do?

Mr. President, in endeavoring to find answers to these questions I believe it is helpful to remember our mission in South Vietnam. Our purpose there is simple: To provide security for the people of South Vietnam while they build their economy, establish the vital social functions needed by a viable nation, and to develop a stable government able to provide reasonable internal and external defense and earn the general support of the people. While my personal knowledge of South Vietnam is much more limited than that of many of the Members of this body, I am convinced that steady and discernible progress toward this objective is being made.

Twice I have had the privilege of visiting South Vietnam, first in November of 1965 and again in July of 1969. In 1965, I was a member of the group of 10 Governors of American States who spent 4 days visiting the southern provinces of South Vietnam. At that time there was genuine concern that the Vietcong would soon capture many of the provincial capitals and key defense installations in South Vietnam. Saigon was under frequent shelling. An attack on the American Embassy caused heavy loss of life and property. Heavy attacks on such

cities as Da Nang were frequent. American defenses were unable to prevent the Vietcong from successfully attacking and damaging air bases with a resultant heavy loss of airmen and aircraft.

A total military government was in power in South Vietnam, right down to village and even hamlet level. Local government appeared to be inept and was frequently corrupt. Much of the countryside was held in a state of terror by the Vietcong. In a provincial capitol we visited, it was necessary for a battalion of troops to be stationed near the capitol in order to prevent its being overrun by the Vietcong and perhaps to provide security so that the essential governmental processes could continue.

All across South Vietnam roads were interdicted regularly by the Vietcong who collected taxes, terrorized travelers and inducted eligible but unwilling young men into the Vietcong forces. Bridges were frequently blown up; schools, hospitals, and powerplants were regularly destroyed; and the entire countryside was in a state of siege and virtual collapse, though there were some hopeful signs.

Successful attacks by the Vietcong on American and South Vietnamese military installations were regular. Our forces were unable to receive the logistical support they needed because of limited highway facilities and a totally inadequate transportation system—at the time we were there, 26 American ships were anchored in the Saigon harbor waiting long periods to be unloaded because there was very limited dock space and the process frequently took weeks. Facilities for the operation of our aircraft were limited and seriously inadequate to the need. Overall, the impression I received was that of a country which was in danger of being brought to its knees economically and which was in serious danger of being knocked out of existence by an aggressive, well-organized enemy that was deeply entrenched throughout the country.

Equally dangerous was the apparent lack of national unity and self-confidence. There were even serious questions as to whether the South Vietnamese forces possessed the potential to ever become an effective military organization. There was a tragic lack of trained and educated citizenry from which to draw the noncommissioned and company officers upon which a successful military operation of this kind largely depends. There was a real question as to whether or not the South Vietnamese could ever master the operation of the sophisticated military hardware which our Nation was beginning to supply. Overall, the situation, while it did hold some hope, could hardly be looked upon as ideal.

Mr. President, in 1965 there was valid reasons to doubt that South Vietnam could ever become a viable nation.

As most Senators realized, South Vietnam had long been a colony of the Chinese, the French, and the Japanese. Throughout these years the South Vietnamese people had been given very little opportunity to gain formal education, to learn modern technology, to master the skills of government, to learn and apply

modern agricultural methods, to develop their abundant natural resources, to participate in a meaningful way in commerce and industry, or even to develop the self-confidence which free citizens own as a birthright. Serious racial and religious schisms existed throughout the country, and there was no reliable communication system.

The Government, such as it was, enjoyed neither popular support, proficiency, nor popularity. While there were hopeful signs, and while the South Vietnamese were fighting valiantly and sacrificing heavily in hamlets, villages, and cities, it was obvious that the road ahead was long and tortuous unless they were heavily supported by men and materiel from outside sources, or unless the North Vietnamese could be discouraged from their conquest.

Mr. President, in 1969, in the company of the senior Senator from Alaska (Mr. STEVENS), I had the opportunity to return to South Vietnam for a slightly more extended stay. On this trip, Senator STEVENS and I were privileged to visit all four corps areas and made stops of varying lengths in something like 40 different locations.

To summarize quickly, South Vietnam, in 1969, seemed like a different nation than the country I had visited in 1965. On our last trip, it was obvious that travel by highway throughout all except the most remote areas was common practice in South Vietnam. Interdiction of roads by the Vietcong had almost ended. In fact, at the time we were there, it appeared that most of the enemy military activity in South Vietnam was being carried on by regular North Vietnamese units, which had moved into the country and taken over from the weakened Vietcong. There was considerable fighting still going on, but the ever-present danger to provincial capitals and even to most villages and hamlets had apparently largely disappeared.

Throughout the country, we found that farmers were back at work in their fields. We visited a fishing village which had been totally obliterated by the Vietcong and thereafter abandoned for a period of 2 years. When we visited the village, we found that homes had been reconstructed by local effort and with the use of a very limited amount of U.S. AID funds. We found that the thrifty fishermen had already produced and preserved food to last them for several months. We found that they had rebuilt their boats and nets and reestablished their fishing industry, so that family income had already reached a level of about \$200 per month. In so doing, they had increased the supply of fish for Da Nang to the point that the price of fish in the markets of that city had dropped about 30 percent.

In 1965, many seemed to feel that the Vietcong were truly agrarian reformers who enjoyed wide support among the peasants who were either confused or distrustful of the central government. The Tet offensive, which had occurred before our 1969 visit, seemed to have totally destroyed this image—this misconception—of the Vietcong and ap-

peared to have the effect of drawing the nation together for perhaps the first time in its history. These attacks and the acts of terror which the Vietcong perpetrated appeared to have created an awareness that this was truly an outside threat by a foreign country and caused the South Vietnamese to rally to the cause of their own defense in an effective and encouraging way.

Senator STEVENS and I were taken by Marine NCO's to a village where the popular forces had recently been equipped with automatic weapons and organized into a military unit which appeared able and willing to defend the village against future Vietcong or North Vietnamese assaults. It is highly significant to me that the Thieu government, which had been in office for many months, was secure enough in its position that it could issue arms of this kind to the civilian population at almost exactly the same time that our own Government was passing laws to make the ownership of far less deadly weapons more difficult or even unlawful in our own country.

Mr. President, one of the most impressive men I met in South Vietnam was Lieutenant General Lam, who commanded the forces of I Corps, that sector which lies closest to North Vietnam and which is, therefore, under the heaviest and most constant enemy pressure. At the time we were there, President Nixon had only recently announced and begun the withdrawal of American forces from South Vietnam, and we questioned General Lam at some length about his reactions to the President's decision.

While that conversation took place many months ago, his response is still indelibly impressed upon my mind. General Lam told us that it made little difference to him whether the Americans stayed or remained, because the war would go on regardless, and he felt secure that his people would be able to defend themselves ultimately. He feared a heavy loss of life if the Americans were withdrawn too hastily, but he assured me that he and the Vietnamese people generally knew that their lives were at stake and that they were determined to defend both their lives and their freedom with every resource at their command.

Throughout the trip, we were continually impressed with the obvious military competence which the South Vietnamese had gained. We found South Vietnamese manning our artillery pieces, using our communications and transportation equipment, flying heavily armed twin jet T-38's, and operating and maintaining our American-built helicopters.

At the time we were there, the first units of the "Riverine Forces" had been turned over to the South Vietnamese Navy, and Senator STEVENS and I spent several hours inspecting this fleet and observing the way the South Vietnamese crews handled both the operation and the maintenance of these specialized units which had been equipped to fight the war for the waterways of the Delta area.

Perhaps the most impressive experience of the entire trip was the unscheduled visit Senator STEVENS and I made to the outpost at Ben Het the morning

after the battle there had ended. Unfortunately, the American press gave little notice to this, the last major military engagement of the Vietnam war to date. The outpost of Ben Het lies only about 9 miles from the Cambodian border. The significant point is that when it became apparent that a regiment or larger force of North Vietnamese troops was moving against Ben Het, the American military commander in that district began to make plans to move American and South Vietnamese troops into position to defend this outpost. It was at this point that the local South Vietnamese commander approached the Americans to urge the South Vietnamese forces to fight this battle alone and unaided by American ground troops. The American commander agreed.

As a result, South Vietnamese forces, aided by American air and artillery support, occupied defensive positions, and through a lengthy and bloody battle succeeded in inflicting heavy casualties upon the North Vietnamese and finally took the offensive, driving the enemy back into their sanctuaries across the Cambodian border.

The battle had ended only hours before Senator STEVENS and I were lifted by helicopter into the Ben Het outposts. At the time we were there, several of the artillery pieces were still knocked out of commission; many trucks and weapons carriers were in a state of total ruin; every single pneumatic tire which I saw had been punctured by shrapnel or small arms fire; and the damage done to communications and troop emplacements had not been repaired.

Mr. President, in spite of the obvious devastation which the outpost had suffered, the spirit and attitude of the successful defenders of Ben Het was highly reminiscent of many scenes—which I remembered—from my service in World War II. These men had met the very best that the North Vietnamese and Vietcong could send against them; and on their own, without the help of American ground forces, other than a handful of advisers, they had thrown back the enemy and forced him to take cover in the sanctuaries which were off limits to the South Vietnamese troops. Certainly these men felt sorrow at the loss of their comrades, but there was no hiding the pride they felt at their accomplishment and the determination which had been kindled in them to restore their devastated outpost and build up their defenses for any future assault.

Mr. President, the military proficiency and individual self-confidence of the South Vietnamese has continued to grow and is again being demonstrated in the actions in Cambodia. Two columns published in the Washington Post on May 29 testify to this fact. I ask unanimous consent that they be printed in the RECORD at this point in my remarks.

The columns are entitled "Viet Troops' Splendid Performance in Cambodia Surprises U.S. Generals," written by Rowland Evans and Robert Novak, and "South Vietnamese Servicemen Have Now Proved Their Mettle," written by Joseph Alsop.

There being no objection, the articles

were ordered to be printed in the RECORD, as follows:

VIET TROOPS' SPLENDID PERFORMANCE IN CAMBODIA SURPRISES U.S. GENERALS

(By Rowland Evans and Robert Novak)

The splendid combat performance by South Vietnamese troops in Cambodia not only strengthens the Vietnamization program but casts dark clouds over the U.S. military advice going to President Nixon.

The way ARVN (Army of the Republic of Vietnam) outfits have handled North Vietnamese regulars in Cambodia's Parrot's Beak has evoked raves from the very U.S. generals who insisted they could not do the job. Gen. Creighton Abrams, U.S. commander in Vietnam, has personally expressed his surprise to the Pentagon. What's more, high officials privately make this blunt admission: The South Vietnamese could have performed the Cambodian operation *alone*, without U.S. troops.

The implications of this are staggering. It means Mr. Nixon could have enjoyed the military fruits of entering Cambodia without the calamitous political and economic consequences he now endures and without reactivating the dormant peace movement. The President could have avoided his present crisis of confidence had he rejected the counsel of the Joint Chiefs of Staff and instead heeded the advice of Secretary of Defense Melvin R. Laird, who wanted an all-ARVN operation in Cambodia.

This Cambodian dispute between Laird and the Joint Chiefs is the culmination of sharp backstage disagreement over Vietnamization between civilian and military at all levels which we observed during our recent reporting trip to Vietnam. Even before Mr. Nixon's April 20 announcement of another 150,000 U.S. troops to be withdrawn, the military felt he was pulling out too rapidly.

Adding respectability to this view was Gen. Abrams himself. No Colonel Blimp, Abrams is the most sophisticated American commander during 16 years in Vietnam. Moreover, Abrams knows all about the training of ARVN, having been originally assigned to Vietnam as Gen. William Westmoreland's deputy for that purpose.

Yet one high-ranking civilian official told us in Vietnam: "Abe just doesn't understand Vietnamization." He and other civilians feel Abrams and the uniformed military are missing an essential point of Vietnamization—that South Vietnamese troops must take over from the Americans not when they are ready, but *ready or not*. Otherwise, the South Vietnamese never will be ready.

This is best illustrated in the strategic Mekong River delta. The mighty U.S. 9th Division, only American ground troops in the delta, pulled out last August amid nervous prostration by the U.S. high command. The generals feared the 7th ARVN Division simply could not handle the job in troublesome Kienhoa and Dinhhuong provinces.

Superficially, their fears have been realized. Communist military activity in those two provinces has increased, and nobody claims the 7th ARVN performs nearly as well as the Americans. Nevertheless, since the Americans left, pacification—the Saigon government's control of the countryside—has moved steadily forward. In sum, the Vietcong are losing the delta guerrilla war.

It can even be argued that the heavy-handed U.S. 9th in the delta actually retarded pacification. Certainly, had Washington granted Gen. Westmoreland's 1966 request to send three U.S. divisions into the delta, the damage wrought by American troops—as we pointed out at the time—would have played into Vietcong hands.

That indicates the U.S. military still has not fully grasped the political complexities of guerrilla warfare. Beyond this, U.S. generals, noting that ARVN units are led by Vietnamese officers made cautious by 20 years

of constant warfare, express preference for U.S. units led by venturesome young officers out to make a record in six months of combat.

Save for the fateful exception of Cambodia, however, Laird has prevailed with the President against this military resistance. For instance, this summer's offensive against North Vietnamese encampments in Vietnam's bloody Ashau Valley near the Demilitarized Zone will be borne for the first time by South Vietnamese troops. Indeed, South Vietnamese are doing most of the fighting in Cambodia.

Contrary to the uninformed contention by U.S. doves that it has failed, Vietnamization is a success from a strictly military standpoint. Its basic problem is economic, the reduced flow of dollars into the country threatening runaway inflation by increasing Saigon's war costs.

With these economic problems still unsolved, Laird is pushing ahead for even faster Vietnamization—his hand strengthened by Cambodian events. Having proved themselves in the Parrot's Beak, the ARVN troops are at a peak of battlefield morale. And military doubts about their worth will carry considerably less weight in the White House henceforth.

SOUTH VIETNAMESE SERVICEMEN HAVE NOW PROVED THEIR METTLE

(By Joseph Alsop)

In common fairness, something more needs to be said about the performance of the South Vietnamese units in Cambodia. It is a crucial measurement of the practicality of the President's Vietnamization program; and above all, it gives the lie to a good many biased people who have made a lot of noise in this country.

From their first day across the border, the ARVN units' performance has continuously moved Gen. Creighton W. Abrams to the highest flights of praise. He is a man sparing of praise in normal circumstances; but he has used every adjective in the military book, from "outstanding" upwards, to characterize the dash and efficiency the South Vietnamese have shown.

More importantly perhaps, he is known to have described the success of the South Vietnamese in Cambodia as a "stunning psychological victory," in and of itself. This is because it has infused a quite new spirit of confidence and pride in all the South Vietnamese under arms. Until Cambodia, they had never been fully tested. Now they have been tested, and they have passed the test exceptionally well.

"Every Asian wants to be with the winner," Gen. Abrams is said to have concluded. "And now we are the winners."

The facts of the Cambodian campaign amply substantiate Gen. Abrams' assessment. Five ARVN divisions, the 9th, 21st, 22d, 23d and 25th, have been engaged, along with ARVN rangers, Marines and paratroopers from the reserve. Every one of these divisions has been portrayed, at various times, as a mere horde of cowardly scoundrels commanded by corrupt incompetents.

The corrupt incompetents have now proved to be first-rate leaders in the field, and the cowardly scoundrels have fought with relentless aggressiveness. And it must be remembered that they have been fighting the most famous North Vietnamese units assigned to duty in South Vietnam.

For example, the ARVN 25th division has successively taken on, and briskly decimated, the 88th, 271st and 272d regiments. That means that this South Vietnamese division, customarily labeled "the worst," has by now defeated all the main components of the enemy's 9th division, formerly labeled "the best."

The secret of this seeming-magical reversal of roles comes in two separate parts. "The best," obviously, was not nearly so good as everyone had come to believe, in the long

period when the enemy's 9th division had no real mission beyond occasional hit-and-run attacks.

"The worst," equally obviously, has been radically altered by being given an offensive role, at long last. ARVN, one must remember, was a defeated army at the time of the U.S. intervention on the ground; and since that time ARVN has been an army mainly committed to a purely defensive role. Taking the offensive, and with great success, has naturally made a lot of difference.

You can see the difference in the Pentagon arguments about the U.S. advisers with ARVN in Cambodia. At first, it was argued that the U.S. advisers really had to go along, to "provide stiffening." But now, somewhat ironically, the same people are just as passionately arguing that the U.S. advisers are still needed, to insure reasonable prudence.

Another remarkable fact, closely linked to the foregoing, also deserves attention—which it has not been getting. After all, two South Vietnamese divisions, plus other troops, have plunged out of IV Corps; one South Vietnamese division and one American division have moved out of III Corps; and at different times, two South Vietnamese divisions have marched into Cambodia from II Corps.

For the Vietcong and North Vietnamese units inside South Vietnam, these departures of their strongest opponents should have offered a golden opportunity. With the cats away, the mice ought to have played—and played a pretty murderous game, at that. But instead, the level of enemy effort in III Corps and IV Corps has dropped by more than a half since the Cambodian venture began.

Since the beginning of the Cambodian venture, in fact, the one fairly conspicuous enemy effort has been a probe by elements of the 2d North Vietnamese division, up in I Corps. The 2d ARVN division, defending the little district town that was under attack, has thus far just about abolished one of the regiments making the probe. Meanwhile the people of Hiepduc, the isolated mountain town that was in danger, are still tilling their fields as before.

Altogether, the Cambodian venture has given President Nixon's Vietnamization program a new look. For the South Vietnamese have now proven their mettle, while the enemy has suffered what should prove a crippling setback.

Mr. BELLMON. Mr. President, along with the observations of the improvement in South Vietnam's military and economic conditions, perhaps one of the most significant improvements which took place between 1965 and 1969 was in the South Vietnamese Government. Shortly before the American governors had arrived in South Vietnam in 1965, a long series of South Vietnamese governments had come into office, lasted only briefly, and then fallen before the military aggression from the North and the internal dissension at home. At the time we were in South Vietnam, President Ky was heading a military regime and preparations were being made for the writing of a South Vietnamese constitution and for the conduct of a nationwide election to install the first popularly chosen government in South Vietnamese history.

Mr. President, the fact that elections in South Vietnam were held, the fact that participation in these elections in spite of concerted Vietcong interference was heavy, and the outcome of the elections is well known and I do not propose to labor these points at this time.

There are many critics of the Thieu

government and I would be the last to say that it is without blemish. Also, I would be the last to say that our own Government or the government of any other nation is perfect. The critics of the Thieu-Ky government should recognize the almost impossibly difficult conditions under which it came to power and the stupendous task it faced in building a country at the same time it undertook to educate and train a total populace while providing security from an aggressive outside attacker. The survival of the Thieu-Ky government is a shock to its critics, and the degree of its success is a surprise even to its friends.

In spite of its obvious shortcomings, I honestly feel that the Thieu government deserves vast credit from governmental leaders throughout the world, and I believe that it will serve as an inspiration to other nations which are undergoing the throes of developing self-governing processes of their own. I wonder how many Members of this august body could have done as well if they could have exchanged places with President Thieu and Vice President Ky at the time they took over.

In the heated debate concerning the present status of Vietnam, and efforts toward Vietnamization, much rhetoric has been directed toward what has not been done and what will not be done. Too often the prevailing attitude is one of no achievement and no prospect of achievement. In order to set the record in better perspective, it is worthwhile to look at some of the progress that has been achieved on a comparative basis. To that purpose, I present the following facts and evaluation of many aspects of progress in Vietnam.

First, in terms of population security, there is marked improvement. On March 31 of 1967, 63.2 percent of the population could be classified as relatively secure. Eighteen percent were in contested status, whereas 18.8 percent were under the control of the Vietcong. Three years later, on March 31, 1970, 89.7 percent of the population had the benefit of relative security, whereas only 7.4 percent were contested and only 2 percent were under the control of the Vietcong. Population control tells only a part of the story.

However, for with improved security, other benefits also have accrued. Under the open arms amnesty program, members of the Vietcong and the North Vietnamese Army have increasingly declared their loyalty to the Government of South Vietnam. During the entire calendar year of 1965, a total of some 11,124 enemy soldiers rallied to the Government of South Vietnam. During the first 4 months and 9 days of calendar year 1970, some 11,458 enemy soldiers rallied to that Government, a rate which, if continued, will be three times the rate of the 1965 level. From the beginning of the open arms amnesty program in February of 1963, to May 9, 1970, a total of 151,861 enemy soldiers have rallied to the Government of South Vietnam.

In the development of any nation, the education of the people is of prime importance. At the time of initial independence of Vietnam, in 1954, some 400,000 children were enrolled in ele-

mentary school. Eleven years later, in 1965, the figure had increased to 1,651,000 children. The 1970 figures indicate that 2,300,000, or 82 percent of all the school-age children in Vietnam, are currently attending elementary schools.

Although the number of children in secondary schools is not as great, the trends show a remarkable growth in high school enrollment. At the time of independence in 1954, some 53,000 children were enrolled in secondary schools. By 1965, this figure had increased to 371,000. Current 1970 figures indicate that there are now 623,000 children, or 24 percent of all high school age youths in Vietnam, attending secondary schools.

A similar growth rate is reflected in higher education enrollment, in which a 1965 level of 26,000 students has increased to a current level of 42,000. Educational efforts are important in that they reflect the preparation of the people for the development of their nation and the governing of themselves.

During the trip I mentioned earlier, which Senator STREVEN and I took to Vietnam in 1969, we visited the community of Cheo Reo, which is made up largely of Montagnard people. We were amazed to find the progress they had made in building their hospital and installing a community water system, but particularly in building a very large and attractive school. The school had facilities to accommodate approximately 700 students. When one realizes that these students were coming from the Montagnard Tribe, a people who generally do not settle in one place but who are nomadic in their living patterns, it is easy to understand the tremendous importance that even the Montagnard of South Vietnam are beginning to place on education.

By the end of 1970, under the limited land reform programs which were effective prior to enactment this year of President Thieu's total land to the tiller program, land tenancy will have been reduced from 77 percent of the country's farm land in 1954 to 58 percent. The land to the tiller program is expected to virtually abolish tenancy within 5 years, affecting 600,000 tenant families. This program will turn over more than half of the country's rice fields to families, comprising about 25 percent of the total population. The 1964-65 crop was the last big year for crop production in Vietnam until this year. The intervening years show sharp drops in rice production as the war has made rice farming hazardous in many areas. As rice farmers turn to more remunerative occupations in the cities, and other crops such as vegetables became more profitable, official estimates for the 1969-70 harvest is 5,115,000 metric tons of paddy rice. This compares with the previous year's figure of 4,366,000 metric tons, and is the largest crop since the 1964-65 figure of 5,185,000 metric tons. Although the crop year officially extends to May 31, the bulk of the rice is harvested in December, January, and February. What is remarkable is that the restoration of rice production and the delta surplus to the level of the early 1960's has come about through increased productivity, not

through restoration of the crop area. During the years of declining rice production, rice yields per hectare remained mostly constant, but a noticeable increase has occurred in the last few years as farmers have increased their use of fertilizer, pesticides, and water pumps for irrigation and have increasingly adopted improved seeds. These yield increases are expected to continue, and Vietnam will probably produce enough rice to meet its domestic needs by 1971 in spite of the war, the reduction in the area seeded, and the small numbers of rice farmers.

In another area of food production, fisheries output has risen steadily from 375,000 metric tons in 1965 to 463,844 metric tons in 1969. This is an increase of over one-fourth. Production of poultry had dropped from 22,200,000 birds in 1965 to 19,700,000 birds in 1967, and again rose to 23,000,000 birds by the end of 1969. Swine output dropped from 3.5 million head in 1965 to 3.2 million in 1967 and rose to 3.9 million head by the end of 1969.

Population security also is reflected in the level of refugee population, which reached its peak of 1,400,000 people at the end of March 1969. By January of 1970, some 488,000 head returned to their home villages and 586,000 more had been otherwise resettled. The displaced population in January of 1970 existed at approximately the 270,000 level.

One of the most noticeable advances of recent years has been the growth of responsible elected local self-government. In 1965, there was no elected village or hamlet administration. Officials were appointed by the central government, and their actual authority and responsibilities were quite limited.

In 1967, the Vietnamese Government began to hold elections for such officials in the more secure areas. As those areas expanded, so did the number of local administrations. By the end of 1969, some 90 percent of all the hamlets and villages in South Vietnam had such administrations. This spring, nearly half of those had been subject to reelection, having served out their full 3-year term. From all indications, these second-round elections are also being conducted successfully and with increasing interest and enthusiasm on the part of the villagers.

One of the reasons for this increased interest is the Vietnamese Government's program of granting these local administrations greater power and greater resources for self-government. Their authority and responsibilities in the fields of local security, taxation, and financial and other activities have been significantly expanded since 1965. These programs of restoring to the villages their traditional large degree of village autonomy have apparently been very popular and effective so far in rural South Vietnam. It is helping greatly to enlist local energies and talents in the overall effort against Communist aggression.

In 1965, South Vietnam had no constitutional government. It was governed essentially by the country's military leadership ruled by decree. In September 1966, the South Vietnamese held elec-

tions for the Constitutional Assembly which drafted the present Constitution, promulgated April 1, 1967. In September and October of 1967, elections were held for President and Vice President and the national assembly. Some 60 percent of the entire adult population voted in those elections.

By 1970, all the new Government institutions called for by the Constitution were in place and functioning. The Assembly has already proven to be an independent and constructive force, not only in passing significant legislation such as land reform, but also in providing a forum for the expression of a wide variety of political views including the views of those opposed to the Government. The supreme court has also established itself as an independent force for protection of legal rights. It recently ruled against the Government in a number of specific cases where the latter's action was held to be unconstitutional.

In 1965, the national political scene in South Vietnam was a deeply disturbed and unstable one. In 1970, we find continued lively politics, a fundamental stability underlaid by the constitutional system, and growing participation in responsible political activity by all the major non-Communist groups.

In summarizing the political scene in South Vietnam, we see that at the beginning of 1965, Vietnam had appointed officials down to the hamlet level. In May of 1965, provincial and municipal councils were elected in some 44 provinces and six cities. Elections for villages and hamlets were initiated in 1967. As of December 31, 1969, some 2,048 out of 2,151 villages has elected governments. This represents 95.2 percent of all villages. At the same time, 9,849 out of 10,522 hamlets had elected governments. This represents 93.8 percent of all hamlets. On September 3 of 1967, the President, Vice President and upper house were elected to office. In October of 1967, the lower house was elected. In 1970, reelections are anticipated for provincial and municipal councils, and for half of the upper house. In projecting to 1971, province chiefs and mayors are due to be elected, and new presidential elections and lower house elections will be held.

In the environment of security and political system development, certain areas of progress have been expanded in Vietnam. The joint venture of the U.S. Army and the Vietnamese forces has initiated a nationwide process of road rebuilding, of national and interprovincial highways which has been underway since 1968. The goal of this effort is to produce 2,500 miles of surfaced highway, of which 1,000 miles had been completed by the end of 1969.

Since 1965, medical dispensaries have been constructed at 50 district towns, 300 villages, and 1,000 hamlets. Civilian hospital beds have increased from 15,000 to 18,000. Five U.S. Public Health teams in 1965 have been increased to 43 by 1970. Vietnamese production of prosthetic devices has increased from 50 a month to over 700 a month. From an annual graduation of 158 physicians in 1965, the country now graduates 191. The number of trained nurses graduated has risen from

an annual 273 to an annual total now of 583.

In the area of military development, the level of South Vietnamese armed forces at the end of 1965 was 565,000, with somewhat less than 300,000 in regional and popular forces. In April of 1970, the national forces amounted to 990,000 troops, of which 530,000 were of the regional and popular forces. Projections for the end of 1970 establish troop levels to be at the 1,100,000 level. Since January 1 of 1968, regular forces have increased by some 90,000 in number, while the regional and popular forces have increased by 180,000. By contrast, we see the different pattern in the number of U.S. forces in Vietnam. At the end of 1965, the troop level was 185,000. By the end of 1966, the troop level had reached 385,000, an increase of more than 200,000 in a given year. By the end of 1967, troop levels had reached 486,000, another 100,000 increase. By April 30 of 1969, we had reached a peak involvement of 543,400 troops. Slightly more than a year following that date, May 14, 1970, the level had dropped to the current 429,950, a reduction of more than 113,000.

(At this point Mr. BYRD of Virginia took the chair.)

Mr. BELLMON. Mr. President, I was pleased last night by President Nixon's statement that the level of troop withdrawal which he announced can certainly be kept, and that another 50,000 men will be brought out very shortly.

The South Vietnamese General Mobilization Act of 1968 extended military service obligations to most males between ages 16 and 50, and will be in effect for the duration of the war. Men between the ages of 18 and 38 are liable for regular service. Those in the 16-to-17 and the 39-to-50 bracket are for popular self-defense forces. In the program of popular self-defense forces, there are currently 1,087,791 trained combat personnel available. An additional 1,014,194 are organized to provide support. The popular self-defense forces currently have 400,000 arms available for their use.

Mr. President, it is obvious from this information that real and lasting progress on many fronts is being made in South Vietnam. It is not too much to hope that a vital nation is being born in this land which has been either a colony or an occupied area for hundreds of years. It is reasonable to expect that the seeds of freedom are being sown in South Vietnam and that they will ultimately spread to adjacent lands.

Mr. President, the foregoing discussion summarizes the problem and the progress in South Vietnam. It is important in understanding the situation that President Nixon faced when he came into office, his actions since, and his decision to move against the Cambodian sanctuaries. It is important at this point to review the actions of the Nixon administration since it came into office.

First, let me ask: What has President Nixon done?

I answer by saying that he has explicitly renounced an imposed military solution. He has proposed free elections under international supervision. He has offered to withdraw all non-Vietnamese forces over a 12-month period. He has de-

clared that we would retain no military bases after our withdrawal. He has offered to negotiate supervised cease-fires. He has indicated that we will settle for the de facto removal of North Vietnamese forces. He has announced our willingness to abide by any result of free elections. He has said that we will readily discuss the 10-point program which the other side has presented. Above all, he has, on two occasions, announced American troop withdrawals.

Sometimes I think the world can be divided into two groups—the men of propaganda and promises on the one hand, and the men of action on the other. Clearly President Nixon is in the latter category.

Men can argue about many things in this troubled season, but there is one thing no one can deny. After many years in which the American presence in Vietnam has been steadily growing, the Nixon administration has at last brought a turning of the tide. Men can argue all they want about many decisions, but no one can deny that our men are coming home again and at a rapid rate.

The trauma of the Vietnam war has not ended—but it is approaching an end. Because the President is acting, rather than just talking, because he is acting at a pace which is neither too slow nor too fast—we can at last be confident that the war in Vietnam will be ended without surrender.

THE SITUATION AS OF JANUARY 20, 1969 MILITARY CONDITIONS

Mr. President, I shall give some statistics as to what is being done on the military and other fronts in South Vietnam.

As to the situation as of January 20, 1969, when President Nixon became Commander in Chief, the number of U.S. troops to Vietnam was still increasing. When the men on their way there on January 20 finally arrived, the number reached an all-time high in February. We appeared still to be seeking a military solution.

Military operations were characterized by maximum military pressure on the enemy, through emphasis on offensive operations.

Progress in strengthening the South Vietnamese Army was slow; resources being devoted to this effort did not receive high priority.

POLITICAL CONDITIONS

On the political front we found only a general and vague set of proposals for political settlement of the war. While they called for "self-determination," they provided no specific program for achieving it.

Mutual withdrawal of forces was provided for under the Manila declaration, which envisioned that the allied withdrawal would be completed within 6 months of the withdrawal of North Vietnamese forces and the subsiding of the level of violence.

THE SITUATION TODAY MILITARY CONDITIONS

Let us compare this condition with the situation today. On the military front, we have instituted a Vietnamization program which envisages South

Vietnamese responsibility for all aspects of the war—coping with both Vietcong insurgency and regular North Vietnamese forces—even if we cannot make progress in the political negotiations.

We have offered the withdrawal of U.S. and allied forces over a 12-month period, if North Vietnamese forces also withdraw.

We have declared that we will maintain no military bases. We have begun to reduce our presence in South Vietnam by setting in motion the replacement of over 265,500 U.S. troops. This is a meaningful act of deescalation.

We have emphasized to our military commanders the requirement that losses be held to an absolute minimum, consistent with their mission to protect allied forces and the civilian population.

POLITICAL CONDITIONS

On the political front, for the first time, concrete and comprehensive political proposals for settlement of the war have been made:

We have proposed free elections organized by joint commissions under international supervision.

We and the Government of South Vietnam have announced that we are prepared to accept any political outcome which is arrived at through free elections.

We have offered to negotiate supervised cease-fires under international supervision to facilitate the process of withdrawal.

We have expressed willingness to discuss the 10-point program of the other side, together with plans put forward by the other parties.

In short, the only item which has not been declared negotiable is the right of the people of South Vietnam to determine their future, free of outside interference.

Where does the Nixon administration really stand regarding peace in South Vietnam? Is the President reasonable or unreasonable, flexible or inflexible?

The following should make clear the President's intentions and his position, since the words are his:

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.

When we assumed the burden of helping defend South Vietnam, millions of South Vietnamese men, women, and children placed their trust in us. To abandon them now would risk a massacre that would shock and dismay everyone in the world who values human life.

Abandoning the South Vietnamese people, however, would jeopardize more than lives in South Vietnam. It would threaten our long-term hopes for peace in the world. A great nation cannot renege on its pledges. A great nation must be worthy of trust.

When it comes to maintaining peace, "prestige" is not an empty word. I am not speaking of false pride or bravado—they should have no place in our policies. I speak rather of the respect that one nation has for another's integrity in defending its principles and meeting its obligations.

If we simply abandoned our effort in Vietnam, the cause of peace might not survive the damage that would be done to other nations' confidence in our reliability.

If Hanoi were to succeed in taking over South Vietnam by force—even after the power of the United States had been engaged—it would greatly strengthen those leaders who scorn negotiation, who advocate aggression, who minimize the risks of confrontation with the United States. It would bring peace now but it would enormously increase the danger of a bigger war later.

If we are to move successfully from an era of confrontation to an era of negotiation, then we have to demonstrate—at the point at which confrontation is being tested—that confrontation with the United States is costly and unrewarding.

Almost without exception, the leaders of non-Communist Asia have told me that they would consider a one-sided American withdrawal from Vietnam to be a threat to the security of their own nations.

In determining what choices would be acceptable, we have to understand our essential objective in Vietnam: What we want is very little, but very fundamental. We seek the opportunity for the South Vietnamese people to determine their own political future without outside interference.

We seek no bases in Vietnam.

We seek no military ties.

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 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 pursuing our limited objective, we insist on no rigid diplomatic formula. Peace could be achieved by a formal negotiated settlement. Peace could be achieved by an informal understanding, provided that the understanding is clear, and that there were adequate assurances that it would be observed. Peace on paper is not as important as peace in fact.

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.

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 12 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 12-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 carried 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.

Let me be quite blunt. Our fighting men are not going to be worn down; our mediators are not going to be talked down; and our allies are not going to be let down.

Tonight, all I ask is that you consider these facts, and, whatever our differences, that you support a program which can lead to a peace we can live with and a peace we can be proud of. Nothing could have a greater effect in convincing the enemy that he should negotiate in good faith than to see the American people united behind a generous and reasonable peace offer.

The above was excerpted from the President's speech of May 14, 1969.

Mr. President, no rational person accuses this Nation of territorial or other aspirations in South Vietnam. This Nation has a long and noble history of assisting the spread of freedom. Many times the wealth of our land and the lives of our young men have been sacrificed to help weak and endangered nations through periods of crises. Frequently, this Nation has returned occupied territories to its citizenry. Many times have the people of this Nation held out a helping hand to our defeated enemies to assist them in rebuilding their countries and in rejoining the community of nations.

After World War II, this Nation broke up the greatest armed force, the most effective army, the most powerful air force, the greatest navy, the greatest amphibious force that the world had ever known. In addition, at that time, the United States alone possessed operational atomic weapons that gave it a military dominance that the world had never before seen and perhaps will never see again. However, in spite of the obvious advantage this Nation had and the unquestionable ability we possessed at that time to impose our will upon any country of the world, we systematically went about the job of reducing our defense forces to the point that by 1950 we were virtually disarmed. At the same time, we shared our atomic secrets with other nations so that within a matter of a few years we no longer possessed a monopoly on atomic or nuclear weapons.

Mr. President, following World War II the United States literally beat its swords into plowshares and in doing so should have established to the total satisfaction of any objective observer that this Nation's intentions are peaceful and that we are neither imperialistic nor ambitious to impose our will upon other nations of the world. Therefore, charges that this Nation plans to remain for extended periods as a military force in either South Vietnam or Cambodia certainly cannot be substantiated either by the record of the past, by the acts of the

present administration, or by pronouncements of any administration leader or by any actions of this Government. Those who look upon our involvement in South Vietnam as anything but an effort to help another country help itself are clearly not willing to face or accept the facts.

The truth is that every act taken by the Nixon administration is aimed at disengagement in South Vietnam at the earliest possible time that the South Vietnamese Government can be reasonably expected to endure, and in a manner that will deter and not encourage this country's future entrapments in other Vietnams. The action we have taken in Cambodia is clearly intended to hasten the date of our disengagement and nothing else.

Mr. President, this country's actions against the Cambodian sanctuaries are only and totally a tactical maneuver and aimed at hastening the securing of our objective. The buildup of Vietcong and North Vietnamese forces there came to be recognized as a military threat which President Nixon felt could no longer be ignored. His determination to accelerate the withdrawal of American troops, and the changed condition in Cambodia dictated a move which from the tactical military standpoint had long been indicated.

Mr. President, the success of our Cambodian action is now well established. The President in his talk last night said that this action has been the most successful of the South Vietnamese war. There is no reason to recount here the military equipment and the supplies which have been destroyed, or to estimate the total damage done to the forces of North Vietnam or the Vietcong. The real question which the U.S. Senate should concern itself with is simply this: What action can we take now to further improve the possibility of peace in South Vietnam? What can we as Senators do to hasten our disengagement from this long and costly war? What can Congress do to make our potential enemies realize that this Nation has both the will and ability to finish the job that its leaders feel needs to be done?

Mr. President, in my opinion, the Church-Cooper amendment, though well-intended, falls short of the mark.

The amendment of the Senator from West Virginia (Mr. BYRD) clearly improves the Church-Cooper amendment, and I intend to support it. However, even with this improvement I am not certain at this point that the Church-Cooper amendment accomplishes any worthwhile purpose. Regardless of what its sponsors intend and regardless of what its supporters may claim, the Church-Cooper amendment is likely to be looked upon, both at home and abroad, as a serious censure of our Chief Executive and an expression of no confidence in the Commander in Chief of our Armed Forces. To adopt the Church-Cooper amendment would, in my opinion, jeopardize the lives of our servicemen who have been sent to South Vietnam by action of this body and supported there with funds appropriated by the Congress.

Mr. President, I am in accord with the

expressed desires of the authors of the proposed legislation, but I am totally opposed to the vehicle they have chosen to accomplish their end. I feel rather that the Senate would serve the cause of peace far better to express confidence in President Nixon and in this way to unify the country behind our fighting forces and show to our enemies that this Nation is not divided but rather that we are determined to finish the job we have begun. The offering of the Church-Cooper amendment has added to the confusion and divisiveness here at home. Its adoption could well create a new crisis, both here and on the battlefield. I will not be a party to such a dangerous and damaging action.

Mr. DOLE. Mr. President, will the Senator from Oklahoma yield?

Mr. BELLMON. Mr. President, I am proud to yield to the Senator from Kansas.

Mr. DOLE. Mr. President, although I have not been present in the Chamber to hear the entire speech made by the Senator from Oklahoma, I have had an opportunity to read it quickly.

I would point out, as the distinguished Senator from Oklahoma has just stated, that if there was any doubt in the minds of the American people, they should have found reassurance in the remarks of President Nixon last evening.

I detected in the statement by President Nixon perhaps an effort by the President to extend at least the tip of the olive branch to Congress. It was a very conciliatory message. The President made clear that after July 1 we would carry on very limited operations in Cambodia, not with ground troops, but only through air interdiction to protect American forces.

I share the view of the Senator from Oklahoma; the amendment of the Senator from West Virginia (Mr. BYRD) is an improvement. If the Byrd amendment could be agreed to, while the President might not endorse the Cooper-Church amendment, he might not oppose it. The Byrd amendment makes it very clear that the President would have the right—as he should have, and as he does have under the Constitution—to protect American forces.

I would reiterate, as the Senator from Oklahoma has pointed out, it is difficult to understand how we can question the credibility or the actions of President Nixon, when he is the first President to deescalate the war in Southeast Asia. He announced again last night that another 50,000 troops would be withdrawn by October 15 of this year, which indicates to me, as it does to the Senator from Oklahoma that President Nixon is on a path for peace, that he has a plan for peace, and that it is working notwithstanding enemy efforts to disrupt those plans.

I share the views of the Senator from Oklahoma that what we need now is, unity in America. What we need now is probably unity in this body. I do not believe the timing of the so-called Church-Cooper amendment is particularly appropriate, again because President Nixon has kept his faith with the American people, again because President Nixon is

de-escalating the conflict in Southeast Asia, and again because he is Commander in Chief and has the inherent right under the Constitution to protect American forces. To me, that is the crux of the entire debate today, and has been for the past couple of weeks, and may be for some time in the future. Does the President, as Commander in Chief, have the right to protect American forces? Does the President, as Commander in Chief and Chief Executive Officer, have the right to make peace? Or should those functions be left to Congress—the Senate and the House? I do not believe they can be or should be.

Congress has the power to declare war. We have the power, under the Constitution, to appropriate money. We recognize that, in addition to that power, the President has corresponding responsibilities and power.

Based on the two personal visits the Senator from Oklahoma made to that area, one in 1965 and one in 1969, he clearly indicated the progress that has been made in South Vietnam. Day after day on the Senate floor, and day after day across the country, we are told about the corrupt Government in South Vietnam—many times by those who have never visited South Vietnam and have had no contact with the Government.

So I commend the Senator from Oklahoma for setting the record straight and for giving his own personal observations, based not on hearsay, but as personal contact and personal visits.

I firmly believe we have reached a new plateau in this country. I firmly believe that President Nixon says about disengaging in Southeast Asia. I firmly believe that the great majority of the American people support this effort. I commend the Senator from Oklahoma for his remarks today.

Mr. BELLMON. I thank the Senator from Kansas. I certainly agree that the Senate has a responsibility to make a decision as to whether or not we shall get into a war; but after we get into a war, it seems to me the greatest service we can render is to help to get us out of it. I think we do that best by giving an appearance and a reality of unity and letting the enemy know we are backing our President and will support the President.

As to whether or not the Senate should get itself into making tactical decisions—it has been said that a camel is a horse designed by a committee—I cannot imagine anything more dangerous than having a committee of 100, or 135, making day-to-day tactical decisions, in the glare of publicity that exists, and should exist, here, and letting our enemy know in advance what we are planning to do.

I believe the Cambodian decision was right, and I believe the President had the right to protect our forces. I regret that we are giving our enemy and other countries the appearance of disunity.

Mr. DOLE. Mr. President, will the Senator further yield? There is a feeling on the part of some that one who supports the President wants to continue the war in Southeast Asia and that he is opposed to peace. Presumably, on the part of some, one is not for peace unless he opposes the President: He is for war, and not for peace.

The Senator from Oklahoma, and other Senators, want peace in Southeast Asia. We want peace in the Mideast. Some of us have confidence in President Nixon. We know he wants peace. We are coming nearer and nearer each day to conclusion of the war in Southeast Asia, whether through Vietnamization, or, we hope, through negotiations. It is frustrating, when to support a President, the first President to make steps toward peace in Southeast Asia, and be accused of extending or widening the war. That is the last thing the Senator from Kansas wants. That is the last thing the Senator from Oklahoma wants, or the Senator from Arizona, or the Senator from Wyoming, or any other Senator.

We have every right to support our President. If President Nixon had escalated the war, if President Nixon had invaded another country to make war against that country, whatever the country, then we could question his credibility, we could question his powers; but it is clear that he has charted a course for peace, as are those who support him.

Mr. BELLMON. I certainly agree with the Senator from Kansas.

Mr. GOLDWATER. Mr. President, will the Senator from Oklahoma yield?

Mr. BELLMON. I yield to the Senator from Arizona.

Mr. GOLDWATER. First, I congratulate the Senator on his speech and the remarks he made in his speech. I think he said things that need repeating in the Senate day after day.

I was very much interested in the discussion relative to the powers of Congress so far as the making of tactical decisions is concerned. I agree with the Senator that I can think of nothing more dangerous than 100 persons, who find one-third of their membership up for reelection every 2 years, taking on the task of telling the Commander in Chief how to use his forces.

I think the Senator might agree that in the present situation we could draw a parallel with World War II. Suppose this same amendment had been offered during World War II, say when we attacked the enemy in Italy instead of confining our attacks to Africa. We would, in effect, have been telling President Roosevelt that, in the opinion of the then 96 Senators, we should not attack the Germans in Italy, nor later in France, probably.

In Indochina—and this has become the popular term for the place—we are attacking the same enemy in Cambodia that we have been attacking in Vietnam, and the same enemy that has been attacking us. To take the language of the amendment that is being offered, it would in effect be saying to the President, "You cannot fight this war against an enemy in another part of the same general area of the world."

I made a speech in the Senate the other day—and I believe in this very sincerely—that if it is the feeling of this body, and if it is the feeling of the American people, that Congress does not have enough power in the running of the war, or if the President has too much power under the Constitution, then let us correct the condition by a constitutional amendment, let Congress vote on it, and

let the people of the United States vote on it. If there is sufficient backing for an amendment to delineate more clearly the powers of Congress in war or more clearly confine the powers of the President in war, then we will be approaching the problem in the proper way.

I think it is entirely wrong for us to be engaged on the floor of the Senate in telling the enemy every day what we are going to do, what we intend to do, and telling the Commander in Chief what he must do. I think it is a disservice to our country.

Again, I congratulate the Senator for having taken the position he has. He has been in that part of the world. I wish the chairman of the Foreign Relations Committee would visit Southeast Asia sometime to find out what it is like. I think it would be of great educational benefit to him and might possibly change his views somewhat. I know that other members of the committee have been there, but I think it would be much more effective for the chairman to be better acquainted with what is going on than the way it stands today.

I thank the Senator again for the courageous stand he has taken.

Mr. BELLMON. I thank the Senator from Arizona. The question he raised, as to whether the President as Commander in Chief has too much or too little power in the conduct of war, is certainly valid; but to me, to try to settle the question while we are actually engaged in combat is little short of ridiculous.

I know the Senator from Arizona has a distinguished military career. I know I was in combat in World War II. I know how we would have felt if Congress had been passing judgment on whether we should be there while we were there. These men risk their lives daily, almost every hour, and it is a matter of reality. It is not theoretical for them. So while we are still in combat, to debate the question of whether we should be there or whether the President has a right to make a decision is certainly untimely, to say the least. I think there are more critical terms that could be applied.

I really feel that the action of Congress in going into these matters, after we have once become involved, has been terribly demoralizing to our own troops and helpful to our enemy. I certainly do not feel that this is the time to go into them.

Mr. GOLDWATER. Mr. President, if the Senator will yield, if I were in command of the enemy troops, I cannot think of anything I would appreciate more than what is going on in the U.S. Senate right now. I could make my plans down to the last minute and the last second, and down to the last round of ammunition needed, if I knew exactly what my enemy was going to do.

I think we have provided too much information already for Hanoi, and I would hope we could bring this discussion to a conclusion in the near future with the tabling or removal of the Cooper-Church amendment.

Mr. BELLMON. I thank the Senator from Arizona.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. BELLMON. I am glad to yield to my friend the Senator from Wyoming.

Mr. HANSEN. Mr. President, I commend the distinguished Senator from Oklahoma for the contribution he has made toward a better understanding of what is involved as we consider the ramifications of the application of the Cooper-Church amendment.

I had the privilege of being in Southeast Asia, specifically in Vietnam, with the distinguished Senator, who at that time was Governor of the great State of Oklahoma. We spent several days in Vietnam, and I think that because of that experience and because of his earlier experience in that part of the world when, as a marine, he served our country in the days of World War II, he certainly is well qualified to speak knowledgeably and objectively on the state of conditions as they are found in that part of the world today. With that sort of background, I think his words today are particularly important as he draws the comparisons he has drawn between Southeast Asia—particularly Vietnam—in 1965 and now, as he found things just last year.

Mr. President, with a great many other Americans, I had the privilege last night of hearing the President make a progress report on the situation in Southeast Asia. I noted that President Nixon reaffirmed that the timetable to withdraw 150,000 additional American troops from Vietnam will go according to schedule, as will the plan to withdraw all American troops from Cambodia by June 30. The President advised that already 17,000 of the 31,000 Americans who entered Cambodia to seize the arms, ammunition, food, and the munitions and to clean out the enemy sanctuaries, have returned to Vietnam. The President further advised that the military objectives of the Cambodian action have been achieved.

Mr. President, this is further evidence of President Nixon's ability to establish attainable goals, to report to the Nation what the goals are, and to see that those goals are accomplished within the period of time promised.

Because the President does keep his word, there is no credibility gap in the Nixon administration. The President has the confidence of a majority of the American people. This is evidenced in the nationwide polls which indicate strong approval of the wisdom in the President's decisions.

I recently spent several days in my State of Wyoming. I found that the statewide support for President Nixon and for the Cambodian decisions is quite strong. It is my belief that this basic support for his action is reflected nationwide.

The President has the confidence of the majority of the American people, and he has their support. In my opinion, it will be most appropriate for Congress likewise to express its confidence in the President—the confidence of the people's elected representatives.

For Congress to do otherwise is to give the world a misleading picture of the courage, the patriotism, and the fortitude of the great majority of the American people. In my view, the passage by either the House or the Senate of any legislative proposal designed to discredit,

in an unusual manner, the foreign policy decisions of our President, decisions that have proved successful, will confuse foreign nations.

Such an act would at best astound our allies, and we know from experience that any such move will be twisted by the enemy to feed their propaganda mill and encourage the will of their people to prolong the war, in the hope that the spirit of America will be not long in breaking. This is part of the thrust of the Senator from Oklahoma's message and has been underscored in colloquies with the distinguished Senator from Kansas and the distinguished Senator from Arizona.

Mr. President, as of 8 a.m. eastern daylight saving time today, the Saigon command reported the capture of 11,214,722 rounds of small arms ammunition in Cambodia, plus substantial amounts of weaponry, heavier ammunition and supplies. These are military supplies that will not be used against American troops, against the troops of our allies, or against civilians in Indochina.

I ask unanimous consent that the list of captured supplies be printed in the RECORD.

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

Total operations	Number	24-hour change
Individual weapons.....	15,260	+1
Crew-served weapons.....	2,126	+12
Bunkers/structures destroyed	8,387	+94
Machinegun rounds.....	3,339,042	+71,090
Rifle rounds.....	7,875,680	+965,304
Total small arms ammunition (machinegun and rifle rounds).....	11,214,722	+1,036,394
Grenades.....	39,851	+5,048
Mines.....	4,196	+236
Miscellaneous explosives (pounds) (includes satchel charges).....	76,600	(2)
Antiaircraft rounds.....	137,831	+5,137
Mortar rounds.....	49,640	+1,442
Large rocket rounds.....	1,761	+176
Smaller rocket rounds.....	26,191	+12
Recoilless rifle rounds.....	22,292	+126
Rice (pounds).....	11,146,000	+66,000
Man-months.....	245,212	+1,452
Vehicles.....	359	(3)
Boats.....	40	(2)
Generators.....	36	(2)
Radios.....	186	(2)
Medical supplies (pounds).....	50,800	(2)
Enemy KIA.....	9,179	+40
POWs (includes detainees).....	1,919	+6
U.S. KIA.....	253	+4
ARVN KIA.....	569	+11

¹ Field adjustment, 8 a.m., June 4, 1970.

² Unchanged.

Mr. HANSEN. Mr. President, when the President observed last night that he had heard from an American citizen who had lost his son in the Southeastern Asian theater of war, and he stated that had these supplies which now have been captured and are firmly in American control been seized earlier, as many of us would agree would have been a far wiser course of action than that which we pursued, his son—that son who was struck down by an enemy bullet—might have been alive today.

Despite the efforts of some to contend that the seizure of these vast stores of supplies and munitions really misses the point, that it is beside the point in that it does not address itself to the situation

in this country. I remind all who subscribe to that view that I find little validity in the conclusions they have reached.

These rounds of ammunition, these guns, these mortars—everything that has been captured—were designed and would have been used for one purpose only—that is, to destroy the enemies of the Vietcong and the North Vietnamese. That is why the Senator from Oklahoma is so very right when he says that this decision was a wise one. It will hasten the end of the war, as the President has assured all of us he intends to do. It will make withdrawal more orderly and will hasten the day when we can withdraw a very substantial number of our men from Southeast Asia. It will give the South Vietnamese a far better opportunity than they otherwise would have had, by giving them the leadtime necessary to do two jobs: First, to perfect their own government, so as to better serve their country and their people; and second, to train and equip their own army, and be prepared, as we withdraw, to assume responsibility for the defense of that part of the world.

The Senator from Oklahoma has made a very important contribution to the debate. I feel confident that all of us will be better informed and understand the situation better than we otherwise would have if those of us who were not able to hear him speak today take occasion to read his speech in the RECORD. I commend him for his diligence, for his interest in this problem, for his overriding concern for what is best for America, and for his dedication to the purposes that underscore the commitment that our country has made.

Mr. BELLMON. I thank the Senator from Wyoming, and I appreciate his contribution. I was particularly impressed by his report that he has recently returned from a visit of several days in the State of Wyoming, where he found that support for the President is strong and is apparently growing.

I recently spent several days in my State of Oklahoma, and I believe the same situation exists there. From what I can find out, it seems that support of the President is strong and growing nationwide. We see this from the polls as well as from expressions by many important groups. But it occurs to me that we sometimes forget that this is a very complex war. It has a military side, certainly, and there is no question that we are winning that side. It has a political side, and there is no doubt that the South Vietnamese, through the establishment of a stable government, are winning the political battle. But the battle we seem to be having trouble with is the psychological one.

The reason we are having trouble here is that many of our enemies seem to feel that there is much more division in the country and much more division in this body than actually exists. I think that if the leaders of North Vietnam could visit Wyoming and find out the unity and support there is for our involvement in South Vietnam, they would quickly recognize that they are in a hopeless situa-

tion and would allow peace to reign in that country, as we all desire.

Mr. HANSEN. Mr. President, I have received a great deal of mail on this issue in the past several weeks, as I know each of us has, and I must say that much of the mail we have received has this sort of statement: "Support the peace amendment" or "Support the end of the war amendment." I think that this sort of communication underscores the fact that most people who write that sort of message really do not know specifically the question that is now before the Senate.

The thoughtful letters I have received are those that have been written out, to say, "I want you to support the end of the war amendment" or "the peace amendment," and then gone on to speak at some limited length on this issue. The mail of this type that I have received in my office is stronger in support of the President than those that merely take a position without expressing some understanding of the Southeast Asia situation.

I am convinced, based upon my visit in Wyoming and what I have learned from the mail I have received, that a majority of the people of the country recognize the wisdom and the courage that were demonstrated by the President in going into Cambodia.

Mr. BELLMON. I thank the Senator. I also believe that the people of the country appreciate and admire the leadership President Nixon has shown in making this decision, a decision which many consider to be somewhat of a political risk to himself.

I yield the floor.

Mr. ALLOTT. Mr. President, I compliment the distinguished Senator from Oklahoma for his courage in presenting his views here today in such a forthright manner. His thoughts have been discussed on the floor of the Senate in many different ways, by Senators having different views. But when they come from a former Governor of a great State and a very able and competent Senator, they carry a special weight with all of us. I compliment him on his very clear presentation.

Mr. BELLMON. I thank the Senator from Colorado.

Mr. ALLOTT. Mr. President, over the years, the Senate has been the scene of many momentous debates concerning basic issues of American Government. Today the Senate is engaged in another such debate.

This time the subject is one aspect of a perennial problem—the relationship between the executive and legislative branches of the Government. Specifically, we are examining, with proper thoroughness, the question of the President's duties and powers in the role of Commander in Chief. The crucial question concerns the amount of independence necessary for him to perform that difficult role safely and skillfully.

Obviously, this debate grows out of the long experience of the war in Vietnam. It is interesting to notice that many of the issues—and many of the arguments—recall the debate over the Bricker amendment. This debate consumed much energy and passion in the

early 1950's and reflected two powerful currents of American feeling.

On the one hand, there was the feeling of weariness stemming from the prolonged sacrifices of world war fought on two fronts, a world war which, like the First World War, had not resulted in lasting international harmony.

On the other hand, the debate over the Bricker amendment reflected America's frustration over a new kind of war—the so-called limited war. This sort of war is exasperating and makes demands that are especially hard for the American character to support. A limited war demands patience and self-restraint. It demands taking the long view, and accepting the unspectacular promise of future rewards as a substitute for spectacular instant glories.

The debate over the Bricker amendment demonstrated that the disagreeable facts about international conflict in the cold war may generate pressures and frustrations that seek release in ill-advised attacks on the most visible and exposed symbol of America's international responsibilities—the Presidency.

Today we are engaged in another debate—the outcome of which will shape the office of the President for many years. We are standing at a crucial pass in American history. Therefore it is incumbent upon all of us to seek the counsel of specialists. These specialists include men in academic life, men who have devoted their lives to studying the relevant questions of constitutional law and history, and the current dilemmas of international affairs.

I have solicited the informed judgments of respected scholars. I have received a very gratifying response. Today, and in the coming days, I shall be sharing this response with my fellow Senators.

Today I want to call attention to a wise and closely reasoned letter I have received from three distinguished professors of law from Yale University. They are Profs. Eugene V. Rostow, Ralph K. Winter, Jr., and Robert H. Bork.

These men bring to the consideration of current problems experience that derives from high scholarship and distinguished public service.

Professor Rostow is at present dean of Yale University Law School. He has been a lecturer at numerous universities including the University of Chicago, Cambridge University, the University of Michigan, the University of Colorado, Brandeis University, and Northwestern University. Professor Rostow was a member of the Advisory Council of the Peace Corps and consultant to the Under Secretary of State and is a member of the American Law Institute. He has published numerous books and articles.

Professor Winter is a senior fellow of the Brookings Institution, as well as a special consultant to the Subcommittee on the Separation of Powers, U.S. Senate Committee on the Judiciary. He has published numerous articles in scholarly journals.

Professor Bork, who has a special interest in constitutional law, has published works dealing with public policy and legal scholarship.

Mr. President, I wish to comment briefly on this letter, which is rather lengthy. It is a detailed analysis of the situation. But I think I should invite attention first to the three main things they think are absolutely clear:

1. The President's actions in Vietnam and Cambodia have in no way usurped the constitutional powers of Congress.

2. The constitutional validity of congressional action limiting the President's discretion with respect to the attack upon the Cambodian sanctuaries seems highly dubious. Given the use of Cambodia as a sanctuary from which military operations against United States forces have been and are undertaken and the attitude of the present Cambodian government, the President's order to clean out the bases there was a tactical decision and, therefore, within his exclusive powers as Commander-in-Chief.

3. Congressional action ordering a withdrawal of all American troops from Indochina by a specified date is a decision of major policy and does not, therefore, necessarily intrude upon the President's exclusive power as Commander-in-Chief. It does, however, limit his power in the field of foreign affairs, a subject for which he is importantly, though not exclusively, responsible. Quite apart from the wisdom of legislation such as that under consideration, sensitivity to a proper allocation of constitutional responsibilities suggests that Congress should be cautious about imposing precise restraints on, in contrast to giving general guidance to, the conduct of foreign affairs. This does not seem to us a proper occasion for the proposed intervention.

Mr. President, I ask unanimous consent to have this important letter printed in the RECORD, and I commend its analysis to the reading of all Senators.

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

MAY 26, 1970.

HON. GORDON ALLOTT,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: The proposals now before Congress to limit the President's discretion in using American troops against the Cambodian sanctuaries and to force the withdrawal of American troops from Vietnam by a specified date raise constitutional issues of the first order. At stake is the constitutional allocation of powers between the executive and legislative branches, an issue of such dimensions as to justify discussion independent of the debate over the wisdom of our Vietnam policy.

Our conclusion, in brief, is that congressional action of this kind would weaken the President and the presidency as the voice of the nation in international politics, reduce the credibility of our diplomacy, and therefore increase the risk of future conflict.

We have been treated in recent weeks to rhetoric in support of these proposals before Congress ranging from assertions that the President has "usurped" Congress's constitutional prerogatives to milder and more obscure claims that it is time for Congress to reassert its power although no assertion is made that the President has acted unconstitutionally. These are matters worth responding to, for it is important that political or prudential judgments about our Vietnam policies should not warp constitutional principles and set precedents bearing the seeds of internal conflict for the future.

We think the following constitutional propositions are clear:

1. The President's actions in Vietnam and Cambodia have in no way usurped the constitutional powers of Congress.

2. The constitutional validity of congressional action limiting the President's discretion with respect to the attack upon the Cambodian sanctuaries seems highly dubious. Given the use of Cambodia as a sanctuary from which military operations against United States forces have been and are undertaken and the attitude of the present Cambodian government, the President's order to clean out the bases there was a tactical decision and, therefore, within his exclusive powers as Commander-in-Chief.

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We will state briefly our reasons for these conclusions:

1. *The President has acted within his constitutional powers both in Vietnam and in Cambodia.*

There are no judicial decisions settling the points to be discussed, nor, in the light of the magnitude and seriousness of the interests involved, is it likely that any judicial decision can ever "settle" them. A useful frame for analysis, however, is provided by Justice Robert H. Jackson's concurring opinion in the *Steel Seizure Case*, *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 1952. Justice Jackson said, "Presidential powers are not fixed but fluctuate, depending upon their disjunction or conjunction with those of Congress." (Id. at 635.) And he discerned three groupings or levels of power.

"1. When the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate."

"2. When the President acts in absence of either a congressional grant or denial of authority, he can only rely upon his own independent powers, but there is a zone of twilight in which he and Congress may have concurrent authority, or in which its distribution is uncertain. Therefore, congressional inertia, indifference or quiescence may sometimes, at least as a practical matter, enable, if not invite, measures on independent presidential responsibility." . . . "In this area, any actual test of power is likely to depend on the imperatives of events and contemporary imponderables rather than abstract theories of law."

"3. When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter."

Justice Jackson concluded that President Truman's seizure of the steel industry fell within the third category, where presidential power is at its minimum, because Congress had not left the seizure of private property an open subject but had covered it by three statutory policies that were inconsistent with the President's action.

President Nixon's actions in Vietnam and in Cambodia clearly fall within the first of Justice Jackson's three categories. Presidential power arises both from his inherent power to lead in the conduct of foreign affairs, which includes his power to protect American security interests abroad, and from his power as Commander-in-Chief. These

two powers coalesce here, for the President finds himself with American troops whose safety must be protected and also with American interests in world affairs that require, when attacked, the exertion of defensive force.

Historic practice coupled with the Constitution's text makes clear that the President's role as Chief Executive includes primary responsibility for the conduct of foreign affairs. In this area his powers greatly exceed his powers in domestic affairs. The reasons are obvious. First, presidential responsibility arises from the need for secrecy and his superior access to information. Second, there is the matter of institutional structure: the executive branch is structured to make managerial decisions on a continuing basis while a deliberative branch is not. The pressing question, repeated for official purposes an infinite number of times a year, "What is American policy with regard to . . .?" cannot await in each case a legislative answer. At least, it cannot in a government that hopes to endure. Quite aside from the constitutional allocation to the President of primacy in the conduct of foreign affairs, then, the differing natures of the branches of government make such primacy inevitable. Nor is there any doubt that the President's power over foreign policy includes the power to conduct armed conflicts abroad, even when Congress has not declared war. Congressional power "to declare war," contained in Article I, Section 8 of the Constitution, does not, even semantically, exclude armed hostilities without such a formal declaration. Historically, of course, the matter is absolutely clear.

It is said that American Presidents have exercised that power at least 130 times in our past, ranging from the earliest days of the Republic to more recent uses of armed force in Korea and the Dominican Republic. This is not to mention the use of armed forces in ways which might have, but fortunately did not, lead to actual hostilities. President Kennedy's military reaction to the Berlin crisis and the Cuban missile crisis surely would not have become unconstitutional if hostile action had occurred.

This historical usage cannot be said to be contrary to the intent of the Constitutional Convention. The framers clearly understood that the President could commit American troops to battle without a declaration of war. The primary occasion they envisaged was sudden attack, but there is no indication that the framers intended to freeze their principle to that single example. The practice of the Republic from its earliest days demonstrates that this was not the sole example. In the world of the 20th century, particularly the world as it has evolved since World War II, the reasons for the presidential power to conduct armed hostilities without formal declaration of war apply to many situations other than direct invasion of American soil. Indeed, the classic case in modern times in which a declaration of war is not only unnecessary but might be highly imprudent is in the support of a friendly government against a foreign-supported guerrilla movement. A declaration of war in such a case would likely escalate a limited war and complicate, if not terminate, our relations with states friendly to the guerrillas. Similarly, it was certainly wise of Congress to conduct the Korean war without formally declaring war against North Korea or China. Congress may, as it has since President John Adams's time, authorize hostilities under legal circumstances that do not amount to a declaration of war in the full sense of international law.

There is no need to labor the point. It is clear from the fair implications of the text of the Constitution, from long-settled historical practice, and from the necessities of the case, that the President has the constitutional power and right to commit American troops to armed conflict in defense of

the United States' interests abroad without a formal declaration of war by Congress.

The President's conduct of the hostilities in Vietnam and in the Cambodian border sanctuaries, however, does not rest upon his inherent powers alone. His action falls within Justice Jackson's first category, where presidential power is at its greatest, because he has acted pursuant to both an express and an implied authorization of Congress. Certainly Congress' continued appropriations for the conflict in Vietnam constitute authorizations, and beyond this is the authorization provided by both the SEATO Treaty and the Gulf of Tonkin resolution.

It is difficult to see what more express approval and authorization of the President's actions Congress could give, short of a formal declaration of war, than the SEATO Treaty and the Gulf of Tonkin Resolution. The authors of the brief entitled "Indochina: The Constitutional Crises," (hereinafter "Indochina Brief"), submitted by a group of lawyers and law professors, have attempted to dispose of these documents by arguments that do not persuade. Of the SEATO Treaty, for instance, they state that "it is at least questionable whether the United States was obligated by the terms of the treaty to come to the aid of South Vietnam." Without entering into a debate whether the United States was "obligated," it seems clear, at a minimum, that the President was "authorized" to do so. The authors go on to argue that "the SEATO Agreement cannot help answer the constitutional questions, because it specifically states that action by a signatory in response to an attack on another signatory or a 'protocol country' is to be made only after a decision made according to the 'constitutional processes' of the signatory." That is a very curious argument. Presumably the authors do not mean that the only "constitutional process" is a formal declaration of war since their own brief concedes that the President may constitutionally engage in hostilities without such declaration. The SEATO Treaty does, therefore, help answer the constitutional question, because it is, at the very least, an authorization for the President, who has the power to conduct hostilities, to make the decision whether to respond to aggression against a "protocol country."

The authors of the brief do not deny that the Gulf of Tonkin Resolution "gave the President broad discretion to respond to 'aggression' in Southeast Asia." They merely claim that it is not a valid basis for continued Congressional approval because it was passed with great speed and in the heat of emotion and because there were then few American troops in Vietnam and no separate American ground combat forces. In a word, the Tonkin Gulf Resolution does not bind Congress forever but it does authorize President Nixon's actions. One cannot disagree with that.

It is absolutely clear, therefore, that the actions of President Nixon have been well within his constitutional authority. We think this conclusion would hold even without express congressional authorization because of the President's great and essential powers as the executive primarily responsible for the conduct of foreign affairs and as Commander-in-Chief. The various manifestations of congressional approval and authorization put the matter beyond doubt.

Even the Indochina Brief urging congressional limitation of President Nixon's powers, admits, "It cannot be said that the recent actions by the executive in Cambodia or the earlier actions in both Vietnam and Laos are clearly contrary to the Constitution." (Emphasis in the original.) However, that brief then goes on to assert that the accumulation of acts, taken together, has nearly stripped Congress of its war power. There is a logical hiatus in that reasoning. The President has acted constitutionally, the argument goes, but he has acted constitutionally

so many times that Congress has nearly lost its war power. The force of that reasoning is not at once apparent. The authors of the Indochina Brief seem to assert that Congress can "save" its war power only by declaring war or curtailing the President's options. But what of cases in which Congress has no desire to do either? The truth, of course, is that Congress in no way forfeits its war power by supporting presidential actions without declaring war.

2. A congressional limitation of the President's power to order attacks upon the enemy's Cambodian sanctuaries seems of very dubious constitutional validity because it invades his exclusive powers as Commander-in-Chief.

There can be no doubt that Congress has the ultimate authority to order an end to armed conflict involving the use of American troops. But there can equally be no doubt that when armed conflict is under way the President and not the Congress has exclusive constitutional authority to make strategic and tactical decisions. That is inherent in his role as "Commander-in-Chief of the Army and Navy of the United States."

Whether or not a particular action is to be classified as tactical must necessarily remain a matter of degree. A decision to launch an attack upon a major hostile power that meant the beginning of total war could by no stretch of the imagination be called tactical and hence completely within the President's power as Commander-in-Chief. But that is not even remotely the situation with respect to the attack upon the Cambodian sanctuaries. The President did not launch such an attack when Cambodia was under the control of a government that cooperated with the North Vietnamese and the Vietcong and that would have resented and resisted an American drive against the sanctuaries. The government of Cambodia does not now resent or resist the American attempt to clean out these enemy bases.

On the contrary, that government welcomes this action. There are not, therefore, the political implications that would have attended such operations earlier. The Cambodian sanctuaries were already part of the war zone, and the attack upon them has in no important sense "enlarged the war." Under these circumstances, the decision to attack these enemy bases for military action within South Vietnam is closely analogous to decisions about which enemy strongpoints within South Vietnam are to be attacked and which bypassed. Particularized congressional directives to the President in such matters seems, therefore, to be an interference with the Commander-in-Chief's prerogatives.

3. A congressional order that all American troops be removed from Southeast Asia by a specified date requires a careful balancing of presidential and congressional powers. The circumstances that would justify such an order do not appear to exist.

Congress's war power certainly gives it the authority to end armed conflicts of which it disapproves. We are not faced here, however, with a situation in which the President wishes to pursue a war indefinitely and Congress wishes to terminate it. We are faced rather with a situation in which the President, through his speech of November 3, 1969, and otherwise, has stated his determination to end American involvement in a conflict as rapidly as competing considerations, which he believes important to American interests, permit. The proposal before Congress, therefore, is not one of reversing presidential policy but one of drastically limiting the President's discretion and flexibility in carrying out that policy. It raises, therefore, serious problems of the adjustment of concurrent presidential and congressional powers under the Constitution.

First, the President finds himself with American troops engaged in active combat

in South Vietnam. The safety of those troops is a matter at the core of his power as Commander-in-Chief. It is essential that any congressional directive to break off hostilities not interfere in any way with the President's ability to safeguard American armed forces. Congress obviously intends no such interference but the setting of a firm date for withdrawal raises at least the possibility of such a conflict.

More important, the decision to order by legislation a withdrawal from Southeast Asia by a specified date does bring into conflict Congress's power over war and the President's primary responsibility for the conduct of foreign affairs. The criteria by which that conflict should be adjusted in particular cases are constitutional criteria. What do those criteria suggest about the proper adjustment of roles here?

We have rehearsed some of the reasons for the President's primacy in foreign affairs. Added to factors such as the President's superior access to information, the need for secrecy, the need for quick, firm decisions and responses, there is the necessity that the President's commitments be credible both to allies and to potential opponents. A President undercut by Congress in Southeast Asia is unlikely to be able to maintain a forceful or credible policy in the Middle East or anywhere else. We have seen in the Cuban missile crisis the dangers to world peace when a President's determination and power to respond are underestimated by other nations.

The threat to the President's vital foreign policy role would be small or non-existent were Congress to express its desire, by resolution or otherwise, that the Vietnam conflict be ended and that American troops be withdrawn as rapidly as competing considerations permit. Such a declaration would be in line with the President's announced policy and would focus political responsibility for carrying it out even more clearly upon the President. The situation might also be different if Congress were prepared to say that there are no American interests at stake in Southeast Asia. But the danger to the President's constitutional role is clear if Congress admits the situation requires a balancing of considerations and nevertheless gives the President a specific date by which he must, regardless, remove all troops from Vietnam. Such an order must inevitably weaken his position in foreign affairs severely. A proper respect for constitutional roles and responsibilities would seem to dictate that such an extraordinary directive be issued by Congress only when it has strong reason to doubt the good faith of a President in carrying out his announced policy or when it has strong reason to doubt the President's judgment and determination. In such exceptional cases the cost of damaging the President's constitutional role may seem the lesser evil. There seems to us, however, no basis for any such judgment by Congress, and we conclude that legislation ordering the President to withdraw troops by a specified date would unjustifiably undermine his constitutional authority, as well as that of future presidents.

Very truly yours,

EUGENE V. ROSTOV,
Sterling Professor of Law, Yale University.

RALPH K. WINTER, Jr.,
Professor of Law, Yale University.

ROBERT H. BORK,
Professor of Law, Yale University.

Mr. BAKER. Mr. President (Mr. HARTKE), I rise to join in the discussion of the pending amendment to the Foreign Military Sales Act of 1970. I think we all agree that this is an extremely important subject for the Congress and the Nation as a whole. Thus, most careful deliberation of the amendment itself and

amendments to the amendment are clearly in order.

Current interest in this amendment, of course, was generated by the operations in Cambodia as announced by President Nixon in a speech to the Nation on April 30. The President made clear at that time that the allied operation, which has been carried out by a greater number of South Vietnamese troops than American troops, was an operation strictly limited both in scope and objective. The President was emphatic on April 30 in his statement that the Cambodian operation was not in response to a request for massive military aid from the new government in Phnompenh but had the entirely limited objective of disrupting a series of sanctuaries which had been used with impunity by the Vietcong and regular troops of the North Vietnamese army for over 5 years.

A few days later, the President voluntarily established geographical and temporal limitations on U.S. participation in the Cambodian undertaking. American troops were to proceed into Cambodian territory no further than 35 kilometers and they were all to be out by July 1 of this year.

The President went on to indicate, in his press conference of May 8, that all American air and logistical support would come out of Cambodia at the same time, no later than June 30.

One of the most extraordinary things about the national reaction to the President's speech on April 30, and to his press conference on May 8, was the emotional criticism of his stated intentions. Many people, especially in the academic community, in the national news media, and in the Congress, apparently, simply refused to believe what the President had said.

Time and time again I have asked students and faculty members who came to my office to discuss these issues and these developments, whether they believed that American troops would be withdrawn from Cambodia by July 1.

To my astonishment, almost invariably, they replied that they did not. Almost invariably, they replied that they did not believe the representations made by the President of the United States.

On some occasions, I have asked on what basis they asserted this disbelief that the previous representations which had been made by the President of the United States had not been kept, or kept only partially, which gave them enough of an intellectual basis for thinking that this representation was untrue or would not be kept.

I asked why they did not believe the explicit statements of fact or intention that were made by the President of the United States.

I found, on almost all occasions, that their skepticism about the accuracy of the representations of the President was far more emotional than it was rational.

They answered that the Government has been less than candid in the past, and, more often than not, they referred to the past as extending beyond January 1, 1969.

Therefore, it follows necessarily that the new President taking office at that

time and the administration over which he presided cannot be believed, either.

It seems to me, Mr. President, that this situation which I found, not once, but on a number of occasions, and with different groups who visited my office expressing concern over the American involvement in Southeast Asia, and Cambodia in particular, is strictly illogical.

While I do not question the depth of feeling that the critics of the President exhibit about him personally, and about his policies in Indochina, I do question the objectivity and the fairness with which they approach these complex and difficult public issues.

Mr. President, I have, on occasion, put this question to more than one group:

Assume for the moment that July 1, 1970, has come and gone and that American involvement in Cambodia has ended; assume, for the moment, that in the fall of 1970, further, that additional troop withdrawals from Southeast Asia are accomplished, and that by the spring of 1971 an additional 150,000 have been withdrawn from Southeast Asia, as the President has promised to do; assume, for the moment, that, as time goes by, say in the fall of 1971, substantially greater numbers of troops are withdrawn from Southeast Asia to the point that there are virtually no American combat troops remaining in Southeast Asia, and that there is only a residual core of support troops; and assume, further, that the President has indicated previously, as long ago as 1970, that he intended regularly and methodically to reduce those numbers; but assume most of all that, during his campaign in 1968, the President of the United States assured and then reiterated that he intended to end the war in Southeast Asia, and that he is going to do so—as you assume all those things, for the sake of argument, and assuming them to be true, would you still protest this action, and would you feel the disenchantment that you apparently do with the judgment and the policies of the President and his administration?

Mr. President, many of my colleagues in this body are lawyers. They recognize that this question which I put has more than rhetorical but rather a valid and historical basis for placing a hypothetical proposition.

Assuming certain hypothesis as being true, then what would your answer be?

I think that most Senators would recognize the form of the question I have just outlined as being a valid basis for judging an ultimate conclusion that is based on an intellectual as distinguished from an emotional basis as one examines a given issue.

It is interesting to me, then, that most of the groups to whom I put this hypothetical question refused to answer.

Sometimes, on occasion, some of them would answer that, of course, if that were the case, they would not be exercised about the situation and that, of course, not only would they not question the validity of the judgment made by the President and his administration, but they would commend him for having done what should have been done a long time ago; namely, to disengage American combat troops from war

in Indochina, but that, after all, was more often than not the case. "We do not believe that" or, "We refuse to assume that" or, "We think it is extremely unlikely that it would occur," they reply to these assumptions that I have asked them to make.

To those who listened to the assumption I have just outlined, it will be recognized that many of them have not only transpired but have been fulfilled.

They will also recognize, I believe, that none has been transgressed, that none of the hypotheses I asked them to accept in this situation, in this hypothetical question, has been unfulfilled.

We recognize further that some of them are yet to be fulfilled. And it is the purest speculation on my part, but of the specific recommendations of the President, the most general and the broadest and meaningful one was, "I shall end the war," a representation and a commitment made by the President during his campaign for the Presidency in 1968 and reiterated as late as last night in his very splendid, frank, and candid address to the Nation by the President of the United States.

The point of the matter is that I am stunned that people will not accept these hypotheses, at least to the extent that they have already been fulfilled. And I am shocked that they will not believe the representations made by the President as to his future intentions and commitments.

I think the President of the United States has, the majority of the time, a track record for candor and honesty in his representations with respect to Southeast Asia that is so good that he richly undeserves to be disbelieved in these representations.

I believe then that there is ample and abundant reason to think that the shrill criticisms of the President's policy in Southeast Asia and his determination to deprive, not Cambodians, but North Vietnamese invaders, of their privileged sanctuary in Cambodia and of their right to strike with impunity the American forces, I believe that the criticism of these policies would be less shrill if it were not for some other factors that the critics have not yet examined.

I wonder, then, in the interest of pure, sweet reason and impartial judgment if it must not be concluded that many students, academicians, and others whose motives I do not doubt, have succumbed to the unscholarly and unintellectual devices of basing their response and evaluation on the basis of prejudice and emotion outside of the range of the facts and circumstances supplied by the hypotheses themselves.

If that is the case, then the reaction to Cambodia by so many, especially in the academic community, is a remarkable situation, indeed, because not only must the academic community be free of turmoil in terms of partisan conflict, if it is to act in the university tradition, but it must also be the bastion of intelligence and civilization that requires people to move for the good of the country, and not to react—as one person suggested that many do—to the President as if he were running against Helen Gahagan Douglas for the U.S. Senate.

Some have said, and I am not sure that it is wrong, that there is a core or group of people in the United States that simply do not like the President and have not since he defeated Helen Gahagan Douglas. And nothing will change their minds.

That may be true. If it is, it is unfortunate. But it is understandable.

His decisions have to do entirely with deciding the best course for the United States in terms of terminating hostilities in Southeast Asia and providing for the common defense of the United States. That is the universal belief of most Congressmen and of most people in the United States.

I would like to ask that we take a look at the speech the President delivered to the Nation last night. I have already said, and I reiterate, that I thought it was an excellent speech. It was direct. It was factual and temperate. It was firm and fair.

I was particularly impressed with the honesty and candor exhibited by the President during the course of his speech. He addressed himself squarely to all of the issues that have been bothering his critics. And if his critics choose not to believe him, that is their responsibility.

The President made an interim report to the Nation, not coming before us with a great spectacular pronouncement, but rather with another one in a long list of representations to the public, pledges of good faith, pledges of action to be taken to disengage us from our course of action in Southeast Asia, specific action at a specific time. There were two in number that were especially impressive.

The first was to make good on the first installment of the commitment to remove an additional 150,000 American troops from Cambodia in October 1970, which I am certain—as I believe virtually everyone in this Chamber is certain—he will perform and make good on.

The second and the broadest one was a reiteration before the Nation, before the people of this country, of the promise and the commitment or covenant he undertook during his campaign in 1968—“I will end the war.”

I believe, Mr. President, that the activities of this Nation in Southeast Asia and our operations against the North Vietnamese and Vietcong sanctuaries in Cambodia must be judged on the basis of the track record that the President has already earned and on the basis of the recent representations he has made of his intentions to continue on that course.

Once again nothing—I say again, absolutely nothing—in the representations of the President in this respect has earned him the disbelief of certain people in this country with respect to those representations.

Mr. President, this President of the United States, I believe, is the only President of the four who have been involved in this durable conflict in Southeast Asia that has been so direct and honest with the American people about the policy itself in terms of an open Presidency, in terms of the participation of the public in the decisionmaking process of the U.S. Government. There is no doubt that

there has been more candor, there has been more discussion, more public reporting to the Nation by the President himself, and more information disseminated to the press in this Nation than by any other President in any other conflict in the history of the United States.

Everything he has said about the situation in Indochina has proven to be accurate. Every promise he has made to the American people has been kept. Every goal has been met.

Each of his announced troop withdrawals has been accomplished on schedule or ahead of schedule.

Each of the President's objectives has been achieved with the exception of the greatest goal of all, which is a just and lasting peace, a goal which he vigorously reaffirmed last night by saying that “peace is the goal that this Government will pursue until the day we reach it.”

This President has been direct and honest with the people of the United States under tremendous pressure from a vocal minority of the United States and from most of the national news media who challenge the policies that he has found to be in the interest of all the people.

He has steadfastly resisted such pressure and continued to persevere in the path he has mapped out toward a peace that will reassure our other treaty partners that there will be no need for any later U.S. involvement in Asia or Southeast Asia.

If the President had failed to pursue the policies he believed in, if he had given in to the persistent and articulate pressures of his many critics, he would have violated his personal integrity and taken a course that he believed was not the correct course in the interest of all of the people taken together.

This was indeed an extraordinarily courageous move for the President to take.

After reviewing all of the military and diplomatic information available to him with his highest and best informed military and civilian advisers, the President determined that the combined allied operation in the Communist sanctuaries would be a decisive move that would affirm the ability of the United States to take effective action, even in the face of serious opposition from certain segments of the American public and Members of the American Congress. This capacity of the Government has been demonstrated, with great effect. The President also concluded that the move into Cambodia would deny the enemy forces the effective use of these sanctuaries for a minimum of 6 months and perhaps as long as a year. This would greatly inhibit the ability of the enemy to strike at American and ARVN forces during the withdrawal phases of the Vietnamization process. As the President reported to the Nation last night, the move into Cambodia has been “the most successful operation of this long and difficult war.” The statistics clearly reveal that the enemy has been denied nearly 10,000 personnel and very significant amounts of war materiel. The rice, ammunition, weapons, and other supplies captured will unquestionably reduce the capacity of the enemy to harass the Vietnamiza-

tion effort and to kill and wound American boys in South Vietnam. Furthermore, the monsoon rains, the denial of the Port of Sihanoukville to the enemy, and the aerial bombing of supply routes in Laos and Cambodia envisaged by the President in his speech last night will greatly hamper, if not render impossible, the ability of the North Vietnamese to replace the vast amounts of war supplies and materiel captured and destroyed by the allied forces during the operation in the Cambodian sanctuaries.

Many of the young people and their supporters who criticize the President, personally and as a national leader, speak admiringly of politicians who exhibit courage, men who become profiles in courage. Normally this means a politician who ignores the wishes of his constituency to do something that, which, contrary to the wishes of his constituency, is clearly right, with a capital R. At the same time these inexperienced young idealists criticize President Nixon and Members of the Congress for not doing what they want done. Many of the young people say that the Government is not “listening” to them. What they really mean is that the Government is not “doing” what they want it to do. There is a very great difference in these two things. I believe that the President has acted with extraordinary personal and political courage in the face of almost unimaginable criticism, pressure, and abuse. Just as he has resisted the scornful condemnation of would-be economic experts who forecast another 1929 stock market crash and who call for Government controls on prices and wages, the President has refused the counsel of those who urge immediate U.S. withdrawal from all of Southeast Asia. Just as he has steadfastly maintained his economic course, he has courageously maintained his policy in Vietnam, not because he thinks it is popular, not because it will win him votes, but because he thinks it is right. Those, like former Secretary of Defense Clark Clifford, who advised Lyndon Johnson through the war years with such questionable success, and former Gov. Averell Harriman, who had his chance in Paris with equally little success, now feel free to make public condemnations of this President's policy, the only President in the history of this tragic conflict who has reversed the bankrupt policy of escalation followed by each of his predecessors, the only President who has kept every promise he has made to the American people in connection with this tragic war that he did not make but inherited, the only President who has set out a doctrine for Asia that calls on Asians to provide for their own defense and not to lean on the power and generosity of the American people, the only President in the history of this conflict to come up with a policy that has a reasonable and reasoned chance for success.

Mr. President, in thinking of these times, the difficulties attendant to them, and the complexity of the judgments which must be and are made by courageous Presidents from time to time, it comes to my mind that there must be and, indeed, I am sure there is, something about the nature of the Presidency

which brings out strength in the men who occupy that office. I am convinced that that strength served in good stead previous Presidents who were faced with conflict in the Middle East, as President Eisenhower was, who were faced with the first known nuclear threat to the mainland of the United States from Cuba, as President Kennedy was, and who are faced now with judgment on how to deescalate and end such a durable conflict that the people of this Nation, who are sovereign, have demanded that policies change.

I think it is probably a God-given grace that the requirements of this office, the Presidency, do create and do strengthen reservoirs of determination and temperance that are necessary if this country is to be governed and follow a course of intelligent foreign policy calculated to end this conflict and to provide for the ultimate defense of the United States.

I think, on occasion, as I hear these criticisms and view these courageous acts by this President, and recall the measures and actions taken by other Presidents in the history of this country, that the shrill outcry of many who charge that the President is escalating the war and widening the war must surely refer to some other time. It cannot be this President they are speaking of.

Could it be that they have in mind the Presidency of Dwight David Eisenhower, or John Fitzgerald Kennedy, or Lyndon B. Johnson, when America first became involved to any extent in this area and escalated to over 500,000 troops steadily and inexorably, calling on the strength and psychological reserves of this country where we have unprecedented domestic turmoil?

Could it be it is this administration that committed increasing numbers of troops to Vietnam that justifies these cries of outrage against this President, his administration, and his policies?

Or could it be that some overlook the fact that there was a steady and inexorable, and in some cases massive conflict in Southeast Asia until this Presidency and this administration began?

Is it this administration they speak of with such caustic anger as they charge a widening of the war, when generally they must know that this is the first of four Presidents that has had to face this conflict in Southeast Asia, and that instead of increasing the number of American troops in Southeast Asia he has reduced them?

Has the fact that this President reduced the troops in Southeast Asia richly earned him the reward of being charged with widening the war? I think on occasion surely it must be some other state of affairs and circumstances that the critics of the President and the administration are observing when they say that the efforts of this President to deprive, not Cambodians but North Vietnamese of their privileged sanctuaries in Cambodia, is a widening of the war.

I find the terms "widening the war" and "escalation of the conflict" common to virtually every conversation I have had with student groups and others who have come to my office by the hun-

dreds—indeed, I believe by the thousands—in the last 5 weeks; but I have not found a single one who honestly claims that he has information that indicates that one additional American soldier has been sent to Southeast Asia, or who will say in good grace or with any claim of verification that one single person has been added to the troop concentrations of American forces in Southeast Asia—not one.

But I find it extremely difficult to have the same critics admit that Richard M. Nixon, the President of the United States, is the only President in the history of this Republic who has deescalated and reduced the level of the conflict rather than increased and broadened it. Surely there must be another set of facts and circumstances that these critics are examining.

Does the President earn the criticism, the anger, the wrath, in some cases the hatred of people in this Nation, for having reduced troop concentrations in the nation of Southeast Asia? Is this not what the country demanded? Have the President and the junior Senator from Tennessee somehow misunderstood the mandate of the people, that they will be satisfied only if we increase troop concentrations there instead of reduce them? Does anyone challenge that they have been reduced, and reduced only by this administration, under this President? Then why the expression "widening the war?"

And it is said on occasion that American troops have violated the territorial integrity of a neighboring country, Cambodia, and that this is widening the war. My colleagues, I do not recall any single news dispatch or any piece of information that would indicate to me that U.S. troops in Southeast Asia are fighting Cambodians on Cambodian soil. Rather, I find it extraordinary that most of the critics of this administration and its policy totally overlooked, and in some cases refuse to believe, apparently, that it is North Vietnamese that we are engaged in conflict with, that it is not the Cambodians whose treasure we are capturing, whose rockets, mortars, and missiles we are taking, to prevent them from destroying Americans; that it was the North Vietnamese who 5 years ago invaded Cambodia; and that it is the Vietcong who, together with their North Vietnamese compatriots, under a single command, have waged war from these privileged sanctuaries in Cambodia, against the South Vietnamese and against American service personnel.

Are we to assume that the United States is supposed to stand back and let the North Vietnamese invade Cambodia and provide a sanctuary in which they may concentrate their rockets, missiles, ammunition, and food, and deprive us of the ability to get out of Southeast Asia and Vietnamize that war? Are we to assume that the mandate of the people of the United States was to stay in Southeast Asia with 550,000 American troops ad infinitum and forever? That seems to be the rationale and the exclamation and the hue and the outcry of some people in this country against the adminis-

tration and the President who has reduced our troop concentration there.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. LONG. Mr. President, because of a personal tragedy in my family, I was not able to be here on the last vote. However, it did offer the Senator from Louisiana an opportunity to talk to many people in Louisiana and also in Colorado. The impression I gained in this important part of the country that I had the opportunity to visit in the last week or so was that the overwhelming majority of American citizens do not at all approve of any course that would mean a withdrawal with anything less than honor from the field of battle, and that the overwhelming majority of Americans feel the President did the right thing in going into Cambodia.

It is somewhat interesting to observe that our "hippy" friends who are seeking to influence elections are now getting their hair cut and shaving their faces, which is at least one mark for good. These people realize that if they are going to have any influence they had better be something else than what they are and have been. I submit that that is a kind of indication that they realize that they are not going to be very effective if they seek to make their case directly on the issues that are involved.

My guess is that the overwhelming majority of the people having heard the President of the United States in his presentation last night, would tend to agree that is the better course to follow. While some people may have had support for their programs and appeals to the public, in my part of the country they did not make it there. About the only people I can find who agree with them are those who perhaps have sons who are about to be drafted immediately or some persons who may fear that they may be taken immediately; but my impression is, at least from the people of the great State which I have the honor to represent, that the overwhelming majority feel that if this Nation is going to lose a war, we still want to play the part of honor.

I have no doubt of that, based on what I have been able to see in the State legislature and what I have heard from the large number of people that I have had occasion to discuss this question with in Louisiana and elsewhere. The great majority simply feel that the President did the right thing in sending the troops and that he intends to withdraw in an orderly fashion and that he is keeping his word. What more people could expect is hard for me to understand.

Mr. BAKER. I thank the Senator. I must say his observations of the sentiment of the people of his State are in accord with what I find in mine.

I have said on occasion—and I do not think it is an inappropriate cliché; I think it is appropriate—that one of the important symbolisms of our system of government is that the people of the United States are sovereign, and that you may doubt the judgment of the sovereign, but you may never doubt their authority.

When the people of the United States have said that the policy of the United States ought to be to disengage from Southeast Asia in an orderly way, and a program to accomplish that was formulated by this administration and termed Vietnamization or de-Americanization of the conflict in Southeast Asia, I have got to confess on occasion, when I hear criticism of some of the administration policies in Southeast Asia, that I have the lingering fear that their concern is that the war really will be de-Americanized and Vietnamized.

There is not the slightest doubt in my judgment, and I do not believe in many minds, that the maintenance of troops and supplies in privileged sanctuary in Cambodia would have made it extremely difficult, if not impossible, to Vietnamize the war by letting the enemy remain in a sanctuary 21 miles across the Cambodian border and shoot rockets at us. It would have at least retarded our Vietnamization process. I certainly do not want it retarded and I do not believe it will be. It is curious, but by the same token I have heard some say, "Going into Cambodia will widen the war." As I tried to say imperfectly a moment ago, Cambodia was gone into by the North Vietnamese and the Vietcong, to build and supply these sanctuaries to kill Americans from, and to make it impossible for us to disengage, to tie us down in Southeast Asia so we could not get out except by absolute, total, unilateral surrender and withdrawal. And I have never heard one speaker on the floor of the Senate—never one—who has ever denied the fact that even if we were to unilaterally withdraw from Southeast Asia, that to do so, and to protect our boys while we were doing it, would require a continuing conflict to protect ourselves while we were getting out and turning the whole thing over to the North Vietnamese, the Chinese, or whoever happened to come in to fill the vacuum.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BAKER. I am happy to yield.

Mr. LONG. Is it not true that the program of helping to build up officer personnel for the South Vietnamese army and elected officials of the South Vietnamese Government who might and, let us say for the sake of argument, could successfully defend their country against an invasion from North Vietnam, making it possible for us to withdraw without having the Communists take over that whole part of the world, might at this stage prove embarrassing for some Americans, and particularly some Members of Congress, who through the years have said that our friends the anti-Communists were corrupt and unworthy of support, who hold them out as those who would abandon their native land? Does not the Senator think it might actually prove embarrassing to some of them to see that the established South Vietnamese elected government and officer personnel, the anti-Communists, can successfully fight against the Communists and defend their country?

That sort of thing was established in Korea. We were told that the Korean Government was corrupt, that it could

not be relied upon; but with the support of American troops and American personnel, a fighting force was trained and is today capable of defending that land.

I would ask the Senator, does it not seem logical that if we would give the same kind of cooperation and help to the South Vietnamese, and not pull out on them prematurely in a way that causes them to doubt that they can count upon the support of the United States to provide them with the equipment and with the air support and the naval support that this Nation could continue to provide them, those people might very well prove they can defend their country successfully and, if that is the case, should we abandon them without giving them that chance?

Mr. BAKER. No, Mr. President, we should not. I thank my colleague for these observations.

It seems to me that those who have advocated immediate, instant withdrawal from South Vietnam, without some effort to provide that the South Vietnamese may have an opportunity to control their own destiny, whether successfully or unsuccessfully, are in effect expressing a strange sort of ingratitude and uncertainty of moral purpose. Because whether we were right or wrong in going into Vietnam is not in debate at this point. Whether we were right or wrong is really an academic conjecture that some day we will more fully explore—I have an idea for many years to come. But the fact is that we went there, we totally dominated South Vietnam, we in effect took over the conduct of the war with American personnel, we completely supplied it, and we ran the country—we still are, though we are trying to get out.

Now, do we not morally owe some sort of debt to the people whose country we took over, to say, "We are going to go home, but we are going to Vietnamize the conflict, we are going to do it on a time schedule, it is going to be a fairly short time frame, but we are going to do it in the reasonably near future, and we are going to try to train you up, to see what happens, to see if you can take care of yourselves"?

Mr. President, I have been rather startled after hearing observations expressed by certain of our colleagues—none of whom are now present—that the Government of South Vietnam is a paper tiger, that it cannot fight, it will not fight, and is not capable of defending itself, then, just a few days ago, to hear some of the same people say that the Government of South Vietnam is ruthless, militaristic, dictatorial, and not to be trusted. Mr. President, one of those tigers is going to have to retire. I am not sure which one.

Right or wrong, the United States intruded itself so massively into South Vietnam that we would never overcome the hostility of the rest of the world if we did not withdraw in such a way as to give those people a chance to determine their own destiny. I do not know what will happen. It may be that a month, a day, or a millennium after the United States leaves South Vietnam, as it surely will, North Vietnam will take over, or China will, or someone else. I do not know. The Senator from Tennessee will

have to reserve the right to decide what we ought to do then. But the important things now are two-fold, in my humble judgment: First, to disengage, and second, to do it in such a way as to pay our debt to the people whose country we took over.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BAKER. I am happy to yield.

Mr. LONG. My favorite uncle used to tell me, "Even if you are not running anything but a peanut stand, somebody is going to have to take charge and run it; otherwise, you are going to go broke."

I have never been anything more than a lieutenant in the Navy, but I would be the first to recognize that if you are going to conduct a military operation, you ought to have some command, some central command, hopefully some one man who can make the decisions; because if you have as many as two, and they cannot agree, you still might be having conflicts as to what you are trying to achieve.

We used to have some names for these joint Army-Navy operations back in World War II. Perhaps the Senator can recall some of those ludicrous names that were used to refer to a situation where you had one Army commander and one Navy commander, and half the time one did not know what the other was trying to do.

I should think if a congressional committee or a group of Senators or Representatives were to take over the conduct of the military operation over there, they ought to try to decide who is to be the commander, so we would know to whom we should look. If he is going to be a bigger commander, and supersede our Commander in Chief, it would seem to me he ought to have an appropriate costume or uniform.

The General of the Army, General Eisenhower, had about as high a decoration as we had. He was a five-star general; but I assume if one is to be over the Commander in Chief, he ought to be at least a six-star general, and perhaps should have a uniform befitting a six-star general. Then the others who would help him and be his staff perhaps should have at least five and a half stars, since they would be over a General of the Army and over the Commander in Chief.

I would ask the Senator, how would those who would run the war for the Chief Executive decide who was in authority, and who takes orders from whom?

Mr. BAKER. Mr. President, I must respond to my colleague from Louisiana by saying I do not know. I must say that is an expression I take no credit for inventing though I find it rarely used in the Senate.

I do not have any idea how we would do that. I do not have any idea how we would formulate military strategy here. By the same token, I am reminded that there has been conversation, from time to time, about Congress having equal time on television and radio for presentation of their views, under the fairness doctrine, to compare with those of the President.

As one of 535 Members of Congress, one of 100 in this body, I wonder, on oc-

casian, who is going to speak for me, and what uniform he will wear.

It seems to me that at this point it might be appropriate, just momentarily, to think again on the division of powers—not as a dry, sterile subject, but the division of powers in this situation as the Founding Fathers gave it to us, and as we have burnished and polished it over the years. Because, in this connection, I hear people say, time and again, that there is a grave constitutional crisis abroad in the land, there is a great confrontation between the President and Congress, and we are going to lose confidence in our institutions.

Mr. President, the kindest thing I could say is that that is a serious misunderstanding of the scheme of the Government of the United States, both as to its inception and its further utilization and perfection as time has gone by. There is no constitutional crisis. Some say Congress has taken a passive role, and has been virtually feminine in its activities. In this day and age, I am not sure that "feminine" and "passive" are synonymous.

Be that as it may, there is not a constitutional crisis and a confrontation between Congress and the Presidency over Southeast Asia, any more than there was between Congress and the President over World War II or World War I or the Selective Service Act in 1940 or many other things in which the Founding Fathers of this Republic gave partial and incomplete jurisdiction of powers to the President and the Senate. The Founding Fathers intended that they would be partial and incomplete, that they would be overlapping jurisdictions, and that it would be necessary, by this design, for the dynamics of conflict to produce a discourse between those two branches of government in order to produce a foreign policy for the United States.

Once again, many misunderstand the fact that Congress does not take a separate initiative, and confuse it with the fact that they do not involve themselves in the constitutional function. These, too, are radically different things. Congress has never been docile in the matter of foreign affairs. The Presidency has never been. There has been a continuing struggle for authority and jurisdiction in this field between every Congress and every President, to one degree or another.

So it seems to me that we only injure our symbolic ability to govern when we speak of confrontation between Congress and the Presidency. It does not exist.

Mr. President, I think it is important to understand, too, that certain people in this country and certain groups, intentionally or unintentionally, are painting a picture of a conflict so grave and intensive between the President and the Senate that they imply—if they do not in fact say—that if the "Senate position" does not prevail, there is grave doubt as to whether we could continue to govern ourselves because people will lose faith in the institutions of Government. Once again, I respectfully suggest that the kindest and most appropriate remark that I may make at this moment, in a temperate mood, would be to say that these people misunderstand the meaning

of selfgovernment and partial jurisdiction in the United States. I believe there is great danger in those who are promoting a crisis of leadership. I think there is a grave threat to the Republic as we continue and permit people to say that there is a confrontation between the President and Congress and that the Senate will not win and that, therefore, we cannot govern.

I am part of the Senate—I will be at least until January of 1973—representing 4 million people in the State of Tennessee, and representing this country, as a Senator of the United States. I am sure that if there is a call for equal time under the fairness doctrine of the Federal Communications Act, I will want to monitor very closely what is said on that equal time, because I may in fact require equal time myself. I may say now, for the Record and publicly, that if that is the case, I will formally request it.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. LONG. Mr. President, I associate myself with the Senator's remarks.

If someone wants to claim equal time to respond to the President's speech, I would want equal time for those of us who do not agree with those who do not agree with the President.

Having been in Louisiana during the past week, I am satisfied that if this Senator had been stampeded by the hippie parade on Washington, the people of Louisiana would be looking for the first opportunity to vote him out of office.

So that is just not how the majority of the people in Louisiana feel.

I would say that if someone wants to ask for equal time to respond to the President, some equal time should be accorded for some of us who think that the President said pretty much what the majority of the people think—those who feel better about the matter and have better confidence—not that we necessarily needed it—that the President is doing the best he can in a trying set of circumstances, and who feel that he deserves our support, after we heard his message.

I thank the Senator.

Mr. BAKER. I thank the Senator from Louisiana.

It does occur to me, as I have tried to list the criticisms to which the President has been subjected and the abuse he has sustained, that it is important to point out that those who criticize him and on occasion those who abuse him need not bear the responsibility of their counsel; that frequently they have no connection with Government, although many have had at one time, and may have some latent desire to have something to do with Government again. But they are free to snipe from the sidelines without bearing the great personal responsibility for American lives and the future of American foreign policy that is the President's and the President's alone in many cases.

The President has been extensively criticized by many for his "usurpation of the constitutional authority" of Congress when he undertook the Cambodian operation. Let us take a closer look at that argument for a moment. Any grounds

for a constitutional argument must rest either on the power to declare war, given to Congress in article I, or the power to advise and consent on treaties, given to the Senate in article II, section 2.

Mr. President, these are the parameters of the authority of the Senate of the United States in foreign policy. It is not some mystical thing that we have divined and created by the great burden of our own efforts as Members of this body. We certainly have not done that in any generous measure. It is, rather, because of these two sections of the Constitution of the United States which have been extant since the beginnings of this Republic.

This is not a declared war, and no one in Congress with whom I am acquainted has publicly stated that he felt that we should declare war. Against whom would we declare war? Would it be North Vietnam, the Provisional Revolutionary Government, the Khmer Rouge, the Pathet Lao, the Soviet Union, the People's Republic of China? Surely, no one would seriously consider any of these possibilities under the warmaking power of Congress.

With respect to the treaty power, article II, section 2, it is very difficult to see how this power could be applied to the current situation.

Some criticize the President for not at least consulting with the Senate Committee on Foreign Relations before taking his action in Cambodia. Is there a Member of this body who doubts what such "counsel" would have been from the committee? Would such counsel have been representative of the body as a whole? I am not sure that it would. Is there anyone who seriously says that the President should have come to the Senate as a whole with an open proposal for allied operations in Cambodia, on which I am sure there would have been weeks of acrimonious, extended debate? It seems to me that, at the very least, one might say that any element of strategic or even tactical surprise might have been avoided and completely destroyed. It seems to me, at the very least, that it is likely that a thousand young American soldiers would have died as a result of our being deprived of the element of surprise against not Cambodians but North Vietnamese and Vietcong.

The question is raised as to whether Congress has abdicated its constitutional responsibility to the executive. Many say that if Congress does not adopt the pending Church-Cooper amendment and the so-called amendment to end the war of Senators MCGOVERN and HATFIELD, it will have demonstrated that the institutions and processes of our Government have failed, and cannot respond to the legitimate needs and demands of the American people, which seems to me to be an extraordinary assertion. If there is any validity to the concept of partial, overlapping, and incomplete jurisdiction residing in the President and Congress and in other cases in the President and the Senate, it is essential that we consider the relative merit of the conduct of affairs of state and the relative merit of the conduct of the military from the

floor of the Senate or from the floor of the House of Representatives as distinguished from statements of broad general policy. The latter I conceive to be the least requirement of a conscientious legislative department of government. The former I consider to be impractical. Between the range of those concerns lies the answer. The balance will change and vary from time to time, depending on the President and the make up and constitution of the Congress itself.

I believe it may be fairly said, as I said at the opening of these remarks, that there is something that supports the criticism and fuels the criticism of the President and this administration other than just the facts and circumstances, other than just the intellectual communication between two rational individuals or groups. There must be something there, that we are not communicating on a verbal basis. It must be something of a nonverbal communication.

I tried, in the earlier part of these remarks, to analyze what that might be. Some of them, at least, I think we may have identified, but one or two others I think are important and I should mention as I near the end of these remarks.

I said earlier that in this country—in fact and indeed—the people are sovereign. Any Member of Congress may doubt the wisdom of that sovereignty and that judgment, but he had better not doubt the authority of that sovereignty, because the authority of that sovereignty, made active at any polling place on any given election day, will smite him in the face and challenge his authority as distinguished from his judgment.

Mr. President, the authority of the people is reflected in Congress. It has been said by writers, on occasion, that in addition to the people being sovereign, the design of Government, of a strong, central Presidency, really creates the image of a monarchy in disguise and that the people give the "crown," or the robes of sovereignty, temporarily, to a particular President, or they withhold it, depending on their mood and judgment at that particular moment; that, in effect, there are two steps to go through in the creation of the Chief of State in the United States. One is his selection by the elective machinery, the electoral college and all of its imperfections, which produce one man, who then occupies the oval office in the White House and is the Chief of State and President of the United States, in the same person.

But then there is another step that is not fulfilled in January, every 4 years, and that is the "coronation" of the President. That is the giving and the granting to him by the people of the trappings of royalty.

If the thesis made by some, half in jest and half seriously, that this Republic is, in fact, a vestige of a monarchy, and that we do give or withhold the trappings of royalty to our Chief Executive, if that is valid and we examine the situation, it is fair to say that if the people grant the trappings of royalty to our Chief Executive and Chief of State, they will follow him anywhere, as they have. But, if they withhold it, or withdraw it, they will not follow him anywhere.

That the people are sovereign and are pretty fickle about it, is not meant to be a criticism of their sovereignty, which is unhealthy for politicians, but, rather, is just an observation as to the giving and taking away of the trappings of royalty.

To put it another way, and in less medieval terms, we can see that it is symbolism, the symbolizing of leadership. Either way, it amounts to the same thing—a nonverbal form of communication as between the American people and their Government—especially as to their President, which is a verbal and intellectual one. That is part of the problem that we have in this country.

I hope and I think that none of my colleagues will believe that I am being unusually demeaning of the President of the United States, who is of my party, for whom I campaigned very hard, and for whom I have high admiration; but it is my duty and responsibility to try to look as deeply as I can into the turmoil and the conflict of these times, and to try to look beneath the troubled waters that beset America today in order to try to find a solution.

When I do, I realize that we have not yet held the "coronation."

Mr. President, I think that if I had been elected President—which I was not, and I am under no illusions in that respect, although sometimes when there is some difficulty found on the part of some to recognize who is or who is not the President, I know that I am not—but if I were, assuming hypothetically for the moment that I had been elected President in November of 1968, solely for the purpose of trying better to understand the turmoil and conflict going on in this country and the difficulties we are having at the moment, making a basic reevaluation of foreign policy our first order of business since World War II, I would have concluded, shortly after election, in reviewing the nature and state of affairs in the country, that if I were to govern, if I were to provide according to the best of my ability for the welfare of the Republic—if you will pardon me, Mr. President, this additional remark—to provide as best I could for my own reelection, I would have found two things intolerable that had to be changed.

I would have found that in view of the status quo in Southeast Asia, the continuing war, and the continuing escalation every week to the point that we have 550,000 Americans committed to battle in a country most of us had never seen and few of us ever heard of except by other and different names when we were students in school, I had to do something about the status quo in Southeast Asia.

The sovereignty I have just spoken of, and the academicians who would debate the wisdom of the judgment of the sovereignty of the people, as well as the people's judgment, that the war had gone on too long, and that it was time to do something about it, to reverse the trend of escalation upwards and the ever-growing numbers of troops and material going into Vietnam, that is the first thing I would have found to be intolerable.

Another thing I would have found was the hue and cry over a period of years

against the ravages of inflation, the steady, inexorable decrease in the value of our treasury, that in this remarkable time in our history, as the result of advances in science and technology, that we were able to produce wealth at such an abundant rate that we stand on the brink of being able to do what we have never done before, or had never been able to aspire to before, that is, to eliminate abject poverty from the face of the earth, which some would retain in the name of conservation; but even though there is a paradox there, in this time of emerging plenty concerning material things, that the heaviest tax, the most linear tax, the least progressive tax imposed on the people of the United States is the tax of inflation, and they know it. We might wonder, if we examine these things in their basic nakedness, whether they really did know, but may I admonish again that the people are sovereign. We may doubt their judgment, if we wish, in private, but do not doubt their authority, because they are jealous of their prerogatives and they tend to destroy those who challenge that authority—especially politicians.

I would conclude some day—I will make a mental note to determine whether I thought their restlessness with the rate of inflation was a quantum increase in the rate of wealth—I will do that later; but in 1968, I would not doubt the authority of their sovereignty, and I would decide that to continue the inexorable climb of the inflationary spiral was intolerable, and so I would have concluded at that time that if I were to serve my country and perform and function as head of state and lead the people with every nonverbal communication, with the trappings of royalty, and provide for my own reelection in 1972—God perish the thought that I would have to think of such matters—but had I been elected in 1968, that is what I would have thought of. And then I would have thought, good gracious, what a terrible time this must be to be elected President because of the issue of Vietnam which confronted me. I was an understudy of Dwight D. Eisenhower, a great President, who will become an institution within the framework of the Presidency in time, in my judgment.

I imagine Richard Nixon, the President-elect, may have thought, "You know, I was the contemporary of and the adversary of a young Senator from Massachusetts who succeeded to the Presidency and faced crises, personal and public, and lost his life in doing so. But my goodness, under those two administrations the war increased in its fervor and tempo. And I served with President Lyndon Johnson, a man that was credited with being a consummate politician and one of the great leaders of the Senate. My goodness, this war did, as I recall, increase and escalate during that period. And what a difficult time this will be to occupy the Presidency of the United States and to supply my own anointing as the symbolic leader of this country."

Mr. LONG. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. LONG. Mr. President, I have not

been privileged to follow the debate during the last week. Perhaps I would be more knowledgeable if I had. However, I can follow the Senator's argument.

May I say as one Senator to the Senator from Tennessee that if I were sitting there as the President, having seen Presidents of great courage—Dwight Eisenhower, John F. Kennedy, Lyndon Johnson, and yes, I think we could go perhaps a step or two in the other direction and say men like Harry Truman, Franklin D. Roosevelt—I do not think I would leave the field of battle in dishonor and turn my back on people who were relying on the commitments of this Nation when we had never even lost a single battle and run out on people who were willing to stake their lives as our allies and fight by our side against tyranny.

I am not thinking in terms of words such as those used by Patrick Henry. It may be too much to ask Americans to think in terms of liberty or death. I am thinking simply in terms of standing one's ground when one had not lost a single battle and had lost no more than a single skirmish or two when the issue might well be that of freedom throughout the world.

I think in terms of the President playing his part with courage and seeing the thing through. It would be almost unthinkable to think of any man who could measure up to that great job.

I would ask the Senator whether he would think that any man would be worthy of the job once held by Abraham Lincoln, George Washington, or Woodrow Wilson were he simply to turn tail and run, against his own better judgment, under the pressure of a hippie parade. I should hardly think so.

A man to hold the job held by Richard Nixon today would have to have some understanding of history and the significance of it, both past and future.

I would quite agree with the Senator. Might I say that those in Congress who want to play the part of the faint-hearted should be more tolerant. They can take their case to the American people in November. They are not doing too well so far, and those who have stood firmly with this Nation seem to be doing all right at the polls.

I would think that if they really think that the American people want to throw in the towel, why do they not go ahead and rely on the people to support their opinion in November?

The President should at least expect some consideration from Congress, and, particularly if that Congress was not going to impeach the President, it should for the next 2 years cooperate with him in advancing this Nation's interest.

I would think that those on this side of the aisle in Congress would like to present some sort of credible record to show that we are willing to give the man the benefit of the doubt that he will follow his conscience and do his duty as the Good Lord dictated it for him to do.

I wonder if anyone could really doubt that the President of the United States is not seeking prayerful guidance every night, as many of us are, as to what he should do about the fate of this Nation day by day.

Does the Senator have any doubt that the President is thinking about the fate of this Nation, quite apart from his own fate?

Mr. BAKER. Mr. President, I do not think that anyone doubts that the President must be responsive to the resonance of this great Nation to a degree that few people are privileged to know. That may be one great part of the Presidency itself. In trying to describe and give a vignette of this playlike scenario of what might have happened in November 1968, I am really saying that the President-elect would have come to the realization that these two items, the war in Southeast Asia, the endless, durable, terrible status quo must be disrupted and second, the voracious inflation fed by the fiscal and monetary policies of the preceding 4 or 5 years had to be changed, and that the first great call on the Presidency, the first challenge on the strength of the Presidency, and the first crisis for the new occupant of the White House would be to determine how to do that and still preserve the rulability of this country.

I had an idea that the new President-elect at that point should have decided, "I got elected President. But they did not neglect to put the problems that are so difficult and are apparently insoluble directly on my doorstep the minute the polls closed."

They were so difficult and complex that previous Presidents had been unable to solve them.

They represented a great challenge to his Presidency. And he decided that to solve the problems was going to take measures of extraordinary delicacy.

I think he might also have reasoned at that time that the only way he could earn his cape and his symbolic leadership of this great Nation and the only way the people would follow him anywhere, as he is their anointed leader, was to solve these two intolerable and insoluble problems.

There was not any great design of background of great family wealth. There was not the background of a great leader who had preserved the democracy of Western European civilization in World War II.

There was not the background of coming to the presidency with the unanimous sympathy of the people of the country because of the assassination of a young President.

None of these things could supply the symbolic leadership. He had to earn them.

That is not uncharacteristic of the present occupant of the White House. I rather think that historians will record that of all men who have occupied the office of President, none has had fewer breaks than the present occupant and that he probably in November 1968, or December or thereabouts, made some such judgments to the effect that it would be through the hard and difficult way that he would have to earn his right, his spurs, his crown, his symbolic leadership. He would have to do it by solving these two insoluble problems and disengage this Nation from Southeast Asia and stop the ravages of linear inflation.

I think the courage of this man, the

President, probably led him to devise that sort of solution.

One, to provide that we are going to end the war in Vietnam. Believe me, this is not a paraphrase that the junior Senator from Tennessee is making of some other remarks of the President of the United States. This is what he has said in the campaign and since, and the latest was last night on television.

On what other basis of performance, what other commitments, what other statements with respect to Southeast Asia, what other promises does anyone in this country have to disbelieve this President? Has he failed to withdraw troops as he promised he would? Has he advised the people of the country periodically of developments? Has he failed to commit himself and his administration, even at the risk of his political destruction, to do difficult and unpopular things?

In four Presidencies we have intruded into Southeast Asia and South Vietnam. The war has completely dominated that country. In removing those forces and Vietnamizing the conflict he believes we owe a moral responsibility and duty in a way to give those people a chance to form their destiny. They may not make it. I do not know. It would be harsh and cruel to say I do not care; I do care.

The real basis for judgment is, Have we performed a moral function as the most moral nation on earth, according to our own manifestations by withdrawing from Vietnam in a way calculated to give them that fair chance and still fulfill and perform on the promise, the boldest promise any President ever made, that we will end the war in Vietnam?

Then, to look at the economy, the second of those terrible challenges, it might be said that there are two ways available. One would be the traditional application of fiscal restraints, taxation, and reducing budgetary requirements for the Federal Government, through making interest cost higher by contracting the amount of money in circulation, and the amount of credit available to the economic community. Those are traditional ways. Or to start an endless spiral of wage and price controls and profit controls and all other kinds of controls, because once you control a part of the economy, you better control all of the economy or the dynamics of that situation will produce an intolerable situation.

I expect the easy way would have been to make an immediate presentation to the people of the United States for the necessity for wage and price controls because the problem is out of control and it is difficult to handle. That would probably have been the easiest way. But I submit it would have been the most destructive, the most un-American, and the one least typical of President Nixon.

Not only did he gamble to end the war in Vietnam and at the same time perform on his commitment to give the South Vietnamese a chance to determine their destiny, but he elected to run on that knife edge between restraint and disaster that was necessary to cool the economy through the traditional means, which is certainly more time consuming and certainly more subject to criticism

both within and without the Government.

I have an idea also in this scenario, this vignette, the newly elected President in November or December having made these judgments might have felt these are terrible risks for a man to take, a man who fought so hard to be the chief magistrate of the greatest nation on earth. And he said to himself, "I know things will get pretty rough, but I have to take it."

But, Mr. President, the situation now, I believe, is about to be the undoing of the prophets of gloom and doom. The stock market did not go to 250 on the Dow Jones industrials. It made a rather healthy decline, a substantial one, but there was a rise. Neither of those things may have been good but it is a fact that it did happen. The demand-pull components of inflation have at least abated.

I believe the last encounter with the stock market is the most encouraging thing I have seen in a long time, because it shows me that the tools in our kit, including the contraction and expansion of money, are likely to win in the long run. It would appear the President chose the most difficult path in each of those two situations. He did it full well knowing that, having struggled for the presidency as he did, this was the right way, and he said as much on television.

This is the greatness of the presidency and of this man. This is the gamble we have taken. This is why in the shadow of this display of courage and determination that is so clear and apparent for all to see, I urge this country and Congress not to become embroiled in issues that are not central and that we keep our eyes riveted on the two big deals; How to Vietnamize that war and withdraw our troops from Southeast Asia—not when, but how?

How do we look at the situation and respond to a President who has de-escalated the war instead of escalating the war? How do we convince the people they should not doubt the credibility of this President when there has not been a single promise which he has made that has not had full credence? How do we convince them that they may be speaking of some real or imaginary credibility gap of the previous administration, but surely not this one? How do we convince the President that the country understands him and backs him and believes it is the thing to do? I know, and I have been there. One can hear the chant from the oval office.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. LONG. It seems to me that the President, our Commander in Chief, is the man who, under the Constitution, is the only one who can make this kind of a decision. He had a choice whether he wanted to do those things which would risk a war with Red China or a war with the Soviet Union; the kinds of things the people in our State Department advise strongly against, even though I strongly felt in years gone by we should have done some of those things. He had that avenue open to him.

He had the opposite avenue open to

him: Simply a shameful runout and surrender. He did not choose that avenue and I am happy he did not. He chose a middle course which was a course that we would help to build up a fighting force in South Vietnam, a country about the same size as North Vietnam, which would have the same opportunity for defending itself, at least as much as North Vietnam would have to make war upon South Vietnam.

Having built up such a force as that, we would turn the combat, the casualties, and the battle over to the South Vietnamese to defend against the North Vietnamese, with the understanding they had the United States behind them to the same extent the North Vietnamese had Red China behind them.

That would appear to be what the President had in mind. He is making progress out there. I cannot, for the life of me, understand why, when he is proceeding in that fashion, in view of the commitments he has made and the order in which he will withdraw men, the Congress wishes to disbelieve him, not take his word, distrust him totally and completely, even though he gives them all the evidence required that what he is doing is the wise way to do it under the circumstances.

The visual demonstration of all the weapons captured, all the food captured, the obvious effect on the enemy in denying him a great deal of logistics and setting back his plans for an offensive against our Vietnamese allies and the forces of the United States in South Vietnam, are very impressive and convincing. Without any evidence to the contrary, the Senator from Louisiana finds it very difficult to believe that we should support the theory that the President was seeking to enlarge the war or that he did not have enough sense to know what he was doing. It seems to me the burden of the evidence is the other way—that the President listened to his military advisers and his State Department advisers, and after listening to the advice he thought he should have, he proceeded to do what he thought he should do.

Does the Senator believe the President could have consulted Congress without anyone who was not consulted getting his nose out of joint? If the Armed Services Committee is consulted, should not the Foreign Relations Committee have to be consulted? If a Senate committee is consulted, should not the equivalent House committee be consulted? Those of us on the Finance Committee would believe we had every right to be consulted because, after all, if an additional risk is to be taken and it might cost more, the members of the Finance Committee would be expected to vote for additional taxes to pay for it, or we might be asked to raise the debt limit, and we would feel we had a right to be consulted about it.

Then various other committees would have the right to claim that they should be consulted. By that time, after every committee that should have been consulted had been consulted, someone out of the 12 or 15 who had not been consulted would feel that he should be consulted because everyone else had been consulted.

Does the Senator believe that if all the time needed for that consultation had resulted in the cost of 500 or 600 American lives, it would have been worth consulting every Senator who thought he should be consulted on that decision? Personally, I think not.

Mr. BAKER. Again I thank the Senator from Louisiana for his observations on this point, with which I agree. I think it is incumbent upon us to consider the entire picture, and not just parts of it, in looking at this subject.

Mr. LONG. The Senator knows that in any military operation against the enemy, surprise is a very important element for success. The element of surprise can oftentimes reduce casualties to a mere fraction of what they would be if there were not the element of surprise. Certainly, if the President had taken the time to consult everyone in Congress, would it not be true that the element of surprise would have been lost?

Mr. BAKER. I agree with the Senator. I thank him very much for his contribution to the colloquy.

As each of us here knows, the Congress has been presented time after time with bills, amendments, and resolutions offering different solutions to the war in Vietnam. Each time the Congress has acted, invariably by refusing to adopt such an arbitrary and inflexible policy. Just because the Congress has openly and thoughtfully declined to take the action that some want, the President's critics assert that the Congress has failed to stand up to the President, to exercise its constitutional and moral responsibilities to the people of the Nation.

Such a simplistic, moralistic, and remarkable view of what we are debating here today seems to me to express nothing but contempt for the very heart of the democratic, representative process in a large, variegated, diverse society such as ours. It is natural and human to be disappointed if your point of view fails to win majority support and to prevail; to claim that the system itself is corrupt and failing seems to me to be a kind of myopic self-indulgence that should not be seriously considered, except as a sign of potential danger.

It is important that we here in the Congress air this issue fully and carefully, because the various actions that have been proposed have many far-reaching and serious potential consequences. It is important that we not act precipitously or emotionally in the heat of the moment. It is also true that each of us should express his thoughts and feelings as best he can, so that the American people can be exposed to the broadest possible airing of these critical issues and so that they can hold us accountable for what we say and do here.

One serious responsibility that I think we have to the American people as elected representatives and makers of policy is to speak honestly and openly and not seek to manipulate and to prey on the emotions and fears of a given moment. I know that there are many people in this country who are looking for a leader in the so-called peace movement. I know that there will be con-

tenders for that job. There are also many who are looking for a champion for swift and total victory in Indochina. There will be candidates for that position, as well.

But our responsibility is to study the complex issues and to debate reasonable directions for policy, not to come up with simple jingles and false solutions that might have public relations appeal.

I think that the amendment offered by Senators CHURCH and COOPER has been substantially improved by the modifying language that has been added to the preamble of the amendment. I recall pointing out to the Senate on May 15 that the effect of the Church-Cooper amendment as originally proposed could have been to suspend pay and benefits to American soldiers in Cambodia prior to their withdrawal by June 30. I pointed out at that time that simple language could be drawn to eliminate that unintended ambiguity. As a result, such language was drawn up and accepted by the Senate on May 26.

Several other amendments to the amendment have been offered and will be offered. I think that the pending amendment by the distinguished Senator from West Virginia (Mr. BYRD) has a great deal of merit, and I think it should be carefully and fully considered. I know that it will be, and I would not be surprised if the vote on his amendment proved to be the decisive vote on this whole matter.

In summing up, I believe that the President of the United States has performed with the most unusual personal and professional skill and courage throughout this entire episode. I think that, when all the smoke has cleared, he will have earned and will be given the gratitude and admiration of the American people. I think that his speech last night was one of the best of his career, and I think that it should demonstrate to his persistent critics that the man should be trusted. I do not believe that the President has usurped any power from the Congress or anyone else during the course of the past few weeks, and I am confident that the Congress will not repudiate him.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. BAKER. I am happy to yield.

Mr. BYRD of West Virginia. I thank the Senator for his very incisive statement. I am glad to know he feels that the vote on the amendment which I have offered, and which is cosponsored by several Senators, will be the decisive vote. I share that feeling. I feel that this is the key amendment. I believe that, if this amendment is adopted, it will then allow some of us who are presently opposed to the Cooper-Church language as presently written to vote for the Cooper-Church amendment as amended by my amendment.

I personally would like to vote for the Cooper-Church language in large part, but unless this amendment which I have offered is adopted, I would find it impossible to vote for the Cooper-Church amendment. I think that the amendment which I have offered has great merit.

I believe that the great majority of the American people, if they understand the

full intent of my amendment clearly, will support it.

Our U.S. Government has sent American servicemen to Vietnam. We have 428,000 American servicemen there now. They were sent there by the U.S. Government. Some of them—most of them, I would say—went through no choice of their own. I think it is the responsibility of the U.S. Government to protect their lives while they are there, and to do everything possible to see that they return home safely. This is all that I and other Senators who are supporting my amendment are trying to accomplish. We just want to make sure that the President has flexibility, and that he has authority and power—which we think he has in any event, but we want to make it doubly clear to the enemy and to everyone concerned that the President has this power, this authority, and this flexibility—to take whatever action is necessary to protect the lives of the American servicemen who have been sent by the U.S. Government to South Vietnam and to do everything possible to bring them back home safely.

I think the parents, the grandparents, the other relatives and the friends of servicemen throughout this country would say "Amen" to my amendment, if we can just get the message out to the people of the country as to exactly what the amendment would do.

I thank the Senator for his contribution. I agree with him in his evaluation that this will be a decisive vote, and once it is taken, if the amendment is adopted, I feel that all ranks can close here, and that most of us—or certainly many of us who cannot now do so—can then vote for the Cooper-Church language, and that it will be an improved amendment by virtue of the adoption of my perfecting language.

Mr. BAKER. Mr. President, I thank my colleague from West Virginia. I entirely agree with his observations. I think that there is a point in his remarks just now that would bear further comment.

There are some quoted in the press—some in this body, some commentators, and others—who in effect say that there is a filibuster going on, that there is an extended debate, that there is some purpose to be served by continuing it for some time, to July 1 or some other date.

I recall that there have been a number of extended debates since I have been a Member of the Senate. I do not recall one that has been punctuated with votes every 4 or 5 days, as this one has.

In reading the RECORD, I notice that everyone, without exception, who has had something to say has said it, and that it has been germane and relevant to the issue at hand. Although the issue is a broad one, the speeches have been remarkably succinct, in my view.

I think that the very fact that it is beginning to appear that the vote on the amendment of the distinguished Senator from West Virginia may be the decisive vote is the purest vindication for discussing these issues at length, because I doubt that anyone will deny or challenge that some sort of accord and harmony within the Senate would be desirable. I expect that there will be other speeches

and other detailed analyses of this situation, but I expect also that we are heading, surely, toward a time when the Senate will have performed and discharged its full responsibility, and, in retrospect, we will all recognize it that way.

So I commend the distinguished Senator from West Virginia for having offered this amendment, and for having tinkered with it until he got it in such shape that it appeared that it would cover the most territory, would reflect the general attitude, and would do its part toward bringing about unity within this body and this country.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. BYRD of West Virginia. I think I should state for the RECORD that I was willing to submit my amendment several days ago. I discussed it with the able majority leader and the able minority whip, who was present in the Chamber at the time, with the intention of notifying them that I had such an amendment, and that at some time before reaching a final vote on the Cooper-Church language, I wanted to be protected in the opportunity to submit my amendment, have it debated, and have it voted on up or down.

So I did not delay until yesterday for the sake of delay the submission of my amendment. The Senator from Kansas (Mr. DOLE) indicated several days ago that he would like to have his amendment submitted first and voted on. He and I discussed the matter, and we discussed it with the majority leader, and I acceded to the request of the Senator from Kansas. The able majority leader assured me that I would have an opportunity to present my amendment, and when the amendment of the Senator from Kansas was disposed of on yesterday, then, under the previous unanimous-consent agreement, which had been secured by the majority leader, I brought up the amendment which we are now considering.

So, lest anyone think that there has been any attempt to delay on my part, or on the part of those who were cosponsoring my amendment, I want to dispel that idea here and now. The amendment was ready, the intention that it would be offered was expressed, and I merely tried to accommodate myself to the wishes of other Senators who wanted to bring their amendments up ahead of mine.

As far as I am concerned, we can vote on this amendment Wednesday or Thursday of next week. I think we owe it to the four Senators who have gone to Cambodia, to delay a vote until they can return and have an opportunity to study this amendment. We also owe it to the American people to get the message out to them as to what this amendment is all about. I think it is that important; and it would seem to me that by Wednesday or Thursday of next week, we can have done both of these things. Our colleagues will have returned. The American people will have been informed as to the intent of the amendment, and as far as I am concerned, we can have a vote on it.

If my amendment is agreed to, as far as I am concerned, I shall be ready to vote on the Cooper-Church amendment. However, I am only 1 of 100 Senators.

I thank the Senator from Tennessee. Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BAKER. I am happy to yield to the Senator from Colorado.

Mr. ALLOTT. First of all, I commend the Senator from Tennessee very much on a very forceful speech today, clearly setting forth his position on the contents of the Byrd amendment.

I will say to the Senator from West Virginia that I am not sure whether or not, if his amendment were adopted, I would be willing to support the Church-Cooper amendment, unless we had had an opportunity to look at some other considerations in connection with it, despite the great merits of the amendment offered by the Senator from West Virginia, which most of us, I believe, or at least many of us, will support.

I do wish to say that I think the remarks of the distinguished Senator from Tennessee relating to the value of the debate on this matter are very well taken. When this matter first came up, there was among some Senators, and in some areas of the country, almost a feeling of panic, one might say—certainly a feeling of frustration. The events of the last 2 weeks, and particularly the report by the President last night, have shown the people of America three things. The first is that the American incursion into Cambodia was an incursion into Cambodia only as far as map lines are concerned. For 5 years Prince Sihanouk's government and the one which has succeeded it, the Lon Nol government, have not actually controlled Southeastern Cambodia.

The second thing is that this has been a very highly successful military operation. No one can deny that that operation and the one which has succeeded it, the President, has resulted in the destruction of military materiel, which is bound to save many, many American lives and actually increase the safety of Americans and speed up the withdrawal.

Third, the President is keeping his promise to the people with respect to the troop withdrawals. Already we have seen the withdrawal of 17,000 troops from Cambodia. This total is over half of the American troops that participated in this action.

I might say, if the Senator will indulge me for just a moment, that I am still very concerned with the question of the prisoners of war, not alone in Cambodia but those in North Vietnam as well. I am perhaps dense in not being able to understand the panic of those who say they want to shut down appropriations as of a given time and who do not think of the some 1,200 men who are involved and are prisoners of war in North Vietnam as well as in Cambodia. Perhaps we will have another opportunity, on the floor of the Senate, before this matter is disposed of, to consider other ways to deal with the prisoner of war matter.

I shall speak later this afternoon on some of these matters, but I just wanted to thank the Senator for his tremendous

contribution and his very critical and brilliant analysis of the situation.

Mr. BAKER. I thank the Senator from Colorado, who is chairman of the Republican Policy Committee, and who has performed magnificently in his long and distinguished service as chairman of that committee. I appreciate his remarks and look forward to the additional remarks he will make later this afternoon.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. HANSEN. Mr. President, I should like to express my gratitude and genuine appreciation to the distinguished Senator from Tennessee for the vitally important contribution he has made this afternoon.

I am inclined to agree with him and with the distinguished Senator from West Virginia that it could very well be that the vote on the Byrd amendment will be the decisive vote on the whole proposition that has been before this body for some days. I say that, first of all, because it is my conviction that the language itself cuts right down to the basic issue that must be faced by the people of America. I read from the amendment:

Except that the foregoing provisions of this clause shall not preclude the President from taking such action as may be necessary to protect the lives of United States forces in South Vietnam or to facilitate the withdrawal of United States forces from South Vietnam.

The reason why I commend the Senator from West Virginia for having presented this body with an opportunity to face up to this issue is that he has focused attention upon the very purposes that prompted the President to move American forces into Cambodia in the first place. This is true despite the cries of anguish and dismay by many who said that this holds broad import for all Americans because it constitutes an invasion of yet another country and those who say that it reflects an expansion and an escalation of the war.

I think, by contrast, the amendment focuses attention upon the precise thought that the President of the United States had when he entered Cambodia. These two objectives, to protect the lives of United States forces in South Vietnam and to facilitate the withdrawal of forces from South Vietnam, are exactly what he had in mind, and it is well that we face up to that issue. Along with every other Member of this body, I have received a number of letters from constituents in my State and from other States as well. I have been more than a little dismayed as I have received mimeographed strips of paper signed by a person, with one color of ink and an address written in another color of ink, indicating that it was a pretty mechanical operation, and simply saying, "Dear Senator, please support the peace amendment," or "Please support the end of the war amendment."

I cannot believe that people who avail themselves of an opportunity to communicate with their legislators, or who are unable to articulate more clearly than such a petition would indicate,

really know what we are talking about here. Who does not want the war to end? Who is not for peace? Everybody is. I would hope that every American—and the people throughout the world as well—would join all of us in saying that we would hope that we might have peace and that the war might end. What is not realized by those people who support the measures which I think would delay the day of peace, would postpone the time when Americans could return home from Southeast Asia, and would add to the burdens of the South Vietnamese now faced with the dual responsibility of trying to bring into being a viable government for themselves and to undertake at the same time the defense of their country, is that the action the President has taken will help achieve all these goals.

So it seems perfectly reasonable to me—and I agree wholeheartedly with the distinguished Senator from Tennessee—that the Byrd amendment is the key amendment. So far as I know, it really brings the issue into sharp focus and calls upon each Member of this body, as well as every other American, to examine his own conscience; to see if we want to take steps now that might bind the President's hand and deny him the opportunity to accomplish the goals which constitute an important part of the prayers of every American.

I hope that we will understand, as I believe some do—as I hope many will—that what the President has done directs itself to the attainment of ending the war and bringing peace. It is a matter that will require some understanding and some explaining; because the very fact that we have had so many people coming into this city in the last several weeks and so many writing to us, saying, "Support the peace amendment; support the end of the war amendment," indicates to me that not everyone does understand. Only by understanding what the issues are can we hope to clarify the issues, increase the determination of this country and add strength to the present ability of this country to achieve these goals. They are commendable goals.

As I have pointed out on previous occasions and as I said the very night the President announced his decision to move into Cambodia, the significant thing to me, was, as the President made clear: we are fighting the same enemy in Cambodia we have been fighting for the past 9 or 10 years in Southeast Asia. There is no difference. It is the same enemy. He has been using the sanctuaries in Cambodia. The only thing that has been changed by the courageous and crucial decision the President of the United States made in ordering our forces to go in and take steps so as to deny to the enemy further use of the sanctuaries, was that for the first time we have refused to continue to let the enemy exclusively decide where the battlefield shall be. That is the only difference that I can see that came about when troops were ordered into Cambodia.

Mr. President, I think that the remarks of the distinguished Senator from Tennessee will go a long way toward helping

all of us better to understand what the issue is, and what actions are necessary in this complicated and difficult year of 1970, in order to bring about the kind of successful resolution to an action which has taken altogether too long.

I share the sentiments of the distinguished Senator from Louisiana that perhaps had these things been done several years ago, we might be nearer to peace than we are today. As a matter of fact, I am one of those who believes that we might have had peace by now had these steps been taken previously. But, nevertheless, both as Governor of Wyoming and now as a Member of this body, it has been my privilege, and I have considered it a very important duty, to support the President whether he was, as first was the case when I took office here, the late John F. Kennedy, Lyndon Baines Johnson, or the present President, Richard M. Nixon. I believe that each of these persons certainly could not be faulted on their dedication to the proposition of the survival of this Nation. They have been interested in seeing that our strength be expended to further peace and freedom throughout the world. We can argue about the manner in which the war has been directed, but we cannot argue at all with the commitment of each of these distinguished Americans to serve as best they could and as best as they knew how, the people of this country. Feeling convinced of that, I have felt that it was a real privilege to do what I could to support the high office of the President.

As we try to make certain that Congress exercises its duties and responsibilities, on the one hand, in a manner consistent with the best interests of the people of this country, and to do it in a manner that will be consonant with the duties and constitutional responsibilities of the President, on the other, I think that the Senator from Tennessee has made a most important and valuable contribution to a better understanding of the issues involved.

Mr. BAKER. I thank my colleague from Wyoming who, in his usual incisive way, has commented on the subject of debate on the amendment offered by the distinguished Senator from West Virginia and, of course, paid to me an undeserved compliment—but I appreciate it.

THE PRESIDENT'S ADDRESS ON CAMBODIA

Mr. GURNEY. Mr. President, last night President Nixon spoke to the Nation about the operations in Cambodia. I do not know what other people expected to hear in the President's address, especially those who have been critical of the Cambodian operations, but this Senator from Florida heard exactly what he thought the President was going to speak about.

It was a serious, thoughtful, and thorough accounting to the Nation and all of its people of what the Cambodian operation was all about. The President restated fully and carefully why it was necessary to go into Cambodia and that was to prevent a further and continued buildup of Communist forces and Communist supplies in the Cambodian sanctuaries

along the border of South Vietnam. He again stated that this buildup if allowed to continue without interruption would have meant further loss of life of American soldiers in Vietnam as well as to put in serious jeopardy the orderly and steady Vietnamization of the war and withdrawal of U.S. troops, which has been going on under the Nixon administration.

The President pointed out that the operation has been a brilliant success, something that has been readily apparent, to all objective-looking people, almost from the beginning of the Cambodian incursion. The President outlined the enormous amounts of supplies which have been captured—weapons, ammunition, food and communication equipment and medical supplies, a capture and destruction of war material, which has seriously injured the enemy's capability to wage war in South Vietnam. It has set him back 9 months to a year.

President Nixon again reiterated his pledge to withdraw American troops from Cambodia by the end of this month of June, and he stated that more than one-half U.S. troops had already been withdrawn. This promise he made when our forces first went into Cambodia.

He again set forth his program of troop withdrawal from Southeast Asia, the additional 150,000 American troops which would be home within a year. Specially on this score, he stated that 50,000 or one-third of the projected withdrawal would be accomplished by October 15.

I think it is well to note at this time that the pledges and promises that the President has made on Vietnam since his becoming Chief Executive of the United States have been carried out in full. To use his words, "we have kept the pledge." And I say to that amen, for he certainly has.

For me, there were two outstanding features to his address to the Nation.

First, there is the kind of address which it was. I would call it the Nixon manner and presentation. He was thorough and candid. He did report to the Nation and level with its people to keep them fully advised on what is going on in Southeast Asia, something that was severely lacking in previous administrations. He exhibited the kind of leadership qualities that are greatly reassuring and encouraging, and that is the thoroughness with which the President approaches a solution and the dedication and resolution with which he carries it out.

There was no pyrotechnical display, which we have seen so often in past administrations in connection with major decisions. I for one am glad to see the absence of pyrotechnics. The time has come for thoughtful and thorough action, instead of barrages and offenses of words. The President has displayed this kind of leadership throughout his administration and it is a comforting and reassuring thing to witness in action.

The other main thrust of the speech which encouraged me was his talk about the basic commitment of his administration. He said it was to end this war and to bring peace. Of course, we all knew that was a basic aim. The important

thing is that President Nixon has the overall grasp of foreign policy which is so important to securing world peace and keeping such a peace.

The President realizes, and there are those who share his views, including this Senator, that peace in Vietnam cannot be divorced from peace in the Middle East, or any other trouble spot the world around. Vietnam and Southeast Asia are simply a portion of a worldwide picture puzzle. Fitting it in place properly, effects the whole picture of world peace.

Ducking out of a commitment in Vietnam, throwing this free nation, which is valiantly struggling to preserve its freedom, to the Communist wolves, is not going to satisfy their voracious appetite either in this part of the world or in other parts of the world. As all of us in the Chamber know, Russian Communists furnish 80 percent of the war supplies to the North Vietnamese and the Vietcong. Our fight there is more with them, at least as far as supplies are concerned, than it is with the North Vietnamese enemy. It is the Russian Communists that we are having the confrontation with right now in the Middle East. It was the Russian Communists which we had the confrontation with in Cuba some years ago. It was communism again in the past in the Dominican Republic. This is what many nations in Latin America are faced with today. This is what brought on the invasion of Czechoslovakia just a short time ago by Russian armed forces, an invasion which dwarfed that of Hitler's in another time.

The President is eminently correct when he says that in resolving Vietnam he is, "determined to end the war in a way that will promote peace rather than conflict throughout the world."

The speech was excellent. It was reassuring. It will be well received by the Nation as a whole.

ORDER FOR RECOGNITION OF SENATOR PERCY ON MONDAY, JUNE 8, 1970, FOLLOWING THE REMARKS OF SENATOR THURMOND

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the remarks by the distinguished Senator from South Carolina (Mr. THURMOND), the distinguished Senator from Illinois (Mr. PERCY) be recognized for not to exceed 30 minutes.

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

SENATOR RANDOLPH RECEIVES HONORARY DEGREE FROM BETHANY COLLEGE

Mr. BYRD of West Virginia. Mr. President, my distinguished colleague, Senator JENNINGS RANDOLPH, was honored at the annual commencement at Bethany College on Saturday, May 30.

There were 195 graduates from 15 States, the District of Columbia and Greece. The invocation was delivered by the Reverend Werdie S. VanArsdale, Jr., First Christian Church, Charleroi, Pa. and the benediction by the Reverend

James L. Stoner, National Council of Churches, New York City.

Five persons received honorary degrees from this institution nestling in the beautiful hills of West Virginia near the Pennsylvania border. In addition to Senator RANDOLPH, Joseph C. Gluck, dean of student education services at West Virginia University, was awarded the degree of doctor of laws; James M. Moudy, chancellor of Texas Christian University, received doctor of humane letters; Charles Crank, executive minister for the Christian Church—Disciples of Christ—in West Virginia, doctor of divinity, and Vernon R. Alden, former president of Ohio University and president and chairman of the board, the Boston Company, Inc., was awarded doctor of letters.

Dr. Perry E. Gresham, the beloved president of Bethany and Dr. Wilbur Haverfield Cramblet, a former president, joined in conferring the degree of doctor of public service on Senator RANDOLPH. Dr. Gresham commented:

Because you, Jennings Randolph, have maintained sweet reason when others came down with Potomac madness,

And because you have loved learning and devoted your talents to the colleges of West Virginia,

And because you have loved mankind and served your fellowman,

I confer upon you the honorary degree, Doctor of Public Service, with all the rights and privileges which this honorable and old college can grant.

The President was so right in calling his institution an "honorable and old" college because it was chartered by the Virginia Assembly in March, 1840.

The commencement speaker, Mr. President, was Vernon R. Alden, of Boston. I ask unanimous consent to have excerpts from his excellent address printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BYRD of West Virginia. Mr. President, Senator RANDOLPH, as a member of the Subcommittee on Education, and I are very much interested in small colleges and we work together for the benefit of West Virginia institutions of higher learning. We feel that small colleges have a very valid place in the educational process. I call to the attention of my colleagues, two recent articles relative to the plight of small colleges. Henry Steele Commager, the noted historian, wrote an article "Has the Small College a Future," in the February 21 issue of Saturday Review. Eric Wentworth wrote "Crisis Hits Private Colleges" for the May 30 issue of the Washington Post. Both make very important observations regarding small colleges.

EXHIBIT I

CHANGE CALLS FOR BUILDERS

Dr. Perry Gresham and Bethany College stand in sharp contrast to the chaos, confusion and loss of momentum experienced by so many colleges and universities today. It is for this reason I have chosen to speak about change . . . and the crisis of leadership in America.

Change, of course, has always been fundamental in the affairs of mankind. But for

long periods of history, change unfolded slowly, barely touching the lives of individuals, and imperceptibly altering the conditions of men over generations. But in the middle of the twentieth century, change has become a way of life, affecting each individual so powerfully that every year, it seems, produces violent contrasts in both technology and life style. As we look ahead to the 1970's, change will continue to accelerate.

Our nation today is undergoing profound changes in mood, in attitude and in outlook. Nowhere is this more dramatically reflected than on the college or university campus.

One of my favorite philosophers is Henri Bergson. In his book entitled "Creative Evolution," he says: "To exist is to change, to change is to mature, to mature is to go on creating oneself endlessly."

As we look ahead to the next quarter-century, changes and new developments will be even more fantastic than those we have experienced in the 25 years since I left college.

Consider the field of transportation, for example. When I took my first airplane ride—in a Navy plane in 1943—it took us two days to go from New York City to San Francisco. Today many people travel from Coast to Coast and back again the same day. The jet plane—developed since World War II—has given unbelievable mobility to all of us, and the Apollo Program has made science fiction transportation commonplace. It won't be too long . . . (the lifetime of most of us) . . . before new generations of planes will carry us at speeds of 8,000 miles an hour. Perhaps, before the end of this century, we'll be able to travel by rocketliners to any other place on earth in about 45 minutes. Technology seems to be moving much faster than our ability to cope with it. Airlines with their special problems of air traffic control, baggage handling and access to airports vividly illustrate this problem.

Consider the changes in the field of communication. In 1939 my parents took me to the New York World's Fair, making sure that I visited the wondrous "Science Exhibition Hall." Tucked away in the far corner of the building was a large black box with a fuzzy screen. My father said, "I think they call that television." Marshall McLuhan's parents may have taken him to the same exhibit. In those days not a single commercial television set existed; today 93% of all American homes have television. In our own homes, night after night, we watch riots, the war in Vietnam and other dramatic events taking place all over the world. This is the first time a war has even been fought in the living rooms of American families, and I think this is one of the reasons why the mood of the American nation—our attitude towards war—has been so profoundly changed.

Today, a one-quarter ton communication satellite can out-perform tons of transoceanic cables. We are overwhelmed with communications coming to us in a variety of forms; we almost seem to have too much data and not enough information. In the years ahead there will continue to be new breakthroughs in communication. I have been told that it will be possible to snap electrodes to our heads when we go to bed and take French lessons while we sleep. Some day we may be able to place tiny receiving sets in our back molars so that we can communicate with each other wherever we are. Wives will be able literally to chew their husbands out when they are taking too long on the golf course. Some people wouldn't call that progress!

Consider with me for a moment our population growth. The rapid growth in population may affect the style and quality of our lives more than any other phenomenon taking place today, especially in urban centers with their special problems of poverty, pollution, racial unrest, transportation tie-ups and lack of supporting services. Keep in

mind that it took *eight million years* for the *first one billion people* to be born on the face of the earth. But in a thirteen year time-frame—from 1962 to 1975—the world population will have grown by *another one billion*.

By 1975, earth will contain four billion people, and at our present rates of growth, the population of the world will be over seven billion at the end of this century. Thereafter, an additional billion people will be added every five years.

I could present other remarkable and devastating statistics which dramatize how the world is changing; I am sure that you could, too. We could reflect upon how the pace, the style and the quality of our lives will be influenced by these changes. They will affect *all institutions* in our society—almost too rapidly for us to prepare to cope with them.

My concern—and this is really the thrust of my message—is that most established institutions have not kept pace with change. Many of our major problems—the riots in cities, prolonged strikes in companies, student protests over curriculum—are the result of our not having planned in anticipation of difficulty. All too often we are forced to respond defensively in a moment of crisis, because we have not planned and organized ourselves in advance.

Why haven't our urban school systems been able to develop creative programs to reach youngsters who have been short-changed in their schooling because of race or poverty? And why has our society been so slow to respond to the needs of those whom it has condemned to poverty and discrimination. It took the efforts and funding by the Federal government to create such programs as Headstart, Upward Bound, Vista Volunteers and the Job Corps, and even now, six years later, they are still pitifully underfinanced.

When Sargent Shriver and I were planning the War on Poverty in early 1964, we invited representatives of all the major textbook publishers to meet with us in Washington. We wanted to review the so-called "integrated readers" that had been publicized in the press. I must say that I was terribly disappointed to be handed what looked to me like the familiar old "Jack and Jane and Spot" readers. But they had been deftly modified; the main characters had now been painted in sepia tones so that the mother looked like Lena Horne and the father like Harry Belafonte. But they were still living in a suburban setting with a white picket fence around a lush green backyard with a garden hose playing on a shiny car in the driveway.

We discovered that we would have to create our own materials by sending people out to Watts, Harlem and the Hough district of Cleveland to take photographs of children playing together and to write textbooks using language with which these youngsters would be familiar.

Now, I don't believe that a paternalistic Federal government ought to solve our problems for us, any more than you do. But the Federal government has been forced to step in where there has been a void left in planning by businesses, by hospitals, by schools, by labor unions, by courts, and by other organizations. In the years ahead, we must be much more creative in our planning. And much more sensitive to the pace and direction of change. This is beginning to happen as concerned people throughout the country are sharing their experience and talents. Task forces, composed of representatives from foundations, universities, businesses, corporations and government agencies, are addressing themselves to the major problems of this country. Coalitions, alliances, consortiums and committees are producing a new layer of capability and effectiveness on the community level.

Whether the mayor of a city or a governor

of a state is a Republican or a Democrat will become increasingly less meaningful than the quality of the man himself and the quality of the people with whom he surrounds himself. State boundary lines are becoming less relevant. New York City, for example, has little in common with up-state New York, but it has many of the same problems as Newark, Philadelphia or New Haven. Cleveland's problems are not those of southern Ohio, southern Indiana or West Virginia, but Cleveland has much in common with Detroit, Buffalo, Toledo or Chicago. For this reason, I predict that we shall be forced to approach our problems in the years ahead on a regional basis, forgetting narrow geographical allegiances. We must accelerate our urban planning, but we must not neglect rural, non-farm America. Many of our urban problems are compounded by the fact that thousands of people from Appalachia or the deep south have flooded into our big cities and have overwhelmed the poor school districts, the welfare agencies, the hospitals and other public service agencies. And they have done this because we permitted change to rob them of their land, their livelihood, and their dignity as productive human beings.

In the years ahead, we must utilize private institutions to solve our massive social problems to a much greater extent than we have in years past. When I was working with President Johnson and Mr. Shriver, I made the comment that private business—with Federal funding—had developed our enormous military defense system. Private corporations also planned and built our impressive capability for space exploration. Why can't we—I asked—draw upon this same talent, these incredible resources of our large corporations, to assist us in finding ways to solve human problems—the problems of poverty, of racial relationships, of housing, of education? Major corporations—IBM, Xerox, Westinghouse, Litton Industries, to name just a few—did take on Job Corps training centers and did an impressive job until diversion of funds to the Vietnam War curtailed government funding.

As change continues to accelerate in the years ahead, a special burden of responsibility will be placed upon leaders. As all of you know, it is not easy in these times to be a leader in either the public or private sector. No leader is immune from harsh criticism, or second-guessing, or destructive opposition. John Gardner has said that we seem to be immunizing people with "an anti-leadership vaccine."

Today a university education is no guarantee of leadership. It is true, however, that opportunity to lead is likely to come to those with the best preparation. The nature of the struggle you face as you leave Bethany is far different than that faced by any other generation in history. Throughout history, most men have been forced to devote their energies to the task of mere survival. Today's college graduate is not bound by this crippling necessity. Since he can supply his material wants in many fields, he is, therefore, free to look beyond prosperity for the area in which he can be of greatest service.

President Gresham and the faculty have tried to prepare you to become more than articulate observers or critics. I am sure that they have endeavored to make you active participants in the reshaping of society . . . builders rather than destroyers . . . leaders rather than followers.

At the time of our nation's Declaration of Independence in 1776, Alexander Hamilton was 19, James Monroe was 18, James Madison was 25, Aaron Burr was 20, Thomas Jefferson was 33, and Thomas Paine was 39. These young men, together with elder leaders such as Benjamin Franklin, John Adams and George Washington, shaped the beginning of a new and grand experiment. Somehow, Benjamin Franklin, at the age of 70, was able to work effectively with these young

men, and they respected him. Thirteen years later they formed the Constitution of the United States. Several of them went on to lead our nation as President.

I don't have the foreknowledge to tell you what our future institutions will be like, or whether the institutions which serve people will be better or worse than those we now have. But I am quite sure that there will be institutions; and if they are better than we have now, it will be because dedicated builders labored mightily to build and maintain them.

What kind of future role do you choose for yourselves? Do you want to be a destroyer of institutions? Do you wish to settle only for being a critic? Do you want to be one of those silent indifferent people who don't know what is going on and care less? Or, do you want to be a builder? Whether your contribution is great or small does not matter. It's an age-old choice: Do you destroy the good in the name of perfection, or do you work to make the good better in the name of humanity?

If you want to be a builder, are you willing to take the trouble to know what is the right action for you and to prepare yourself to be effective at it? Shortly after the late John Kennedy was elected President of the United States, one of his classmates in the Class of 1940 at Harvard was asked why he was not President rather than Mr. Kennedy. His poignant reply was . . . "I was just as smart as Jack Kennedy was, but Jack never stopped learning and growing."

For some of you in this class, today's ceremonies may mark the highpoint, the peak achievement in your lives. Others of you will continue to grow, to develop responsibility and to soar to new heights of accomplishment.

The Welsh poet, Dylan Thomas wrote to his dying father, "Do not go gentle into that good night." His message is equally applicable to the young people who are leaving our campuses today. Do not be apathetic toward injustice and insensitive to human suffering. Do not, as Robert Frost said, go with the drift of things, but bend change to the benefit of mankind. You will need all the wisdom and courage you have gained to address the problems that beset our planet. And this work of your lives will be the highest test of the love you have for your fellow man and for the unborn generations which will follow us.

THE OUTER CONTINENTAL SHELF

Mr. HANSEN. Mr. President, it was with concern and misgiving that I read of the President's proposal to renounce our rights to billions of barrels of oil and trillions of cubic feet of natural gas off our shores underlying the Outer Continental Shelf.

I am afraid the Department of State has again prevailed over more reasonable voices in other departments having direct responsibility for and jurisdiction over the energy requirements and resources of this country.

Hearings by a subcommittee of the Senate Interior Committee had been postponed by the chairman, the distinguished Senator from Montana (Mr. METCALF) until the administration had decided on its position in the matter of the seaward extent of U.S. sovereign rights to explore and exploit the natural resources of the seabed and subsoil of our legal Continental Shelf.

But before the hearings, which had been scheduled last week, were held, the President announced his proposal for a treaty among coastal nations under

which we would place the oil, natural gas and other minerals under international trusteeship as the "common heritage of mankind"—and to share an unspecified percentage of revenues even with Communist governments—if other coastal nations will similarly relinquish sole rights to minerals off their shores and join in a treaty regulating exploration and exploitation.

Mr. President, on April 13, 1970, I made some remarks here on what I considered the imprudence of giving up our national rights to our Continental Shelf for any reason.

As I observed at that time, about one-half of our estimated national reserves of petroleum and natural gas are located on our Continental Shelf. Therefore, the disposition of such a vast national asset is something that deserves the most careful consideration by all concerned. The consequences of a hasty or imprudent disposal of this vital natural resource could visit upon us difficulties and problems of unknown magnitude for generations to come.

As Senators know, article IV, section 3, of the Constitution vests in the Congress the power and the responsibility of disposition and the making of all needful rules and regulations respecting the territory or other property belonging to the United States. Since only Congress has been granted that authority by the Constitution, the role of Congress in the disposition of our Outer Continental Shelf is paramount, and history will judge whether the Congress has adequately met its responsibility as trustee of the Nation's property.

The treaty proposal contained in the White House statement would make it the nonnegotiable duty of the United States to pay to an international agency "substantial royalties" for minerals extracted on our continental margin beyond the 200 meter depth limit.

The treaty would make it the duty of the United States to act as trustee for an international agency in a trusteeship zone near our coast but beyond the 200 meter depth limit.

I understand that there are some 37 points around the coastline where the 200 meter depth limit occurs within the 3-mile limit, so-called, or within a distance of 3 miles from our coastline.

The international agency would authorize and regulate all nations of the world and their citizens in the exploration and exploitation of mineral resources beyond the continental margins.

In addition, the White House statement noted that it was this administration's intention to impose a so-far-unknown condition on all U.S. leases in the area of our continental margin beyond the 200 meter depth limit. All leases issued beyond the 200 meter depth limit would be subject to the terms of a future treaty and the authority of an international agency it would create.

The White House statement said the President would seek legislation to impose such conditions.

Such legislation could possibly come under the jurisdiction of a number of Congressional committees. As Senators know, three Senate committees have al-

ready taken an active interest in questions concerning the Outer Continental Shelf, including the Foreign Relations Committee, the Commerce Committee, and the Interior Committee. The President's announcement will add at least one more committee to that list, and perhaps more. I am speaking of the Finance Committee, under whose jurisdiction the taxing proposals will fall.

The President's announcement stated, in part:

I will propose necessary changes in the domestic import and tax laws and regulations of the United States to assure that our own laws and regulations do not discriminate against U.S. nationals operating in the trusteeship zone off our coast or under the authority of the international machinery to be established.

As a member of the Senate Finance Committee, I will be most interested in reviewing and analyzing such proposed changes in our import and tax laws.

A number of questions come to mind: Will such royalties and taxes paid to an international body be given similar treatment as taxes and royalties paid to a foreign government? Will production off our own coast be treated as foreign production and thereby be subject to import quotas and duties and such other regulations as may be applicable at that time? What will be the treatment of taxes paid to a foreign coastal nation which imposes taxes in addition to those imposed by the international agency?

The President's proposal also contemplates the "collection of substantial mineral royalties to be used for international community purposes, particularly economic assistance to developing countries." Is this not an avoidance of the appropriation process and congressional scrutiny of foreign aid obligations? What would prevent the international regime from using such funds for military air or ancillary aid of military operations, such as food rations, medical supplies, transportation equipment, and so on? It is well known that in certain circumstances, economic aid can be aid to the military since it may allow the diversion of the resources of a nation from civilian needs to the military.

Another area of concern is the safety of the drilling and producing operations. It is clear that the people of this Nation want such operations conducted in such a manner as will minimize the possibility of an oil spill, commensurate with existing technology. How much authority will the coastal nation have in regulating and monitoring such operations? Or, to put it another way, at what point will the international regime declare that the affected coastal nation is interfering with its authority over the exploitation and disposition of minerals outside the 200 meter boundary, and simply ignore the protests of that nation?

These are but a few of the important questions raised by the President's announcement. Congress has a deep interest and great responsibility in all of them. It was, therefore, gratifying that Under Secretary of State Richardson, during the May 27 hearings before the Senate Interior Committee, indicated the intention of the administration to

achieve an accord with Congress before proceeding with treaty negotiations.

This is of very real importance, and is the area that a number of members of Congress including myself will be following closely.

ORDER FOR RECOGNITION OF SENATOR PROXMIER TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, following the remarks of the able Senator from Ohio (Mr. Young), that the distinguished Senator from Wisconsin (Mr. Proxmire) be recognized for not to exceed 30 minutes.

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

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. ALLOTT. Mr. President, the junior Senator from Arkansas recently reached a significant milestone in his distinguished career. He became the Senator with the longest service as chairman of the Senate Foreign Relations Committee in all of American history.

The junior Senator from Arkansas is a man of strong beliefs. He has a record of forceful advocacy of those beliefs. This is fortunate. Those of us seeking guidance during this difficult debate concerning foreign policy can usefully consult the words of Senator FULBRIGHT.

For example, I think we can all find much useful insight in words the junior Senator from Arkansas spoke in this Chamber in 1951.

That was a dangerous moment in recent history—almost as dangerous as the present. American troops were engaged in a land war in Asia. There, in Korea, America was having its first bitter taste of limited war. In the grim slogan of the front lines, American soldiers complained of being asked to "die for a tie." American men were being asked to fight without recourse to the full might of the American arsenal. Our troops were endangered by the existence of Communist sanctuaries north of the Yalu River.

In Europe the wartime amity between the Soviet Union and the Allies had long since vanished. America was once again being asked to send troops to Europe.

The American people were weary of war and sacrifice. Yet once again they were debating the general issue of American commitments overseas. They were also debating the question of congressional restraint on the President in his difficult role as Commander in Chief.

That was the setting on January 22, 1951, when the junior Senator from Arkansas spoke the following words:

The Congress has the right and power to raise the Armed Forces, but the President has the responsibility for the command of those forces. If in the exercise of his best judgment the defense of this country requires the sending of troops to Europe, he has the power and the duty to do so. Congress, of course, can refuse to appropriate the money for the troops but that is a deci-

sion for which Congress must take the responsibility. In the long run decisions on military strategy are best left to the Executive. That is the plain intent of our constitutional system. It would be dangerous for our future welfare to change the underlying principle simply because a strong minority or even a majority of the Congress may lack confidence in the wisdom of the Executive in some particular instance such as the present one.

Mr. President, I think the junior Senator from Arkansas was correct in that interpretation of the intent of the Founding Fathers, and especially the Father of our Country, George Washington, agreed with the Senator's doctrine that "decisions on military strategy as best left to the Executive."

I think the junior Senator from Arkansas was not only right about the timeless constitutional doctrine, but also about the danger that can spring from tampering with fundamental constitutional principles. It is worth repeating his words:

In the long run decisions on military strategy are best left to the Executive. That is the plain intent of our constitutional system. It would be dangerous for our future welfare to change the underlying principle simply because a strong minority or even a majority of the Congress may lack confidence in the wisdom of the Executive in some particular instance such as the present one.

At this time the junior Senator from Arkansas was also vigorously defending the policies summarized under the name of the President whose vigorous leadership created them—the policies known as the Truman doctrine. After giving a brief summation of this doctrine, he said:

A foreign policy, of course, cannot be adequately described in so few words, but I think these brief descriptions are sufficient to give us a basis for discussion. One mistake that we are often prone to make, in dealing with matters of the greatest complexity, is to over-simplify the proposed solution. It is human nature to want to find quickly a simple, clear answer to the most difficult problem so that we can stop worrying about what we should do and get about doing it. We Americans are an impatient people and we cannot understand why our leaders do not tell us right off just exactly, in detail, what we should do and quit arguing about it. With a little reflection, I believe it becomes apparent that, in a matter as difficult as combating the imperialism of the Russian Politburo, there is no simple blueprint for action, and it is a dangerous illusion to accept one even if it is offered.

In dealing with an enemy as ruthless, as resourceful, and as unpredictable as the Politburo, we must be prepared on the one hand to meet wholly unexpected moves and at the same time to agree upon certain positive objectives of our own from which we must not allow ourselves to be diverted. This means that, although we agree upon broad policy objectives, we cannot follow blindly and stubbornly a preconceived pattern, but, on the contrary, we should be able to adapt ourselves promptly to changing circumstances. There must be an element of flexibility in any policy.

The Senator's thesis was true then and it is true today. That is the way it always is with arguments of true philosophic importance—they are timeless. The principles the Senator enunciated are not so insubstantial that their truth values vary

with time and place. To suggest that they do vary would do a grave injustice to the sagacity of the junior Senator from Arkansas.

He is especially cogent in stating the case for flexibility in policy designed to cope with a resourceful Communist enemy. And he understands that this requires congressional respect for Executive prerogatives in foreign dealings.

As the Senator surveyed the troubled world in 1951, he was especially concerned to draw some lessons about the nature of our Communist enemies:

Our leaders have been severely criticized for misjudging the character and intentions of the Politburo during and immediately after the war. Our hindsight, of course, tells us that we should not have trusted the Russians. However, in America we are accustomed to taking men at their word, and I submit that it is almost beyond the capacity of civilized people to understand, even now, let alone anticipate then, the savage and relentless attack of the Russians upon allies who so recently have saved them from annihilation.

Recognizing that we were tardy in coming to understand the nature of our Communist enemy, the junior Senator from Arkansas argued that we cannot rely on a policy which limits American involvement and commitments to the Western Hemisphere. While the guns roared in Korea, he argued vigorously for further expanding America's effort in Europe. He said:

Regardless of what might have been, we are now confronted with ever bolder aggression by the Communists, and we must agree upon a course of action. The first of the proposed policies, which I mentioned a moment ago, calls for the limitation of our commitments to the defense of the Western Hemisphere, with emphasis upon air and sea power, and was advocated recently by ex-President Hoover and former Ambassador Kennedy. More recently, the Senator from Ohio (Mr. Taft) advocated a program quite similar, with some extensions of our responsibilities to what he called island bases and to such key places as the Suez Canal and certain strategic airfields. The all-important distinction between the position of these gentlemen and the third policy mentioned above, is the policy toward Western Europe. The Hoover-Kennedy view would prevent the supplying of ground troops to a European army for the defense of Western Europe. This view, in short, would abandon Western Europe to the tender mercies of the Kremlin. Although some of the advocates of this position seek to deny that this is the intention or would be the result, I am unable to agree with their reasoning. It seems clear to me that if we refuse not only to make an equitable and fair contribution to the ground forces of a European army, but also fall to take the leadership in organizing it, we will, in effect, have abandoned those people to domination by the Kremlin. I believe that such a course is dangerous to our security and is morally dishonorable. It is dangerous to our security because the great industrial potential of Europe would fall to the Russians. It is dishonorable because it repudiates obligations to friends and allies and denies our debt of all those generations of Europeans who struggled through the centuries to bring liberty and justice to mankind.

The junior Senator from Arkansas was especially harsh in denouncing the theory that the Communist world would crumble of its own accord. He recog-

nized that such theories are the sort of rationalizations that result when a weary people allow their wishes to father their thoughts.

He said:

One of the arguments upon which Mr. Hoover and Mr. Kennedy rely very heavily is that it is our primary duty, not only to ourselves but also to the free world, to withdraw to the Western Hemisphere and build up impregnable military strength in order that he may be the bastion of freedom. The idea seems to be that when the Communist world begins to crumble in the distant future, we will sally forth to reestablish freedom and civilization. This thought seems to me to be a rationalization of a desired course of action rather than a serious and genuine argument. It is too obviously an attempt to justify saving oneself at the expense of others to be acceptable by any of our friends across the seas. If we accept this reasoning and voluntarily follow this course, I believe that, for the foreseeable future, we will be regarded by civilized people as unworthy of trust and confidence.

I am quite willing to concede that something needed to be done to awaken the Europeans to the deadly peril of their position and to induce them to bear their full share of the burden of rearming. If the speeches advocating withdrawal into our shell had this objective in mind, they may have had some merit, but, as an expression of sound policy for us to follow, I cannot agree with them.

The argument is also made that Europe has lost the will to resist and, therefore, it is useless to try to assist her. It is an insidious argument, and I believe it is unsound and misleading. Europeans may well be hesitant to assume a belligerent attitude toward Russia—at least until some progress is made toward developing a respectable army. I do not believe that basically the people of Western Europe have lost their spirit of independence or their desire to remain free men. The fact is that a few people realize how much the Europeans have already done in increasing their industrial production and in putting their house in order so that they can support increased armed forces.

Mr. President, I would like to call special attention to the Senator's clear-sightedness with regard to an argument that amounts to nothing more than "an attempt to justify saving oneself at the expense of others."

The Senator was very severe—but not, I think, excessively severe—in pointing out how insidious it is to argue that we should not defend an embattled people because they are a bit reluctant to take on a totalitarian enemy in unassisted combat. As he said, a nation may become a fine fighting force when it is assured that it is not alone. Thus he argued for an extension of American involvement in Europe:

The Europeans need assurance, not that we will furnish all, or even a major fraction, of the ground troops for their defense, but assurance that the shifting political scene in our own country will not expose them to sudden death in a futile undertaking. In other words, they want to feel that we are in this struggle with them, that we will not repudiate our Atlantic Treaty obligations nor by legalistic interpretation nullify the treaty's meaning.

The resemblance between the Senator's thinking about embattled European nations and President Nixon's thinking about embattled Asian nations is indeed striking.

The Senator also spoke convincingly of

the danger that the rhetoric of public men in our free society might undermine American attempts to exert leadership in an entire region of the world. He denounced influences toward "fatalistic defeatism," warning that such defeatism could bring about a return to the Dark Ages:

When influential public men like the Senator from Ohio (Mr. Taft) insist that we should not assume the leadership or the initiative in organizing the defenses of Europe, in effect they are saying there can be no leadership of the western allies. Whether we like it or not, ours is the only country with the prestige and power necessary to organize and lead the free peoples in opposition to the Kremlin. To refuse to accept the leadership and to provide the initiative, when it is obvious that we alone among the free peoples have the power to provide both, seems to me to be tantamount to ultimate surrender. I believe the most powerful influence toward fatalistic defeatism in free Europe is the doubt they entertain about our willingness to lead them vigorously and confidently in this struggle. We and the Europeans possess sufficient resources and manpower to restrain or, if we must, to defeat the Russians, but as yet we have neither unity of purpose nor strong leadership. The masters of the Kremlin lead their slave world in no uncertain manner. Unless we can do likewise for the free world, a return to the Dark Ages is no idle fantasy.

The junior Senator from Arkansas struck a judicious balance in the recommendations he made in the Senate that day. On the one hand he urged the Congress to affirm the President's plans to strengthen America's commitments overseas. On the other hand, he urged Congress to abstain from meddling with details, which are properly the responsibility of the Commander in Chief:

The broad question of policy, as to whether or not the best interests of this country require that we help Europe defend itself with troops as well as guns, is properly a question for Congress to decide. But the question of the precise number of men and machines needed to achieve the objectives should be left to the judgment of our military leaders. Such decisions are inherently executive in character.

The Senator chose a particularly felicitous and precise phrase in describing such decisions as "inherently executive in character." His defense of the Executive was of a piece with his strong denunciation of those whose handwringing and carping about our allies makes the United States appear to be a pitiful, helpless giant:

It is high time that some of our public men—and I do not exclude Senators—stop wringing their hands, stop searching for scapegoats, stop bemoaning our fate, and stop condemning our allies. What a spectacle we must be to little Finland, or Turkey, or Sweden, calm and determined as they are, and yet confronted at their very doors by the Russian bear. We are a great Nation, a rich, powerful, productive people capable of accomplishments beyond our imagination.

Mr. President, the words I have quoted thus far were spoken by the junior Senator from Arkansas in 1951. But they did not represent a position lightly adopted or easily discarded. On the contrary, they represented the sober reflection of a mature statesman. Proof of the Senator's enduring commitment to the principle of

presidential latitude in foreign dealings is to be found in words spoken much later in his career.

A full decade later, in 1961, after more than a decade and a half in the Senate, the junior Senator from Arkansas was still speaking on the question of Presidential power. He was still consistent and resolute in offering a sturdy defense of presidential prerogatives in foreign affairs.

On August 17, 1961, the Senator engaged in a significant debate concerning a proposed amendment designed to prohibit the President from giving any assistance to nations in the Sino-Soviet bloc. In the course of this debate, he spoke with commendable warmth and clarity. He was especially forceful in discussing the need for Congress to respect the President's latitude in foreign dealings. His reasoning is so cogent that I would like to quote from it at length. The following passage is from pages 16150-1 of the CONGRESSIONAL RECORD, August 17, 1961, and related to Senator DODD's advocacy of the restricting executive action:

Mr. FULBRIGHT. The Senator has made a very moving appeal about the constitutional responsibilities of this body. As I understand the Constitution, it gives to the President of the United States primary responsibility for the conduct of our foreign relations. The Senate basically, in most cases—with respect to recognition of countries, recognition of independence, acceptance of ambassadors, and so on—is in a position of advising and consenting; scarcely in a position of dictating to the President.

What the Senator proposes, I think, is to usurp the legitimate function of the President in this particular instance, by tying his hands in advance in a bill passed by Congress. If the bill were finally accepted, it would, of course, tie the President's hands. I do not think there is anything of value to the argument made in that respect.

There are many things of a domestic nature, concerning which we have primary responsibility—agriculture, roads, domestic improvements, and so on—with respect to which I think there has been perhaps a loss of some of our responsibility over the years, or an erosion of our responsibility. The remarks may be appropriate in that respect. I do not think the remarks are appropriate in respect to this issue.

With regard to the position of the President, the Senator stated he knew of no opposition from the President. It never occurred to me that the Senator thought the administration favored his amendment as written. I wrote to him, as I said before, and expressed our criticism of the amendment; not of the objective of the amendment, but of the terms of the amendment, which specifically named the nations involved and which also would deprive the President of any discretion, an authority the President has had in the past, as he has under the present law.

In order that this may be clear, without any question, Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the position of the executive branch, which I hold in my hand. It is rather long. I do not think it adds anything to what I have already said. I shall read only a sentence or two, but I am willing to read the remainder, if any Senator wishes to have me do so.

"The executive branch strongly opposes the amendment as being inconsistent with both the President's program and the Senate's own policy in this matter.

"First, the amendment would be contrary to a critical part of the President's program

as outlined in his state of the Union address of January 30, 1961."

The last sentence is:

"The executive branch is at a loss to understand what conditions would now warrant a repudiation of the President's program and the Senate's recorded policy on this important question."

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

"PROHIBITION ON ASSISTANCE TO SINO-SOVIET BLOC EXECUTIVE BRANCH POSITION

"The executive branch strongly opposes the amendment as being inconsistent with both the President's program and the Senate's own policy on this matter.

"First, the amendment would be contrary to a critical part of the President's program as outlined in his state of the Union address of January 30, 1961. In that address, he stated:

"Finally, while our attention is centered on the development of the non-Communist world, we must never forget our hopes for the ultimate freedom and welfare of the Eastern European peoples. In order to help reestablish historic ties of friendship, I am asking Congress for increased discretion to use economic tools in the area wherever this is found to be clearly in the national interest."

"The amendment would, for the first time since the inception of the foreign aid program, impose an absolute prohibition on the furnishing of assistance to the satellite countries at the very time that the President has made a special plea for increased authority.

"Second, the amendment would be at variance with the Senate's passage of S. 1215 on May 11, 1961. That bill amends the Battle Act so as to permit the President, upon a finding that it is important to the national security, to use authorities not only under the Foreign Aid Act but also under Public Law 480 and the Export-Import Bank Act to furnish nonmilitary assistance to satellite countries. In passing S. 1215, the Senate clearly recognized the need for discretionary authority in the President to respond to situations in these areas.

"The executive branch is at a loss to understand what conditions would now warrant a repudiation of the President's program and the Senate's recorded policy on this important question."

Mr. FULBRIGHT. Mr. President, I do not think there is any question about the attitude of the administration. I can only reiterate what I have said with regard to the position of the senior Senator from Connecticut. It has been stated very clearly by the Senator from Kentucky, who has had experience in the executive branch under the previous administration. Those things are not all black and white. They are fluid. They shift. That is why the Executive must have discretion.

Also in 1961, in the fall edition of the Cornell Law Quarterly, the junior Senator from Arkansas deployed other elements of his theories about the President's prerogatives in foreign dealings:

The source of an effective foreign policy under our system is Presidential power. This proposition, valid in our own time, is certain to become more rather than less, compelling in the decades ahead.

The dynamic forces of the 20th century—communism, fascism, aggressive nationalism, and the explosive awakening of long quiescent peoples—are growing more and more unmanageable under the procedures of leisurely deliberation which are built into our constitutional system. To cope with these forces we must be able to act quickly and decisively on the one hand, and persistently and patiently on the other.

The President is the symbol of the nation to the external world, the leader of a vast alliance of free nations, and the prime mover in shaping a national consensus on foreign policy. It is important to note, however, that while this responsibility is indeed very broad, his authority is often infringed upon or thwarted in practice by unauthorized persons.

In 1961 the junior Senator from Arkansas also spoke as follows:

With their excessively parochial orientation congressmen are acutely sensitive to the influence of private pressure and to the excesses and inadequacies of a public opinion that is all too often ignorant of the needs, the dangers, and the opportunities in our foreign relations.

I think the Senator's 1961 enthusiasm for Presidential prerogative led him to overstate the disabilities of Congress in the field of foreign policy. I am sure the distinguished chairman of the Foreign Relations Committee does not think that Congress should have no role at all in the formation of foreign policy.

Judging from various disquisitions on this subject which the Senator has essayed during his long service in the Senate, I would judge that he feels as I do on this matter.

I would judge that he thinks that it is for Congress to cooperate with the President in stipulating the general goals and broad contours of American foreign policy, but that Congress must leave to the President decisions about details and tactics—such decisions being, in the words of the Senator, "inherently executive in character."

Mr. President, I think the words I have quoted from the record of the junior Senator from Arkansas can give us real guidance in this troubled time. The words I have quoted were spoken a decade apart. They defended the power and latitude of the presidency for two different Presidents, President Truman and President Kennedy.

But obviously the junior Senator from Arkansas was not defending the power of any particular man or men at that time. I know he considers this a Government of laws and not of men. I know that his defense of the powers of the presidency was a defense of the office, not a defense of any officerholder's convenience.

There is one clear lesson to be drawn from the thinking of the junior Senator from Arkansas. It is that Congress should not curtail the vital freedom Presidents have traditionally enjoyed in foreign dealings. If I read the Senator's words correctly, he thinks that Congress has the legal power to hinder the President, but that such hindrance would be evidence of the arrogance of power on the part of Congress.

As the junior Senator from Arkansas declared in the CONGRESSIONAL RECORD, February 2, 1954, page 1106, when opposing the Bricker amendment:

It was never intended by the Founding Fathers that the President of the United States should be a ventriloquist dummy sitting on the lap of the Congress.

Mr. President (Mr. ALLEN), this concludes that portion of my remarks. But I want to make a few more remarks

based upon material which has come to me.

I have been surprised and astounded at the breadth and depth of the support that has come from the academic community in the last few weeks with respect to the President's position concerning his powers as Commander in Chief. I have received many letters and memorandums expressing this support. I introduced one of these into the RECORD and made a few remarks concerning it earlier this afternoon.

The letter I now introduce is from Jon W. Fuller, assistant professor of political science at Davidson College, in Davidson, N.C. Professor Fuller is a young scholar, educated at Oxford University and Princeton University. His letter contains an extremely brilliant defense of the President's situation. Mr. Fuller starts his letter by saying:

As a political scientist and a specialist in the field of national security policy, I am seriously concerned about several proposals now before the Senate, most immediately the Cooper-Church amendment, which would seek to challenge the constitutional power of the President as Commander in Chief, either directly or by implication.

He goes on and discusses the entire question in complete detail. But I think one part of his letter is particularly pertinent, and it should be listened to by all Americans. It reads as follows:

President Kennedy was said to be fond of quoting some lines from a Spanish poet, Domingo Ortega; they summarize, as he surely realized, the awesome and necessary responsibility which our system must assign to the President alone:

Bull fight critics ranked in rows
Crowd the enormous plaza full;
But only one man is there who knows,
And he's the man who fights the bull.

I am certain that nothing could express better than those few lines President Kennedy's own feeling of solitude when he faced some of the great crises with which he was confronted.

I ask unanimous consent that Professor Fuller's letter be printed at this point in the RECORD.

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

DAVIDSON COLLEGE,
Davidson, N.C., May 23, 1970.

Senator GORDON ALLOTT,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: As a political scientist and a specialist in the field of national security policy, I am seriously concerned about several proposals now before the Senate, most immediately the Cooper-Church amendment, which would seek to challenge the constitutional power of the President as Commander in Chief, either directly or by implication. The President's authority and the range of his discretion are indeed great, but this is because they are the product of a need equally great. The facts which justify this aspect of our constitutional development remain clear and persuasive. In the past, these facts have seemed clear to virtually all who have served in our national government and to all who have studied its structure and functions with care. Now some, including a few of those whose arguments for a strong Presidency have been most persuasive, are advocating a dangerous weakening of Presidential authority. They do so because they disagree strongly with the way in which some recent Presidents have used their awesome authority. I admit

that I share many of their concerns and misgivings about specific aspects of our policy in South-East Asia during the past decade. But such disagreements about the wisdom of specific policies are not adequate grounds to deny the continuing logic of our constitutional arrangements or to suggest that the realities of the world in which we live have changed in some dramatic way. In fact, so far as I have seen, those who propose these unwise and probably unconstitutional measures do not deny that continuing logic, nor do they suggest that world politics have somehow become dramatically different. They discuss only their disagreement with specific policies, and seem to ignore the constitutional implications of the means they have chosen to express that disagreement.

We have been more keenly aware of the great and necessary power of the President as Commander in Chief in the Cold War years, as problems of national security have become more demanding and more persistent. Yet the vast power implicit in our constitutional arrangements have been recognized from the first years of our Republic. The records of the debates in the Constitutional Convention clearly show that the designation of the President as Commander in Chief was quite deliberate. They had known a brief and unhappy experiment with command by committee early in the War for Independence, and they were prepared to recognize that such arrangements were illogical and unworkable. Command must be a unitary and decisive function, and this must ultimately involve the decision and responsibility of one man. Even in Washington's Administration, there was a need to use the powers as Commander in Chief. Almost every President has made some use of these powers. Most students agree that in the first 150 years of the Republic, before World War Two and the most obvious growth of Presidential power, there were approximately 150 instances of the use of military forces by a President without specific authorization of Congress.

The constitutionality of this broad use of the authority of the President as Commander in Chief has been upheld by the courts in dozens of cases. Perhaps as significant, the necessity and logic of such power has been accepted by the Congress and by the people.

There are, of course, some dangers in giving such enormous authority to one man. In an important sense, all government is dangerous. But no government, or a government too weak to perform its essential function of protecting its people, is even more dangerous. We simply cannot operate successfully as a nation in the contemporary world without the capacity for decisive and coherent action which the President, acting as Commander in Chief, provides. This argument applies most dramatically to the problems of nuclear weapons, and to the need for rapid decision from the President if those weapons should ever have to be used. Indeed, we have come to realize that it is this capacity to use such weapons rapidly and decisively which gives important credibility to our deterrence, and thus provides us the best chance of escaping the terrors of nuclear war altogether.

But the argument for decisive action in the case of possible nuclear war, which is not under direct challenge now, cannot be separated from the need for wide discretion in the use of the President's authority over all of our Armed Forces. The capacity to use more limited forces effectively is another important component in our deterrence capacity, and is thus part of a single argument for the necessity of unimpaired Presidential authority.

The proper authority of Congress is not challenged by this necessity for wide Presidential discretion in the use of military forces. Congress has the responsibility for determining the size and general composition of our military forces. Further, it is the responsibility of Congress, with the President,

to determine the goals and commitments of the United States in its national security policies. If members of Congress now disagree with some of these goals or commitments, it is entirely right and proper that they should speak out and offer resolutions to give effect to their proposals for alternative policies. A majority of the Congress has supported our general policy in South-East Asia, by means of appropriations and specific resolutions. It appears now that a majority of Congress and of the people as well support the policy of President Nixon to reduce our involvement in South-East Asia and to withdraw American troops from that war zone.

The matters in dispute are essentially matters of tactical decision. The precise pace of withdrawal, and the kinds of actions needed to make it as safe and responsible as possible are not decisions appropriately made by a vote of the 100 Senators or 435 Representatives. Indeed these are exactly the kind of questions which can only be made by a single, decisive commander. In our constitutional system, this single command responsibility belongs properly to the President and to him alone.

The simple argument of efficiency would seem powerful enough to make the necessity of such arrangements clear. Fortunately, this assignment of responsibility is also entirely compatible with ultimate control by the people. Indeed, clearly fixed responsibility is absolutely essential if such ultimate popular control is to be meaningful. The entire Congress, and certainly the citizens of the nation, are neither prepared nor able to make the detailed decisions appropriate to the President as Commander in Chief. But they can, very properly and appropriately, judge the results, and thereby determine the proper future course of American policy and the suitability of the President to continue in his responsible office. If it is decided that he has performed poorly, he can expect to be replaced. President Nixon showed that he was specifically and clearly aware of this during his address to the nation concerning our operations in Cambodia. It is in this way that our system reconciles responsibility and efficiency. If we are to survive as a democracy, we must have both. A strong President, prepared and able to make the specific decisions and take the crucial risks, allows us to have both responsibility and efficiency. We will neither increase democracy nor improve policy by taking action which ignored either logic or the real state of the world in which we must live. Any attempt to substitute the judgement of Congress for that of the President on a technical issue, which the Constitution has given to him alone to decide, will serve neither to improve our system for making national security decisions, nor will it improve the quality of those decisions. Indeed all evidence would lead us to expect that group decisions on issues of this kind will be vastly less effective, and at best no wiser.

President Kennedy was said to be fond of quoting lines from a Spanish poet, Domingo Ortega; they summarize, as he surely realized, the awesome and necessary responsibility which our system must assign to the President alone:

Bull fight critics ranked in rows
Crowd the enormous plaza full;
But only one man is there who knows,
And he's the man who fights the bull.

The deep and properly emotional concern which our war in Viet-Nam has evoked must not be allowed to distort our judgment about fundamental constitutional and logical questions. And yet, I fear that the proposals now being made, which would reduce the power and discretion of the Commander in Chief, violate both constitutional and logical principles.

I commend you for your stand in favor of full and constitutional authority for the President in national security policy, and I urge you to redouble your efforts to persuade

a majority of the Senate that on issues of such seriousness and importance, emotional response and tactical disagreements must not prevail over logical and tested principles of government.

Sincerely yours,

JON W. FULLER,
Assistant Professor of Political Science.

Mr. ALLOTT. Another letter I have just received is from Mr. William Schneider, Jr., Ph. D., strategic analyst of the Hudson Institute. He is a leading member of the staff of one of the Nation's most respected policy research institutes. I shall read only two or three lines from the letter. Of course, these lines are extrapolated from the letter, and I will put the complete letter in the RECORD. Dr. Schneider says:

I wish to take this opportunity to register my serious concern over the character of proposed legislation currently under consideration by the Senate which would have the effect of imposing significant constraints upon the conduct of foreign policy in Southeast Asia by the President of the United States.

Legislation which is designed to have the effect of limiting the power of the President to commit the armed forces of the United States to the fulfillment of foreign policy objectives in situations where a declaration of war would be inappropriate could have catastrophic consequences for the United States and the cause of world peace.

Then I skip a few lines and continue:

Various U.S. Presidents in nearly two centuries of history have employed military forces outside of U.S. territory over seventy times without a declaration of war while only five such actions were declared wars by the Congress.

Mr. President, he concludes by listing "six potentially disastrous consequences" which could result from unwise restrictions on the President. The sixth one is very important.

He says:

The possibility of U.S. participation in multinational peace-keeping efforts, either on an ad hoc basis or through existing international organizations is seriously diminished, reminiscent of the situation which obtained during the "isolationist" period in the U.S. between the World Wars.

He concludes the letter by saying:

It is clear, however, that the effect of such legislation would be to inhibit the President from acting in Korea, the Middle East, Europe, or elsewhere without a declaration of war. The national interest of the United States and the cause of world peace would be ill served by the passage of such legislation at this time.

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

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

HUDSON INSTITUTE,
Croton-on-Hudson, May 25th, 1970.
Sen. GORDON ALLOTT,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: As an individual professionally concerned with defense and foreign policy issues, I wish to take this opportunity to register my serious concern over the character of proposed legislation currently under consideration by the Senate which would have the effect of imposing significant constraints upon the conduct of foreign policy in Southeast Asia by the President of the United States.

Legislation which is designed to have the effect of limiting the power of the President to commit the armed forces of the United States to the fulfillment of foreign policy objectives in situations where a declaration of war would be inappropriate could have catastrophic consequences for the United States and the cause of world peace.

It should be noted that historically the President of the United States has frequently employed U.S. armed forces outside of our borders to accomplish foreign policy objectives without the benefit of a formal declaration of war under the explicit constitutional power granted to the President to conduct foreign policy. Indeed, the employment of military forces under a formal declaration of war is the overwhelming exception in U.S. history. Various U.S. Presidents in nearly two centuries of history have employed military forces outside of U.S. territory over seventy times without a declaration of war while only five such actions were declared wars by the Congress.

In the highly dangerous times in which we live, it is crucial that the President retain his historic power to conduct foreign policy. I would argue that there are at least six potentially disastrous consequences which could follow from the passage of such legislation.

1. Inhibiting the President from responding to low level military threats without a Congressional declaration of wars could dramatically increase the likelihood of nuclear war by making every future international conflict escalation-prone by limiting the President to a choice between inaction and requesting a Congressional declaration of war.

2. Any future military conflict in which the U.S. became involved would be far more costly in terms of lives, treasure, and political commitment because of the "all out" national effort which has historically been associated with declared wars.

3. All U.S. alliance relationships could be seriously weakened, perhaps beyond repair because of a loss of confidence in the ability of the United States to respond to levels of international violence which are below that which would justify a declaration of war.

4. The world level of violence would rise in areas where the "umbrella" of American alliances formerly acted to mitigate the scale of conflict (e.g. the Middle East) because of the uncertainty of possible U.S. intervention.

5. Limiting the flexibility of the President to respond to various levels of violence flies in the face of every serious study of the use of Presidential authority in foreign affairs since World War II. The President should have greater rather than less flexibility of response.

6. The possibility of U.S. participation in multi-national peace-keeping efforts, either on an ad hoc basis or through existing international organizations is seriously diminished, reminiscent of the situation which obtained during the "isolationist" period in the U.S. between the World Wars.

Most of the legislation under consideration is narrowly focused upon efforts to limit the freedom of the President to conduct military operations in Southeast Asia to carry out our foreign policy objectives. It is clear, however, that the effect of such legislation would be to inhibit the President from acting in Korea, the Middle East, Europe, or elsewhere without a declaration of war. The national interest of the United States and the cause of world peace would be ill-served by the passage of such legislation at this time.

Sincerely yours,

WILLIAM SCHNEIDER, Jr., Ph. D.,
Strategic Analyst.

Mr. ALLOTT. Mr. President, I have just one more letter to which I shall refer this afternoon. I have a multitude of these letters which I hope to discuss and analyze fully at another time. This

afternoon, perhaps, but which I think are significant in light of the distinguished academic backgrounds of the writers of the letters.

The letter I hold in my hand is from Prof. Myron Rush of the Department of Government at Cornell University. Professor Rush is one of the Nation's foremost experts on the Soviet Union. I will just read two sentences:

In the past, uncertainty about how the United States would respond to offensive actions has helped to deter such actions. The proposed restrictions upon Presidential action would reduce this uncertainty and consequently lessen its deterrent effect on the Communist states.

Mr. President, I want to state at this time that I am very deeply indebted to all the distinguished gentlemen who have written to me in support of the President's position regarding the powers of the Commander in Chief.

I ask unanimous consent to have Professor Rush's letter printed in the RECORD.

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

CORNELL UNIVERSITY,
ITHACA, N.Y., May 24, 1970.

Senator GORDON ALLOTT,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: I am writing to express my concern about Senate proposals that would limit the President's capacity to perform his Constitutional functions as Commander-in-Chief of the Armed Forces. Quite apart from the serious Constitutional issues which they raise, action by the Senate along these lines would have the effect of restricting the President's capacity to respond to threats and to aggressive moves by the Communist states. In the past, uncertainty about how the United States would respond to offensive actions has helped to deter such actions. The proposed restrictions upon Presidential action would reduce this uncertainty and consequently lessen its deterrent effect on the Communist states.

The result could be to further weaken the stability of the international order at a time when some Communist states are already engaged in probing actions to test the United States' will and capacity to respond.

Yours truly,

MYRON RUSH.

Mr. ALLOTT. Mr. President, I mentioned awhile ago that I hope all relevant issues will receive full discussion on the Senate floor. I also mentioned some of the reasons why I hope that they will.

The President's speech last night certainly did several things. Most important, it clarified the situation in Cambodia. One of the reasons why this debate and this discussion should continue is to see what the results of the Cambodian situation will be. I am sure it will be the greatest military success of the Vietnam war. In fact, it may be the only thing we can speak of in the Vietnam war as being a brilliant military success.

I am sure that it is heartening to all Americans to know that of the 31,000 Americans who entered Cambodia, 17,000 have already been withdrawn, and that it is the intention to withdraw the remainder before the end of the month. The President is doing exactly what he previously stated to the American people that he would do. I have never doubted that he would do exactly what he pledged to do.

It was also gratifying to hear that he would withdraw another 50,000 troops by the fall, and that he intended fully to keep up the timetable of withdrawal of 150,000 troops between now and April of next year.

Mr. President, it seems to me that we are seeing some light and progress in a war that many people believe was a great mistake. This has been a difficult war for all Americans, especially for those who have lost their loved ones, and for those who will bear the scars of that war for the rest of their lives.

It seems to me that the President's policy provides some light and makes the effort that was made in Vietnam begin to have meaning.

As his aspirations and goals, as stated to the country last night and in previous speeches, are reached, we can indeed, be thankful for a President of such great courage and stature.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. ALLOTT. 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. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEATH OF MILBURN D. AKERS, FORMER EDITOR OF CHICAGO SUN-TIMES

Mr. PERCY. Mr. President, the State of Illinois and the Nation have suffered a

great loss in the death of Milburn D. Akers. Mr. Akers, known as Pete, was the former editor of the Chicago Sun-Times, the president of Shimer College, and a distinguished citizen of my State for many years.

Last week, after staying with his dying sister all night, he drove his car toward Springfield, Ill., after only an hour's sleep, in order to testify on behalf of State aid to private, higher education in Illinois. While en route, he was killed in an automobile accident.

Pete Akers loved life. He loved the State of Illinois. He loved the newspaper business. He particularly loved young people, and spent the final years of his life strengthening higher education in Illinois. He devoted his entire life to trying to find a way to make this a better world for young people.

I think it is a tragic thing that his death occurred when he had so many years of life ahead of him in which to contribute so much to society.

Pete Akers loved to talk, to share ideas late at night with friends and acquaintances on any subject of importance that was current to the day. I have engaged in such conversations with him, and they were immensely enjoyable. I remember telling him after a discussion downstate that he should get more sleep before driving back to Cook County and to Chicago to his job with the newspaper. But I do not know of anyone who knew the highways and the byways of Illinois as well or better than he did, and I always admired his capacity for driving steadily after just a few hours of sleep. I often drove with him myself while downstate.

It is, I suppose, symbolic that Pete Akers should die while giving his atten-

tion to the needs of others—to his dying sister and then to the problems of the young people of his State. Those of us who have been privileged to be his friends through the years, shall miss him a great deal.

Mr. President, I am pleased to have the honor to pay tribute to him on the floor of the U.S. Senate.

He loved this country. He loved the free institutions of the country. As an editor and as a distinguished citizen throughout the course of his lifetime, he did everything possible to strengthen and build America. I know of no person in the State of Illinois or in the Nation who has contributed more as a citizen to the growth of his country and his State. In the role of a private citizen, he played a responsible and valuable role in participatory government.

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

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

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, there being no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Friday, June 5, 1970, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES—Thursday, June 4, 1970

The House met at 11 o'clock a.m.

William F. Ruhl, president, B. C. Goodpasture Christian School, Nashville, Tenn., offered the following prayer:

Our Father in Heaven, we thank Thee for this quiet moment before the pressing needs of a new day come upon us. We are thankful for those who have dedicated their lives to public service, and we pray Thy richest blessings to be upon the Members of Congress today. We ask for Thy overruling providence in a day of world confusions and uncertainty. We pray, our Father, bless our President and leaders of nations around the world. May a spirit of brotherhood, an awareness of Thy equal concern for all men, and a genuine desire to live together in unity guide all their deliberations. We ask this prayer in the name of Him whose truth makes men free. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1971

Mr. NATCHER. Mr. Speaker, I move that the House resolve itself into the

Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Wisconsin (Mr. DAVIS) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

The SPEAKER. The Chair designates as Chairman of the Committee of the Whole the gentleman from Texas (Mr. BROOKS) and requests the gentleman from Tennessee (Mr. FULTON) to temporarily assume the chair.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the consideration of the bill H.R. 17868, with Mr. FULTON of Tennessee, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the unanimous consent agreement, the gentleman from Kentucky (Mr. NATCHER) will be recognized for one-half hour and the gentleman from Wisconsin (Mr. DAVIS) will be recognized for one-half hour.

The Chair recognizes the gentleman from Kentucky (Mr. NATCHER).

Mr. NATCHER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, at this time we submit for your approval the annual District of Columbia appropriation bill for fiscal year 1971.

As chairman of the Subcommittee on the District of Columbia Budget, it is a distinct honor for me to serve with the gentleman from Wisconsin (Mr. DAVIS), the gentleman from Connecticut (Mr. GIAMMO), the gentleman from Michigan (Mr. RIEGLE), the gentleman from New Jersey (Mr. PATTEN), the gentleman from Oregon (Mr. WYATT), the gentleman